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We the FALLEN People

THE FOUNDERS AND THE FUTURE OF AMERICAN DEMOCRACY

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ASKING DIFFERENT QUESTIONS

It's a story that American Christians have long enjoyed repeating—most of it, anyway—and it's not hard to see why. It's packed with drama, it boldly declares Christian truth, and it's not even fabricated—a trait we've learned not to take for granted. See if you recognize it:

It's a sweltering Thursday afternoon in the summer of 1787, and the statesmen gathered behind closed doors in the Pennsylvania State House are discouraged. They have come to Philadelphia on a mission to save the country, but conflicting interests—between North and South, large states and small states, agriculture and commerce—have repeatedly thwarted compromise. Time is running out, tempers are short, and the unthinkable is now increasingly likely: barring a breakthrough, the delegates will have to admit defeat and head home. It is, as James Madison will later recall, a "period of gloom." In the opinion of New York delegate Gouverneur Morris, "the fate of America [is] suspended by a hair."[1]

And then, at this "awful and critical moment," the Constitutional Convention's oldest member asks for permission to address the fractured assembly.[2] *At first glance, Benjamin Franklin is apt to disappoint. A delegate who has met him for the first time this summer describes him as "a short, fat, trenched old man," but Franklin has devoted more than half of his long life to public service, and he commands respect.*[3] *In*

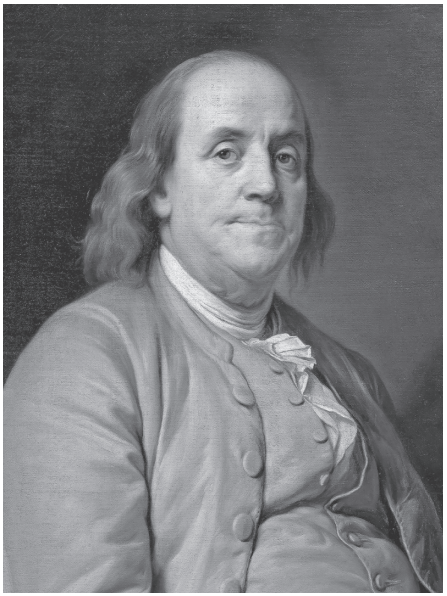
[1]James Madison to Jared Sparks, April 8, 1831, in *The Records of the Federal Convention of 1787*, ed. Max Farrand, 3 vols. (New Haven, CT: Yale University Press, 1911), 3:499; Daniel L. Dreisbach, *Reading the Bible with the Founding Fathers* (New York: Oxford University Press, 2017), 137.

[2]William Few, *Autobiography of William Few* (n.d.), in Farrand, *Records of the Federal Convention*, 3:423.

[3]David O. Stewart, *The Summer of 1787: The Men Who Invented the Constitution* (New York: Simon & Schuster, 2007), 33.

Europe, he is hands down the best known and most highly regarded of all Americans. At home, he is second only to George Washington in the prestige and acclaim he enjoys.

But in his eighty-second year, Franklin is long past taking an active role in the convention. Although his mind is still sharp, he is a "physical wreck," plagued by gallstones and gout, and he will address the convention but a handful of times throughout the summer.[4] *When he does so, he frequently writes out his remarks in advance and enlists another member of the Pennsylvania delegation to read them on his behalf. He has done so today. There is nothing spontaneous about his comments. They are premeditated and serious, devoid of the witticisms for which he is famous.*



Benjamin Franklin

Acknowledging the "small progress" of the past month, Franklin observes that the convention is "groping, as it were, in the dark, to find political truth." "How has it happened," he asks, "that we have not hitherto once thought of humbly applying to the Father of lights to illuminate our understandings? . . . The longer I live, the more convincing proofs I see of this truth—that GOD governs in the affairs of men. And if a sparrow cannot fall to the ground without his notice, is it probable that an empire can rise without his aid?"

During the Revolutionary War the Second Continental Congress prayed regularly for "divine protection," Franklin goes on to remind his audience, and a "kind Providence" heard and answered their prayers. "Have we now forgotten that powerful Friend?" he asks. "Do we imagine we no longer need its assistance?" If so, their undertaking is doomed. "Except the Lord build the House, they labor in vain that build it," he observes, quoting Psalm 127. Pressing home his point, the venerable patriot concludes with a recommendation: henceforth, the convention should begin each day with prayer "imploring the assistance of heaven, and its blessing on our deliberations."[5]

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[4]Richard Beeman, *Plain, Honest Men: The Making of the American Constitution* (New York: Random House, 2009), 36.

[5]James Madison, *Notes on Debates in the Federal Convention of 1787* (Athens: Ohio University Press, 1966), 209-11.

It was at this point in the drama that the rest of the cast forgot their lines. Franklin's motion was supposed to be the cue for his fellow delegates to experience deep conviction. Cut to the heart, they were supposed to express remorse and embrace the call to prayer. Instead, they froze or went off script. A handful voiced tepid support. A few raised unconvincing objections. Most sat in silence.

