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# TRANSFORMING LEADERSHIP

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A New Pursuit of Happiness

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## PROLOGUE EMPOWERING HAPPINESS

How smoothly Thomas Jefferson's pen glided across the parchment: "... Life, Liberty and the pursuit of Happiness." And how deeply were these words of the Declaration of Independence—expressing the common stock of human rights—etched into the American consciousness.

But what did this gleaming passage mean? Surely *Life* must have stood for the survival of people, and of whole peoples, for their security against threats foreign and domestic. *Liberty* was clear to all in that time of rebellion against King George: protection from tyrannical and arbitrary rule, the freedoms later written into the Bill of Rights. And the *pursuit of Happiness*? This was not so clear. Enlightenment thinkers had philosophized about it during the eighteenth century; to Jefferson it represented down-to-earth needs. He would urge friends traveling in Europe to look into the "happiness of the people" by taking "every possible occasion of entering into the hovels of the labourers . . . see what they eat, how they are clothed, whether they are obliged to labour too hard; whether the government or the landlord takes from them an unjust proportion of their labour."

Thus the pursuit of happiness was not trivial pleasure seeking. It was fundamental to the conditions of people's lives and to their efforts to change and to improve them. It was one of the great public values that took new form and urgency from the creative thinkers of the Enlightenment. Along with life, liberty, equality, justice, community—and intertwined with them—the pursuit of happiness was grounded in the most basic wants of

human beings. Francis Hutcheson, the great Scottish Enlightenment philosopher, wrote that “pursuing happiness and eschewing misery” was the chief drive and purpose of the human will. And John Locke saw transformational potential in the pursuit of happiness, as human beings struggled to change themselves and their world.

Yet in the time of the Enlightenment, as also in ours today, many of the world’s people—perhaps most of them—were unable to “eschew misery.” It was not only that they lacked happiness. They lacked the opportunity and means to pursue it. They lacked, I will argue, the most potent agent for change, for unlocking the transformational capacities needed to make the pursuit of happiness more than a phrase on parchment.

Leadership is an expanding field of study that some day may join the traditional disciplines of history, philosophy, and the social sciences in scholarly recognition. Today, however, it remains in its growing stages; it has as yet no grand, unifying theory to provide common direction to thinkers and researchers. Even the meaning of the term itself remains controversial. Some will use it neutrally, dispassionately, to analyze qualities of both, say, a Gandhi and a Hitler.

I believe leadership is not only a descriptive term but a prescriptive one, embracing a moral, even a passionate, dimension. Consider our common usage. We don’t call for *good* leadership—we expect, or at least hope, that it will be good. “Bad” leadership implies *no* leadership. I contend that there is nothing neutral about leadership; it is valued as a moral necessity.

Summoned forth by human wants, the task of leadership is to accomplish some change in the world that responds to those wants. Its actions and achievements are measured by the supreme public values that themselves are the profoundest expressions of human wants: liberty and equality, justice and opportunity, the pursuit of happiness.

And if leadership is, as I believe, a moral undertaking, a response to the human wants expressed in public values, then surely its greatest task—the task, even, of a global leadership—must be to respond to the billions of the world’s people in the direst want, people whose pursuits of happiness might begin with a little food or medicine, a pair of shoes, a school within walking distance. They might seek some respect and dignity, some understanding of the interlocked burdens and frustrations of poverty as they, the poor, understand them. They might become followers of those

who hear their wants and whose responsive leadership in turn empowers them, in the initial steps of a leadership process that might break the vicious circle of poverty.

Hence I would call for the protection and nourishing of happiness, for extending the opportunity to pursue happiness to all people, as the core agenda of transforming leadership.

Because leadership must be tested by results, I propose in this book’s epilogue a leadership strategy to combat global poverty in this century. In millennia past, the most potent act of the rulers of nations has been the recruitment and deployment into battle of great armies of their people. Can we, in coming decades, mobilize throughout the world a new, militant, but peaceful army—tens of thousands of leaders who would in turn recruit fresh leaders at the grass roots, in villages and neighborhoods, from among the poor themselves, to *fight and win* a worldwide war against desperation?

Leaders working as partners with the dispossessed people of the world to secure life, liberty, and the pursuit of happiness—happiness empowered with transforming purpose—could become the greatest act of united leadership the world has ever known.

## THE TRANSFORMATION OF AMERICAN LEADERSHIP

All leadership is collective, but the collectivity varies widely. Monarchs like Elizabeth I and Philip II “ruled down” through hierarchies of advisers and administrators tightly situated in their courts. The rise of popular resistance and reform in the eighteenth century was generated by grassroots and cobblestone leadership that “led up” from the bottom. The collective rulership of monarchies was held together by force and favor. What unified the leaderships rising from below? This was a burning question because most popular risings against royal rule had ended in disarray and defeat.

The answer lay in the intellectual coherence and power of Enlightenment ideas. The *philosophes* often disagreed with one another vehemently, but they drew their ideas from a shared background in classical Greek philosophy, Roman concepts of statecraft, and religious and secular creeds that had simmered through the long years of the Renaissance and Reformation. Notable in the eighteenth century, however, was the dynamic convergence and clash of fundamental ideas, with consensus on the central questions and fierce disputes over the answers.

What is the true nature of man? Is he a rational being? Or is he best understood by his sentiments? Is liberty essentially an end in itself or a means to some greater end? What are such great ends? Progress yes, but what is it, what causes it? Equality yes, but are all men truly equal by birth? What causes differences among them? Are they entitled to equal rights, equal opportunity, equality under the law? Happiness is the supreme goal, but is it a rational and achievable end or an elusive chimera of feeling and unreason?

It is hard, in today's skeptical age, to grasp the explosiveness of such questions for eighteenth-century thinkers. Consider Immanuel Kant. A quiet student, short and pigeon-breasted, as an English scholar described him, Kant labored for years in the university at Königsberg without a professorship or other recognition. But he was teaching ideas that increasingly intoxicated other young scholars, who flocked to his lectures and hailed him as an intellectual messiah. In Scotland David Hume and Adam Smith, in France Rousseau, Voltaire, and other *philosophes* attracted their own coteries.

