

**PERPETUITY AND POST-STRUCTURALISM:
FORMING “A MORE PERFECT UNION”**

Dennis Beesley

HIST 665

Dr. De Vos

Final Paper 12/18/2009

“We are either a united people or we are not so,” wrote George Washington to James Madison in November 1785.¹ On the same day Washington wrote to David Stuart, “If we consider ourselves or wish to be considered by others as a united people, why not adopt the measures which are characteristic of it, and support the honor and dignity of one? If we are afraid to trust one another under qualified powers, there is an end of the union.”² The question was not whether the people wanted to be united but how their union was to operate. In Washington’s view, the measures characteristic of union were to be found in the Constitution proposed two years later, but not every American adopted this philosophy. Nevertheless, Washington’s letter illustrates how those who had fought for their liberty began to look for those measures that would ensure perpetual union. Early American leaders knew full well that their union was an “imagined community.”³ They simply differed in opinion as to how the discourse should construct their community, given varying concerns over state and individual rights. Many were in accord that the Articles of Confederation were not completely successful, but drafting a new constitution was an entirely new challenge. Regardless of their arguments, federalists and anti-federalists both understood the power of language and the importance of carefully placing it into print. It was through this power that “a more perfect union” would be formed.

At the beginning of the Revolutionary War, America’s statesmen set the goals that would permanently drive their political union. In what could be seen as a preamble to the Articles of Confederation, congressional leaders explained their objective wherein they did “agree to certain articles of Confederation and perpetual Union between the States.”⁴ Of the eight times union

¹ George Washington to James Madison, Nov. 30, 1785, in Jared Sparks, ed., *The Writings of George Washington*, Volume IX (Boston: Russell, Odiorne, and Metcalf, and Hilliard, Gray, and Co., 1835), 146.

² Washington to David Stuart, Nov. 30, 1785, in George Bancroft, *History of the Formation of the Constitution of the United States of America*, Volume I (New York: D. Appleton and Co., 1882), 251.

³ See Benedict Anderson, *Imagined Communities: Reflections on the Origin and Spread of Nationalism*, Revised and Extended Ed., 2nd Ed. (London, Verso, 2006 [1983]).

⁴ “Articles of Confederation,” 1776.

appears in the Articles, seven are accompanied with the assurance that union be sought in perpetuity. As such, perpetual union remained important when the Constitution was proposed “in Order to form a more perfect Union.”⁵ When America’s earliest politicians debated how to perfect the Union they considered various principles and ideologies, including nationalism, imperialism, republicanism and federalism. Despite the possibility multiple ideologies could exist within a single political union, some modern scholars point to evidence of certain governing philosophies to ascertain whether America can be considered solely as a nation, empire, or republic, as if only a single model would be applicable. By looking at early American rhetoric, however, it will be shown that the Founding Fathers carefully balanced all of these ideologies and institutions and placed their new government upon a foundation that minimized ideological controversy. Rather than perfecting a nation, empire, republic, or even federation, those that called themselves federalists instead sought to create a more perfect union.

This essay will demonstrate that the use of the word “union” in the Constitution’s Preamble was not without intent. To better understand the power of union in advancing ratification, this study will analyze some of the most significant documents surrounding the Constitution, specifically the Federalist Papers in favor of the Constitution, and will consist of six sections. The first section, “Perpetual Rhetoric and Perpetual Union,” will show that rhetoric and the rhetoric of union in particular have remained perpetual throughout the historiography. The next section will look at documents prior to the Constitutional Convention of 1787 to demonstrate how early American leaders maintained that a “Perpetual Threat to Union” existed, and that the Union would dissolve if a change were not instituted in the form of a stronger central government. In the third section, “Numbering the Federalist Papers,” the rhetoric within these eighty-five documents will be quantitatively analyzed to determine the degree that union was

⁵ “Constitution of the United States,” 1787, Preamble.

used in comparison to other terms in defining the United States. Then, this study will illustrate how each author of the Federalist Papers laid a foundation of union in their first published Papers in “America’s First Post-Structuralists and the Foundation of Union.” In the fifth section, “Ideologies and Union,” ideological and institutional constructs will be examined concerning contemporaneous ideas about nations, empires, and republics. Of course, written and spoken rhetoric are not always perfectly aligned by a single person given the time an author has to write as opposed to the immediacy of speaking in debate. As such, a sixth section will then deal with the “Written and Spoken Rhetoric” in Virginia at one of the most hotly contested ratifying conventions. Regardless of the side of the debate, the importance of union was maintained above all else. This will be demonstrated throughout these sections and finalized in a conclusion that deals with the importance of “Perpetuity and Union” in a society governed by multiple ideas and institutions. Not only will this study enlighten our understanding of one of the first political divides in early American history, but also of the importance of rhetoric in forming and shaping America’s political union.

