*The Intellectual Heritage of the Constitutional Era*

THE DELEGATES' LIBRARY

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THE LIBRARY COMPANY OF PHILADELPHIA
*1314 Locust Street*

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Cover:
*"View of Several Public Buildings, in Philadelphia,"* attributed to Charles Willson Peale, engraved by James Trenchard; *The Columbian Magazine*, Philadelphia, January 1790.

# *Foreword*

As the fifty-five delegates to the Constitutional Convention assembled in Philadelphia's Independence Hall in the momentous summer of 1787, they were not two blocks from Carpenters' Hall, where the fifty-five-year-old Library Company of Philadelphia had occupied two rooms since 1774. The Library Company had opened its doors to the First and Second Continental Congresses, and so it was probably only to formalize an arrangement taken for granted that the directors resolved, on 5 July 1787, to "furnish the Gentlemen composing the Convention now sitting, with such Books as they may desire during their Continuance in Philadelphia." Two days later William Jackson, secretary to the Convention (and a member of the Library Company) returned the thanks of the delegates to the directors for "their polite attention." And so the Library Company became "The Delegates' Library."

Unfortunately, no circulation records for the period exist, so that we can never know which delegate borrowed or consulted what work. But virtually every significant work on political theory, history, law, and statecraft (and much else besides) could be found on the Library Company's shelves, as well as numerous tracts and polemical writings by American as well as European authors. The existence of a 1789 printed catalogue of the collection makes it possible to ascertain with great certainty what those works were, and the very copies that the delegates might have used are still on our shelves.

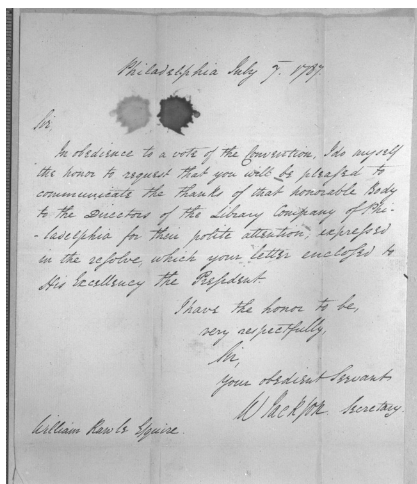
During the Convention the delegates brought the cumulative wisdom of Western thought to bear in the practical matter of framing a workable government. Regardless of the degree to which they con-

sulted the Library Company's collection, they could not have failed to realize that nowhere else in America were so many of the principal works embodying this intellectual heritage gathered together under one roof.

To commemorate the Bicentennial of the Constitution, the Library Company has chosen to present an exhibition of the books that are known to have been influential in framing the minds of the Framers. And to interpret those books for a wide audience, to make some sense of this vast universe of writing, the Library Company commissioned Jack P. Greene, Andrew W. Mellon Professor in the Humanities at The Johns Hopkins University, to write the present booklet. A better choice could hardly have been made, as the reader will discover as he explores with Professor Greene the several strands of thought that constituted the intellectual heritage of the Founding Fathers.

It is our hope that his essay will not only serve as a guide for those who visit the Library Company's exhibition in this season of the Bicentennial, but that it will be read and studied with profit by many more people in all seasons, and thereby become a lasting tribute to the lasting contribution of the Framers.

*John C. Van Horne*
*Librarian*
*September 1986*



Philadelphia July 7. 1787.

Sir,

In obedience to a vote of the Convention, I do myself the honor to request that you will be pleased to communicate the thanks of that honorable Body to the Directors of the Library Company of Philadelphia for their polite attention, expressed in the resolve, which your letter enclosed to His Excellency the President.

I have the honor to be,
very respectfully,
Sir,
your obedient Servant
W Jackson Secretary.

William Rawle Esquire.



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THE

SPIRIT

OF

LAWS.

Tranſlated from the French of

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# 1

## *Introduction*

THE FIFTY-FIVE men who came together in Philadelphia to construct the Federal Constitution during the long hot summer of 1787 brought an impressive array of learning and experience to their task. But they were by no means prisoners of their own resources. Contrary to the belief of some contemporary Europeans, Philadelphia was not a rude and undeveloped settlement on the peripheries of European civilization. To be sure, unlike London or Paris, it was not an old metropolitan center in which the political, economic, and cultural resources of a well-established nation-state were concentrated and to which the talent and intellect of an ancient, well-organized, and coherent society automatically flowed. But it was a major city, comparable in size and resources to most of the major secondary seaports and urban centers of late-eighteenth-century Europe.

Just down the street from Independence Hall, for instance, the Library Company of Philadelphia, already about a half-century old, contained an impressive collection of books. Except perhaps for the college libraries of Harvard and Yale, this growing and vital institution was almost certainly the largest library in English-speaking America, and it compared favorably with similar institutions in British provincial cities. Indeed, with around 5,000 titles listed in its 1789 published *Catalogue,* it contained almost all the major books in a bountiful intellectual heritage that was then undergoing an exciting period of expansion and redefinition. Those books provided the delegates with direct and easy access to the accumulated wisdom of this heritage.

During the twentieth century and especially over the past thirty years, intellectual historians have developed an increasingly sophisticated appreciation of the richness and complexity of this heritage. In doing so they have engaged in lively debate over which of its several identifiable and allegedly discrete strands was most influential in forming the underlying intellectual predispositions and shaping the thought of the founding generation. Although historians have long appreciated the role of English jurisprudential, classical, and Enlightenment ideas in contributing to the thought of the Founders, they have traditionally emphasized the primacy of the work of the great English philosopher John Locke and the liberal tradition with which he was associated.

But a new and more penetrating interest in the political culture of the larger early modern British world of which the Revolutionary generation was a part has produced a much more complex picture in which several alternative sets of ideas have been seen to have had a major influence. Since the early 1960s, scholars have uncovered, explored, and assessed the influence of a vital opposition and/or republican tradition deriving from the civic humanism of the Italian Renaissance; a voluminous literature generated within Britain's Protestant religious community; and the moral and historical tradition associated with the Scottish Enlightenment of the eighteenth century. But even these discoveries do not exhaust the range of ideas and intellectual influences upon which the founding generation drew.

What recent work strongly suggests, in fact, is that these several strands of thought were so tangled and interdependent that the quest to determine intellectual primacy among them over the entire Revolutionary period is a waste of intellectual effort. A major difficulty in trying to sort out which strands of this intellectual heritage were most influential for the Founding Fathers derives from the fact that they did not think of knowledge as organized in that way. Certainly, they valued some individual works much more highly than others and found some streams of thought more congenial and more explanatory of their general situation and circumstances than others. No less than people of the present era, however, they thought of knowledge—and the individual works that were the repositories of that knowledge—as being part of an ongoing and cumulative effort to uncover the mysteries of the material world and comprehend the nature of the human experience.

The specific way they conceptualized knowledge is perhaps nowhere





better revealed than in the classification of the holdings of the Library Company, in which works were organized not according to author or place of publication or point of view but according to the specific area of knowledge to which they primarily contributed. In turn, these several *subject* areas were grouped into three broad categories—*Memory, Reason,* and *Imagination*—which together included about 80% of the collection, the remaining volumes being either sufficiently broad or sufficiently peculiar as to require listing under the heading *Miscellaneous.*

*Memory,* which included roughly 35% of classified titles, contained six subcategories: sacred history; ecclesiastical history; civil history, including biographies, ancient history, and naval and military history; natural history "in all its branches"; voyages and travels; and geography and topography, with maps, plans, and charts. *Reason,* which accounted for about 56% of classified titles, had twenty-two categories: theology; mythology; ethics, "or the *Moral System* in general"; grammars, dictionaries, and treatises on education; logic, rhetoric, and criticism; general and local politics; trade and commerce, including treatises on annuities and insurance; law; metaphysics; geometry; arithmetic and algebra; mechanics; astronomy, astrology, and chronology; optics, pneumatics, hydrostatics, hydraulics, phonics, and gnomonics; navigation and naval architecture; civil architecture; the military art; heraldry; anatomy, medicine, and chemistry; agriculture and gardening; arts and manufactures; and experimental and natural philosophy, including "*elementary Treatises* on the *Arts* and *Sciences.*"Comprising only 9% of classified titles, *Imagination* consisted of just three subcategories: poetry and drama; fiction, wit, and humor; and the fine arts.

However they organized and conceived of their intellectual heritage, the Founding Fathers were not merely passive recipients of imported ideas. To the very great extent that they used their heritage, they refracted it through their own experience and drew, eclectically, from one intellectual tradition or another as it seemed relevant and appropriate to their immediate needs. In the rapidly changing situation that obtained between 1760 and 1800—a situation in which men moved quickly from protesting against what they regarded as oppression from the center of the British Empire between 1764 and 1775, to justifying the decision for independence in 1775–76, to reorganizing their several state polities after 1776, to coping with the problems of war, independence, and cooperation in the late 1770s and 1780s, and to fabricating a more effective national government in 1787–88—they found that ideas that illuminated one situation

were of limited utility in the next; and it is a testimony to their own resourcefulness that they persisted through a continuing dialogue with their intellectual heritage in adapting that heritage to their shifting purposes.

Through a brief examination of the leading ideas and principal works in the liberal tradition, the jurisprudential tradition, the literature of political economy and improvement, the civic humanist tradition, the literature of the Enlightenment, and the Scottish moral and historical tradition, this booklet seeks to provide an introduction to the main outlines of the intellectual heritage of the Founders of the American republic, as it was used by the founding generation and represented in the collections of the Library Company of Philadelphia, "The Delegates' Library."



# 2

# *The Liberal Tradition*

THE LIBERAL tradition of social and political thought in which John Locke (1632–1704) was the pivotal figure was symbiotically related to the spectacular advances in science and natural philosophy during the seventeenth century. The ongoing encounter with the New World beginning with Columbus's voyages to America during the 1490s, the rapid spread of the new invention of printing, the expanding acquaintance with the classics and the flowering of intellectual life during the sixteenth-century Renaissance, and the spirit of religious inquiry stimulated by the Protestant Reformation in northern Europe had all contributed to a widespread interest in the revival of learning. By the end of the sixteenth century, this interest had resulted in a search for a new philosophy based on experience. One of the most important early results of this search was the development during the early decades of the seventeenth century of an empirical approach to both science and philosophy. The most prominent exponents of the "new" experimental method were Francis Bacon (1561–1626) in England and René Descartes (1596–1650) in France. Bacon's wide-ranging writings were particularly well-known to the learned in eighteenth-century America and well-represented in the collections of the Library Company of Philadelphia.

In the middle decades of the seventeenth century, other leading advocates of the new science—men like Robert Boyle (1627–91) in chemistry and the physical sciences, William Harvey (1578–1657) in medicine, and John Ray (1627–1705) in natural history and geology took an even more rigorous approach to their studies. Their

work provided the immediate background for the brilliant work of Sir Isaac Newton (1642–1727) in mathematics and the mechanical and physical sciences later in the century. Newton discovered and explicated, in the *Philosophiae Naturalis Principia Mathematica** (London, 1687) and other works, some of the most important rules governing nature and explaining the order of the universe. His work simultaneously manifested and contributed to a faith in the capacity of rational observation and experiment to unlock the mysteries of the physical world and encouraged a belief in the ultimate regularity and comprehensibility of that world. Inevitably, these striking achievements in science suggested the existence of similar—equally natural and discoverable—laws governing human behavior and relationships among people.

Published in London in 1690, *An Essay Concerning Human Understanding** was not only Locke's most ambitious and important work but also the foundation for much eighteenth-century thought about religion, morals, psychology, and aesthetics. Widely used in American colleges and, according to one recent study, present in 45% of a representative group of American libraries between 1700 and 1813, this influential work went through seven American editions before 1813. In it, Locke applied the principles of rational observation to the analysis of the human mind in an effort to provide a foundation for the science of man comparable to that developed by Newton for the science of nature. Stressing the impossibility of any person's knowing anything through the medium of others, Locke made individuals autonomous in and responsible for their judgments in both religion and politics. The theory of knowledge that formed the core of the *Essay*, to which Locke gave practical application in his shorter essays on religious toleration (1689) and education (1693), was radically anti-authoritarian and individualistic in its implications.