Still, it was not only from the power of these ideas but their dissemination that creative leadership emerged. It was the era of the extensive use of huge encyclopedias offering the ideas of the *philosophes*; of an upsurge of newspapers, journals, and pamphlets; of a proliferation of books, and of libraries for the "learned" elite, bookstores for the bourgeois, and, for the poor, reading rooms that rented books by the day or hour. Readers varied in class, religion, and politics, but they were as one in their subversion of government censorship as they consumed radical, revolutionary, and even pornographic writings.

The reading public was unified still more, though, by rising dissatisfaction with the holders of entrenched privileges and with the incompetence and brutality of unrepresentative government and unresponsive rulers. Divided though they were politically and personally—Montesquieu disesteemed Voltaire who loathed Rousseau who broke with Diderot—the intellectuals in effect founded a sect that had a unity and a doctrine. The "common denominator," historian Rémy G. Saisselin wrote, "was a cosmopolitan spirit, a certain view of humanity, a desire to reform and in some cases to change the existing order or disorder of society, though not in any radical manner."

This European impulse for change, and the ideas that drove it, was borne across the Atlantic by all the media of the day—and by such travelers as Benjamin Franklin, Thomas Paine, and Thomas Jefferson—and they formed the backbone of an unprecedented collective leadership that transformed the American people.

## COLLECTIVE LEADERSHIP ON TRIAL

The Declaration of Independence was the most radical summons to leadership in American political history. Paradoxically this bold, extremist action has long been the most celebrated by patriotic, firecracking Ameri-

cans. Everyone knows its date, July 4, 1776. Who remembers another crucial date, the adoption of the United States Constitution, which was—let's see, now—June 21, 1788? Or the anniversary of the ratification of our most precious possession, the Bill of Rights, on December 15, 1791? Anniversaries are biased.

If the declaration was a call to leadership, its making was itself a supreme act of collective leadership. Three men drafted it—Thomas Jefferson, Benjamin Franklin, and John Adams—but many others made it possible, even necessary. State conventions had called for independence; newspapers had agitated the issue; the Continental Congress, which had appointed and instructed the drafting committee, held strong ideas of its own, as did each committee member. Franklin and Adams, formidable writers themselves, could not forbear from changing Jefferson's basic draft. Then Congress made further alterations before approving it unanimously. But this collective leadership in turn drew from the diverse works of generations of Western thinkers and practitioners.

As an act of collective *intellectual* leadership, the declaration sprang from decades of philosophical and political controversy in America and Europe. Jefferson and his fellow rebels had not only been schooled in the classics—some of them could quote Greek and Roman thinkers in their ancient languages—but they had been steeped in the new thinking of their own day.

Historian Adrienne Koch and others have demonstrated that these leaders were not mere products of the European Enlightenments; rather, they created an *American* Enlightenment that supplied the overarching principles of the American Revolution. The French Enlightenment, "in all its brilliant achievements and rich profusion of doctrines and dogmas," Koch wrote, "did not cast up the kind of sagacious and flexible leadership that came to the highest places of power in the American Revolution," and after. Under the pressures of conflict with the British, seeking to explain and justify their revolt and to imagine what an *independent* America might become, the rebels fashioned their ideas out of both their learning and their collective experiences as soldiers and lawyers, merchants and farmers, legislators and governors.

He consulted no book or pamphlet in drafting the Declaration of Independence, Jefferson said, but sought only to "place before mankind the common sense of the subject, in terms so plain and firm as to command their assent."

The declaration's long list of grievances against King George made clear what the Americans were against. But what were they for? The answer lay in the second paragraph, in words that had been deeply contemplated

and fastidiously composed: "We hold these truths to be self-evident, that all men are created equal, that they are endowed by their Creator with certain unalienable Rights, that among these are Life, Liberty and the pursuit of Happiness. That to secure these rights, Governments are instituted among Men, deriving their just Powers from the consent of the governed. That whenever any Form of Government becomes destructive of these ends, it is the Right of the People to alter or to abolish it, and to institute new Government, laying its foundation on such principles, and organizing its powers in such form, as to them shall seem most likely to effect their Safety and Happiness."

The right to *Life*—what did it mean? Historians have often skipped over it, assuming it meant simply that there must be bare existence before there could be anything else. Beyond that, it referred to the founding rationale of civil society—that people came together for self-preservation, for order and stability under the protection of laws. But "life" needed more than brute physical "Safety" under rulership, and to flesh out the meanings of this right to life was to begin to define the reach and responsibilities of government and leadership, their values and practices in respect to the most fundamental human needs. If the right to life was to be secured, then, what about the means of subsistence—food, shelter, health? How to ensure that all had the opportunity to obtain such means by what Jefferson would later call "the exercise and fruits of their own industry"?

The right to *Liberty*. All agreed that this was the jewel in the crown of "natural" rights. It was at the heart of the colonials' outcry against the tyrant across the sea who had denied them the liberty not only to govern themselves but to oppose lawfully those who ruled them. Outright rebellion therefore was their only recourse to regain the collective liberty of Americans, and the liberty of a self-governing people was to be the founding idea of a new American republic. But what if the tyrant now became the people themselves? How to protect the freedom of individuals—or a minority in society—against a despotic majority wielding governmental powers? And how to restrict such powers without impairing government's ability to achieve the "Safety" for all the people that was the bedrock of liberty? Moreover, where were slaves, women, indentured servants to turn to recover *their* liberties? Hence, while some wanted to protect liberty from government, might others seek to achieve it *through* government?