In the end, according to James Madison's meticulous notes of the proceedings, the convention adjourned without even voting on Franklin's motion for prayer. This was a polite way for the delegates to defeat the measure without explicitly rejecting it. Franklin's own summation of the awkward affair was terse and unsparing: "The Convention, except three or four persons, thought Prayers unnecessary."[6] No one mentioned it again.

If we want to understand the rise of American democracy—to see it more clearly and think about it more deeply—then we're going to have to ask different questions about the Constitution. For too long, Christians interested in America's past have been preoccupied with one overarching question: Was the United States founded as a Christian country?[7] Concerning the Constitution specifically, we've wanted to know whether the Framers were Christian men, guided by Christian principles, and determined to establish a Christian government. Not much else has seemed to matter.

There's a logic to our fixation. The questions go to the very heart of how we understand our country and our place within it as people of faith; that makes them integral to our identity. They also promise insight into the Framers' original intent concerning the relationship of church and state. Given the centrality of Supreme Court rulings to religious liberty disputes today, that makes them hugely relevant to public policy. But we need to recognize how difficult these questions are to answer as well as the *damage*—I use the term advisedly—they can inflict on us when we become obsessed with them.

We always confront two obstacles when we try to make sense of the past. The first is a problem of *evidence*: there's almost never enough of it.[8] When it comes to the Constitution, for example, we need to recognize just how hard it is to

[6]Farrand, *Records of the Federal Convention*, 1:452.
[7]For an outstanding introduction to the history of this question, see John Fea, *Was America Founded as a Christian Nation?* (Lexington, KY: Westminster John Knox Press, 2011).
[8]David Bebbington, *Patterns in History: A Christian View* (Downers Grove, IL: InterVarsity Press, 1979), 3.

prove that the document was shaped by Christian thinking or even that the men who crafted it were orthodox believers. Either is a tall order.

Establishing intellectual causation may be the most difficult task a historian ever undertakes. We know from their correspondence, diaries, and libraries that many of the Framers were extraordinarily well read. They were students of theology as well as history, philosophy, science, and ancient literature. They were also practical men of the world with practical concerns about profit and power. Unraveling the interwoven threads of intellectual influence to identify a single strand as paramount is almost impossible.

We should also be leery of the implication that it is a simple thing to substantiate the authentic religious beliefs of figures from more than two centuries ago. "For what man knows the things of a man except the spirit of the man which is in him?" the apostle Paul asks.[9] Compounding the problem is that the Framers typically held their religious views close to the vest. When it came time to fashion a new framework of government in 1787, they produced a document that never refers to God and is silent concerning the religious questions that so divide Americans today. Throughout the convention they abstained from making explicitly religious arguments, and they showed the same reticence during the ratification debates that followed.[10]

Surely this is one reason why Christians have found the story of Franklin's call for prayer so seductive. Right up until its disappointing ending, it seems to constitute the one moment during the Constitutional Convention when the Framers abandoned their reticence and unequivocally declared their faith in God. If the other delegates had only embraced Franklin's recommendation, we could confidently point to the episode as irrefutable evidence of the Framers' faith—perhaps even as a tantalizing hint at God's plan for the United States.

That we have so often remembered the story incorrectly calls our attention to the other major obstacle that interferes with our efforts to understand the past. If the first is a problem of evidence, the second is the "problem of the *historian*"

[9] 1 Corinthians 2:11.

[10] A meticulous review of the hundreds of pages of Madison's notes on the Constitutional Convention uncovered only one explicit appeal to the Bible in support of a specific constitutional provision, an allusion by Benjamin Franklin to Exodus 18:21. See Daniel Dreisbach, "The Bible and the Political Culture of the American Founding," in *Faith and the Founders of the American Republic*, ed. Daniel Dreisbach and Mark David Hall (New York: Oxford University Press, 2014), 60. A comprehensive study of 190 major pro-Constitution writings published in 1787–1788 fails to uncover a single explicit allusion to Scripture. See Donald S. Lutz, "The Relative Influence of European Writers on Late Eighteenth-Century American Political Thought," *American Political Science Review* 78 (1984): 194.

—the biases or prejudices that we inescapably bring along on our excursions into the past.[11] Our faulty memory of Franklin's call for prayer reminds us of the temptations that lurk whenever we convince ourselves that the future of American Christianity depends on the history of Christianity in America. The results can sometimes be embarrassing, as the recurring efforts to salvage the "miracle at Philadelphia" amply illustrate.

When Franklin made his plea, almost no Americans were aware of it, and the episode would remain largely unknown for many years after 1787. The delegates had sworn themselves to secrecy during the convention itself, and James Madison, the only delegate to keep a systematic record of the proceedings, chose not to make his notes public until after his death, which didn't occur until nearly a half-century later, in 1836. The first reasonably comprehensive American edition of Franklin's private papers was published as early as 1818, however.[12] Although few Americans would have had access to the expensive, six-volume set, rumors that the Constitutional Convention had "thought prayers unnecessary" eventually began to circulate.