Locke developed these implications for the political realm in his *Two Treatises on Governments*.[1] Written in the early 1680s during the crisis over efforts by some Whig politicians to exclude Charles II's Catholic brother James from the English throne, this work was not published until 1690, in the wake of the Glorious Revolution.

* Nearly all the books mentioned in this essay were on the Library Company's shelves in 1787. Those marked with an asterisk are listed (in one edition or another) in the 1789 *Catalogue*. Most of the other titles mentioned were available in Philadelphia in the libraries of such notable public figures as Benjamin Franklin, John Dickinson, and Benjamin Rush, or in the Loganian Library, the extensive collection that James Logan left in trust to the city in 1760. The entire Loganian Library was incorporated into the Library Company in 1792, and many other of the Signers' books have since joined those books on our shelves. Works in the Loganian Library are designated by a parenthetical "Logan."





Along with the *Leviathan* (London, 1651) (Logan) by Thomas Hobbes (1588–1679), the *Two Treatises* is one of the two classics of early modern English political thought. Locke's immediate purpose in the *Two Treatises* was to refute the patriarchal doctrines of Sir Robert Filmer (c. 1587–1653), whose *Patriarcha; Or the Natural Power of Kings* was posthumously published in London in 1680. During the eighteenth century, it was conspicuous by its absence from most American libraries. The Library Company of Philadelphia did not acquire it until 1828. Working within the providentialist stream of absolutist political philosophy that regarded political authority as conferred by God upon a specific ruler and his descendants, Filmer both traced the original locus of that authority to the household and used the family as a symbolic representation of the state. The authority of kings within the state, according to Filmer, was equivalent to that of fathers within the family. Like the patriarchal authority of fathers, the political authority of kings was natural, divinely sanctioned, and, in the final analysis, absolute and unlimited.

In contrast to Filmer, Locke traced the origins of political society to the free consent of the individuals who composed it. In doing so, he placed himself firmly within the classical tradition of the natural-law theory of the state, the most prominent modern exponents of which were the English ecclesiastic Richard Hooker (1554?–1660), whose *Laws of Ecclesiastical Polity** appeared in 1593–97; the Dutch statesman and legal theorist Hugo de Grotius (1583–1645), whose *De Jure Belli ac Pacis Libri Tres** came out in 1625; the German philosopher Samuel, Baron von Pufendorf (1632–94), whose *De Jure Naturae et Gentium** was published in 1672; and Thomas Hobbes, against whose doctrines Filmer had initially taken up his pen. All of these writers postulated an original state of nature in which men, living as individuals outside of and free from the restraints of organized civil society, had total autonomy. They also employed the concept of consent, usually exercised through the medium of a social contract, to explain how free individuals came together to form a legitimate political society. For them, as for Locke, secular political authority derived not from God, the family, or force, but from the consent of the parties to the initial social contract.

To some extent, Hobbes had already departed from earlier natural-law writers by emphasizing the egalitarian character of the state of nature and the excessively self-interested character of human nature. This self-interestedness, according to Hobbes, first drove men into the brutish patterns of behavior that produced a war of

all against all in the state of nature and then made them decide, in a supremely self-interested act, to seek self-preservation by submitting their wills to an all-powerful sovereign. No less than most earlier natural-law theorists, however, Hobbes saw the social contract through which men subjected themselves to the sovereign as not merely a transfer, but much more importantly, an abrogation of the sovereign authority that had resided in free individuals in the state of nature. With Hobbes, Locke used the construct of a state of nature and the ideas of consent and contract to explain the origins of civil society. As well, he emphasized the free, rational, and individualistic character of man in the state of nature. As long as they remained within the bounds of the laws of nature, according to Locke, each man in his natural state was equally beyond the jurisdiction of every other man.

Locke broke dramatically with Hobbes and with most earlier natural-law writers in his rejection of an absolutist theory of the social contract. For Locke, men entered into society not out of the terror generated by their brutish behavior in the state of nature, but out of a recognition that individual natural rights to life, liberty, and property could best be secured against the vicious behavior of degenerate men through mutual submission to civil authority. The sole function of government, in Locke's view, was thus to guarantee individual rights to life, liberty, and property to those who voluntarily put themselves under the jurisdiction of the political society. In sharp contrast to Hobbes, Locke stressed the limited character of the grant of authority to the state. Indeed, he went on to emphasize the continuing rights of individual members both to withdraw from political society through the act of emigration and to resist—even to the point of revolution—any government whose exertions of authority went beyond or acted in violation of the limited ends for which it had been instituted.

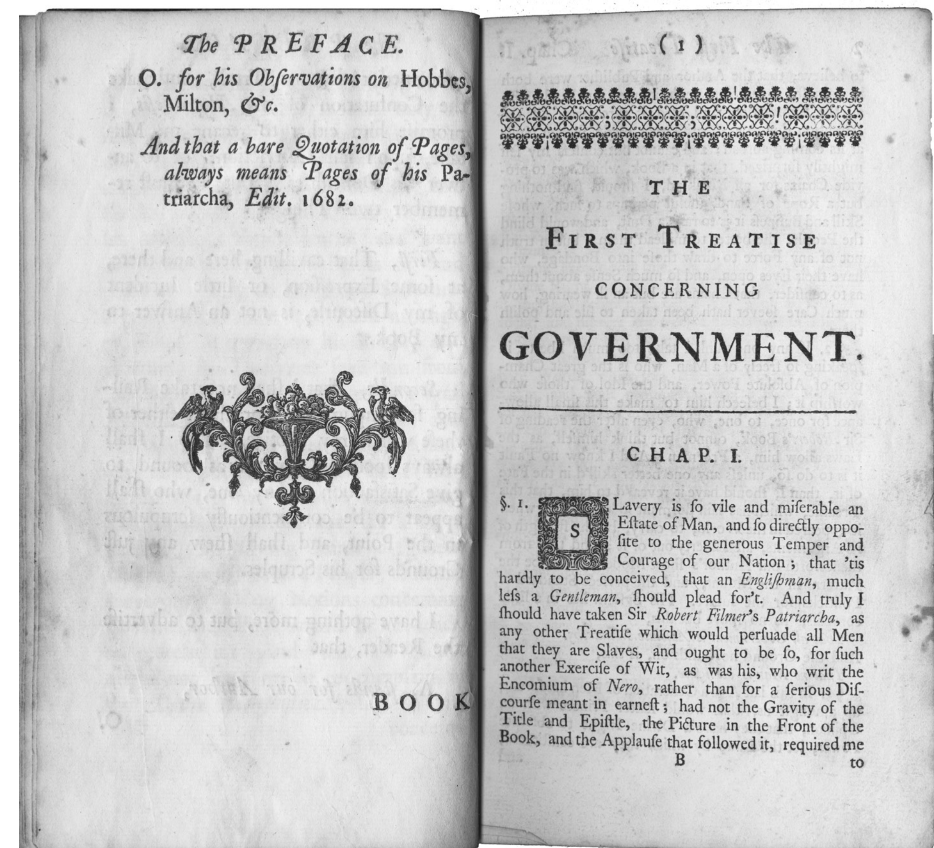
For more than a half-century following its initial publication, the *Two Treatises* seems to have had relatively little *direct* influence upon the development of either British or American political thought. Within a decade after it appeared, William Molyneaux (1656–98), the Anglo-Irish scientist, philosopher, and friend of Locke, used it to provide much of the theoretical underpinnings for *The Case of Ireland Being Bound by English Statutes, Stated** (Dublin, 1698). This bold denial of the authority of the English Parliament over Ireland was reprinted eleven times during the eighteenth century and was popular in both Ireland and the American colonies among those





who wished to resist the intrusion of Parliament into local affairs. Moreover, the doctrines espoused in the *Two Treatises* were popularized after the Glorious Revolution by more accessible writers, such as James Tyrrell (1642–1718) in *Bibliotheca Politico; Or an Enquiry into the Ancient Constitution of the English Government* (London, 1691–92), Bishop Benjamin Hoadley (1676–1761) in *The Origin and Institute of Civil Government* (London, 1709), and the numerous defenders of the Whig order of Sir Robert Walpole during the 1720s and 1730s. Though apparently itself rarely read, the *Two Treatises* had come by Walpole's time to be widely celebrated for having provided the theoretical justification for the Glorious Revolution.

Similarly, the *Two Treatises* figured prominently in all the impor-



*The PREFACE.*

O. *for his Obſervations on* Hobbes, Milton, *&c.*

*And that a bare Quotation of Pages, always means Pages of his* Patriarcha, *Edit.* 1682.

BOOK

(1)

THE

FIRST TREATISE

CONCERNING

GOVERNMENT.

CHAP. I.

§. 1. SLavery is ſo vile and miſerable an Eſtate of Man, and ſo directly oppoſite to the generous Temper and Courage of our Nation; that 'tis hardly to be conceived, that an *Engliſhman*, much leſs a *Gentleman*, ſhould plead for't. And truly I ſhould have taken Sir *Robert Filmer*'s *Patriarcha*, as any other Treatiſe which would perſuade all Men that they are Slaves, and ought to be ſo, for ſuch another Exerciſe of Wit, as was his, who writ the Encomium of *Nero*, rather than for a ſerious Diſcourſe meant in earneſt; had not the Gravity of the Title and Epiſtle, the Picture in the Front of the Book, and the Applauſe that followed it, required me

B to

tant eighteenth-century contributions to natural-law theory. These included *The Principles of Natural Law** (London, 1748) by the Genevan professor Jean Jacques Burlamaqui (1694–1748); *Institutes of Natural Law** (Cambridge, 1754) by the Cambridge professor Thomas Rutherforth (1712–71); and *The Law of Nations** (London, 1759–60), by Burlamaqui's pupil Emmerich de Vattel (1714–67). The works of Burlamaqui and Vattel were particularly well-known in America. Each was frequently cited in the polemical literature of the Revolution and was represented in more than a quarter of the sample of American libraries referred to previously. Though broadly influential, its abstract character long prevented the *Two Treatises* itself from being widely and intensively studied in either Britain or America, and it never attained the popularity of Locke's *Essay Concerning Human Understanding*.

Indeed, the *Two Treatises* did not assume a prominent role in contemporary political discussion until the last four decades of the eighteenth century, when the theory of politics it contained turned out to be very useful for both American and British advocates of political reform. For Americans, Locke's theories provided one of the key ideological foundations for opposing British intervention in their affairs before 1776 and provided a rationale for independence and for the process of constitution-making they engaged in thereafter. Crucial sections of the language of the Declaration of Independence came directly from the *Two Treatises*. For British reformers, Locke became a critical authority supporting their demand for reform of Parliamentary representation. For both groups, and especially for members of the highly individualistic society that had grown up in colonial British America between 1607 and 1776, Locke's liberal individualism struck deep social resonances. In the United States, it provided the primary intellectual bases for the republican vision of the American political order articulated by Thomas Jefferson, James Madison, and their followers in the 1790s.



# 3

# *The English Jurisprudential Tradition*

LOCKE'S radical individualism with its emphasis upon the concepts of consent and limited government was powerfully reinforced by a much older tradition arising out of English jurisprudence. This tradition emphasized the role of law as a restraint upon the power of the Crown. By law, the exponents of this tradition meant not only statutory law as formulated by Parliament but, more especially, the common law, that complex bundle of customs and judicial decisions that was the result of centuries of workings of the English legal system. Presumably embodying the collective wisdom of the ages, the common law was thought to be the chief guarantor of the Englishman's proud right to security of life, liberty, and property through devices such as trial by jury, habeas corpus, and representative government. Rooted in such older writings as Sir John Fortescue (1394?–1476?), *De Laudibus Legum Angliae* (London, 1616) (Logan), this tradition was fully elaborated during the early seventeenth century in a series of works by several of the most prominent judges and legal thinkers of the era.

The most important figure in this effort was Chief Justice Sir Edward Coke (1552–1634), whose *Institutes of the Laws of England*,* published in four parts in London between 1628 and 1644 and frequently reissued thereafter, became the principal foundation for the English jurisprudential tradition as it reached Americans of the Revolutionary generation. Several other judges among Coke's contemporaries also made important contributions, among them Sir John Davies (1569–1626) in *Report of Cases and Matters in Law, Resolved and Adjudged in the King's Court in Ireland* (London, 1615); and Nathaniel

Bacon (1593–1660) in *An Historical Discourse of the Uniformity of the Government of England** (London, 1647–51).