*The pursuit of Happiness*—this was the wild card in the deck, seemingly incalculable but potentially the most gripping idea of all. Jefferson

did not coin the phrase, and the pursuit of happiness as a source for both individual and social good had been brilliantly and imaginatively explored by the Scottish philosopher Francis Hutcheson. Even so, the words came to life in the context of the Declaration of Independence, teeming with potentiality and ambiguity. What did they mean in revolutionary America? Were they merely a variation on John Locke's natural-rights trinity of life, liberty, and *property*? If not, did they refer to individual happiness, and so emphasize personal autonomy and liberty in pursuit of private ends, or rather to what Hutcheson described as "the general happiness" that was "the supreme end of all political union"? Or did Jefferson, like Hutcheson, see no conflict between these two meanings, finding the pursuits of individual and collective happiness interdependent, and mutually enhancing, and that the "supreme end" of government was the creation of opportunities for both? Yet what government, what leadership, were needed to achieve it?

The declaration, with the bold signature of John Hancock and the names of more than two score other revolutionary leaders, was publicly proclaimed in Philadelphia on July 8, 1776, read before General Washington and his troops in New York the next day, and dispatched posthaste to the most distant towns and hamlets of the thirteen colonies. Americans had been at war for over a year; six more years would pass before the British surrendered at Yorktown, and another two before peace. The war ended in military victory and political turnover. It had not been a social or ideological revolution. Nor had a common foe, burning grievances, and the shared sufferings of war lastingly fused the Americans of the 1780s into one people. Soon the old differences among the newly independent populace—of religion, class, region—returned to the fore. And immigrants began to flood in from Europe, further straining republican ideals of a unified, homogeneous citizenry. The aristocratic Gouverneur Morris of New York wrote optimistically in 1784 that "a national Spirit is the natural Result of national Existence," but his Massachusetts colleague Rufus King feared disintegration and anarchy, suggesting that "it behoves every one to withdraw in season, to effect, if possible, some sort of personal security."

For some Americans the right to pursue happiness soon came to seem a ringing lie. Farm wages dropped sharply in the mid-1780s, while taxes remained high. When the lawmakers in Massachusetts adjourned in 1786 without responding to desperate farmers' pleas for relief from taxes, debt, and foreclosure, armed mobs in the western part of the state stopped the sitting of courts. Several hundred "malcontents" later gathered in Spring-

field under Captain Daniel Shays and advanced on the arsenal there. After troops called out by the governor cannonaded them, the rebels scattered to the north and the west, where they were captured and killed in the winter of 1787.

It was not much of a rebellion, except in the reaction to it. The rebels of 1776 were appalled by the rebels of 1786.

The collective revolutionary leadership had largely disbanded after Yorktown, its members retreating to private pursuits or to political responsibilities abroad or in the separate states under the Articles of Confederation. But now the lines of communication among them came to life with expressions of anxiety and dismay.

Revolutionary War hero Henry Lee of Virginia wrote to his brother Richard that “the East is in tumult, the dreadful appeal”—revolution—“is too probable.” George Washington’s wartime aide-de-camp David Humphreys reported to his old commander that “the troubles in Massachusetts still continue. Government is prostrated in the dust.” Meanwhile Washington was writing to Henry Lee of his fears that the rebellion gave “melancholy proof” that “mankind when left to themselves are unfit for their own Government.” To General Henry Knox, Washington exclaimed that only an Englishman would have predicted such a collapse of the American experiment.

Even the normally level-headed James Madison was carried away. He labeled the rebellion as treasonable, a threat to the security of the states. So he informed Jefferson, now ambassador in Paris. But Jefferson flatly disagreed, though not in his replies to Madison. Instead, to John Adams’s wife, Abigail, he wrote, “I like a little rebellion now and then,” and later added in a letter to her son-in-law that the “tree of liberty must be refreshed from time to time with the blood of patriots and tyrants. It is its natural manure.”

## “THE MOST REMARKABLE WORK”

Was it not surprising that the postwar galaxy of American leadership—men who had fought and won a revolution, survived Valley Forge, put down troop mutinies, negotiated tough settlements with foreigners—should quake and quail in the face of a minor uprising? That they should so quickly despair of the government their own leadership had created to secure the great values expressed in Jefferson’s declaration? Washington

and other leaders were suspected of exaggerating the menace in order to rally support for “sinister designs.” But their concern was genuine, and it was, at its core, an intellectual and ideological reaction. The 1786 rebels were threatening values that the 1776 rebels held dear—“life, liberty, and property,” in the Lockean phrase now invoked repeatedly by Washington and others. Something had happened to “happiness.”

Washington as usual minced no words. He had responded to pleas that he attend a constitutional convention, he wrote his friend the Marquis de Lafayette, because it would “determine whether we are to have a Government of respectability under which life, liberty, and property will be secured to us, or are to submit to one which may be the result of chance or the moment, springing perhaps from anarchy and Confusion, and dictated perhaps by some aspiring demagogue who will not consult the interest of his Country so much as his own ambitious views.”

Months of collective talk preceded the delegates’ arrival in Philadelphia for the convention in the spring of 1787. Much of the debate took place in newspapers, books, taverns, and parlors. Most of it, though, occurred in correspondence among the notables and among lawyers, businessmen, teachers, clergy. It is both the depth and the scope of their thinking that strike us two centuries later.

The writers had time to reflect and reason. Helpful to this thought process—and to the unity that the constitutional reformers wanted—was the civility with which they exchanged ideas, in letters that might run thousands of words and conclude, “wishing you every possible felicity, I have the honor, etc.,” or at least, “with great esteem and regard.”

Still, civility did not dampen controversy over the decisions facing the proponents of “radical” action, as Madison called it.

Should they junk the existing system—the Articles of Confederation—or modify it? The articles had been adopted during the Revolution, essentially as a league of the states, and made do so long as the states were united over winning the war. After independence was secured, they declined into disunion. At a time when the young republic most needed collective leadership in pursuit of clear and principled goals, the articles offered only conflict and competition between states and irresponsibility and injustices within them, bringing into question, in Madison’s scathing review, “the fundamental principle of republican Government, that the majority who rule in such Governments, are the safest guardians both of public Good and of private rights.” Congress under the articles had no authority to remedy such “vices.”