For a country swept up at the time in the spiritual fervor of the Second Great Awakening, the news could be disconcerting. In 1821, for example, a New Hampshire correspondent wrote to John Adams to inquire whether the former president knew anything about the alleged incident. (Adams was not a delegate to the convention and had been in England at the time.) An account of Franklin's call for prayer had recently appeared in the *London Quarterly Review*, of all places, and the writer was distressed to find that the supposed rebuff of Franklin's proposal had become the grounds for English claims that Americans "profess a liberal indifference whether there be any religion in the country, or none."[13]

"Not so!" American Christians insisted, and the easiest way to set the record straight was to substitute a different ending to this story about the country's past. By the middle of the 1820s, newspapers and religious periodicals had begun to circulate a new account of Franklin's proposal based on secondhand testimony first recorded thirty-eight years after the Constitutional Convention.

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[11]Bebbington, *Patterns in History*, 3.

[12]Benjamin Franklin, *The Works of Dr. Benjamin Franklin, in Philosophy, Politics, and Morals*, 6 vols. (Philadelphia: William Duane, 1808–1818). For Franklin's prepared remarks, as well as his subsequent notation that the convention "thought prayers unnecessary," see 1:474-75.

[13]Nathaniel A. Haven to John Adams, 27 August 1821, Founders Online, National Archives, https://founders.archives.gov. Haven was quoting from "New Churches," *London Quarterly Review* 46 (October 1820): 551.

The source was a relative unknown named William Steele, who claimed to have heard what really happened in a conversation some ten years earlier with a convention delegate who had since conveniently died. In Steele's version, Franklin's proposal "was instantly seconded and carried," and the only delegate "impious" enough to question its wisdom was received with "a mixture of surprise and indignation."[14]

We can excuse early nineteenth-century believers for seizing hold of this comforting ending. Franklin's postscript to the affair was buried in a multivolume collection of his papers that almost no one could afford. Madison's record of the convention had yet to see the light of day. Almost none of the behind-the-scenes correspondence of key delegates was publicly available. In the absence of evidence to the contrary, Steele's secondhand testimony recorded nearly four decades after the fact could be taken seriously, although it never should have been accepted uncritically.

In sum, we can't fault the Christians who swallowed Steele's testimony for not knowing that Franklin himself directly contradicted it. They also had no way of knowing what Madison's record would make clear when it was published: that the mood among delegates grew worse, not better, for days after Franklin's June 28 speech. Nor could they have been aware that George Washington wrote to Alexander Hamilton nearly two weeks after Franklin's plea to complain that affairs were, "if possible, in a worse train than ever."[15]

It's hard to be as charitable toward the numerous modern-day apologists who continue to recycle the myth and insist that Franklin's call for prayer saved the convention and, by extension, the United States. Authors Peter Marshall and David Manuel set the pattern a half-century ago in their fabulously successful interpretation of "God's plan for America," *The Light and the Glory*. After reprinting Franklin's speech in its entirety, Marshall and Manuel skipped the convention's response but insisted (without offering any supporting evidence) that Franklin's plea "marked the turning point" in the convention.[16]

In the intervening decades a host of preachers and media celebrities have echoed this conclusion, including prominent pastor and writer Tim LaHaye,

[14]The account first appeared in the letter of William Steele to Jonathan D. Steele, September 1825, and is reprinted in whole in Farrand, *Records of the Federal Convention*, 3:467-73. For examples of contemporary circulation of the letter in whole or in part, see *National Intelligencer*, August 26, 1826, and *Christian Advocate and Journal and Zion's Herald* 33 (April 1832), 129-30.

[15]Beeman, *Plain, Honest Men*, 203.

[16]Peter Marshall and David Manuel, *The Light and the Glory* (Tarrytown, NY: Fleming H. Revell, 1977), 343.

Wallbuilders founder David Barton, popular Christian author Eric Metaxas, and radio host and film critic Michael Medved. Passing over the extensive evidence to the contrary, they insist that Franklin's speech "made a profound impact on the delegates," who viewed his heartfelt plea as "the intrusion of the Almighty" on the country's behalf.[17]

My point is not that the Framers rejected the value of prayer or were hostile to Christianity. Nor am I remotely suggesting that an accurate remembering of Franklin's motion somehow proves that they meant to create a "godless Constitution."[18] But I do want us to see that secular liberals aren't the only ones prone to revise America's past. Desperate to score points against academics who understate Christianity's role in the Founding, all too often Christians have cried "revisionist!" and then jumped into the other ditch, uncritically accepting unverified claims or stretching the evidence to find irrefutable proof of the Founders' born-again convictions. *God doesn't need our exaggerations to accomplish his work.*

There are good ways and bad ways to pay attention to the past, and the debate over America's Christian roots brings out the very worst. The wonder is that we learn anything at all from it. Because so much seems to be at stake in the debate, because we're convinced that we have to *win* it, we end up turning history into an arsenal, a storehouse not of wisdom but of weapons—quotes and anecdotes that we draw like revolvers in a shootout with secular opponents.