PERPETUAL RHETORIC AND PERPETUAL UNION

Countless scholars have provided varying interpretations of the origins, causes, and motivations that led to the Constitutional Convention of 1787. Each interpretation has defined the term “union” in a variety of ways. Nevertheless, union has perpetually played a significant part in the historiography. One of America’s earliest and foremost historians, George Bancroft, began his *History of the Formation of the Constitution* with a chapter entitled, “A Retrospect. Movements Toward Union.” Although Bancroft did not analyze the rhetoric that accompanied the debate over the Constitution, this title reflects his understanding of the importance of the word “union” when dealing with the founding of the United States. Bancroft idealized the United

States as being predestined and saw the creation of the American Union and the drafting of the Constitution as evidence of the moralistic nature of the Founders. Although he does not use the word “union” in the following paragraph, Bancroft’s opening shows his belief that “union” played a significant part in their noble objectives:

The order of time brings us to the most cheering act in the political history of mankind, when thirteen republics, of which at least three reached from the sea to the Mississippi, formed themselves into one federal commonwealth. There was no revolt against the past, but a persistent and healthy progress. The sublime achievement was the work of a people led by statesmen of earnestness, perseverance, and public spirit, instructed by the widest experience in the forms of representative government, and warmed by that mutual love which proceeds from ancient connection, harmonious effort in perils, and common aspirations.⁶

Although for some groups progress was not as persistent as they would have desired, Bancroft’s belief in the destined “healthy progress” of America was based primarily on his focus on arguments by the federalists, those in support of the Constitution. This is not to say that anti-federalists were never discussed, but they’re arguments were rarely accepted by early historians. In many ways, Bancroft accepted the views held by federalists and their supporters, in that anti-federalists were essentially anti-union. In his second volume, Bancroft demonstrated his view of the separatist fanaticism of anti-federalists by mentioning how delays in holding state conventions “gave opportunity for the cabalings of the anti-federalists in Virginia.” Placing them as antithetical to such revered leaders as George Washington, Bancroft continued, “Richard H. Lee was as zealous as ever; and Patrick Henry disseminated propositions for a southern confederacy.”⁷ After having experienced a war between the “Union” and a real “Southern Confederacy,” contemporary readers of Bancroft would most assuredly feel compassionate toward the federalists.

⁶ George Bancroft, *History of the Formation of the Constitution of the United States of America*, Volume I (New York: D. Appleton and Co., 1882), 3.

⁷ George Bancroft, *History of the Formation of the Constitution of the United States of America*, Volume II (New York: D. Appleton and Co., 1889), 279.

At the end of the nineteenth century, intellectuals began exploring ways in which political and economic interests guided the process of Constitutional revision. In 1893, Frederick Jackson Turner, for example, began viewing the frontier and political interests as guiding the process of America's formation. These theories of over two decades were eventually combined in his Pulitzer Prize winning *The Frontier in American History*, published in 1921. In Turner's view, "the existence of an area of free land, its continuous recession, and the advance of American settlement westward, explain American development." The Constitution was not the result of a moral and upright people as Bancroft had illustrated, but was due to "the fact that they have been compelled to adapt themselves to the changes of an expanding people." In other words, rather than union, it was tension and division between settled and unsettled land that created America, and it was here, in the West, where democracy and individualism were fostered. Turner applied his belief concerning the effects of the frontier to the Constitutional Convention wherein, he argued, a class-dominated power struggle emerged. Using the words of Gouverneur Morris as evidence, Turner argued that the Federalists sought "a similar system" to that when earlier Revolutionaries "apportioned the State legislatures so that the property-holding minority of the tide-water lands were able to outvote the more populous back countries."⁸ Compromises had to be made, but, according to Turner, they were guided by political interest rather than moral imperative. Nevertheless, Turner and his contemporaries rarely took the chance to discuss the rhetoric that was used to ensure political favor.