As historian Jack Rakove wrote, it “could neither coerce the states into doing their duty nor act independently in the event of their default.”

If the articles system was abandoned, what should take its place? Among reformers, there was consensus toward a stronger central—national—government, but they debated its form. A few political leaders leaned to a monarchical system, American-style, but not too openly. A true democracy? This meant direct popular rule, and few except perhaps Tom Paine advocated such an extreme solution. A republic, then, with some mix of direct and indirect popular rule? Most reformers favored one or another variation on this.

The correspondence was more than an exchange of ideas—it fostered the reemergence of a national leadership that had successfully waged the independence struggle and then faded with the triumph. The epistolary discussions and debate represented a collective learning experience. People changed their minds as they grappled with tough questions of representation, federalism, executive power, majority rule, and minority rights. And the more they connected the mechanics of change with the goals of change, the more radical became the thought of some leaders about the means. Madison early on had favored gradual reform of the articles and opposed holding a convention. Then, under the impact of the disturbances, he not only supported a general constitutional convention but he wanted it to attack the “vices” he had found within the states because such vices had an “indirect influence on the general malady and must not be overlooked in forming a compleat remedy.” Madison now sought a national power with supremacy over the states—in short, a second revolution in American government. Such a transforming goal was in the minds and hopes of not a few of the delegates—George Washington among them—as they met in Philadelphia.

After the “Grand Debate” through correspondence, it was not surprising that delegates arrived in May 1787 with practical ideas to accomplish fundamental changes. Madison had shaped his analyses into an extensive plan—later to be known as the Virginia plan—that above all called for a strong federal government with a new Congress empowered to veto acts of state legislatures. Most delegates would not go that far, but they were determined to find a way to strengthen national authority.

And so, in the long hot summer days in Philadelphia, the delegates shaped, clause by clause, the document that a century later British Prime Minister William Gladstone would deem “the most remarkable work known to me in modern times to have been produced by the human intel-

lect, at a single stroke (so to speak), in its application to political affairs.” Gladstone was derided for this blurb, but today, with the perspective of two centuries, we can say he was right. The Constitution is the finest example of political planning, by creative intellectual leadership, in the long history of the West.

This intellectual leadership was, to an astonishing degree, a product of collective thought. Close study of the Philadelphia proceedings suggests that the framers operated at two levels. One was the transactional level: they analyzed problems and alternatives from local, state, regional, and class perspectives, as they competed to shape decisions and broker compromises responsive to the interests they represented.

But the framers were also transforming leaders who rose above horse-trading to focus on *national* needs and a transformational goal: a new and far stronger national government.

Madison’s Virginia Plan was the basis for debate, and ultimately the source of the Constitution’s core principles and key provisions. But it did not want for alternatives. A “New Jersey Plan” proposed in effect an amended Articles of Confederation still too weak, Madison argued, to remedy the “dreadful class of evils” that “vitiates the political system of the United States.” Alexander Hamilton, on the other extreme, proposed so powerful a central government that it would, he implied approvingly, “swallow up the state powers.”

Alongside the debate over how much power was to be allocated to a national government were arguments over how that power was to be apportioned, and here delegates drew on their own experiences and their close readings of the failures of past republics. They planned that the new government be stabilized in an intricate system of mutually balancing and checking legislative, judicial, and executive powers. At this level of transformational change, as political scientist Calvin Jillson has noted, the framers acted more on the basis of shared *ideas* than of shared interests.

As transforming leaders, the framers pulled off their intellectual coup because they were working as both theorists and practitioners. Madison, noted one of his fellow delegates, “blends together the profound politician, with the Scholar,” but that could have been said about many of the Constitution’s drafters. What manner of men were these? Twenty years ago I wisecracked that the framers could be summed up as well-bred, well-fed, well-read, and (financially) well-wed. Today I would add that they were also well-*led*. All leaders themselves, they were led toward a com-

mon purpose by Washington and Madison and Hamilton (when he deigned to attend) and a dozen others of the most creative thinkers in the convention hall. But they were also led by others not in the chamber—state and local politicians, editors, teachers, businessmen, religious leaders—who would have much to say when the new Constitution came before state conventions for ratification.

The framers proved to be as skillful in the politics of ratification as they had been in the intellectual processes of drafting. Many if not most newspaper editors were nationalist in attitude. And the Constitution had the active support of the influential big businessmen of the day, if only from their desire to lower state trade barriers. Historian John K. Alexander has compared the Federalists' "selling" the constitutional convention and its work to modern media management. The Anti-Federalists in opposition, diffused in rural areas, localistic in temper, fearful for their individual liberties in a stronger national union, were slower to unite among themselves, but they came to produce, in pamphlets and debate, forceful rebuttals to Federalist claims and reassurances, and to field an impressive team of leaders of the caliber of George Mason, New York Governor George Clinton, Samuel Adams, and the fiery Patrick Henry of Virginia.

The drafting and final adoption of the Constitution was a long and sustained demonstration of leadership—in correspondence, in federal and state conventions, and in the press. It returned to the fore the collective leadership of the Revolution, and also divided it, as many of the rebels of 1776 became rebels anew in 1787, believing that the Articles of Confederation, for all its flaws, better embodied the values of the Revolution than a Constitution that threatened to annihilate not only state governments but the people's liberties and happiness. These Anti-Federalists supplied, at critical times, the conflict that lay behind the creative changes of the founding era. In that respect, however much they disdained the new charter, they were collaborators in the leadership that transformed the American people's hopes and prospects in the late 1780s.

## ONE MAN'S LEADERSHIP FOR RIGHTS

Liberty-loving Americans who eagerly scanned the draft Constitution in the fall of 1787—or crowded around a local notable to hear it read in a tavern or parlor—were in for a shock if they expected a reassertion of the values of the Declaration of Independence. Something funny had happened

on the way back to Philadelphia ten years later. The framers' draft started off with three fine words: "We the People." But the Preamble seemed to have little in common with the declaration and its evocation of life, liberty and the pursuit of happiness. What would this "more perfect"—and far more powerful—Union be *for*?