Whenever someone at church asks me about the relationship between Christianity and the Constitution, I'm always tempted to reply, "Why do you want to know?" It's a lot like those campaign ads that grow so tiresome before Election Day. Too often what we really want is for the Framers to make a cameo at the end and announce, "We're the Founding Fathers and we approve this message."

I call this the history-as-ammunition approach to the past, and its effects are insidious. Once we set out to prove that the United States was founded as a

[17]See Tim LaHaye, *Faith of Our Founding Fathers* (Green Forest, AR: Master Books, 1990), 57, 123-24; David Barton, *Original Intent: The Courts, the Constitution, and Religion* (Aledo, TX: Wallbuilders Press, 1996), 116-18; Eric Metaxas, *If You Can Keep It: The Forgotten Promise of American Liberty* (New York: Viking, 2016), 206; Michael Medved, *The American Miracle: Divine Providence in the Rise of the Republic* (New York: Crown Forum, 2016), 104-7.

[18]Isaac Kramnick and R. Laurence Moore, *The Godless Constitution: The Case Against Religious Correctness* (New York: W. W. Norton, 1996); Brooke Allen, "Our Godless Constitution," *The Nation*, February 21, 2005, 14-20.

Christian country, the temptation to refashion the Founders in our own image becomes irresistible. This doesn't have to be conscious or premeditated. The historical figures that we encounter always resemble us in some ways and differ from us in others, and we quite naturally pick up on the former better than the latter. The history-as-ammunition approach just magnifies this natural tendency.

The result is that, instead of encountering figures from the past who might challenge and change us, we meet our clones in powdered wigs. Sure, they dressed oddly, but deep down the Founders as we imagine them thought as we think, valued what we value, and—not to put too fine a point on it—would vote as we vote. This makes the past politically useful to us, but at a great cost: we learn nothing from it. How could we? The historical figures we've imagined already agree with us in all the ways that matter.

We would be much better served to set aside the question of whether the Framers were *Christian* and focus instead on thinking *Christianly* about the framework of government they constructed.[19] In the rest of this chapter and the next, we'll turn our attention from the Framers' theology to their *anthropology*—from what they thought about God to what they thought about *us*. In essence, we'll take our cue from James Madison, recognizing that our Constitution is, among other things, an extended commentary on human nature.

This means that we'll step away from the politically charged, dichotomous questions at the heart of the Christian America debate: Were the Framers of the Constitution Christians? Were they guided by Christian principles? Was their goal to create a Christian nation? In their stead, we'll ask the following: What were the Framers' views on human nature? How did their views inform the document they bequeathed to us? To what degree were their beliefs about human nature consistent with Christian teaching?

Notice several key features of the questions we'll be pursuing: First, although they shift the focus away from theology to anthropology—from the Framers' beliefs about God to their understanding of humanity—these questions are still *fundamentally religious*. Our faith is never confined solely to what we believe about God; it is also defined by our understanding of human nature and the human condition.

The questions are undoubtedly *historically crucial* as well. If our goal is to understand the rise of American democracy in historical context, as well as to

[19]On thinking Christianly, see Harry Blamires, *The Christian Mind* (London: Society for the Propagation of Christian Knowledge, 1963), especially chapter two.

think more Christianly about it in our contemporary context, it's hard to imagine a more fruitful line of questioning. Beyond this, observe that the questions are *open-ended* rather than dichotomous (yes/no questions always promote oversimplification). They also ask us to think in terms of *correlation* or *compatibility* (which can logically be demonstrated) rather than *causation* (which is almost impossible to prove).

Finally, these questions invite us to focus on a subject on which the *historical record is rich*. While it can be exceedingly difficult to pinpoint the Framers' beliefs about God, they spoke and wrote at length concerning their views of human nature. The reason for this is clear. As the infant United States teetered on the brink of collapse by the mid-1780s, the statesmen who would eventually gather in Philadelphia to "form a more perfect union" had no doubt that their country was in the grips of a *moral* crisis. Taught to believe that a republic required "virtue" to survive, they were convinced that the American people weren't virtuous.

In making a case for moral reform in our own day, well-meaning Christian writers often tell the story of the United States as a story of decline from a time when Americans were characterized by a civic-minded commitment to the common good. Eric Metaxas, for example, writes that it was because of this once widespread quality that the Framers of the Constitution could place "tremendous trust in the people." Bemoaning the individualism and selfishness rampant today, Metaxas exhorts us to become again "the America we were at first."[20]

This would have bewildered the Founders. By the mid-1780s they feared that the country was on the verge of "national humiliation," as one hero of the Revolution put it, and they were convinced that the root cause of that catastrophe was moral. "We are going and doing wrong," lamented future Supreme Court Justice John Jay a year before the Constitutional Convention. "Evils and calamities" would be the result. "We are far gone in every thing ignoble & bad," George Washington echoed in a letter written the day after Christmas 1786. Without decisive action, the country would "sink into the lowest state of humiliation & contempt, & become a byword in all the earth."[21]

[20]Metaxas, *If You Can Keep It*, 10, 25.