Writing in an age when, except for the Netherlands, every other major European state was slipping into absolutism and England's first two Stuart kings, James I and Charles I, were thought to be trying to extend the prerogatives of the Crown and perhaps even do away with Parliaments in England, these writers were all anxious to erect legal and constitutional barriers to ensure security of liberty and property against such exertions of royal power. Accordingly, they searched the records of both Parliament and the courts for evidence of an "ancient constitution" that, antecedent even to the common law itself and finding expression through the law, could be appealed to by public leaders as justification for an expanded governmental role by Parliament as protector of the rights of the people and security against arbitrary government by the Crown. Despite the fact that monarchs had frequently violated or ignored it since the Norman conquest, this ancient constitution, Coke and his colleagues contended, provided the context for *legal* government in England. Composed of a variety of maxims, precedents, and principles that these writers traced back through Magna Charta to the ancient Saxon era and that included freedom from arbitrary imprisonment and taxation without consent, this ancient constitution was at once said to serve as the foundation of all governmental authority in England; to confine the scope of the discretion, or "will," of the Crown within the limits specified by the higher, fundamental, or natural laws it expressed; and, in particular, to prevent the Crown from governing without Parliaments.

This view was not without its critics. Royalist antiquarians like Sir Henry Spelman (1564?–1641), Robert Brady (1627?–1700), and Thomas Madox (1666–1727) attacked the whole idea of an ancient constitution as a myth manufactured by the legal writers. In a variety of works — Spelman's *Archaeologus* (London, 1626–64) (Logan), Brady's *An Introduction to the Old English History* (London, 1684) (Logan), and Madox's *Formulare Anglicanum; Or a Collection of Ancient Charters* (London, 1702)—they showed that, far from being immemorial like the common law, Parliament was a relatively recent institution that had been created by the Crown during the twelfth and thirteenth centuries when England was a feudal lordship. According to this view, Parliament thus owed its existence to the royal will. These works showed that when the common-law writers were unable to find clear evidence for the existence of an ancient constitution, they either seized upon insubstantial and often ambiguous evidence or simply invented precedents to support their case.

Despite its historical authenticity, this view was immediately challenged by a number of Whig writers in a barrage of late-seventeenth-century works that reaffirmed the existence of an ancient constitution. These included legal treatises, like *Pleas of the Crown** (London, 1678) and *The History of the Common Law of England* (London, 1713) by Chief Justice Sir Mathew Hale (1609–76), and *Vox Populi, Vox Dei: Judgement of Kingdoms and Nations, Concerning the Rights, Privileges, and Properties of the People** (London, 1709), usually attributed to John, Lord Somers (1651–1716); works of history, like *The Antient Right of the Commons of England Asserted* (London, 1680) by William Petyt (1636–1707); and statements of Whig principles, like Henry Care (1646–88), *English Liberties** (London, 1682). Even works which were by no means unfriendly to royal authority in its struggle with Parliament for supremacy, such as the popular *History of the Rebellion and Civil Wars of England** (Oxford, 1702) by Edward Hyde, 1st Earl of Clarendon (1609–74), accepted the notion of an ancient constitution protecting Englishmen from arbitrary exertions of governmental power.

Because they advocated an expanded role for Parliament, a view congenial to Whig opponents of the later Stuart kings and to supporters of the Revolutionary Settlement of 1688–1715, these writers carried the day. The works of Spelman, Brady, and Madox fell into disuse during the early eighteenth century and rarely found their way into American libraries. In the Library Company of Philadelphia in 1789, they were represented only by a 1769 edition of Madox's *History and Antiquities of the Exchequer of the Kings of England* (London, 1711). But the Scottish philosopher and historian David Hume (1711–76) provided powerful support for their view in his extraordinarily widely read *History of England** (London, 1754–62). With his customary skepticism, Hume challenged the concept of the ancient constitution and argued that the eighteenth-century British constitution was, in fact, largely the modern product of the struggles between Crown and Parliament during the seventeenth century. Despite its allegedly Tory sentiments, Americans bought Hume's history in numbers nearly equal to Locke's *Essay Concerning Human Understanding*.

But Hume's view was not shared by his contemporaries within the English legal establishment. The principal eighteenth-century works in the English jurisprudential tradition, including William Hawkins (1673–1746), *A Treatise of the Pleas of the Crown** (London, 1739);

Daines Barrington (1727–1800), *Observations upon the Statutes, Chiefly the more Ancient, from the Magna Charta to the 21st of James I** (London, 1766); Francis Stoughton Sullivan (1719–76), *An Historical Treatise of the Feudal Law and the Constitution and Laws of England** (London, 1772); and, above all, Sir William Blackstone's four-volume *Commentaries on the Laws of England** (Oxford, 1765–69), gave authoritative support to the idea of an ancient constitution and emphasized the common law and Parliamentary government as barriers to any tendency toward the exercise of arbitrary power on the part of the Crown.

Attempting to provide the same kind of rational and coherent framework for the law that Newton had provided for the physical and Locke for the psychological and political worlds, Blackstone's *Commentaries* at once undertook to discover and explicate the underlying rationality of all the institutions of British society and to provide a synthesis of the entire English jurisprudential tradition as it had taken shape over the previous two centuries. As such it was widely regarded, in America as well as in Britain, as the ultimate expression of British constitutional thought and practice as they had come to Britons through the common law and the conflicts of previous generations. The second-most commonly cited work in the literature of the American Revolution, Blackstone's *Commentaries* was referred to between two and three times more frequently than Locke's *Two Treatises*. Revolutionary leaders used it first to justify resistance, which Blackstone, like Locke, saw as a last resort against arbitrary government, and then to provide themselves with a guide to the workings of the governmental processes it described in such detail.

Because it was rooted in an appeal to history and emphasized the importance of custom and tradition in the formation of the constitution, the jurisprudential tradition has sometimes been seen as incompatible with the cold rationalism of Lockean liberal individualism. From Coke's generation on, however, all the major contributors to this tradition equated custom with reason and natural law and emphasized the doctrines of natural law, consent, and the social contract as the basis for the ancient constitution. Because they similarly stressed the security of liberty and property as the principal ends of government, these features of the jurisprudential tradition ensured that, for contemporaries at least, tradition would fit together easily with, and be seen mutually to reinforce, the Lockean liberal tradition. This fusion of traditional jurisprudential emphases upon the security of life, liberty, and property with liberal natural rights theory was nowhere more evident than in Blackstone.



# 4

# *The Literature of Political Economy and Improvement*

PRIOR TO the seventeenth century, most Western social and political thinkers regarded society as an organic entity in which the social order was structured in a series of separate ranks and statuses and authority flowed from the top downward through the hierarchy. If English jurisprudential thought was fully compatible with this traditional model of society, the doctrines associated with Lockean liberalism—with its emphasis upon the autonomous individual as the primary unit of social organization and the voluntaristic character of the social order—were ultimately subversive of it. Far more subversive were the economic changes associated with the spread of a market society in early modern England. Those changes, which to some extent were a stimulus to the formulations of Locke, also featured the development of two additional and closely interrelated streams of thought, one in political economy and the other in a proliferating literature of socio-economic improvement. By the early decades of the eighteenth century, these two streams were together providing a direct challenge to the old organic conception of the social order.

The literature of political economy was a direct product of the efforts of a number of writers, themselves mostly engaged in trade or other ventures associated with the emerging commercial society, to understand the workings of the market forces that governed the new social order in which they lived. Some of the most important works representative of this literature were Thomas Mun (1571–1641), *Englands Treasure by Foreign Trade*,* published in London in 1664, over forty years after it was written in 1623; Sir William Petty (1623–86), *Five Essays in Political Arithmetic* (London, 1687), and

*Political Anatomy of Ireland** (London, 1691); Sir Josiah Child (1630–99), *A New Discourse of Trade** (London, 1690); Sir Dudley North (1641–91), *Discourses upon Trade* (London, 1691); Charles Davenant (1656–1714), *An Essay upon Ways and Means** (London, 1695) and *An Essay on the East-India Trade** (London, 1696); and John Law (1671–1729), *Money and Trade Considered** (Edinburgh, 1705).

To a man, these writers were optimists who unreservedly endorsed the effects of increased commercial activity upon English society and who celebrated the workings of the market forces they sought to describe. Whereas earlier writers of almost all hues and persuasions had conventionally decried self-interest as the bane of political society, these authors located the foundations of the new economic order in the undirected material aspirations of the individuals who composed it. In their view, the self-interested behavior of individuals—the universal human tendency to seek one's own good—was the mainspring that kept the entire market edifice in motion and made its operation both comprehensible and rational. The individual desire for gain and the competition and instrumental behavior it engendered in a free market seemed to these writers at once a cure for idleness, an incitement to industry, a spur to achievement, and a stimulus to productivity. They recognized, moreover, that individual desires were the source of the rising demand for consumer goods that led to enhanced productivity, which in turn resulted in the augmentation of national greatness and the material enhancement of society as well as in the betterment of the individuals who composed it. In a society based upon and animated by the pursuit of profit, they discovered, egocentric behavior was both legitimate and benign. These authors were convinced that, unregulated, the natural operation of individual self-interest would render the productive powers of society virtually unlimited.

Although the Library Company owned most of these works, neither the works themselves—many of which were ephemeral—nor their authors were especially well-known to Americans of the Revolutionary generation. Their implicit plea for a free market unhampered by political interference had never won the allegiance of people in power in Britain, where governments persisted in traditional policies of mercantile regulation throughout the eighteenth century. Nevertheless, their fundamental insights into the operation of commercial society were taken up, popularized, extended, and refined in later studies of political economy such as Malachy Postlethwayt (1707?–67), *Britain's Commercial Interest Explained and Improved** (London, 1757); Adam Anderson (1692–1767), *Historical and Chronological Deduction of the Origin of Commerce** (London, 1764); and, more especially, Sir James Steuart Denham (1712–80), *An Inquiry into the Principles of Political Economy** (London, 1767) and Adam Smith (1723–90), *Inquiry into the Nature and Causes of the Wealth of Nations** (London, 1776), the last of which will be discussed at greater length in Chapter 7.





In such later forms, these ideas provided Revolutionary Americans with an understanding of the operation of the commercial world in which they had been so deeply enmeshed since the first settlement of the colonies and helped to legitimate the individualistic and self-interested behavior that had been so manifest a feature of American life throughout the colonial and Revolutionary eras. By fostering an appreciation of the great extent to which the socio-economic world in which they lived was the product of the unrestrained operation of self-interest in thousands of individuals, the literature of political economy also enhanced the liberal conception of political authority as a product of the consent of free individuals and helped demystify the traditional conceptions of political society as deriving from the will of a sovereign and residing in authoritative governmental institutions.

Perhaps even more important in shaping the perceptual world of Revolutionary Americans was the related literature of improvement. Primarily concerned with enhancing productivity and bettering social and economic conditions, this literature was also intimately connected with the commercial revolution that had engaged the attention of the economic writers mentioned above. Throughout the seventeenth century, an increasing number of writers offered the public a wide range of proposals for improving agricultural yields, livestock, transportation, manufacturing, marketing techniques, housing, health, urban amenities, and general conditions of life. The establishment of colonies in the New World was itself seen as a means to improve the wealth and national greatness of England. Through the systematic application of human intellect, these writers assumed, nature would be made more tractable and man more productive. Poverty and idleness would thereby be reduced, industry encouraged, standards of living enhanced, and society made ever more civil and refined as these improvements spread outward from the center to the peripheries. Improvement was thus a developmental concept that contained powerful implications for the possibility of social progress. For that reason, it held a special appeal for people in the colonies,

who saw themselves engaged in an extraordinary effort to create societies in the image of the Old World through a constant process of improving the "wilderness" they had wrested from the Indians.