*Establish Justice.* But for whom—owners safeguarding their property? Or for farmers facing foreclosures?

*Insure domestic Tranquility.* Was this a reaction—or overreaction—to that little rebellion in Massachusetts? So one reader of the draft, Thomas Jefferson, suspected.

*Provide for the common defence.* Of course, but did this mean that a powerful national standing army would replace state militias?

*Promote the general Welfare.* Was this a tame substitute for the evocative pursuit of happiness?

*Secure the Blessings of Liberty to ourselves and our Posterity.* At last! But what were these "blessings"? How were they to be secured? Doubtless this would be spelled out later in the charter, as in the declarations of rights adorning various state constitutions.

That was another shock. Neither at the end nor anywhere else in the Constitution was there a bill of rights enumerating the liberties of the people. Even as Federalist politicians and publicists swung into their campaign to win ratification of the Constitution, a wave of indignation slowly spread up and down the Atlantic seaboard. The absence of a statement of rights became the rallying point for Anti-Federalists. In the many debates over the Constitution's provisions, *lack* of any provision for rights was the most contentious issue for a simple reason—it involved everyone's liberty.

Few were more concerned about it than Thomas Jefferson, waiting impatiently in Paris to hear from James Madison about the convention's work. And few could report as authoritatively as Madison did in a six-thousand-word letter sent six weeks after the convention's close to his fellow Virginian, or as proudly. He not only described the intricacies of the structure he had authored, but he defended them in both theoretical and practical terms. His argument ran closely parallel to the Federalist essays he was writing in public defense of the Constitution at the same time.

Madison's letter took almost two months to reach Paris; Jefferson responded almost immediately. "I like much," he wrote, "the general idea of framing a government which should go on of itself peaceably, without needing continual recurrence to the state legislatures. I like the organiza-

tion of the government into Legislative, Judiciary and Executive.” He listed some more of what he liked. Then—

“I will now add what I do not like. First the omission of a bill of rights providing clearly and without the aid of sophisms for freedom of religion, freedom of the press, protection against standing armies, restrictions against monopolies,” habeas corpus, trials by jury. Jefferson waved aside the key Federalist argument that no bill of rights was necessary because the federal government would not even have the power to pass laws infringing liberty. A bill of rights, he argued, was “what the people are entitled to against every government on earth.”

Thus the debate began between these two gentleman planters three thousand miles apart. Many weeks passed as Madison’s letters made their slow way by packet to Le Havre and then Paris and as Jefferson’s replies sailed back to New York. But this gave time for reflection, they agreed. And also for Madison to gather and relay political gossip, news about canal work on the Potomac, tobacco prices, corn crops, and droughts.

The penetrating exchanges between them epitomized the discourse that was firing up Americans. And the two Virginians each corresponded with a host of others, reflecting a debate over the Constitution that became a collective intellectual effort among thousands of people of all classes and regions, leaders and followers alike. The populace could hardly avoid being dragged into the constitution-making process, which called for discussion of the draft in state assemblies, then elections of delegates to state ratifying conventions, then the conventions themselves. For months the country was engaged in an almost continuous dialogue.

Political strategizing flourished at the grass roots, too. Rather than flatly oppose the Constitution, some Anti-Federalists called for a new national convention to consider a bill of rights. This idea was abhorrent to the Federalists, who could imagine a second convention running hog wild and undoing the work of the first. In fact, they feared any kind of delay that might allow Anti-Federalists to build feeling against the Constitution. A solution emerged in January 1788 from the Massachusetts convention in Boston: a Federalist agreement that proposals for amendments could be sent along with ratification. Enough Anti-Federalists bought this pig in a poke to help produce ratification there and in other states.

Even so, in state conventions ratification was a close-run thing. Virginia ratified in June 1788, 89–79, over Patrick Henry’s violent opposition, and sent along twenty recommended amendments. New York’s vote was even closer, 30–27, despite a virtuoso performance by arch-Federalist Alexander

Hamilton. Of the two last of the thirteen states to approve, North Carolina had to hold a second state convention and Rhode Island did not ratify until May 1790. But by mid-September 1788, a year after the Philadelphia conclave had completed its work, enough states had ratified for the “old” Congress to be able to set a convening date—March 1789—for the new.

When the senators and representatives met, the first order of business was supposed to be action on a bill of rights. But who would lead the legislative effort? None other than James Madison, the same man who in Philadelphia had opposed a bill of rights and then defended its omission to Jefferson and others, arguing that the limited powers and checks and balances of the federal government would protect rights against majority tyranny more effectively than “parchment barriers.”

Three things had changed the mind of this “profound politician” and “Scholar.” As Jefferson continued to rebut Madison’s arguments, Madison the intellectual had to recognize the transcending force of his friend’s fixed principles. Madison the political observer, impressed by the fierce conflicts over rights in the state conventions, concluded that “some conciliatory sacrifices” were needed to “extinguish opposition to the system.” And above all Madison the political activist wanted to win a seat in the new House of Representatives, and to do so he had to hold the support of people in his central Virginia constituency bent on religious and political liberty. Madison campaigned vigorously—on a platform that “the Constitution ought to be revised” at “the first Congress meeting under it”—and won.

Madison’s leadership in pushing a bill of rights—what became the Constitution’s first ten amendments—through the first Congress stands as one of the most creative and undercelebrated feats in American history. It was an historic act of transforming leadership at a time when Congress, perhaps weary of the strenuous days of revolution and constitution making, was far more interested in the transactional business of interest-group representation and coalition building. And Madison was handicapped by what historian Leonard Levy called a “colossal error in judgment”—his own earlier opposition to a bill of rights and the lucid arguments he had made against it. But fighting for a bill of rights posed an even grimmer paradox for Madison. At the convention he had supported an arduous process for amending the proposed charter. Now he would have to gain a two-thirds majority in both houses of Congress for a bill of rights, and then help win the assent of three-quarters of the states.