[21]Henry Knox to George Washington, 23 October 1786, Founders Online; John Jay to George Washington, 27 June 1786, Founders Online; George Washington to Henry Knox, 26 December 1786, Founders Online.

That same month, Mercy Otis Warren, arguably the leading female intellectual in revolutionary America, fumed in a letter to John Adams that their fellow countrymen were undeserving of liberty. Pulling no punches, she reckoned that "the imbecility of human nature" then on display in the United States was as strong "as perhaps may be found in any page of history." Adams could only agree. "Our country men," he concluded to Mercy's husband, James, "have never merited the character of very exalted virtue."[22]

The key word in Adams's assessment was the last one. *Virtue* meant different things in different contexts in Revolutionary America. Most broadly, it could mean any positive trait, as when Washington wondered whether marl "possesses any virtue as a manure" or when a correspondent informed Thomas Jefferson about the "virtues" of Chinese tea.[23] When applied to women, the term often carried the connotation of sexual chastity or modesty. When men aspired to "domestic" virtue, they sought to behave with industry, frugality, and integrity in their homes, businesses, or professions.

But when observers in the 1780s linked the distressing state of the country with a shortage of virtue, they had yet another definition in mind. The virtue they alluded to was a public ideal, not unlike patriotism, embodied in "the willingness of the individual to sacrifice his private interests for the good of the community." As defined by the French philosopher Montesquieu—one of their favorite Enlightenment thinkers—virtue is a "continuous preference of the public interest over one's own." In the words of John Adams, a virtuous patriot lived by the principle that "all things must give way to the public."[24] Conventional wisdom taught that this sort of virtue was essential for a republic to thrive.

And so the Revolutionary generation emphasized it, constantly, making virtue "one of the most revered political concepts of the 18th century."[25] Both before and after the creation of the Constitution, the leading Founders exalted virtue, looked for ways to encourage virtue, and underscored the importance of virtue to the infant republic.

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[22]Mercy Otis Warren to John Adams, December 1786, Founders Online; John Adams to James Warren, 9 January 1787, Founders Online.

[23]Diary of George Washington, 30 January 1786, Founders Online; Neil Jamieson to Thomas Jefferson, 12 July 1784, Founders Online.

[24]Gordon S. Wood, *Creation of the American Republic, 1776–1787* (Chapel Hill: University of North Carolina Press, 1969), 68; Charles de Secondat Baron de Montesquieu, *Spirit of the Laws*, trans. Anne Cohler et al. (New York: Cambridge University Press, 1989), 36; John Adams to Mercy Otis Warren, 16 April 1776, Founders Online.

[25]Barry Alan Shain, *The Myth of American Individualism: The Protestant Origins of American Political Thought* (Princeton, NJ: Princeton University Press, 1994), 34.

Virtue "is a necessary spring of popular government," Washington would remind the country in his last public address. "Only a virtuous people are capable of freedom," Benjamin Franklin agreed. "Virtue is the only foundation of republics," John Adams postulated. Without it, Framer David Ramsay told his state's ratifying convention, "our growing numbers will soon degenerate into barbarism."[26]

The American who failed to exhibit virtue, Framer William Livingston maintained, "is not only a bad Citizen, but a real Enemy to his country." "When *individuals* consider *their* interests" as opposed to the common good, Framer John Dickinson echoed, "a people is traveling fast to destruction." It followed that public schools must promote virtue, as the prominent physician Benjamin Rush insisted. "Let our pupil be taught that he does not belong to himself," this signer of the Declaration of Independence wrote in 1786. He must forsake all "when the welfare of his country requires it." To the schoolhouse, the Founders added town meetings, militia drills, and religious services as other venues where "the virtues and talents of the people" could be formed.[27]

From across the generations, the Founders' emphasis on self-denial and the common good is rare and refreshing, a stark contrast to today's "naked public square" in which individuals and interest groups look out for number one.[28] But before we conclude that we've discovered a lost golden age, we must realize that the Founders underscored the importance of virtue in part because they found it to be lacking. As they surveyed the state of the country by the mid-1780s, they were convinced that Americans didn't have it, or at least not enough of it.

Observations like these were legion: "There doth not appear to be virtue enough among the people to preserve a perfect republican government." "The people have not wisdom or virtue enough to govern themselves." "It is to be greatly lamented, that there is no more genuine virtue & patriotism among the inhabitants." Virtue "certainly is a principle of too whimsical a nature to be relied

[26]Daniel J. Boorstin, ed., *An American Primer* (New York: Penguin, 1966), 221-22; Benjamin Franklin to the Abbés Chalut and Arnoux, 17 April 1787, *Memoirs of the Life and Writings of Benjamin Franklin*, ed. William Temple Franklin, 3rd edition (London: Henry Colburn, 1818), vol. III, pt. 1, 220; John Adams to Mercy Otis Warren, 16 April 1776, Founders Online; Bernard Bailyn, ed., *The Debate on the Constitution: Federalist and Antifederalist Speeches, Articles, and Letters During the Struggle over Ratification* (New York: Literary Classics of the United States, 1993), part 2, 513.