With the inception of the twentieth century, scholars increasingly looked at American history with a critical eye trying to see beyond the documents and began to radicalize the idea of union. Following in Turner's footsteps, historians like Charles A. Beard began to look more fully

⁸ Frederick Jackson Turner, *The Frontier in American History* (New York: Henry Holt and Co., 1921), 1, 2 & 207.

into “a study of the real economic forces which condition great movements in politics.”⁹

According to Beard, state ratification of the Constitution was not always due to moralistic intentions. For instance, “two states,” as Beard explains, “Rhode Island and North Carolina refused to ratify the Constitution until after the establishment of the new government which set in train powerful economic forces against them in their isolation.”¹⁰ Beyond simple economic interest, Beard’s controversial *Economic Interpretation of the Constitution* argues further that the Constitution reinstated the goals and power of the elite that Revolutionaries had a decade earlier fought against. If union were the goal, it was a union of elites that inspired the Constitution, at least according to Beard. This Marxist interpretation was further explored by Arthur Schlesinger, Sr., who argued that city and country were not necessarily independent of each other, but fostered the growth of political parties following ratification of the Constitution.

According to Schlesinger,

Since the merchant and moneyed class formed only a small minority of the population, we find in this circumstance the economic basis for the philosophical and constitutional doctrines of the Federalist Party. In order to protect their peculiar economic interests in the presence of an overwhelmingly agricultural population, they became strong exponents of the aristocratic ideal of government – government by the few or the well-born.¹¹

In Schlesinger’s view, federalists represented a minority of urbanized elites, whereas anti-federalists would later emerge as Jeffersonian Republicans representing the rural communities where the majority of the population resided. As such, there was no real union, only an imagined union that immediately became susceptible to political partisanship. Once again, however, though Schlesinger argued that economy guided constitutional philosophy, he failed to analyze the rhetoric that federalists used in constructing this philosophy.

⁹ Charles A. Beard, *An Economic Interpretation of the Constitution of the United States* (New York: The MacMillan Co., 1921), v.

¹⁰ *Ibid.*, 237.

¹¹ Arthur M. Schlesinger, Sr., *New Viewpoints in American History* (New York: The MacMillan Co., 1922), 56.

In the middle of the twentieth century, as America faced an ideological battle between capitalism and communism, scholars maintained the radicalization of union but began to challenge interpretations that saw the Constitution as being led by self-interested politicians and capitalists. Rather, they argued that union was led by ideology. These intellectuals returned to the rhetoric that guided so many Americans in supporting both the Revolution and Constitution. In *The Birth of the Republic*, Edmund S. Morgan argued, “the most radical change produced by Americans in the Revolution was in fact not a division at all, but the union of three million cantankerous colonists into a new nation.” If union was a radicalism that paralleled the drastic measures of declaring the states free from British rule, what united these people of different interests? According to Morgan and his contemporaries, ideas of freedom and principle guided America’s statesmen.¹² While rejecting Bancroft’s theories of America’s predestination, Neo-Whig scholars returned to his claims of moralist intent. In a review of Morgan’s work, Robert E. Moody exclaimed the virtues of returning to history that told of a time when, “as John Locke had said, a government which failed to fulfil the purpose for which it was constituted should be replaced by one that would. The Articles of Confederation and the Constitution,” Moody continued, “were both efforts to provide a government which would protect the people from tyranny.”¹³ Morgan’s conclusions, however, were not universally accepted, and were given some harsh critiques. Esmond Wright, for instance, sought “more examples – and more convincing examples – than Roger Sherman, however: one out of fifty-five, and a shoemaker at that.”¹⁴

This critique, nevertheless, lost ground with the next generation of scholars who began to focus more on lesser-known people, in a bottom-up approach to history. With the work of

¹² Edmund S. Morgan, *The Birth of the Republic, 1763-1789* (Chicago: University of Chicago Press, 1956), 100.

¹³ Robert E. Moody, Review of *The Birth of the Republic, 1763-1789* by Edmund S. Morgan, *The New England Quarterly* 30, no. 4 (Dec., 1957), 533.

¹⁴ Esmond Wright, Review of *The Birth of the Republic, 1763-1789* by Edmund S. Morgan, *The English Historical Review* 73, no. 288 (Jul., 1958), 537.