His campaign in Congress for the amendments began in frustration. After sifting through hundreds of rights proposals Madison rose in the

House to offer his package. Repeatedly he was told to stand down, while the representatives debated taxes and tariffs—and their own salaries. Finally, after two weeks, on June 8, Madison got the floor, where he made a profound and eloquent case for a bill of rights, with many arguments he had borrowed from Anti-Federalists. Again the House pushed the business aside. Six weeks later, a select committee was appointed to consider the proposals. At last, in mid-August, the House took up the bill, and Madison found himself navigating a tricky course between Anti-Federalists eager to maximize amendments and resentful Federalists who would reduce them, ideally, to nothing. Decision came on August 24, with approval of seventeen amendments. Then action shifted to the Senate, which deliberated behind closed doors for a week and clipped the House package to twelve amendments. Madison was chief arbiter on the conference committee that reconciled the two versions and he led the House debate on the final measure. In the end, Congress endorsed twelve amendments and submitted them to the states in September 1789. Two amendments—regulating congressional pay and apportionment in the House of Representatives—failed in the states, but after two years a sufficient number of states finally ratified ten amendments to the Constitution.

And so a bill of rights was passed, propelled by a groundswell of support among the populace, by determined Anti-Federalist leaders, and by James Madison. Once he had been convinced of the need for amendments, hearing the deep public concern over the threat to liberty, their most cherished value, Madison took the lead in distilling eternal and transcending principles from hundreds of proposals and—resisted by his Federalist allies, allied with his Anti-Federalist opponents—succeeded in pressing them through Congress. Madison came to be called Father of the Constitution—wrongly so, because that charter of course had multiple parents. But he surely was the Father of the Bill of Rights. And Thomas Jefferson, for his absolutely principled and consistent stands for liberty in correspondence with Madison and others, deserves the title at least of godfather.

## “A DEPENDENCE ON THE PEOPLE”

The Federalists had won a constitution, now decked out with the Bill of Rights. Had they won a government? Yes, a federal contrivance as intricately powered and levered and balanced as the clock that had ticked away

at the convention in Philadelphia’s Independence Hall. Now some of the same men who had built it—Washington, Madison, Hamilton, and others—would have to make it work. But was it workable? Would it make possible leadership that responded to people’s needs, that secured and extended great public values?

The Federalists not only had neatly divided power between the states and the new national government; they had not only separated power among the three branches of that government. They had done something even more intellectually creative out of fear that ambitious men in the legislative and executive branches might conspire to overcome their separated powers and combine against the people’s liberties. No one has described their solution better than Madison himself, in a passage from *The Federalist*:

But the great security against a gradual concentration of the several powers in the same department, consists in giving to those who administer each department, the necessary constitutional means, and personal motives, to resist encroachments of the others. . . .

Ambition must be made to counteract ambition. The interest of the man must be connected with the constitutional rights of the place. It may be a reflection on human nature, that such devices should be necessary to control the abuses of government. But what is government itself, but the greatest of all reflections on human nature? If men were angels, no government would be necessary. . . . In framing a government which is to be administered by men over men, the great difficulty lies in this: you must first enable the government to control the governed; and in the next place oblige it to control itself. A dependence on the people is, no doubt, the primary control on the government; but experience has taught mankind the necessity of auxiliary precautions.

Why wouldn’t “dependence on the people” be enough, in this grand experiment in republican government? Simply because Madison and many of his fellow delegates did not trust the people any more than they trusted the ambitions of politicians. They did not trust the people to be wise and prudent and moderate. Hence they did not believe in unchecked majority rule, for they had seen how under the Articles of Confederation popular majorities led by demagogues had threatened people’s liberties in the states.

Madison demonstrated a remarkable grasp of political psychology in those seven words—“ambition must be made to counteract ambition.”

He extended his insight from the struggle for power within government to the clash of interests in society. "If a majority be united by a common interest," he wrote, "the rights of the minority will be insecure." But Madison saw that "society itself will be broken into so many parts, interests and classes of citizens, that the rights of individuals, or of the minority, will be in little danger from interested combinations of the majority." And in the "extended republic" of the United States, the "multiplicity of interests"—and the conflict of ambitions—would be greater, and rampant majorities therefore less likely, than in any single state. So man's fundamental nature—his ambitions and passions—would be the ultimate barrier to curb both tyrants and the tyranny of popular majorities.

This was where Jefferson departed from Madison. Jefferson's idea of human nature was not so dark; he believed in the possibility of a republic of virtue and so foresaw and welcomed majority rule. "After all," he had written Madison from Paris, "it is my principle that the will of the Majority should always prevail."

Many Americans agreed, yet they favored checks on officeholders and popular majorities for a simple reason: they fervently believed in liberty and they fervently believed that government was the main threat to it. Yet there was a huge flaw in this thinking that was bound to roil that consensus sooner or later. Had the framers, in their fear of tyrannical rule, made real leadership impossible? The new Constitution, after all, had been designed to take on national tasks, to provide for the "general Welfare" of the nation by collecting taxes, regulating commerce, coining money, establishing a postal system, promoting science, maintaining an army and navy, and much else.

All very well, but could a weak federal government, its potential leadership apparently checked at every turn, its powers fragmented and dispersed, take on these tasks efficiently? Or further responsibilities as the need arose? Alexander Hamilton, secretary of the treasury in Washington's cabinet and the leading "nationalist" in government, had ambitious economic projects in mind. Jefferson, now secretary of state, who as the apostle of limited government founded on the virtues of the independent yeoman detested Hamilton's plans for a commercialized republic, had repeatedly called for "restriction against monopolies"—but would that not require a relatively strong national government? The most predictable development in the 1790s was not only that leaders would call for government action, but that *people* would, as they developed new wants and needs, new hopes

and expectations, and that, as Madison had foreseen, what people wanted and needed, hoped and expected from government *differed*.