[27]Shain, *Myth of American Individualism*, 43; John Dickinson, "Letters of a Farmer in Pennsylvania" (1768), in *The Writings of John Dickinson: Political Writings, 1764–1774*, ed. Paul L. Ford (Philadelphia: Historical Society of Pennsylvania, 1895), 397; Michael J. Sandel, *Democracy's Discontent: America in Search of a Public Philosophy* (Cambridge, MA: Harvard University Press, 1996), 129, 132; Diary of John Adams, 21 July 1786, Founders Online.

[28]Richard John Neuhaus, *The Naked Public Square: Religion and Democracy in America* (Grand Rapids, MI: Eerdmans, 1984).

on." "Too much has been expected from the virtue and good sense of the people." "There has been an astonishing decay of public virtue among us." "Virtue . . . has an influence only on a chosen few." "We are in the high road to have no virtues left." "The virtue of the people are [*sic*] vanished." "Virtue . . . has, in a great degree, taken its departure from our land." Americans "do not exhibit the virtue that is necessary to support a republican government."[29]

In sum, the Founders widely believed that self-denial in the service of the common good was in short supply. For evidence, they pointed to the sad state of public affairs.

When advocates of governmental reform insisted that something drastic must be done to save the republic, they regularly pointed to three distressing features of public life. First, because the central government under the Articles of Confederation lacked the power to regulate commerce with foreign nations or to command compliance with international treaties, a coherent foreign policy coordinating the actions of thirteen independent sovereignties was utterly impossible.

Second, because the central government was denied the power to tax, it was staggering financially, unable to honor its debts either to private citizens or foreign governments. Third, there was growing popular resistance to state taxation, and by the winter of 1786–1787 angry citizens across New England were intimidating tax collectors and shutting down county courts in order to forestall tax sales and foreclosures. Anarchy loomed.

Almost everyone who supported the call for the Philadelphia Convention condemned the weakness of the central government under the Articles of Confederation, but it's important not to miss their more fundamental diagnosis. Although each of the concerns listed above could be blamed on defects in the Articles of Confederation, at a more fundamental level each could be understood as resulting from defects in human nature. The core problem, critics

[29]Benjamin Lincoln to George Washington, 4 December 1786, Founders Online; David Humphreys to George Washington, 20 January 1787, Founders Online; William Vans Murray, "Political Sketches" (1787), quoted in Shain, *Myth of American Individualism*, 46; William Gordon to George Washington, 20 January 1787, Founders Online; John Jay to Thomas Jefferson, 9 February 1787, Founders Online; Diary of John Quincy Adams, entry for November 26, 1786, Founders Online; Mercy Otis Warren to John Adams, December 1786, Founders Online; John Adams to Elbridge Gerry, 25 April 1785, Founders Online; James Sullivan to John Adams, 16 December 1786, Founders Online; George Washington to John Jay, 18 May 1786, Founders Online; Gordon S. Wood, *The American Revolution: A History* (New York: Modern Library, 2002), 141.

contended, was that neither state governments nor private citizens could be trusted to promote the common good without compulsion. If the apparent failure of the Articles proved anything, it was "the melancholy proof that mankind are not competent to their own government without the means of coercion in the sovereign."[30]

In the realm of foreign relations, the weakness of the central government under the Articles required both states and private citizens to sacrifice their immediate interests voluntarily in the service of the public good. As often as not, they refused. Instead, as John Jay explained to George Washington in the summer of 1786, "personal rather than national interests have become the great objects of attention."[31]

As Secretary of Foreign Affairs under the Articles, Jay was in the process of compiling a report for Congress on the states' compliance with the stipulations of the Treaty of Paris, the agreement with Great Britain that had ended the American Revolutionary War. The gist of Jay's findings was simple: the states weren't complying. Washington was grieved and ashamed. His explanation of their behavior was telling: "We have probably had too good an opinion of human nature in forming our confederation."[32]

Among the least popular provisions of the Treaty of Paris were requirements that the former colonists honor prewar debts owed to English citizens and restore property confiscated during the war from American loyalists. Showing no regard for public honor, state legislatures regularly ignored both obligations, as lawmakers were unwilling to press measures that might upset their constituents. As Jay would later report concerning the treaty, "There has not been a single day since it took effect, on which it has not been violated in America, by one or the other of the states." Because the Articles stipulated that "each state retains its sovereignty, freedom, and independence," the central government could do nothing but stand by and watch.[33]

Critics discerned a similar shortage of virtue underlying the government's dismal financial condition. Given that the Articles of Confederation were created during a war sparked by resentment of British tax policy, it's not surprising that the men who erected that framework were hesitant to clothe their

[30]George Washington to John Jay, 10 March 1787, Founders Online.
[31]John Jay to George Washington, 27 June 1786, Founders Online.
[32]George Washington to John Jay, 15 August 1786, Founders Online.
[33]John Jay to George Washington, 27 June 1786, Founders Online.

own revolutionary government with broad taxing authority. Yet, from our twenty-first-century perspective, the mechanism that the Articles envisioned for generating revenue is comical.