Morgan and Moody, ideological and neo-progressive scholars in the 1950's to 1970's increasingly sought primary documents to focus on specific groups and segments of society, particularly in regard to class, race, and gender. By spotlighting lesser known individuals and groups, historians were able to challenge generalized interpretations. For instance, as Bernard Bailyn found in his study of *The New England Merchants in the Seventeenth Century*, “though united by the demands of common occupation, they did not form a socially homogenous unit. Their social differences,” according to Bailyn, “in fact, were important elements in the determination of events.”¹⁵ Given these differences, the radicalization of union seems even more justifiable. However, taking into account the work of neo-progressives and cultural historians, the telling of America's history has not always included those geographically within the “Union.” In *The Forgotten Fifth*, Gary B. Nash sought “to bring attention to those forgotten Americans who have inarguably been part of constructing our society and our nation” – African-Americans. As Nash explained, central to the issue of race during the Constitutional Crisis was the importance of union. According to Nash, “morality and humanitarianism were less important to Madison than the way slavery tore at the fabric and unity of the new nation.” Nash further clarified that Madison opposed slavery because it “raised the ominous specter of a regional polarization ... that might jeopardize [the revolutionary] generation's greatest achievement.” As Nash explained this passage, “ending slavery would *unify*, not irreparably split, the nation because the death of slavery would prevent sectionalism from reaching such a pitch that union was no longer possible.”¹⁶ Thus, regardless of the issue under consideration, union was the

¹⁵ Bernard Bailyn, *The New England Merchants in the Seventeenth Century* (Cambridge: Harvard University Press, 1979 [1955]), ix.

¹⁶ Gary B. Nash, *The Forgotten Fifth: African Americans in the Age of Revolution* (Cambridge: Harvard University Press, 2006), vii & 79.

ultimate goal. Nevertheless, despite the emergence of post-structuralism, Nash did not take the opportunity of examining union as a rhetorical construct.

Studies of the origins and influences of the Constitution are exhaustive and include various interpretations. Unfortunately, not much has been done in analyzing the history of rhetoric, nor specifically the power of the word “union,” in establishing the unified political entity of the United States. Nevertheless, most historians, understanding the importance of union, respond to its concerns posed by early Americans. By looking to the rhetoric that was used by early American statesmen, historians can be aided in deciphering significant factors that led to the formation and ratification of the Constitution. In the history of rhetoric, what can be seen is that union, whether radical or not, played a significant role in the push toward a new Constitution and in the debates over contemporaneous issues between federalists, anti-federalists, and even those who have been left out of traditional research. As an added methodology, rhetorical history can only increase historical understanding, from ideological to cultural studies. If historians are ever to completely understand the foundation whereupon the United States was built, studies analyzing the history of rhetoric must be conducted, specifically with regard to words that held real power in the minds of early American politicians. These words included terms like federal, national, imperial, and republican, but also, and most importantly, union. In a more perfect union of scholarly interest, perhaps it is with the term union that scholars should turn.

PERPETUAL THREAT TO UNION

As the revolutionary war neared its end in 1783, discussions had already arisen regarding the governance of the union of states. With the rising public debt incurred by the war, money and taxation remained at the forefront of discussion. Some leaders were already advocating a stronger, more general constitution. Writing their laws in a constituted form was an American

phenomenon that early leaders held to tightly. In his groundbreaking study of publication and letters in eighteenth century America, Michael Warner explains that, to Americans, “the text itself becomes not only the supreme law, but the only original embodiment of the people. In this act of literalization ... writing gives original existence to its author.”¹⁷ By the end of the Revolutionary War, many American leaders believed that some form of American existence had been written in the Declaration of Independence. In order to ensure that the people remained united, however, some felt that they needed to return to the “drawing” board. George Washington was one of those who believed a stronger Union needed to be constituted. In a letter from General Henry Knox to Gouverneur Morris, we learn of Washington’s belief that “the army are good patriots, and would forward everything that would tend to produce union and a permanent general constitution; but they are yet to be taught how their influence is to effect this matter.”¹⁸ The permanent constitution Washington and Knox sought would not come until 1787, the same year when the military was called upon when the Union was threatened by farmers angered by their debts and taxes in western Massachusetts. Nevertheless, in the years prior to 1787, union and disunion became the rhetoric of the day, though the issues that arose remained consistently attached to commerce.