Superficially, the 1790s would seem destined to be a decade of order and harmony. The great constitutional issues of the 1780s had been settled with the new charter and its Bill of Rights. The country was relatively prosperous at home and at peace abroad. The magisterial George Washington, the living symbol of the leadership that rises above division, presided over an administration neatly balanced between two factions, Hamiltonian Federalists and Jeffersonian Republicans. Of course they fought over politics and policy but it was expected, according to historian James Roger Sharp, that "a group of elites, who had had considerable experience dealing with one another in previous national bodies, would be able to resolve disagreements in a gentlemanly and trusting way and, even more importantly, would, in line with civic humanist ideas, be able to discern and legislate for the general good."

As it turned out, that decade was one of the most contentious and divisive in American history. In the cabinet, Hamilton and Jefferson soon came to loathe each other personally and politically. Americans split over foreign policy, as most Republicans—notably Jefferson—backed the French Revolution while most Federalists were horrified by its excesses. Exacerbating such political combat was a violently partisan press.

By the mid-1790s the two sides were waging a fierce ideological war. How would ambitious young leaders, still echoing Washington's nonpartisan preachments, deal with such conflict? Once again James Madison displayed his astonishing intellectual flexibility and creativity. In a series of essays in the pro-Republican *National Gazette*, Madison analyzed the role of public opinion, especially the rising partisan feeling. Now he had to recognize the inevitability of political parties divided over fundamental issues of government, while making clear of course that *his* party spoke for the "mass of people" against Federalists who were "more partial to the opulent" interests.

Here were the intellectual seeds of a momentous change in American political theory and practice. But then Madison went even further as he began to expand his thinking about checks on political leaders and popular majorities to include a fundamentally different set of checks—political parties that would serve as "mutual checks on each other." This

theoretical shift had crucial implications for Madison's dread of majority rule. Any party that won at the polls would presumably act for that majority in government. This was majority rule. But any extremism would be checked—and respect for minority rights enforced—not only by the blocking and tempering mechanisms built into the federal system, but by the counteracting ambitions of the losing party, which would work to broaden its appeal and become the majority party at the next election. With such additional safeguards in place against abuses of power Madison was able as never before to embrace majority rule.

Was the remarkable anti-party author of the *Federalist* now fully incorporating parties into his constitutional scheme? Not quite. Madison had not relinquished the republican ideal that, whatever other and beneficent divisions existed in society, citizens would be united on great political values, in agreement on what was “to the general interest of the community” and “conducive to the preservation of republican government.” When agreement broke down—as in the 1790s—parties would emerge and compete to forge and lead a new consensus. One party would come to embody that new consensus and “ultimately establish its ascendance,” while the other faded away.

Madison did not foresee that parties might become a *lasting* addition to his system of checks and balances, that the embryonic parties of the 1790s would not disappear but transform themselves into highly disciplined organizations reflecting the enduring elusiveness of consensus on “the general interest.”

He was not alone in his limited understanding. All over America men and women were building parties in practice without fully recognizing what they were doing in theory. Most citizens did not need a grand theory. They were expressing themselves through their grievances, causes, and hopes, and saw themselves inevitably on the side of the angels battling the devils in the other faction. They were choosing local officials who joined hands with others in their own states, and with fellow partisans across the nation, to form tickets or slates of Republicans and Federalists.

We do not know the full story of this proto-party building, since few of the activists kept memoirs or wrote letters. We do gain some sense of the intensity of the political conflict from accounts of several dozen “Democratic-Republican societies” that sprang up to carry on the “principles of the Revolution,” to serve as watchdogs over elected officials so that the ordinary citizen might know “whether he is faithfully served or basely betrayed.” They were linked to Republicans, and most of the elected

officials they targeted were Federalists, so they further embittered the war between the two parties. George Washington, still the icon of national unity whose sympathies were all with the Federalists, inevitably denounced the societies for fanning dissension and partisanship.

In 1796, John Adams succeeded Washington as president, and two years later, at the height of the hysteria over the “Quasi-War” with France, he and Hamilton and the Federalist-controlled Congress unleashed their partisanship by enacting a Sedition Act that made it illegal to bring the president or the Congress into “contempt or disrepute” or to “excite” against them “the hatred of the good people of the United States”—a direct threat to Republican oppositionists and a flagrant violation of the First Amendment. Beaten in the congressional elections that year, the Republicans became desperate for office, the only way to check new Federalist efforts that might suppress *all* opposition.

The galaxy of American leadership had written the anti-party Constitution of 1787 and won the consent of the people; now the *people*, responding to grassroots leaders, were slowly shaping a rival system with parties as the means to press *their* needs and values on the national leadership. Everything depended, as the election year of 1800 neared, on realization of the basic premise of a party system—that the victors in a fair and open election take office and the losers yield it. What if the Federalists—who after all had been brazen enough to curb basic freedoms—lost the presidential election and mobilized the army to keep themselves in power, on the patriotic pretext of saving the republic from its enemies?

## PARTIES—THE PEOPLE'S CONSTITUTION

Succession, whether settled by blood or by bloodlines, has confounded almost all rulers—African kings, Roman emperors, European monarchs, Chinese warlords, Latin American *caudillos*. No matter how much they might have groaned under the burden of power, they hated to give it up even to legitimate heirs or trusted colleagues. The “voluntary, peaceful transfer of vast powers from one set of committed leaders” to their adversaries has been called by a scholar “one of the most complex and mysterious phenomena in political life.”

Yet at least in a democracy succession would seem simple. One side rules, the other side opposes, the voters decide, the ins are kept in or voted

out. But to those called on to quit, it seems anything but natural. To yield power to an opposition that at best would be stupid and incompetent, at worst venal and even treasonable? And on a mere promise that the new leaders would quit office if *they* were defeated? It requires a political leap of faith, a commitment to the democratic process and the judgment of the people, and trust that the other side shares that commitment.