Rather than authorizing taxation, the Articles of Confederation invited the central government to make "requisitions" of the states. After determining its annual needs, the Congress would inform the states of the amount of money each needed to donate in order for the government to stay afloat. In theory, each state would then voluntarily comply. It was like a PBS telethon without the commemorative tote bags.

The arrangement worked about as well as you'd expect. By 1786 the central government was reduced to begging. The so-called *United* States—exposed as a loose association of petty independent republics—teetered on the brink of bankruptcy. Thirteen "independent, disunited states" made requisitions "a perfect nihility," Washington lamented, "little better than a jest and a bye word through out the land." The reason this "system of imbecility" failed so miserably, Alexander Hamilton explained, was that the states regularly ignored the common good and yielded to "the persuasive voice of immediate interest or convenience." In sum, they lacked virtue.[34]

The same could be said about the alarming "commotions" plaguing New England by 1786. Contemporaries differed about the "respectability or contemptibility" of the insurgents who were shutting down local courts. Sympathetic observers said that "taxes have been assessed too high and collected too rigidly," and they noted that a shortage of hard money in the countryside made the burden especially heavy on rural taxpayers.

For the most part, this was not the view of future "federalists"—that is, individuals who would soon rally to support a new Constitution. (Opponents of ratification would come to be known as "anti-federalists.") Henry Knox was extreme in characterizing the insurgents as "desperate & unprincipled men" determined to "annihilate all debts" and wage war against "the principles of all government." But probably most future federalists would have echoed the Virginian who discerned in "the disturbances to the North-ward . . . the sure proof of a want of virtue."[35]

[34]George Washington to John Jay, 15 August 1786; Alexander Hamilton, *Federalist* #22, in Alexander Hamilton, James Madison, and John Jay, *The Federalist*, ed. J. R. Pole (Indianapolis: Hackett, 2005), 117; Alexander Hamilton, *Federalist* #15, 81.

[35]Henry Knox to George Washington, 23 October 1786; David Stuart to George Washington, 19

From his vantage point in the Confederation Congress in New York, James Madison found the state legislatures as deficient in virtue as the people they represented. In several states, legislators were cravenly capitulating to angry constituents, passing laws postponing the payment of debts or accepting depreciated paper currency as legal tender. For Madison, the "injustice" of such laws called into question "the fundamental principle of republican government, that the majority . . . are the safest guardians both of public good and of private rights."[36]

All of this suggests that, if America had ever basked in a golden age of civic virtue, that time was long past when leading statesmen began calling for a convention to revise or replace the Articles of Confederation. It is more accurate to say, as one historian has concluded, that "the U. S. Constitution emerged from a *crisis* of virtue."[37]

But if the diagnosis was clear, the prescription was not. Logically, one solution would be to increase virtue across the land, infusing public life with a widespread commitment to self-sacrifice for the common good. Another answer, less idealistic, would be to make virtue less necessary by reconfiguring the structure of government itself. Os Guinness helpfully distinguishes between these responses. He labels the first an emphasis on the "informal spirit of liberty," the second an attention to the "formal structures of liberty."[38]

Guinness insists that the Founders embraced both strategies, and in a sense he is right. Beyond their sincere efforts to promote a virtuous citizenry, many also clearly hoped that the new Constitution would make it easier to place virtuous statesmen into office. "The aim of every political Constitution," James Madison observed, "is or ought to be first to obtain for rulers, men who possess most wisdom to discern, and most virtue to pursue the common good of the society." It was Washington's "wish that none but the most disinterested, able and virtuous men may be appointed to either house of Congress." Madison rallied support for the Constitution by suggesting that the Congress under the new government would function as "a chosen body of citizens,

December 1786, Founders Online.

[36]James Madison, "Vices of the Political System of the United States," Founders Online.

[37]Thomas S. Kidd, *God of Liberty: A Religious History of the American Revolution* (New York: Basic Books, 2010), 209, italics added.

[38]Os Guinness, *A Free People's Suicide: Sustainable Freedom and the American Future* (Downers Grove, IL: InterVarsity Press, 2012), 19-20.

whose wisdom may best discern the true interest of their country, and whose patriotism and love of justice will be least likely to sacrifice it to temporary or partial considerations."[39]

Yet, for all their praise of virtue, the Founders were realists. They *exhorted* Americans to revere and practice virtue. They didn't *expect* it. When it comes to gauging their reading of human nature, we must see that they thought of virtue as, quite literally, artificial. It doesn't occur naturally in our species. Montesquieu had equated it with a "renunciation of oneself, which is always a very painful thing."[40] It goes against the grain of human nature, and the only way to develop it, the Founders assumed, is through a heroic regimen of prolonged and arduous discipline that few mortals are up to.