Almost immediately following Congress’ ratification of the Treaty of Paris in 1784, a division grew between Americans. This disunion logically grew out of hatred between patriots and loyalists, and the loyalists had an unlikely defender; Alexander Hamilton. As Ron Chernow explains in his biography of Hamilton, persecution and violence escalated against Tories. Tories fought back, though, using the courts to demand the return of confiscated property and payment of back rent. Hamilton’s legal practice gained ground by defending Tories, starting with *Rutgers*

¹⁷ Michael Warner, *The Letters of the Republic: Publication and the Public Sphere in Eighteenth-Century America* (Cambridge: Harvard University Press, 1990), 102.

¹⁸ H. Knox to G. Morris, Feb. 21, 1783, in Bancroft, *History of the Formation of the Constitution*, Vol. I, 89.

v. *Waddington* in 1784 and expanding, according to Chernow, “during the next three years, [wherein] he handled forty-five cases under the Trespass Act and another twenty under the Confiscation and Citation Acts.”¹⁹ When public opinion turned against Hamilton for what appeared to be his betrayal of the revolutionary cause, Hamilton turned to rhetoric. In his “Second Letter from Phocion,” Hamilton called upon the people to remain united, and used this opportunity to explain the value of rhetoric in the laws. “The common interests of humanity,” he began, “and the general tranquility of the world, require that the power of making peace, wherever lodged, should be construed and exercised liberally.” In other words, with the war concluded, rather than being overly concerned with punishing those who did not embrace the patriot cause, it would be better for the safety of the Union not to limit America’s society or culture to a particular group. Toward the end of his letter, Hamilton again explained that when it came to laws, “words in every contract are to be construed so as to give them a reasonable effect.” This reasonable effect could be found in “the very *letter* as well as the *spirit* of the stipulation.” Hamilton understood how signifiers in language could mean so much more than simply what was perceived as being signified. If men relied entirely on that which they perceived in language, Hamilton warned, “the scheme of putting men out of the protection of the law, is calculated to transfer the scepter from the hands of government to those of individuals – it is to arm one part of the community against another; it is to *enact* a civil war.”²⁰ Given these words, it appears Hamilton would have agreed with David Zarefsky’s view of civil war as the disintegration of a discourse community.²¹

¹⁹ Ron Chernow, *Alexander Hamilton* (London: Penguin Books, 2004), 199.

²⁰ Alexander Hamilton, “Second Letter from Phocion,” April, 1784, in Harold Coffin Syrett, ed., *The Papers of Alexander Hamilton* (New York: Columbia University Press, 1962), 540-556.

²¹ David Zarefsky, “Four Senses of Rhetorical History,” *Doing Rhetorical History: Concepts and Cases*, ed. Kathleen J. Turner (Tuscaloosa: The University of Alabama Press, 1998), 30.

This division between patriots and loyalists eventually evolved into a separation between farmers and merchants. As Chernow explains, “many patriots found it hard to sympathize with the Loyalists, who were often well-to-do Anglican merchants and members of the old social elite.”²² Nevertheless, whether or not they were tied to the loyalist cause during the war, merchants were forced to look for markets outside the British Empire after 1783. As trade to the British West Indies closed, American merchants looked further east, particularly to China. On February 22, the “Empress of China” set sail from New York to procure tea and other Chinese manufactures. When it returned in May the following year, a second ship, the “Grand Turk” set sail from Massachusetts in December. By the next year, trade with the Orient expanded with eight ships setting sail from American ports.²³ Despite this increase in commerce to the Orient, it was not enough to make up losses from the Caribbean and Mediterranean markets being blocked by the British and Barbary pirates, respectively. These hindrances, along with a credit crisis and poor decisions that led to over-importation of British goods, made American goods cheaper, thus making it far more difficult for farmers to pay their debts. With profits from overseas trading dwindling, merchants turned homeward to their debtors to try and make up the difference, but there was no money to be had anywhere at home. To make matters worse, state governments levied higher taxes hoping to pay off war debts and advance commerce.²⁴ The law seemed heavily in favor of merchants over yeoman, and farmers began to recognize the discrepancy. As David Brian Robertson explains, “finance and commerce lie at the heart of policy divisions in the 1780s. Revenue and trade policies brought the nation to the brink of disunion, the national

²² Chernow, *Alexander Hamilton*, 194.

