

# CLIO, MINERVA AND THE AMERICAN REPUBLIC

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Gordon Wood's *Creation* is surely one of the most successful first books of the twentieth century. It made an immediate impression when it was published in 1969, and it has remained a seminal study of the founding era. As is true for all other scholars of that era, it has been a tremendous influence on my own work. On rereading it in preparation for this event I was once again impressed by the net-full of sources he caught up in his researches, and even more by the large number of truly impressive insights he presents to his readers. Even after the almost 60 years during which the book has been in circulation, so much of what he says still has the aroma of freshness and the power of revelation.

My rereading also brought back to mind some of my abiding thoughts about differences of perspective traceable to the different disciplines from which we approach the material. These differences are real, despite the fact that we share a basic concern with the intellectual or, as Bailyn put it, "ideological" origins of the American republic. And, despite the fact that we also agree that the Americans had created a "system without a precedent," as Madison once put it, and a new political science to match.

One manifestation of the difference in perspective is formal. As I have already suggested, Gordon, like historians in general, casts a wide net; he quotes small passages from many sources. He does not normally spend much effort in interpreting or analyzing the individual intellectual quotations he garners. I think of this as horizontal history. We political theorists are inclined to a more vertical sort of history. We don't scan so wide a horizon, but drill down into the bits we find. "Drill, baby drill," is our motto. Now, I think the two, the horizontal and the vertical, do not necessarily contradict each other, but should instead complement each other, each adding something to what the other brings.

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To some extent the differences between the historian and the political theorist are like the differences Tocqueville identifies between the historians of democratic ages and the historians of aristocratic times. The

democratic historian sees broad social forces at work; the aristocratic historian sees individuals, statesmen even, at work. The political theorists, in a parallel way, do not consider all intellectual output equal and equally significant. There are intellectual mountains, or at least substantial hills, and intellectual slopes, running down from those hills. The historian Wood is impressed by the “diverse views and clashing interests,” which were somehow—’twas a miracle he suggests—”blended” to make up the new political system and the new “American science of politics.”

As a political theorist I am not inclined to deny the pluralism of views and interests, but would describe it less as a flat plain than as a rolling terrain, with some moderate rises here and there, and a few much steeper ascents punctuating the landscape. These higher hills are the thinkers who have developed a more thorough and more or less well-worked out theory of politics and constitutions. As the citation research of Don Lutz showed, the names of two of the mountains of the founding era were John Locke and Montesquieu.

What do each of these approaches give us? What does each leave out? I want to return to this in a moment but first I want to identify a more fundamental difference. Alexander Hamilton almost caught it in the opening paragraph of *Federalist* 1. There he famously established the contrast between establishing governments on the basis of “reflection and choice” on the one hand and “accident and force” on the other. The historian tends toward analysis in terms of accident and force. His main theme is the contingent or what Aristotle called the accidental. History results from the concatenation of contingent forces. Neither preexistent pattern nor intention rule. So, for example, Wood maintains that “the creation of a new political theory was not so much a matter of deliberation as it was a matter of necessity.” In response to this assertion, we political theorists, along with Hamilton, would be inclined to say deliberation or reflection had a greater role than the historian is willing to grant.

Gordon makes a similar point in an earlier chapter. It occurs in a quotation from John Taylor: “through the telescope, necessity, new principles were discovered.” The necessity Taylor refers to appears to be this: before the Revolution Americans “observed only the elaboration of the mixed British Constitution,” as Gordon restated Taylor’s point. The Americans were faced with necessity of innovation because American society failed to embody the social forms needed to make up a mixed constitution like that of Britain. The American response to this necessity was the invention of a novel theory of separation of powers, rooted in representation, that satisfied their requirement of a wholly republican government.

Gordon, in his truly splendid summary chapter on the American Science of Politics, rightly notes the “pervasiveness of representation” in American practice and theory. He relates the large role of representation to the

emergent notion of popular sovereignty, which provided an explanation of what representation is and why it is legitimate. The rootedness of representation in sovereignty of the people insured that “the powers of the people were thus never alienated or surrendered to a legislature.” “Representation,” he tells us, “never eclipsed the people-at-large, as apparently it did in the English House of Commons.” Moreover, only the popular sovereignty doctrine, properly understood, “could make federalism intelligible.” And, I would add, make the emergence of Madison’s new federalism conceptually possible by overcoming the previously dreaded conceptual impossibility of an *imperium in imperio*.

So, according to Gordon, the popular sovereignty idea was cardinally important in shaping and making possible the American science of politics. And that doctrine, he tells us, had its origin in “the confrontation with the Blackstonian concept of legal sovereignty.” This confrontation “forced the American theorists to relocate [sovereignty] in the people-at-large.” This “transference” was “comprehensible only because of the peculiar experiences of American politics” (599). That is to say, the peculiar contingencies, of early American politics.