Although the volume of improvement literature generated during the seventeenth century was substantial, its principal spokesman was the political writer and novelist Daniel Defoe (1661?–1731), whose literary output during the four decades beginning in 1690 seems to have been unrivalled by any other writer in early modern England. *An Essay upon Projects* (London, 1697), which strongly influenced the young Benjamin Franklin, was perhaps the single work that most fully captured the optimism of the improvement writers and celebrated what Defoe called the "projecting spirit." But in volume after volume, in tract after tract, in poetry and in prose, Defoe heralded the achievements of the new age of practical experimentation. He consistently emphasized the extent to which those achievements had been made possible by and been a response to the commercial developments over the previous century. Among the most prominent of Defoe's works developing this theme were: two satires on the opponents of the new socio-economic order he so admired, *True-Born Englishman** (London, 1701) and *Jure Divino** (London, 1706); his two most important novels, *Robinson Crusoe* (London, 1719) and *Moll Flanders* (London, 1722); and a variety of miscellaneous works including *A Tour Thro' the Whole Island of Great Britain** (London, 1724–27*), The Complete English Tradesman** (London, 1726), and A *Plan for English Commerce* (London, 1728).

As some of these titles suggest, Defoe viewed the industrious and enterprising merchants, entrepreneurs, and tradesmen as the heroes of the new commercial age, and he both praised their accomplishments and merit and welcomed the upward social mobility they represented. As the prime examples of the psychology of innovation and individual achievement that were the distinctive components of the rage for projects, these laudable figures were chiefly responsible for encouraging people to undertake the manifold projects that, in so many areas of human endeavor, had produced such a variety of new inventions, techniques, and institutions that seemed, especially in the economic realm, to have brought so many benefits both to individuals and to the nation by improving trade, increasing capital, and generating greater wealth. Unreservedly endorsing these changes, especially the many economic innovations of the 1690s, including the creation of the Bank of England and a stock exchange, and better credit, stock-marketing, and insurance facilities, Defoe became





the exponent of an ideology that was eager for change and confident that it would be beneficial.

Defoe thus depicted the world as a series of unresolved problems to be solved and of unfolding opportunities to be exploited by the ambitious and the industrious. Through the ceaseless striving and instrumental behavior of thousands of individuals, each pursuing his own self-interest, men of merit and ingenuity would reshape the world in ways that would bring material and social rewards to themselves, a variety of utilitarian benefits to society, and prosperity, growth, and greatness to a nation that, he hoped, would be presided over by the meritorious men responsible for these achievements. His views represented an extension into the socio-economic realm of the liberal individualist ideology of John Locke, a writer Defoe much admired. Indeed, through *Robinson Crusoe*, Defoe may well have been more responsible than any other writer for popularizing Locke's ideas about the state of nature, contract, consent, and the sanctity of property among British and American readers during the eighteenth century.

But improvement was not something limited to the economic and social realms. For Defoe and, perhaps to an even greater extent, for his contemporaries and ideological allies Joseph Addison (1672–1719) and Richard Steele (1672–1729), the concept of improvement promised to produce better moral conduct among individuals and greater civility in society as a whole. In Addison's *The Freeholder; Or Political Essays** (London, 1716), his plays such as *Cato* (London, 1713), and his posthumously published *Miscellaneous Works** (London, 1721), which were widely owned in America; in Steele's many political writings and plays such as *The Conscious Lovers* (Dublin, 1722); and in the essays both Addison and Steele wrote for the Whig journal *The Spectator** (1711–14), these writers explicitly linked the development of commerce and the passion for individual and social improvement to the rise of culture and politeness. By promoting exchange and contact among nations, regions, and classes, commerce—they suggested in a formula that would become a commonplace of social and political discourse by the middle of the eighteenth century—served as an active civilizing agent that made societies more polite, more urbane, and less barbarous. By providing society's ruder segments with higher standards and models of behavior, commercial exchange, they contended, at once smoothed the rough edges of provincial behavior and improved manners, conversation, sociability, morals, and culture. In this view, enhanced refinement and civility

came to be seen as the direct products of the individual striving and the material achievements associated with the projecting spirit and the commercial age.

The social implications of the broadening quest for economic returns and increased politeness championed by the authors of both the economic and improvement literatures were most fully explored during the early eighteenth century not by Defoe or Addison and Steele but by their contemporary, Bernard Mandeville (1670–1733). Mandeville was a Dutch doctor who was so taken with England when he visited in the mid-1690s that he married an Englishwoman and settled there permanently. In his controversial poem *The Fable of the Bees*, first published in London in 1705 and then reissued with a long prose introduction in 1714, Mandeville proposed a theory of social process and organization that was based upon a candid acceptance of the vices and passions of men. In this effort, he consciously built upon the insights of French moralists such as Jacques Esprit (1611–78), whose *Discourses upon the Deceitfulness of Human Virtues** was first published in Paris in 1678 and republished in translation in London in 1706; Francois, Duc de la Rochefoucauld (1613–80), whose *Maxims*,* first issued in Paris in 1665, was published in English translation in 1694; Jean de la Fontaine (1621–95), portions of whose *Fables Choisies* (Logan), which appeared in five volumes in Paris in 1678–94, were translated by Mandeville and published as *Some Fables after the Easier and Familiar Manner of Monsieur de la Fontaine* (London, 1703); and Pierre Bayle (1647–1706), whose *Dictionary, Historical and Critical,** initially published in 1695–97, was issued in English translation in 1710.

Mandeville put his central thesis succinctly in the subtitle to the 1714 edition of *The Fable of the Bees*: "Private Vices, Public Benefits." Not everybody in the British intellectual and political world of the early eighteenth century shared Defoe's optimism about the new order. Rather, a significant proportion of informed opinion, which will be discussed more fully in the next chapter, thought that commerce discouraged virtue and public spirit and viewed the commercial developments of the era and the self-interested behavior they seemed to produce as powerful evidences of social corruption. In reply to these critics of the new order, Mandeville, following the French moralists, developed the radical and highly iconoclastic argument that the avarice, pursuit of self-interest, luxurious consumption, and political corruption associated with the new order actually produced beneficial results by employing millions and contributing to social prosperity. Beginning with the assumption that man was





selfish by nature and social only by necessity, Mandeville not only suggested that vice and self-interest, which were basic to human nature, produced the same results as virtue and public spirit, which were unnatural to man and had to be learned; he also argued that vice, in the form of self-interest, luxury, and corruption, was the necessary foundation for prosperity in commercial societies.

One of the earliest social analysts to appreciate the significance of the unintended consequence, Mandeville thus located the basis of social advancement and national prosperity in the energy of self-interest. In the process, he went further than any of his contemporaries in uncovering the implicit values and underlying assumptions of the new socio-economic order. But his categorical denial that virtue and public spiritedness were compatible with a commercial society based on self-interest and his dismissal of the concept of a virtuous society as a "romantik fancy" ensured that for the rest of the eighteenth century his work, like that of Hobbes a half-century earlier, would be primarily known as a target for its critics. However accurately he described the workings of the new social order that had come into being in early modern England and had always characterized the vast majority of the new English societies that had grown up in America, it was not until the development of utilitarian thought at the end of the eighteenth century that many people were willing to concede the force of his insights. Not surprisingly, the Library Company of Philadelphia contained no copy of *The Fable of the Bees* at the time of the Philadelphia Convention.

By contrast, the more benign manifestation of the individualistic ethos in the improvement literature that continued to be published in quantity throughout the eighteenth century and was highly influential among upwardly mobile Americans was well-represented in the holdings of that institution. This literature consisted of three related genres. First were the many practical treatises designed to increase economic productivity like William Ellis (1700–58), *A Complete System of Experienced Improvements** (London, 1749), which advised farmers on techniques for raising sheep; John Randall (1727–64), *Semi-Vergilian Husbandry; Or an Essay Towards a New Course of National Farming** (London, 1764); Arthur Young (1741–1820), A *Course of Experimental Agriculture** (London, 1770); and the multi-volume *Museum Rusticum et Commerciale; Or Select Papers on Agriculture, Commerce, Arts and Manufactures** (London, 1764–66), published by the Society for the Encouragement of Arts, Manufactures and Commerce (later the Royal Society of Arts). Second was the advice literature, manuals of

instruction on polite behavior, the most important of which by far were two posthumous works by Philip Dormer Stanhope, 4th Earl of Chesterfield (1694–1773)— *Letters to His Son** (London, 1774) and *Principles of Politeness* (London, 1775)—both of which were common in libraries and frequently reprinted in America during the last quarter of the eighteenth century. Third was the literature of social reform oriented towards the mitigation or elimination of social ills such as poverty and slavery. Typical of this literature was William Bailey, *A Treatise on the Better Employment, and More Comfortable Support of the Poor in Work-Houses** (London, 1758) and the voluminous anti-slavery literature that began to appear in massive quantities in the 1760s and 1770s and proliferated in succeeding decades. Representative of this literature was Granville Sharpe (1735–1813), *The Law of Retribution; Or a Serious Warning to Great Britain and Her Colonies, against Tyrants, Slave-Holders and Oppressors** (London, 1776).



# 5

# *The Civic Humanist Tradition*

THOSE WHO celebrated the new ethos of commerce, improvement, politeness, and liberal individualism did not go unchallenged in Britain during the century before the American Revolution. Some of the critics were simply people who, like Sir William Temple (1628–99) in his *Essay upon the Origin and Nature of Government** (London, 1680), were skeptical about the natural-rights tradition and the notion of the contractual origins of government, while others, like the high Tory churchman Charles Leslie (1650–1722) in his *The Finishing Stroke, Being a Vindication of the Patriarchal Scheme of Government** (London, 1711), were endeavoring to refute Locke's attacks upon the concept of patriarchy. But the predominant strain of opposition writing took a much different tack and has been called the classical republican or commonwealth tradition. To some small extent, this tradition looked across the English channel to the republican government of the Netherlands, which had been described for English readers by Temple in his *Observations upon the United Provinces* (London, 1673) (Logan) and by the Dutch writers Pieter de la Court (1618–85) and Jan De Witt (1625–72) in *The True Interest and Political Maxims of the Republic of Holland** (Leiden, 1669), which appeared in English translation in 1702.

Opposition writings primarily drew upon the civic humanist tradition developed in Renaissance Italy in the writings of the Florentines Niccoló Machiavelli (1469–1527), *The Prince** (Florence, 1532) and *Discourses on the First Ten Books of Livy** (Rome, 1531); Francesco Guicciardini (1483–1540), *The History of Italy** (Florence, 1561); and Donato Giannoti (1492–1573?), *Libro de la Republica de Venitiani**

(Rome, 1540); and the Venetian Gasparo Contarini (1484–1542), *The Commonwealth and Government of Venice** (Venice, 1544), which was published in English translation in London in 1599. During the late seventeenth century, this tradition had been introduced into English political discourse by several republican writers, principally James Harrington (1611–77), in *Oceana** (London, 1656); John Milton (1608–74), in *The Ready and Easy Way to Establish a Free Commonwealth** (London, 1660); Algernon Sidney (1622–83), in his posthumously published *Discourses Concerning Government** (London, 1698); and Henry Neville (1620–94) in *Plato Redivivus; Or a Dialogue Concerning Government* (London, 1681).

Following the Glorious Revolution, the civic humanist tradition flourished in three related groups of writings, all of which were profoundly critical of the new Whig political and economic order. First were the works of radical commonwealthmen, the most direct heirs of Harrington, Milton, and Sidney. The most important of these works included Robert Molesworth (1656–1725), *An Account of Denmark as it Was in the Year 1692** (London, 1694); John Toland (1660–1722), *The State Anatomy of Great Britain* (London, 1717); Andrew Fletcher of Saltoun (1655–1716), *A Discourse of Government with Relation to Militias* (Edinburgh, 1698) and *An Account of a Conversation Concerning a Right Regulation of Government for the Common Good of Mankind* (Edinburgh, 1704); Walter Moyle (1672–1721) and John Trenchard (1662–1723), *A Short History of Standing Armies in England** (London, 1698); and, above all, Trenchard and Thomas Gordon (d. 1750), *Cato's Letters** (London, 1724).