Facing reelection in 1800, Federalist John Adams hardly had such trust in the former comrades who now led the Republicans. He had come to associate opposition with treason, criticism with seditious libel. But even Jefferson and Madison seemed confused about the role of opposition. In response to such legislation as the Sedition Act, they had secretly authored the Kentucky and Virginia Resolutions, declaring that any state could nullify or obstruct a federal law it decided was unconstitutional, and so challenging the core principle of a constitutional order Madison himself had fought to bring into being. Clearly neither he nor Jefferson had fully accepted the democratic idea of a party opposition fighting it out at the next national election. Like the Federalists, they seemed willing to subject the Constitution to partisan warfare.

Intellectual confusion helped foster a rising political turbulence as the 1800 election approached. Enmity was pervasive, and not only between the parties. Adams and Hamilton loyalists despised one another as much as they hated the common Republican enemy. Hamilton called the president vain, vacillating, blundering. Adams castigated the former treasury secretary as "destitute of every moral principle." On the Republican side, backers of Aaron Burr suspected that Virginia Republicans would support the New Yorker for the vice presidency only to get his backing in the North for Jefferson's presidential ambitions, and then would dump him. A cloud of fear and hate hung over the South as a rising of hundreds of Virginia slaves in the summer of 1800 was narrowly averted. Reports that the rebels had planned to kill all whites in Richmond, except for the poor who owned no slaves, terrified the South.

Could a critical national election be held fairly under such conditions? The outcome was in suspense for months as legislatures slowly chose presidential electors. Finally, Jefferson and Burr handily carried the electoral college over Adams and Charles Cotesworth Pinckney, but now a new complication arose. The electoral system had not been designed with parties in mind. Under it, whichever candidate had the most electoral votes became president, the second-place finisher vice president. But because

Jefferson and Burr had run together as a Republican ticket, they tied with 73 electoral votes apiece—and Burr proved reluctant to stand down. The election was thrown into the lame-duck House of Representatives where the Federalists, who still controlled the chamber, pounced on the opportunity to manipulate the deadlock. While Federalists sought for ways to deal their archenemy Jefferson a devastating blow by electing Burr, rumors flew that armed supporters of both parties were planning to march on the new capital at Washington, D.C.

How close the American republic came to foundering will never be certain. The crisis ended when three leaders acted out of character. Moving decisively with other leaders to confirm his election, Jefferson congratulated Burr but indicated again that he expected him to accept second place. Clear in his priority of hatreds, Alexander Hamilton dismayed his Federalist followers by supporting the "contemptible hypocrite" Jefferson over the "most unfit man in the U.S. for the office" as a matter of principle. And Burr himself, the man of "*extreme & irregular ambition*," proved a realist in drawing back from a deal with the Federalists and settling for the vice presidency.

So the young republic passed its first real succession test—a test that would be failed numberless times in other nations over the next two centuries.

The system was still imperfect. The presidential election procedure had to be reformed to prevent a repetition of the Jefferson-Burr deadlock. The Bill of Rights, wounded in the partisan turmoil of its first decade, had to be reaffirmed and made more explicit. The parties were still rudimentary. The suffrage franchise still excluded most of the poor, women, slaves, and many immigrants. Still, the momentum had been created to promote life and liberty, eventually more equality and community, perhaps even happiness.

At least, at the start of a new century, the people had a government. But did the government have a people? Not yet. Not only did most Americans lack the right to vote, but those who had it were entwined in a system of indirect representation that fragmented and obscured their direct power over government. So "the People" were hardly sovereign. Yet the creation of elections, and later of parties, meant that politicians would have to compete with one another to win majorities that could govern. Both winners and losers in electoral contests had incentives to attend the needs and expectations of the people.

Americans were coming to understand that “government by the people” would not depend on consensus except over constitutional arrangements and election procedures. After that, political combat was not only proper but necessary. As historian Robert H. Wiebe has pointed out, parties were integrating American society by dividing it in half. Only by being conflicted could Americans be united, and thereby justify those glorious words, “We the People.”

To win independence, to establish a confederacy that at least held the states together, to frame a new Constitution establishing a strong national government, to add a Bill of Rights to limit that government—all this was a remarkable display of transforming leadership and a breakthrough for an *activist* concept of leadership, demonstrating that fundamental and constructive change need not always come slowly, incrementally, but can be achieved through great leaps of thought and action. And then to reverse course, to add a new kind of conflict between parties to the conflict inherent in the Constitution’s checks and balances, and above all to overcome the fear of majority rule that had inhibited James Madison and other framers by successfully achieving a transfer of power between parties—this was another extraordinary feat.

Behind the transformation of institutions lay a revolution of values. The 1787 Constitution established a national government strong enough to undergird the order and stability that the young nation desperately needed. The Bill of Rights laid out a charter of liberties that converted vague beliefs in individual liberty into curbs on government that have lasted more than two centuries. The dominant view of happiness as individualistic had to coexist with the conception of social or collective happiness rooted in republican ideals of public virtue and egalitarianism.

Behind the transformation of values lay a vital shift in thought. Pre-Revolutionary thinkers in America reflected the ideas of the moderate Enlightenment savants of Europe. Political scientist Thomas Rochon had discerned in eighteenth-century Europe a “critical community” that united *philosophes* across the continent. American thinkers challenging heavy-handed British rule shifted toward new libertarian and egalitarian ideas under the pressure of the gathering conflict. The leader in this epochal change was Madison, who made that heroic leap from a fear of majority

rule to embracing it as a pivotal concept for the triumphant Republican party of 1800.

There was nothing neat or tidy in these intellectual and political changes, but the decisive force behind them was the rise in popular expectations on the part of grassroots and cobblestone activists inspired by the Enlightenment and increasingly insistent that national leadership reflect not bland consensus, as Washington had sought, but conflict between the rival parties of Federalists and Jeffersonians. Nor were the politicians riding these shifts aloof and disinterested leaders of an American Enlightenment; they were men of ambition fueled by conviction.

Despite the confusion that marked the American revolutions, the world had never seen a grander display of collective intellectual and political leadership as men navigated through the treacherous crosscurrents of the era.