²³ Charles Oscar Paullin, *Diplomatic Negotiations of American Naval Officers, 1778-1883* (Baltimore: Johns Hopkins Press, 1912), 160-161.

²⁴ For a more in-depth discussion into the problems Americans faced with commerce, taxation, and the escalating crisis that led to Shays' Rebellion, see David P. Szatmary, *Shays' Rebellion: The Making of an Agrarian Insurrection* (Boston: University of Massachusetts Press, 1980), 19-36.

government to the brink of irrelevance, and a growing number of Americans to the conviction that specific changes in national policy making would result in indispensable benefits.”²⁵ Before a crisis erupted real changes needed to be made, but these needed to be made by the Union as a whole.

As Congress convened in 1785, delegates knew full well the danger that commerce posed to the Union. Something needed to be done, but what they did not know. The Congressional report indicates that not only were internal issues of concern, but the entire future empire was at stake. It states as follows:

The situation of the commercial affairs of the Union, require that the several legislatures should come to the earliest decision on the subject, which they now submit to their consideration. ... A further delay must be productive of inconvenience. The interests, which will vest in every part of the Union, must soon take root and have their influence. The produce raised upon the banks of those great rivers and lakes, which have their sources high up in the interior parts of the continent, will empty itself into the Atlantic in different directions, and of course, as the States growing up at the westward attain maturity and get admission into the confederation, will their government become more complicated. Whether this will be the source of strength and wealth to the Union, must therefore in a great degree depend upon the measures which may be now adopted.²⁶

Recognizing the threat of division as the Union expanded and separate interests grew, representatives were left to complex rhetorical debate over those measures which would best strengthen and perpetuate the Union. Nevertheless, nothing of substance was achieved and the Union remained teetering on the edge of destruction.

Despite so many efforts to preserve union, the rift between merchants and yeomen eventually exploded as Daniel Shays led a rebellion of hundreds of farmers in western Massachusetts against their creditors in what they perceived to be a battle continuing their revolutionary fight for liberty. Shays' Rebellion was squashed by the state militia, but insurgents

²⁵ David Brian Robertson, *The Constitution and America's Destiny* (Cambridge: Cambridge University Press, 2005), 52.

²⁶ Committee Report of Congress, May, 1785, in Sparks, *The Writings of George Washington*, Volume IX, 506.

were further vilified in rhetoric. One author sent poem formed by the word “INSURGENTS” written vertically to the Hampshire Gazette. Introducing the poem, the anonymous author said that the word “insurgents” was not explained in the dictionaries of their time. It was suggested that “perhaps some idea of its signification may be found in the following”:

I nsolvent debtors, aiming ne'er to pay:
 N otorious gamblers risking all at play.
 S editious whigs, who think a man should die,
 U nless his sentiments with theirs comply.
 R evengeful tories, democracy disdain;
 G reat Britain, they think ought to rule & reign.
 E nlarg'd jail-birds, men with five years pay: –
 N ews-men, Court members, Servants run away.
 T he vicious ign'rant herd; for knaves sit tools;
 S ome may be honest, yet deluded fools.²⁷

This poem's author not only understood the power of language and its fluid nature between signifiers and signified, but chose to place a “signification” of “insurgents” as being closely linked to such hated groups as Tories, despite the fact that many of the insurgent farmers had fought as patriots in the Revolutionary War. In such beautiful prose, those who had arisen in rebellion were rhetorically identified with those who laughingly called America the “disunited states.” As such, Shays' Rebellion was no longer an issue of debtors versus creditors, but union versus disunion.

The year 1787 became the year of union versus disunion not simply because of Shays' Rebellion or the Constitution but because of the public rhetoric seen months before the Convention in Philadelphia. As Gary B. Nash explains, “on the eve of the Constitutional

²⁷ ““A Crosttick' Poem Printed in the Gazette,” *Hampshire Gazette* (Northampton, MA), Jun. 6, 1787, retrieved from *Shays' Rebellion and the Making of a Nation*, Springfield Technical Community College, http://www.shaysrebellion.stcc.edu/shaysapp/artifact.do?shortName=gazette_crosttick6jun87 (accessed Sept. 27, 2009).