Second were the writings of a succession of radical Whig historians, who, in the tradition of Sir Bulstrode Whitelocke (1605–74), *Memorials of the English Affairs; Or, an Historical Account of What Passed from the Beginning of the Reign of King Charles the First, to the King Charles the Second his Happy Restauration** (London, 1682), and Bishop Gilbert Burnett (1643–1715), *History of His Own Times** (published in London in two volumes in 1724 and 1734 long after the author's death), examined the history of the great events of the seventeenth century in England from a Whig perspective. These included the fifteen-volume *History of England** (London, 1726–31) by the French Huguenot exile Paul de Rapin-Thoyras (1661–1725), whose earlier *An Historical Dissertation on the Origin of the Government of England [and]. . . the Whigs and Tories*,* a work first published in French in 1716, had been widely celebrated in opposition circles; the three-volume *General History of England to . . .1688** (London, 1744–51) by William Guthrie (1708–70)





and its two-volume continuation *History of England during the Reigns of King William, Queen Anne, and King George I** (London, 1744–46) by James Ralph (1705–62); and the several histories of ancient Greece and Rome by the French historian Charles Rollin (1661–1741), especially his sixteen-volume *Roman History** (London, 1739–50).

Third were the writings of Tory critics of the new Whig political and commercial order. The most important of these were the work of Henry St. John, Viscount Bolingbroke (1678–1751), which included *The Freeholder's Political Catechism* (London, 1733), *A Dissertation upon Parties** (London, 1735), *Remarks on the History of England* (London, 1743) (Logan), *A Letter on the Spirit of Patriotism** (London, 1749), *The Idea of a Patriot King** (London, 1749), *Some Reflections on the Present State of the Nation* (London, 1749), and *Letters on the Study and Use of History** (London, 1752). Many of these first appeared in the pages of the *The Craftsman*,* an opposition newspaper published by Bolingbroke from 1726 to 1736. Among the more significant works of Bolingbroke's associates and sympathizers, who included many of the leading writers of the era, were *Discourse on the Contests and Dissensions Between the Nobles and Commons in Athens and Rome** (London, 1701) and *Gulliver's Travels** (London, 1726) by Jonathan Swift (1667–1745); *The Dunciad** (London, 1728), *Of False Taste, An Epistle to . . . Lord Burlington** (London, 1731), *Of the Use of Riches, An Epistle to . . . Lord Bathurst** (London, 1732), *An Essay on Man** (London, 1733–34), and *Epilogue to the Satires** (London, 1738) by Alexander Pope (1688–1744); *The Beggar's Opera* (London, 1728), *Polly* (London, 1729), *Rural Sports** (London, 1713), and *Fables** (London, 1727–38) by John Gay (1685–1732); *Liberty, a Poem** (London, 1735–36) by James Thomson (1700–48); and *Letters from a Persian in England to a Friend at Ispahan** (London, 1735) and *Considerations Upon the Present State of Affairs at Home and Abroad** (London, 1739) by George Lord Lyttelton (1709–73).

Almost without exception, these late seventeenth- and early-eighteenth-century republican and opposition writings were well known in America during the era of the American Revolution and well-represented in American libraries. Milton, Harrington, and Sidney among seventeenth-century republicans, Trenchard and Gordon among eighteenth-century commonwealth writers, Rapin among the Whig historians, and Bolingbroke and Pope among Tory opposition spokesmen were all among the thirty authors most frequently cited by Revolutionary polemicists. Together the entire group of civic humanist writers accounted for about 40% of all citations to secular

sources. Clearly, Americans found the political and social conceptions these writers conveyed highly explanatory of the situations in which they found themselves from the 1760s through the 1790s, and more particularly after 1776 when they were engaged in the process of constructing republican political and social institutions.

Indeed, it was principally through this strain of civic humanist and republican writings that the literature of antiquity was disseminated among and put at the service of eighteenth-century Americans. Both Italian Renaissance writers and their early modern English followers had drawn heavily upon the texts of many of the major Greek and Roman authors, including especially such political treatises as the *Politics** of Aristotle (B.C. 384–322) and the *De Legibus* (Logan), *De Offcis*,* and *De Oratione** of Cicero (B.C. 106–43); the histories of Polybius (B.C. 210–122), Sallust (B.C. 86–34), Titus Livius (B.C. 59–C.E. 17), and Tacitus (55–120); the *Roman Lives** of Plutarch (46–120), and the poetry of Horace (B.C. 65–8). The works of Aristotle and Cicero interested Americans in part because their emphasis upon a higher law that stood above and took precedence over human law seemed to provide a respectable genealogy for both the natural-law theories of Locke and his contemporaries and the fundamental law theories of the English jurisprudential tradition. Similarly, the poetry of Horace, which glorified the independent rural landowners and husbandmen of the Roman republic, appeared both to describe and to affirm the superior morality of their own mostly rural situations in the larger early modern Anglophone world.

But what interested early modern theorists most about these particular classical authors, all of whom, except Aristotle, wrote about the Roman republic from the first century B.C. through the second century C.E., were the insights they provided into the nature and history of that remarkable political entity and the lessons those insights furnished about the character and fate of republics in general. Specifically, these works provided vast quantities of evidence that a strict separation of powers among the various components of government and high levels of personal independence and civic virtue among political leaders were absolutely essential for the maintenance of a stable republican polity against the efforts of corrupt men to monopolize the power and resources of the state. In vivid detail, they chronicled the decline of the Roman republic into an arbitrary dictatorship after its senators had become dependent upon the emperor and its constitution had thereby been rendered incapable of maintaining the absolute separation of powers that for so long





had made Rome the citadel of liberty. In Plutarch's *Lives*, the classical work most frequently cited by Americans of the Revolutionary generation, men could find models in the biographies of the heroic figures—Brutus, Cassius, Cato the Younger—who, by opposing tyrants and warning against the encroachments of arbitrary power and corruption, defied and sought to stem these developments.

Along with the contemporary example of the successful mixed polity in the modern republic of Venice, the history of the Roman republic provided civic humanist and republican writers with materials for constructing an elaborate theory that analyzed the world in terms of two discrete and opposing patterns of political and social relations, which they referred to as virtue and corruption. In the virtuous state, the only sort of state in which men could attain genuine liberty, citizenship was the highest form of active life, and civic virtue—defined as public spirited and patriotic participation in a self-governing political community in pursuit of the common good—was the primary goal of citizenship and the only legitimate mode of self-fulfillment for citizens. If civic participation was an essential qualification for the achievement of civic virtue, so was absolute individual independence. For, the civic humanists believed, virtue was attainable only by men of independent property, preferably in land, whose independent holdings would permit them to cultivate the intensely autonomous behavior that alone could preserve the polity in a stable and uncorrupted state. The institutional device through which these independent citizens exercised their autonomous wills in pursuit of civic virtue and the common good was the balanced constitution, or mixed government. The necessary characteristic of such a government was that the constituent elements of the polity—usually defined as the one, the few, and the many (in early modern England, King, Lords, and Commons)—shared power in such a way that each was at once independent of the others and incapable of governing without their consent. Only by maintaining a strict balance, the primary obligation of all independent and virtuous citizens, could the polity be preserved in a perpetual stasis that would provide its citizens with full liberty, defined as the right of citizens to participate—to pursue virtue—in the public realm.

By contrast, in a corrupt state each of the three constituent components of the polity—usually the one or, as it was commonly denoted in English politics, the court—sought through the calculated distribution of places and pensions among the members of the other two branches to extend its influence over them and thereby

both to destroy their political independence and make its own power absolute. Where a virtuous polity was presided over by proud independent citizens who gloried in their capacity to defend the state with a citizen militia, a corrupt polity was dominated by dependent clients, professional men of government and commerce—pensioners, placemen, officeholders, army and navy officers, rentiers, stockjobbers, and speculators in public funds—who were too addicted to the pursuit of private interests, too effete, and too lacking in moral fiber to defend themselves and so had to rely on a standing army. Where a virtuous state was distinguished by its rulers' patriotism and concern with the public welfare, unfettered self-government, and a balanced constitution, a corrupt state was characterized by the selfish pursuit of private interest and power by the dominant group, arbitrary and tyrannical rule, and an unbalanced constitution. To prevent the degeneration of a virtuous government into a corrupt one, civic humanist writers stressed the utility of institutional devices such as rotation in office and frequent elections and emphasized the need both for a periodic return to the first principles on which the polity had been founded and for virtuous independent men to maintain a constant vigil against all efforts to aggrandize power on the part of the court.

For many civic humanist writers, the critical variable determining whether a polity would remain virtuous or degenerate into corruption was the relationship among property, personality, and governmental authority. In their view, a self-governing agrarian society presided over by independent freeholders was far more likely to succeed in preserving its virtue than was a commercial one. By encouraging men to prefer their own interest to that of the public and by slowly leading them into an addiction to luxury, magnificence, and vice—in short, by rendering them incapable of virtue and thereby making them susceptible to the lures of the court—a commercial society, these writers believed, was much more prone to sink into corruption and tyranny. Hence, they praised poverty, condemned riches, and were deeply suspicious of any commercial developments the effects of which were not kept thoroughly in check by the vigorous efforts of the independent agrarian sector of society. For once the degeneration process had begun, civic humanist writers argued in drawing out the implications of the history of the Roman republic, it was virtually impossible to arrest. In pointed contrast to the authors of the political economy and improvement literature discussed in the last chapter, they were skeptical of change, almost invariably thinking of it as





moving only in one direction—towards corruption and destruction of liberty and civic virtue within the polity.

For nearly a century after the Restoration of Charles II in 1660, this pattern of thought with its obsessive emphasis upon virtue, independence, and corruption, its skepticism about change, and its suspicion of commercial activity—exerted a powerful appeal among English political leaders who were out of power. In the 1670s and 1680s, Whig opponents used it to warn the polity of the Crown's efforts to employ patronage to render its power absolute and destroy the balance of the ancient constitution, and they justified the Glorious Revolution of 1688 on the grounds that it had put a permanent stop to the Crown's anticonstitutional efforts and restored the ancient constitution to its pristine form. But critics of the new Whig order that emerged in the wake of the Glorious Revolution and reached its fruition under the ministry of Sir Robert Walpole during the 1720s and 1730s found increasing evidence that the forces of corruption were yet powerful.

The shifting coalition of Tories and dissident Whigs who opposed the existing regime perceived a number of trends to be enormously menacing to the old socio-political order: the rapid emergence of a market economy over the previous century; the expansion of the standing army during the quarter century of war following the Glorious Revolution; and the various developments associated with the financial revolution of the 1690s, including the growing importance of new financial institutions like the Bank of England, the proliferation of joint-stock companies, the spread of the projecting spirit, and the mounting national debt. While the spread of commerce and luxury threatened to undermine the independence and destroy the potential for virtue of the British citizenry, the growth of the standing army and the developments associated with the new financial order provided the court with vast new resources and opportunities with which to corrupt the constitution that had only recently been restored by the Glorious Revolution.

Although the nostalgic, reactionary, hierarchical, and anticommercial ideology of the opposition to Walpole continued to find relatively pure expression after 1740 in works such as Conyers Middleton (1683–1750), *History of the Life of Marcus Tullius Cicero** (London, 1741), John Brown (1715–66), *An Estimate of the Manners and Principles of the Times** (London, 1757–58), Edward Wortley Montagu (1713–76), *Reflections on the Rise and Fall of the Antient Republicks Adapted to the Present State of Great Britain** (London, 1759), and Catherine

Macaulay (1731–91), *History of England** (8 vols., London, 1763–83), the civic humanist tradition was increasingly thereafter integrated with mainstream liberal Whig ideology. Some midcentury works such as *An Essay on the Balance of Civil Power in England* (London, 1748) and *An Enquiry into the Foundation of the English Constitution* (London, 1745) by Samuel Squire (1713–66) could both praise the idea of a balanced constitution and emphasize the extent to which the ministerial use of patronage among members of Parliament was, far from being corrupt, actually necessary to preserve that balance. Others, such as Thomas Pownall (1722–1805), *Principles of Polity, Being the Grounds and Reasons of Civil Empire* (London, 1752), could employ civic humanist ideas while stressing not the antagonism but the beneficial mutual reinforcement between commerce and virtue.