Thomas Jefferson, for example—whose view of human nature was rosier than most of his peers—instructed his nephew that virtue was like a muscle that will only "gain strength by exercise." Less optimistic in her outlook, and more representative of her generation, Abigail Adams instructed her son Thomas to think of virtue as "like the stone of Sysiphus." According to Greek myth, Sisyphus was a crafty king who was punished for his deceitfulness by being made to roll a boulder repeatedly up a steep hill for all eternity. Given that human nature is "infirm & liable to err as daily experience proves," Abigail explained to her son, "virtue . . . has a continual tendency to roll down hill & requires to be forced up again by the never ceasing efforts of succeeding moralists."[41] It wasn't an encouraging metaphor.

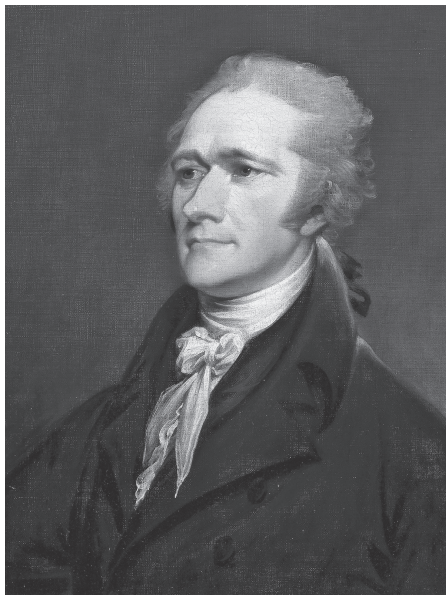
In actuality, it was defenders of the Articles of Confederation, not proponents of a new constitution, who hoped that the country's problems could be lessened by an increase of virtue. A Massachusetts statesman, for example, wrote to John Adams to condemn those who "vainly" supposed that a stronger central government was essential to the country's happiness. The proper course, he proposed instead, was renewed cultivation of "the love of our country, and attention to the social virtues."[42]

Similarly, a Virginian wrote to James Madison to voice his disagreement with nationalists (like Madison) who were calling for a decided shift of power toward

[39]James Madison, *Federalist* #57, 309; George Washington to Benjamin Fishbourne, 23 December 1788, Founders Online; James Madison, *Federalist* #10, 52.
[40]Montesquieu, *Spirit of the Laws*, 35.
[41]Thomas Jefferson to Peter Carr, 19 August 1785, Founders Online; Abigail Adams to Thomas Boylston Adams, 15 March 1787, Founders Online.
[42]James Sullivan to John Adams, 23 October 1785, Founders Online.

the central government and away from the states. "Is there not much less difficulty, and far less danger," he asked Madison, to implement more modest structural changes "and then make an effort, in good earnest, to give purity of manners, and morals, [and] of course public virtue, a prevalence?"[43]

The answer, federalists agreed, was "no." It was all well and good to imagine a day when Americans would be exempt from the "weaknesses and evils" intrinsic to human society, Alexander Hamilton would later note in defending the Constitution, but such fantasies were no basis for effective government. "Is it not time to awake from the deceitful dream of a golden age?" he asked. Americans should "adopt as a practical maxim for the direction of our political conduct, that we, as well as the other inhabitants of the globe, are yet remote from the happy empire of perfect wisdom and perfect virtue."[44] To federalists, the primary lesson of the Articles of Confederation was that the country had expected too much of human nature, not that an elevation of morals could cure the country's woes.



Alexander Hamilton

Although we may not like to hear it, proponents of the Constitution repeatedly insisted that, when it comes to our character, *Americans aren't exceptional*. Hamilton was characteristically blunt: "We have no reason to think ourselves wiser or better than other men," he averred. "We imagined that the mildness of our government and *the virtue* of the people were so correspondent, that we were not as other nations," echoed Henry Knox in a letter to George Washington. "But we find that we are men, actual men, possessing all the turbulent passions belonging to that animal."[45]

[43]Arthur Campbell to James Madison, 28 October 1785, Founders Online.
[44]Alexander Hamilton, *Federalist* #6, 27.
[45]Carl J. Richard, *The Founders and the Bible* (Lanham, MD: Rowman & Littlefield, 2016), 269; Henry Knox to George Washington, 23 October 1786, Founders Online, italics original.

A Connecticut correspondent aptly distilled this view in a letter to General Washington. "We are already nearly ruined by believing too much—We have believed that the citizens of the United States were better than the rest of the world."[46] Americans weren't unique, these writers insisted. They were human, with all that entails.

And so although they exalted virtue, the Framers of the Constitution didn't convene in Philadelphia to exhort Americans to become again "the America they were at first." Rather, they arrived convinced that government under the Articles of Confederation was failing in large part because it rested on an utterly unrealistic, even utopian understanding of human nature. Whatever steps they might propose, they agreed that their necessary starting point must be a more realistic assessment of the raw material of the republic. The key was to understand human nature rightly.

[46]David Humphreys to George Washington, 20 January 1787, Founders Online.

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