Convention many politicians talked of separate confederacies (northern, mid-Atlantic, and southern); but most of this was rhetorical posturing, a game of blind man's bluff."²⁸ Whether it was bluffing or not, suggestions of dividing the Confederate States were often accompanied by reasonable justification. For example, just weeks before delegates met, an article in the Hampshire Gazette reported, "A hint has, in the Southern papers, been suggested to the Deputies of the Federal Convention, on the propriety of recommending a dissolution of the Confederation and a division of the States into four republics." Rather than looking at this suggestion as negative, however, the paper accepted the idea as being rather warranted. After explaining the four proposed boundaries, the paper continued:

This division seems to be pointed out by climate, whose effect no positive law can surpass. The religion, manners, customs, exports, imports, and general interest of each, being in them the same, no opposition, arising from difference in these (as at present) would any longer divide their councils – unanimity would render us secure at home, and respectable abroad, and promote agriculture, manufactures and commerce.²⁹

Rhetoric like this that threatened division did so by suggesting that it would also preserve union, at least within the proposed republics. According to this article, union could best be maintained when the people within the respective boundaries maintained a similar culture and interests.

From the moment the States united until the Constitution was proposed, it was union that remained the goal of American statesmen, even though they understood that cultural and societal differences threatened the Union. This goal of perpetual union despite division is evident in a letter that accompanied the act of confederation under the Articles, saying, "hardly is it to be expected that any plan, in the variety of provisions essential to our union, should exactly

²⁸ Nash, *The Forgotten Fifth*, 83.

²⁹ "Southern Papers Suggesting Division of the Confederation," *Hampshire Gazette* (Northampton, MA), May 2, 1787, retrieved from *Shays' Rebellion and the Making of a Nation*, Springfield Technical Community College, http://www.shaysrebellion.stcc.edu/shaysapp/artifact.do?shortName=gazette_confederation2may87 (accessed Sept. 27, 2009).

correspond with the maxims and political views of every particular State.”³⁰ Once the threat of disunion escalated, however, it was questioned whether various political views could be incorporated under one general system of government. Regardless of differences that existed between the states, there were those in leadership positions not willing to forsake union, and it was in the new Constitution that they placed their hope. Washington made his support of the constitution as a means of union very clear when he wrote a letter to Charles Carter that was subsequently published in the newspapers. “The constitution or disunion is before us to choose from,” Washington wrote. “If the first is our election, when the defects of it are experienced, a constitutional door is opened for amendments, and may be adopted in a peaceable manner, without tumult or disorder.”³¹ Washington placed the constitution as being equal to the choice of union, and this rhetorical posturing is exactly how the Federalist Papers were constructed in trying to convince the states to choose between ratification and division.

NUMBERING THE FEDERALIST PAPERS

With hundreds of primary documents concerning America’s Constitution, it seems almost impossible to limit a discussion of the rhetoric to a single essay. Historians have published volumes when dealing with this distinct moment in American history. As such, it may well be asked, what is to be done? How can the rhetoric be analyzed in an all-encompassing way without publishing an entire encyclopedia of rhetorical research? One option available to try and solve this dilemma is to turn to quantitative history. At the beginning of this essay it is mentioned that “perpetual union” was outlined seven times in the Articles. While it may not be important that

³⁰ “Official Letter Accompanying Act of Confederation,” Nov. 17, 1777, in Jonathan Elliot, ed., *The Debates in the Several Conventions on the Adoption of the Federal Constitution*, 2nd Ed., Volume I (Philadelphia: J.B. Lippincott Company, 1891), 69.

³¹ Washington to Charles Carter, Dec. 14, 1787, in Bancroft, *History of the Formation of the Constitution*, Vol. II, 280.

union is mentioned so many times within a single document, it is significant that seven out of eight of its uses are linked to its perpetuity. Naturally, turning words into numbers is only half the battle, and a downhill one for that matter. The other half – turning the numbers back into a meaningful explanation – is an uphill battle, especially since post-structural theory assumes that words are only given meaning based on specifically constructed perceptions. It is difficult, therefore, for a historian to describe quantitative results without bias. Nevertheless, in order to more fully incorporate the documents into a single essay this study has counted the rhetoric within all of the Federalist Papers to determine the degree to which union maintains importance in relation to other terms in referring to the American government. Given the importance of union in the formation of the Articles and its use in the Constitution’s Preamble, it is to be expected that union will have greater statistical significance than terms like nation or empire.