What was true of these mainstream writers in the 1740s and 1750s was also true of most British opposition writers between 1760 and 1790. They denounced not just the administration but also the monopolization of power and privilege by the landed classes and the hierarchical notions they used to justify their dominance. The most prominent radical polemical works of the era—Joseph Priestley (1733–1804), *Essay on the First Principles of Government** (London, 1768); James Burgh (1714–75), *Political Disquisitions** (London, 1774–75), which was immediately reprinted in Philadelphia in 1775; Richard Price (1723–91), *Observations on the Nature of Civil Liberty** (London, 1776), and *Observations on the Importance of the American Revolution* (London, 1784); and John Cartwright (1740–1824), *The Legislative Rights of the Commonalty Vindicated, Or, Take Your Choice* (London, 1776)—regularly combined civic humanist worries about power and corruption with a liberal Lockean emphasis upon individualism, private rights, and natural rights. Filtered through these works, civic humanism lost much of its anticommercialism at the same time that virtue was redefined in its more modern sense as industry and frugality practiced by individuals in self-centered economic productivity. Like Defoe a half-century earlier, these exponents of a meritocracy of talent were, as one historian has put it, "as uninterested in a republican order of civic virtue as they were in an aristocratic order of deference and privilege."

A similar emphasis was evident in the reception and use of the civic humanist tradition in America during the Revolutionary era. Especially during the 1760s and 1770s, the colonial opposition to Britain was deeply tinctured with the ideas of civic humanism, the traditional language of the excluded and the powerless in Britain for





the previous century. In their attempts to explain why Parliament had suddenly thrown its support behind efforts—hitherto always associated with prerogative—to subvert colonial liberty, Americans turned instinctively to the opposition concept of corruption. Throughout the years from 1764 to 1776, they fretted about the corrosive effects of power and patronage upon the British constitution and saw themselves as the victims of a malign conspiracy of power on the part of the ministry to destroy liberty in both the colonies and Britain. The language of conspiracy, corruption, power, and virtue also infused political struggles within the United States after 1776. But, although many American leaders continued to worry about the corrosive effects of prosperity upon American virtue and to call for greater exertions of public spirit in behalf of the common good, the virtue about which they were concerned was, more often than not, the private virtue of striving and hard work emphasized by Defoe and the most celebrated American of the colonial period, Benjamin Franklin, rather than the civic virtue of Machiavelli. Appropriately for a people with such a long and intimate involvement with commercial activities and such a long reputation for individualistic behavior, the American use of civic humanist thought displayed very little indeed of the anticommercialism and anti-individualism so evident among British civic humanist writers earlier in the century.

# 6

# *The Literature of the Enlightenment*

THE ENLIGHTENMENT, generally connoting the era of rational scientific discovery, philosophical inquiry, and social criticism that stretched roughly from the closing decades of the seventeenth century through the first decades of the nineteenth century, has always been a term without any very precise meaning. When contemporaries used it, they certainly meant to include the great discoveries and writings of the Englishmen Newton and Locke and their eighteenth-century philosophical heirs and revisers, ranging from the idealist George Berkeley (1685–1753), whose most important work was his *Treatise Concerning the Principles of Human Knowledge** (London, 1710), to the materialist David Hartley (1705–57), whose reputation rested largely upon his *Observations on Man, His Frame, His Duty and His Expectations* (London, 1749). Among other English writers, it also usually referred to several categories of religious authors who used the new science and philosophy to question religious orthodoxy.

These included four groups. First were the latitudinarian proponents of a natural religion compatible with the self-interested behavior of the new market society. The most important of these were the Anglicans John Tillotson (1630–94), whose most popular *Sermons* were collected in eight volumes beginning in 1671; Samuel Clarke (1675–1729), whose *A Discourse Concerning the Being and Attributes of God** (London, 1705) and *The Scripture Doctrine of the Trinity** (London, 1712) remained popular throughout the eighteenth century; Joseph Butler (1692–1752), whose most significant work was *The Analogy of Religion, Natural and Revealed** (London, 1736); and





the Presbyterian Philip Doddridge (1702–51), whose numerous published works included *Sermons on the Religious Education of Children* (London, 1732) and *The Rise and Progress of Religion in the Soul* (London, 1745). Second were liberal Anglicans who de-emphasized the importance of revealed religion such as William Wollaston (1660–1724), whose most influential work was *The Religion of Nature, Delineated** (London, 1722).

The third and fourth groups of religious writers were, respectively, the freethinking or Deist exponents of rational Christianity, whose influence waned markedly over the course of the eighteenth century, and the much younger devotional writers and moralists, who became enormously popular in both Britain and America between 1760 and 1800. The most influential freethinkers were Matthew Tindal (1653?–1733), author *of Christianity as Old as Creation* (London, 1730) (Logan); John Toland (1670–1722), whose principal work was *Christianity Not Mysterious* (London, 1696); and Anthony Collins (1676–1729), who wrote A *Discourse of the Grounds and Reasons of the Christian Religion* (London, 1724). The most popular devotional writers were the prolific Hannah More (1745–1833), whose best-known work by far was *A Search after Happiness: A Pastoral Drama** (London, 1762), and William Paley (1743–1805), author of *Principles of Moral and Political Philosophy** (London, 1785).

Still other British eighteenth-century secular writers who fell outside the intellectual traditions already discussed were prominent contributors to the Enlightenment. These include especially the great Scottish philosophers and historians, who will be taken up in the next section; the skeptical historian, Edward Gibbon (1737–94), whose *History of the Decline and Fall of the Roman Empire** (London, 1776–88) moved beyond the traditional civic humanist analysis of Roman history by refusing to draw close parallels between the corruption of the republic and the state of contemporary Europe; and the radical political writer Thomas Paine (1737–1809), whose most important work before the late 1780s was his timely plea for American independence, *Common Sense** (Philadelphia, 1776).

For most modern historians, however, the Enlightenment found its fullest and most prolific expression not in Britain but on the Continent, especially in France. Among the many important works to come out of the Continental Enlightenment were the *Encyclopedia** (Paris, 1751–65) by Jean Le Rond d'Alembert (1717–83) and Denis Diderot (1713–84); physiocratic advocacies of freer trade, including *The Oeconomical Table** (Versailles, 1758) by François Quesnay (1694–

1774) and *Theory of Taxation* (n.p, 1760) by Victor Riquetti, Marquis de Mirabeau (1715–89); utilitarian writings such as *De l'Esprit, or, Essays on the Mind, and Its Several Faculties** (Paris, 1758) and *A Treatise on Man** (Paris, 1772) by Claude Adrien Helvetius (1715–71); early materialist works like *The System of Nature* (London, 1770) by Paul Thiry, Baron d'Holbach (1723–89); celebrations of the civic virtue of the ancients such as *Observations on the Romans** (Paris, 1740), and *Observations on the Government and Laws of the United States* (Amsterdam, 1784) by Abbé Gabriel Bonnet de Mably (1709–85); the antislavery *Philosophical and Political History of the Settlements and Trade of the Europeans in the East and West Indies** (Amsterdam, 1770) by Abbé Guillaume Thomas François Raynal (1713–96); the first works of the later radical Enlightenment such as *Life of M. Turgot** (Paris, 1786) by Marie Jean Antoine Nicolas Caritat, Marquis de Condorcet (1743–94) and *Travels Through Syria and Egypt** (Paris, 1787) by Constantin Volney (1757–1820); the substantial tracts by the Swiss natural-law theorists Burlamaqui and Vattel mentioned in Chapter 2; the sympathetic discussion of the workings of the English political system by the Swiss political analyst Jean Louis De Lolme (1740–1805), in *The Constitution of England** (Amsterdam, 1771); and the poignant advocacy of the reform of criminal law by the Milanese Cesare Beccaria (1738–94), in *An Essay on Crimes and Punishments** (Livorno, 1764).

Except for the writings of Raynal, Burlamaqui, Vattel, and Beccaria, these works, though present in a few American libraries, were neither known, readily accessible, nor especially influential in America before the 1790s. But this was not true of the work of three other eighteenth-century French philosophes. Almost all educated Americans were well-acquainted with at least some of the voluminous writings of the philosophical skeptic François Marie Arouet Voltaire (1694–1778) and the searching tracts of the iconoclastic Genevan Jean Jacques Rousseau (1712–78). Among the most popular of Voltaire's works in America were his *Letters on the English Nation** (London, 1733), his *Philosophical Dictionary** (Geneva, 1764), his collected *Works** (Paris, 1751), and, among his many histories, his *History of Charles II** (Basle, 1731), *Age of Louis XIV** (Berlin, 1751), and *General History and State of Europe** (Geneva, 1756). All of Rousseau's major works could be found in American libraries: A *Discourse upon the Origin and Foundations of the Inequality of Mankind** (Amsterdam, 1755), *Heloise** (Paris, 1761), *A Treatise on the Social Compact* (Amsterdam, 1762), *Emile and Sophia; Or a New System of Education** (Amsterdam, 1762), and *Confessions** (Geneva, 1782). Though their works seem to





have been more widely read than those of most other Continental philosophes, neither Voltaire nor Rousseau appear for most leading Americans to have spoken directly to American problems during the Revolutionary era, albeit the popularity of Rousseau increased substantially after 1790. Voltaire's skepticism had little appeal for a people who had no Old Regime that required dismantling, while Rousseau's celebration of primitive simplicity was uncongenial for societies that throughout their histories had been trying desperately to escape from exactly that condition.

The one writer who did speak directly to American problems was the cautious philosophe Charles Louis de Secondat, Baron Montesquieu (1689–1755), whose earlier *Persian Letters** (Paris, 1721), and *Reflections on the Causes of the Rise and Fall of the Roman Empire** (Paris, 1734) were read by Americans, and whose massive analysis of ancient and modern political systems, *The Spirit of the Laws** (Paris, 1748), which appeared in English in 1750, was perhaps the single most important work of political analysis for Americans of the Revolutionary generation. Of the major philosophical and political writings of the time, only Locke's *Essay Concerning Human Understanding* was more widely available in American libraries, and no work, not even Blackstone's *Commentaries on the Laws of England*, was cited more frequently and more consistently in American polemical literature from the 1760s through the 1780s. Widely regarded as the best available authority on constitutional design, *The Spirit of the Laws* has correctly been described by one scholar as the American "textbook on republican government."

To an important extent, Montesquieu worked within the civic humanist tradition. A great admirer of the ancients, he has been described as the "chief . . . civic moralist" of the eighteenth century. For him, political virtue, defined as an equality of subjection to the laws of the polis and a common devotion of citizens to the public good, was the guiding principle of republics, which Montesquieu thought possible only in relatively small and economically homogeneous political societies in which a mutual surveillance among citizens could deflect private passion into a concern for public happiness. But Montesquieu departed from the civic humanist tradition by recognizing that civic virtue, unnatural and difficult to achieve even in the best of circumstances, was not an appropriate goal for complex modern commercial nations. Indeed, he effectively subscribed to the liberal tradition in his perception that middle-class avarice and the values of hard work, frugality, independence, and personal liberty

with which it was associated could, within an effective framework of institutions and customs, produce a political society that was every bit as conducive to security, liberty, and the commodious life as was a republican form of government. In the manner of Locke, Defoe, and Mandeville, he thereby substituted self-interest for civic virtue as the prevailing principle of modern mixed governments. To Montesquieu, the mixed monarchy of the highly commercial polity of Great Britain seemed to be the prime example validating that perception.

Although Montesquieu's equations of civic virtue with republics and republics with small territories significantly influenced public debate in the United States from 1776 through the adoption of the Federal Constitution, his concept of the separation of powers—in his view, the essential element underlying the comparative success of the British constitution in preserving liberty among British citizens—was both his most important contribution to modern political theory and the idea that most interested American political leaders of that era. Practically all earlier writers had conceived of a balanced constitution or mixed government in terms of a division of authority among the several constituent estates within the realm—the one, the few, and the many. By contrast, Montesquieu modified this tradition by defining the concept of the separation of powers in modern functional terms, according to the ostensibly discrete and separable roles of the executive, legislative, and judicial branches of government. A strict separation of powers among these three branches, he believed, was necessary for any well-regulated polity that hoped to preserve intact the public liberty of its citizens. For, he argued, only if each branch of government was wholly independent of the others was it possible to maintain a government of laws and to prevent the degeneration of the government into despotism. Although the authors of the early state constitutions between 1776 and 1780 had little success in applying Montesquieu's doctrine, it continued throughout the Revolutionary era to be a goal for most American political leaders, especially for the framers of the Federal Constitution of 1787, which represented the most ambitious effort up to that time to put Montesquieu's concept into practice.