We political theorists are surprised not to see the name of John Locke a bit more prominent in this context. It is Locke’s language that Thomas Jefferson adapted when he affirmed in the Declaration of Independence the source of governmental power in the “consent of the governed.” It is Locke who had a story about the origin of government that made a place for, made sense of seeing the people as the ultimate source and repository of all legitimate coercive power. And, Locke’s political doctrines were widely known all over America in the years before independence. The political class read his works, or read and heard others who were influenced by him. Others heard his politics preached in church while they were consulting his child-rearing advice at home.

It is indeed an interesting question what led so many American opinion leaders to find Locke attractive. It could be the sheer persuasiveness of his arguments. It could be the way his arguments fit felt needs of the moment, for example, responding to the Declaratory Act and the Blackstonian theory of sovereignty that appeared to justify it, though it is clear Locke already had a substantial presence in the colonies even before 1765. But whatever the answer to that question there are losses in not recognizing Locke’s presence and gains to be realized from integrating the political theorists’ perspective.

Let us say, following Gordon, that replying to the theory of sovereignty implied in the Declaratory Act was indeed a felt need of the 1760’s and 1770’s. To have a felt need is not to have a solution to that need. Locke, the most widely respected philosopher of the 18<sup>th</sup> century for his *Essay Concerning Human Understanding*, happened to have promulgated a theory

of the origin and legitimate exercise of political power that did indeed supply an alternative to all doctrines that might underwrite British policy, ideas like divine right of kings, virtual representation, or Parliamentary sovereignty. And that alternative happened to be a doctrine of popular sovereignty. This doctrine was not a mere nugget of meaning, standing alone with no intellectual structure to support it. It was part of a larger structure of thought, which presented a plausible alternative theory, a theory which innovated in many ways, but retained intimate links to inherited political principles, such as those contained in the common law doctrines protecting life, liberty, and property.

At the same time, Locke reconceived these rights as natural rights, buttressing them from claims of parliamentary power to control or even overturn them. The doctrine of popular sovereignty was tightly bound up with the doctrine of natural rights, a doctrine arguably the source of the doctrine of popular sovereignty. This intellectual connection goes a long way toward explaining the movement in colonial “thinking” from dependence on the “rights of Englishmen” to depending on natural rights, a movement that, not coincidentally, paralleled their affirmation of popular sovereignty.

Another gain of seeing the role of the mountain that was Locke is that the various nuggets or tidbits of meaning that horizontal historians tend to collect now appear to be interconnected in intelligible ways. Indeed, the political theorists’ perspective can help alleviate one of the abiding difficulties of horizontal history. These horizontal historians—or the better ones—surely do not tell a story of merely unconnected intellectual nuggets of meaning. But to a remarkable degree the sinews of connection are the product of the historian. Thus, the horizontal historians frequently develop very different narratives to organize their materials. I think, for example, of the different stories Gordon and J.G.A. Pocock tell of the development of the political thought of the constitution-making moment. According to Gordon, the American science of politics is “the end of classical politics”; according to Pocock, it is merely another version of “classical politics,” competing claims even more opposed than they might seem, for our two historians have quite different understandings of what “classical politics” is.

Now I don’t mean to say that the correct way to do history is to see it as a mere working out of the intellectual constructions of the mountains. History as a dimension of reality is full of contingencies; history as an intellectual discipline must be an empirical inquiry. Horizontal history gives us insight into the thought that actually was present in the society, that could have been a moving force in the unfolding of events. So, the fact that Locke developed the first theory of popular sovereignty at all capable of filling the function needed by the American theory of politics does not prove in itself

that it was seen by the Americans to do so. We need the sort of evidence horizontal history provides. The mountains can supply hypotheses helpful to organize the empirical materials and ways to develop narratives that more organically relate the tidbits. Perhaps it is helpful to think of the relation of horizontal and vertical histories as similar to the respective roles of theoretical and experimental physics. It is, after all, pretty clearly the case that history contains both intentional action, reflection and choice, deliberation, on the one hand, and contingency, on the other.

Let me almost close in a shocking way by appealing to an historian unlikely to receive a favorable hearing in this crowd, but I think one useful nonetheless. The historian to whom I refer is Hegel, who pointed out that Kepler necessarily deployed the empirical astronomical data available, but that he could never have charted the orbits of the planets without knowing about the ellipse, an idea he did not derive from the data but which he applied to it. No doubt Gordon would call for a more interactive relation between “data” and “theory” than Hegel does. All the more reason to close with a robust cheer for the work, and the legacy, and the person of Gordon Wood.