# 7

# *The Scottish Moral and Historical Tradition*

THE REMARKABLE display of intellectual virtuosity known as the Scottish Enlightenment is usually said to have begun with the work of Francis Hutcheson (1694–1746), professor of moral philosophy at the University of Glasgow. In a series of influential works, including *Inquiry into the Original of Our Ideas of Beauty and Virtue** (London, 1725), *Essay on the Nature and Conduct of the Passions and Affections** (London, 1728), *Short Introduction to Moral Philosophy* (Glasgow, 1747), and *A System of Moral Philosophy** (London, 1755), Hutcheson developed the main principles of the Scottish moral philosophy. His work at once incorporated ideas from the civic humanist tradition, especially from the works of the ancients and James Harrington; the natural rights theories of Grotius, Pufendorf, and Locke, with whom he shared the concepts of the social contract and the right of resistance against tyrants; and the moral philosophy of Locke's pupil, Anthony Ashley Cooper, 3rd Earl of Shaftesbury (1671–1713), whose *Characteristics of Men, Manners, Opinions and Times** (London, 1711) had denied the Hobbesean and Lockean contention that men were autonomous in the state of nature. But Hutcheson's moral philosophy represented a significant departure from all these earlier writers.

Building on Shaftesbury, Hutcheson challenged both Locke's epistemology and his concept of the state of nature. Contrary to Locke and more in accord with Grotius and Pufendorf, Hutcheson argued that man's perceptions of good and evil, of right and wrong conduct, were the products not of reason but of what he called the moral sense, an innate extra sense implanted in every man by God. Defining moral actions as those that contributed to the public good,

and thereby making the utilitarian goal of the happiness of others the standard of moral behavior, Hutcheson contended that man, animated by his moral sense, was not a solitary but a sociable creature. By giving rise to natural bonds of affection, the moral sense made men sociable and benevolent, not autonomous and self-interested. From these premises, it followed both that society, being natural to man, preceded the formal establishment of civil government and that benevolence was its basic organizing principle. Where individual autonomy was the starting point for Locke's political thought, social interdependence provided the foundation for Hutcheson's moral philosophy. Although Hutcheson thought that men's experience with the inconvenience and uncertainties of the natural world was what eventually drove them to contract with one another to form a civil society, that society, he insisted, was based upon ties of affection and benevolence.

If Hutcheson's moral philosophy rejected several important elements of Lockean liberalism, it also included important modifications of the civic humanist tradition. Far from sharing civic humanist anxieties about the corrosive effects of commerce, Hutcheson endeavored to show that commerce was entirely compatible with traditional conceptions of republican virtue and that the prosperity and luxury that flowed from commerce were often a stimulus to virtuous behavior. For if benevolence and affection for others was dictated by the moral sense, so also, Hutcheson thought, was self-love, which he regarded as the social equivalent of gravity in the physical world. Every bit as important to the successful functioning of society as benevolence, self-love, Hutcheson argued, contributed to the public welfare not only by making men industrious but also, like benevolence, by directing them to seek the approval of others by turning their industry towards activities that were perceived as socially desirable. If self-love also gave men a strong impulse towards accumulation, that was, in itself, harmless. Indeed, he suggested, accumulation often contributed directly to the utility of society by providing the material foundations for the exertion of that liberality that was the source of so many public improvements and a spur to emulation and the spread of benevolence. By thus stressing the social benefits of self-love, Hutcheson helped both to legitimate self-interest and to justify the economic aggrandizement that was the hallmark of the commercial age. In so doing, he drew a sharp distinction between himself and Mandeville. Where Mandeville had regarded self-interest as vicious but socially useful, Hutcheson redefined self-interest as





virtuous in itself. So far from being opposed, self-interest and virtue were, in Hutcheson's view, entirely complementary.

Hutcheson's conception of the moral sense, of the supremacy of sentiment over reason in moral decision, provided the point of departure for the considerable output of moral thought produced by Scots during the latter half of the eighteenth century. This was true for *An Enquiry Concerning the Principles of Morals** (London, 1751) by David Hume; *Essays on the Principles of Morality and Natural Religion** (Edinburgh, 1751) by Henry Home, Lord Kames (1696–1782); *Theory of Moral Sentiments** (Edinburgh, 1759) by Adam Smith; *An Enquiry into the Human Mind** (London, 1764), *Essays on the Intellectual Powers of Man* (Edinburgh, 1785), and *Essays upon the Active Powers of Man* (Edinburgh, 1788) by Thomas Reid (1710–96); *Essays on the Nature and Immutability of Truth* (Edinburgh, 1770) and *Dissertations, Moral and Critical** (London, 1783) by James Beattie (1735–1803); and *Sermons** (Edinburgh, 1777) by Hugh Blair (1718–1800). It was also true of the work of the Swiss natural-law theorist Jean Jacques Burlamaqui, whose *Principles of Natural Law*,* referred to in Chapter 2, was so influential among American Revolutionary leaders. To be sure, few of these writers accepted Hutcheson's theories without qualification: Karnes, a lawyer, insisted that the moral sense was grounded in justice and a notion of minimal duties towards others rather than in benevolence; and Burlamaqui tried to synthesize the doctrine of moral sense with Lockean rationalism by arguing that while the moral sense suggested moral principles, reason was required to verify them.

But the deepest and most systematic break with Hutcheson came from Thomas Reid, professor of moral philosophy at Glasgow between 1764 and 1780 and father of the common sense philosophy that would be so influential in nineteenth-century American education, and his follower James Beattie, professor of moral philosophy at Marischal College, Aberdeen. For the moral sense of Hutcheson, Reid substituted common sense—defined as the shared wisdom of the community—as the agency through which men come to understand what is and is not moral and grasp the self-evident truths about man's relationship with man. In contrast to the moral sense, Reid's common sense was an essentially rational faculty, albeit it was the product of an intuitive, rather than an inductive and reflective, reason. Moral sense proponents like Hutcheson and Kames had at least suggested that the moral judgments of ordinary men were equivalent to those of the learned, but Reid took this point much

farther by insisting that the common sense of plowmen, uncorrupted by the sophisticated musings of philosophers, might even render the moral perceptions of the lowly superior to those of philosophers. This "egalitarian epistemology," which appealed to the anti-authoritarian instincts implicit in patterns of American social relations, was reflected in Reid's discontent with commercial society and his longing, in the manner of the civic humanist tradition, for a return to the virtues of more primitive times.

To an important extent, the works of Reid and Beattie were less a revision of Hutcheson that an attack upon David Hume, whose religious skepticism and "philosophical history" seemed, at least to the more conservative moralists, to constitute a frontal assault upon most of the verities of inherited social and religious thought. Certainly the most sophisticated and impressive thinker to emerge from any part of the eighteenth-century British world, Hume undertook—in his *Essays and Treatises on Several Subjects** (London, 1753–68) and in his six-volume *History of England** (London, 1754–62)—a systematic analysis of the operation of the new commercial society. That analysis went well beyond Hutcheson in justifying the new commercial order and vindicated it against the charges of contemporary civic-humanist writers like Bolingbroke and Trenchard and Gordon. Where Hutcheson had been anxious about the moral effects of excessive luxury, Hume thought that the social benefits of luxury far outweighed its social costs.

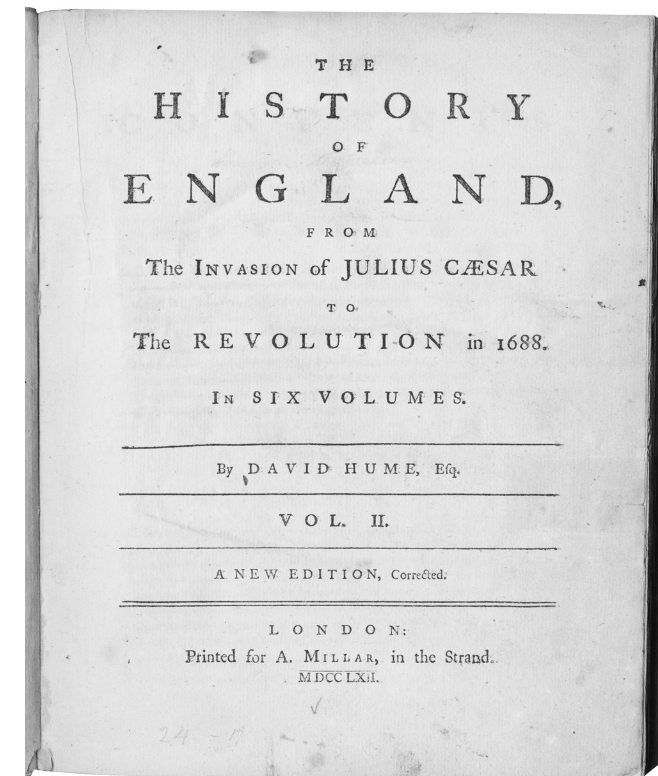
Indeed, Hume employed a historical approach not only to deny that the rise of commercial society and the spread of luxury threatened to corrupt society and endanger liberty but also to argue that they actually contributed to the expansion of liberty and the development of morals. In many respects, Hume departed from the philosophy of Lockean liberalism. He had no use for the artificial constructs of the state of nature and the social contract and insisted upon the primacy of the passions over reason. But he used aspects of the individualist epistemology of Locke, the developmental logic of Defoe's celebration of improvement, and the theories of the social effects of the pursuit of self-interest proposed by Mandeville to argue both that self-interest was the primary animating force in man and that its operation within a commercial society functioned to promote the public welfare in ways that rendered the traditional emphasis upon civic virtue irrelevant. By exciting industry and striving among social classes, the drive for luxury and status, he contended, contributed to develop cities and the arts and sciences; to extend sociability and





refinement; to enlarge the middle classes; to strengthen the respect for law that was so necessary for economic growth and political stability; to expand independence, decrease dependence, and thereby enlarge the potential for participation in public life; to augment both personal liberty and individual virtue; and to enhance the power of the state.

In contrast to earlier stages of political and economic development, the modern age of commerce and refinement, Hume contended, was both the "happiest and most virtuous" period in the history of man. No believer in the alleged superiority of the ancient constitution so much celebrated by the civic humanists, and contemptuous of Whig historians like Rapin, Hume showed in his *History of England* how English liberty had only slowly emerged out of changing social conditions between Magna Charta and the Glorious Revolution and



THE HISTORY OF ENGLAND, FROM The INVASION of JULIUS CÆSAR TO The REVOLUTION in 1688.

IN SIX VOLUMES.

By DAVID HUME, Esq.

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insisted that authority had never been better regulated, liberty and law more secure, or commerce and the arts more thriving than they were in contemporary Britain. Although he deplored the vast system of public credit that had grown up since the Glorious Revolution, he defended the use of patronage by Walpole as a necessary device to enable the executive to provide individual security, public order, sanctity of contracts, and direction in a government in which liberty held the preponderance of latent power. Hume also challenged the convention, only recently re-emphasized by Montesquieu, that republican government was unsuitable for large states. In an insight that James Madison subsequently used to good effect in *The Federalist Papers*, Hume argued that factionalism, which, rather than corruption, he saw as the principal danger to popular governments, was less likely to be a problem in larger federally-organized states. Indeed, in another dictum that served as an inspiration to the American Founders, Hume announced that it was possible, as he put it, to reduce politics to a science. Through the careful use of experience he believed that men might construct political institutions in such a way as to guard against tendencies that had proved disruptive to the happiness of political society.

The doctrine of social and economic progress articulated by Hume subsequently became the organizing principle of Scottish philosophical history as it was developed after 1750 by an impressive group of historians and social analysts in a series of important and influential works. The most significant of these were Adam Smith, *An Inquiry into the Nature and Causes of the Wealth of Nations** (Edinburgh, 1776); William Robertson (1721–93), *History of Scotland** (London, 1759), *History of the Reign of the Emperor Charles V** (London, 1769), and *History of America* (London, 1777); Adam Ferguson (1723–1816), *Essay on the History of Civil Society** (Edinburgh, 1767); and John Millar (1735–1801) *Observations Concerning the Distinctions of Ranks and Society** (London, 1771) and *An Historical View of the English Government* (London, 1787). Other significant contributors were Sir John Dalrymple (1726–1810), *Essay Towards a General History of Feudal Property in Great Britain** (London, 1757); Lord Kames, *Historical Law-Tracts** (Edinburgh, 1785) and *Sketches of the History of Man** (Edinburgh, 1774); Gilbert Stuart, (1742–86), *View of Society in Europe, in Its Progress from Rudeness to Refinement** (Edinburgh, 1778); James Dunbar (d. 1798), *Essays on the History of Mankind in Rude and Uncultivated Ages** (London, 1780); John Logan (1748–88), *Elements of the Philosophy of History* (Edinburgh, 1781); and William Falconer





(1744–1824), *Remarks on the Influence of Climate, Situation, Nature of Country Population, &c. upon Mankind** (London, 1781). Except for Falconer, an Englishman, all these authors were Scots.

To a far greater extent even than the work of Smith's fellow Scot Sir James Stewart, whose *An Inquiry into the Principles of Political Economy** (London, 1767) influenced Alexander Hamilton's national fiscal program during the early 1790s and was sympathetic to government regulation of the economy, Smith's *Wealth of Nations* was widely read by the leaders of the American republic and has long been admired for its detailed and profound analysis of the workings of the commercial economy. But it is equally important for its systematic elaboration of a theory of the progress of societies from rudeness to refinement. Where Montesquieu had earlier related differences among societies in manners and institutions to the mode of subsistence and Hume had explicitly contrasted commercial societies with those at less advanced stages of economic development, Smith used the comparative method to argue that societies had a "natural history" and that men moved through time in groups according to a universal process that varied mainly only according to limits of place.

As articulated by Smith and employed, sometimes in somewhat different forms, by most of his contemporary practitioners of the new philosophical or, as some called it, conjectural history, this theory described the development of man not, as had Locke and other natural-law theorists, as a movement from a state of nature to a state of society, but as a progress through time and space in four sequential stages—respectively the ages of hunters, shepherds, agriculture, and commerce—and sought to uncover the laws that governed this process and the range of possible variations. At each of these stages, according to the conjectural historians, the mode of production was the primary determinant of the character of social institutions, manners, styles of life, and personality, and the direction of movement was towards the division and specialization of labor, an intensification of exchange in goods and services, and an indefinite multiplication of goods. The desire for material improvement—the propensity of individuals, in emulation of those above them in society, to want to better themselves and to accumulate property and the social esteem and prestige conferred by that property—was the driving force in this process. For the philosophical historians, as for Mandeville, social progress was thus an unintended consequence of millions of individual acts of self-interest, and they believed that the most rapid rate of material improvement occurred in situations in

which there was minimal government regulation of the economy.

Thus, for the Scottish philosophical historians, history was not, as it was for civic humanist thinkers, an endless cycle of decline and regeneration but a linear—and largely progressive—process. Like eighteenth-century Americans, these Scottish writers lived in a society that in relation to England was economically, socially, and culturally backward, and they eagerly hoped for change and development that would put their society on a par with the English. Hence, although Smith and Millar deplored the deadening intellectual and spiritual effects of specialization upon workers in manufacturing, while Ferguson, in more civic humanist terms, decried its impact upon public spiritedness, they mostly tended to stress the desirability of change and the relative benefits of the final stage of commercial and polished society. They celebrated the contributions of commerce and culture not just to material abundance but also, like Hume, to the enhancement of public order, good government, justice, security, liberty, personal independence, and civility. For most of them, these gains served as adequate compensation for whatever loss of civic virtue might have occurred. Indeed, except possibly for Ferguson, they saw little incompatibility between the reasonable pursuit of self-interest and the achievement of a moral, or virtuous, social order.

In place of the classical conception of man as a civic being and in amplification of the liberal image of man as a self-centered individualist, the philosophical historians had thus substituted a modern conception of man as a transactional being ensconced in an ongoing and largely progressive cultural process characterized by increasing specialization, division of labor, and diversification and refinement of institutions and personality. Precisely because it provided a framework that seemed to situate their societies within a broader process of social and cultural development, a process they had all passed through at an accelerated rate in their own progress from rudeness to refinement, the work of Smith, Millar, Kames, and the other Scottish philosophical historians exerted a profound appeal for American leaders of the Revolutionary generation.



# 8

## *American Voices*

ALTHOUGH THE emphasis in this essay has been upon the British and European intellectual heritage of the Revolutionary generation, Americans were not, of course, merely passive vehicles uncritically dependent upon the Old World for their conceptions of society and the polity. Not only did they make highly discriminating use of those inherited conceptions but they also made important contributions of their own to the intellectual world in which they lived. To be sure, for much of the colonial period their literary productions ran heavily towards religious sermons and tracts, and the overwhelming majority of these were produced in just two colonies—Massachusetts and Connecticut—by the intellectual and spiritual heirs of the early Puritan settlers, and these works neither circulated widely nor attained significant influence much beyond the boundaries of New England. Certainly the most prolific secular writer in the colonies was Pennsylvania printer and politician Benjamin Franklin (1706–90), whose numerous philosophical, scientific, and political tracts revealed both an intimate familiarity with the main Old World intellectual currents of the time and a special indebtedness to the literature of improvement associated with Defoe and Addison. Although Franklin's work, most of which was published in relatively short occasional essays and tracts, was not readily available, some of his more important writings were collected and published in London in 1779 under the general title *Political, Miscellaneous, and Philosophical Pieces.**

By the end of the Revolutionary era, of course, American writers had produced an extensive political literature, most of which

was polemical in origin but extraordinarily impressive in terms of its display of a developing capacity for political analysis. Among the most penetrating efforts to define the political and constitutional relationship between Britain and the colonies in the years before Independence were *Considerations on the Propriety of Imposing Taxes in the Colonies. . .by Act of Parliament** (Annapolis, 1765) by Marylander Daniel Dulany (1722–97), *An Enquiry into the Rights of the Colonies** (Williamsburg, 1766) by Virginian Richard Bland (1710–76), *Letters from a Pennsylvania Farmer** (Philadelphia, 1768) by John Dickinson (1732–1808), *Considerations on the Nature and Extent of the Legislative Authority of the British Parliament** (Philadelphia, 1774) by the Scottish immigrant to Pennsylvania James Wilson (1742–98), *A Summary View of the Rights of British America** (Williamsburg, 1774) by the young Virginian Thomas Jefferson (1743–1826), and *Common Sense** (Philadelphia, 1776) by the recent English immigrant Thomas Paine.

Other issues raised by or in the wake of Independence produced a similarly large volume of political discourse. The Massachusetts lawyer John Adams (1735–1826) contributed two of the most significant works to the discussion of the problem of forming new constitutions: *Thoughts on Government** (Philadelphia, 1776) and the massive and learned *Defence of the Constitutions of Government of the United States of America** (Philadelphia, 1787). The lively tradition of American political writing that grew out of the Revolution reached its culmination with *The Federalist** (New York, 1788), a brilliant explication of the Constitution of 1787 by Alexander Hamilton (1757–1804), John Jay (1745–1829), and James Madison (1752–1836) that has remained the most profound American contribution to the literature of political thought. But American writing in these years was by no means limited to constitutional issues. Works by two Pennsylvania Quakers, John Woolman (1720–72), *Works** (Philadelphia, 1774) and Anthony Benezet (1713–84), *Serious Considerations on . . . War, . . . Slavery, . . . and the Nature and Bad Effects of Spirituous Liquors** (Philadelphia, 1778), were important contributions to the growing international debate over slavery, while the writings of the Baptist clergyman Isaac Backus (1724–1806), especially his *Policy, as Well as Honesty, Forbids the Use of Secular Force in Religious Affairs** (Boston, 1779) was a powerful plea for the separation of church and state.

Long before the Revolutionary era had supplied Americans with such a stimulating arena for displaying their broad talents for analyzing constitutional and political issues, however, they had begun to try to understand and to describe who they were and what they were





doing in America through the medium of secular histories. All of the works that treated the British American experience as a whole during the colonial period—John Oldmixon (1673–1742), *The British Empire in America** (London, 1708); Sir William Keith (1680–1749), *History of the British Plantations in America** (London, 1738), which was never completed; and Edmund Burke (1729–1797), *An Account of the European Settlements in America** (London, 1757)—were written by Britons. The only exception was William Douglass (c. 1700–1752), *Summary, Historical and Political, of the First Planting, Progressive Improvements, and Present State of the British Settlements in North America** (Boston, 1749–51), which was the work of a Scottish immigrant to Boston.

Already during the first half of the century, several writers had begun to produce quite serious and sophisticated histories of individual colonies. These included especially Robert Beverley (c. 1673–1722), *The History and Present State of Virginia** (London, 1705); Daniel Neal (1678–1743), *History of New England** (London, 1720); and William Stith (1689–1755), *History of the First Discovery and Settlement of Virginia** (Williamsburg, 1747). The decades after 1750 witnessed the proliferation of such histories. William Smith (1728–93), *History of the Province of New-York** (London, 1757); Samuel Smith (1720–76), *History of the Colony of Nava-Caesaria, or New Jersey* (Burlington, 1765); Thomas Hutchinson (1711–80), *History of the Colony of Massachusetts Bay** (London, 1760–68); Edward Long (1734–1813), *History of Jamaica** (London, 1774); Alexander Hewatt (1745–1829), *An Historical Account of the Rise and Progress of the Colonies of South Carolina and Georgia** (London, 1779); and Jeremy Belknap (1744–98), *The History of New Hampshire* (Philadelphia, 1784) were all excellent examples of this genre. Except for Neal, all of these writers were either natives or residents of the colonies about which they wrote. After the Revolution, this tradition was carried on by David Ramsay (1749–1815), *History of the Revolution in South Carolina** (Trenton, 1785), while William Gordon (1728–1807), *The History of the Rise, Progress and Establishment of the Independence of the United States of America** (London, 1788) was the first attempt at a history of the new nation.

If civil histories were one way Americans sought to come to terms with their new societies, descriptive accounts were another. For Europeans, some of the most interesting analyses of America were natural histories of specific areas, such as Sir Hans Sloane (1660–1753), *Natural History of Jamaica** (London, 1707–25); John Lawson (d. 1712), *New Voyage to Carolina** (London, 1709); Mark Catesby (1679–1749), *Natural History of Carolina** (London, 1731–43); and

Griffith Hughes, *Natural History of Barbados* (London, 1750), and accounts of the descendants of America's original native peoples, such as Cadwallader Colden (1688–1776), *History of the Five Indian Nations** (London, 1747), and James Adair (c. 1709–c. 1783), *The History of the American Indians* (London, 1775). By stimulating interest in American society, the Revolution and the creation of an American nation gave added impetus to this tradition of descriptive literature, which was reflected by such works as Jedidiah Morse (1761–1826), *The American Geography** (Elizabethtown, N.J., 1789), the first effort by a native to provide a geographical description of the whole of the United States; J. Hector St. John de Crevecoeur (1735–1813), *Letters from an American Farmer** (London, 1782), the first attempt to define in general terms the character of the settler population of the United States; and Thomas Jefferson, *Notes on the State of Virginia** ([Paris, 1785]) a detailed description of the largest and most influential state in the new United States of America.

In contrast to the several traditions Americans had inherited from Britain and Europe, this growing body of literature by Americans about America lacked explicit philosophical coherence. Nevertheless, it reflected the profound sense of openness and broad socioeconomic opportunity, the ambivalence about authority and about traditional conceptions of the social order, and the longing for development that were perhaps the most important elements determining how Americans received and used the many elements of their rich Old World intellectual inheritance.



# 9

## *Conclusion*

IN PRODUCING the Constitution, the delegates to the Federal Convention of 1787, all of them important men of affairs on either the state or national level, doubtless drew most heavily upon their own vast collective experience with government during the colonial and Revolutionary years. Many of them were already established political leaders before the Revolution, and after 1776 they had all participated in the establishment of viable republican state governments and in the successful prosecution of a revolution against the strongest military and naval power in the world at that time. Yet, many of them were also well-educated and reflective men, and an important part of their "experience" consisted in what they had learned from the complicated and interwoven strands of thought that comprised their intellectual heritage and that have been surveyed in this essay. While they were in Philadelphia, whenever they needed to consult any of the works of which those traditions were comprised, they could do so at "The Delegates' Library." All but a very few of the many titles mentioned here could be found then, and are still today, on its shelves.

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