The issue between proponents and opponents of the new Constitution was what kind of government would best perpetuate the Union. Was the government to be federal, national, imperial, or republican? In examining the documents, therefore, it seems appropriate to ask how contemporaneous authors viewed the American Union, or what it could become under the new Constitution. This study counted the references in all of the Federalist Papers that labeled America as being (1) a “union” or “united,” (2) the “United States,” (3) “federal,” (4) a “nation” or “national” entity, (5) an “empire” or “imperial” unit, and (6) a “republic” or “republican” government. This exercise is not entirely objective, either, but nonetheless significant. For instance, in the first Paper when “the fate of an empire” is mentioned in general terms this is counted as referring to America as an empire, otherwise it would have been pointless to use such a label universally. To avoid subjectivity in context any time other “nations” or “republics” are mentioned these terms were also counted given their comparative association to the American

Union. In addition, the threat of “disunion” or being “disunited” is also considered in this study as indicating the importance of America being “united.”

When counting these terms it is likewise important to distinguish between authors. Did Alexander Hamilton favor the use of one term over another? What about James Madison? The third author, John Jay, wrote only five Papers making the sample size very small, but it is still important to determine how he referred to American government. This study is even more complicated when considering that three of the Federalist Papers are understood as being authored by both “Hamilton and Madison,” whereas eleven Papers have had disputes rendering many historians to accept attribution as “Hamilton or Madison.” As such, the Papers were divided according to five authors; Hamilton, Madison, Jay, Hamilton and Madison, and Hamilton or Madison (disputed authorship).

By looking at the average use of each term per Federalist Paper in each of the five authored categories, “nation” and “union” are used most by all authors combined. As shown in Table 1, amongst all authors “nation” or “national” is used on average 6.7 times and “union” or “unite” are used 5.2 times per paper. However, the numbers are even more interesting when looking at each author independently. Hamilton uses “nation” and “union” on average the most, Madison “federal” and “union,” Jay “nation” and “union,” Hamilton and Madison together “union” and “empire,” and those Papers with disputed authorship “federal” and “nation.” By excluding the disputed Papers, “union” is the only term consistently used most by all authors.

Table 1. Average Use of Term per Federalist Paper

Term	Hamilton	Madison	Jay	Hamilton & Madison	Hamilton Or Madison	Total
Union/Unite	5.7	6.1	5.8	7.7	0.8	5.2
United States	2.5	2.9	0.2	0.3	1.9	2.3
Federal	2.6	7.4	0.8	3.7	5.5	3.8
Nation/National	7.2	5.8	14.2	2.0	3.3	6.7
Empire/Imperial	0.4	0.4	0.2	7.7	0.1	0.6
Republic/Republican	1.4	4.0	0.4	2.3	2.7	2.0

When looking at averages it is important to ensure that the numbers are not skewed by a single author. For instance, while “union” and “nation” have the highest overall averages their significance lessens if the majority of their uses were found in Papers written only by Madison. It is one thing to count the numbers but it is likewise necessary to determine if one author’s rhetoric deviates from the majority. To determine this, it is helpful to look at the standard deviation of each individual term between authors. The use of “union” between authors appears to have little deviation, except in the case of the eleven disputed Papers attributed to “Hamilton or Madison.” When looking at the standard deviation, though, the words used with the closest averages are “United States” and “republic.” However, when looking at the standard deviation between those with an accepted attribution of authorship, as shown in Figure 1, or by excluding the ambiguous “Hamilton or Madison” category, the deviation increases for all terms except “union,” which then becomes the term with least deviation between authors. Such a result leads to questions of whether Hamilton or Madison actually did author these Papers. Perhaps a fourth unknown author wrote these documents. This is not to suggest that Hamilton or Madison did not participate in their writing, but it is unusual that “union” is barely used in those papers with

disputed authorship while maintaining a higher use with little deviation between those Papers with attributed authorship. Also, the results are not very different when considering other terms. The Hamilton or Madison category seems to stand out even when the other authors differ from each other. Either way, these numbers lead to the conclusion that, while “nation” and “union” are used on average the most per Paper, of these, “union” maintains the least deviation. Surely “union” held great significance to these early American leaders.

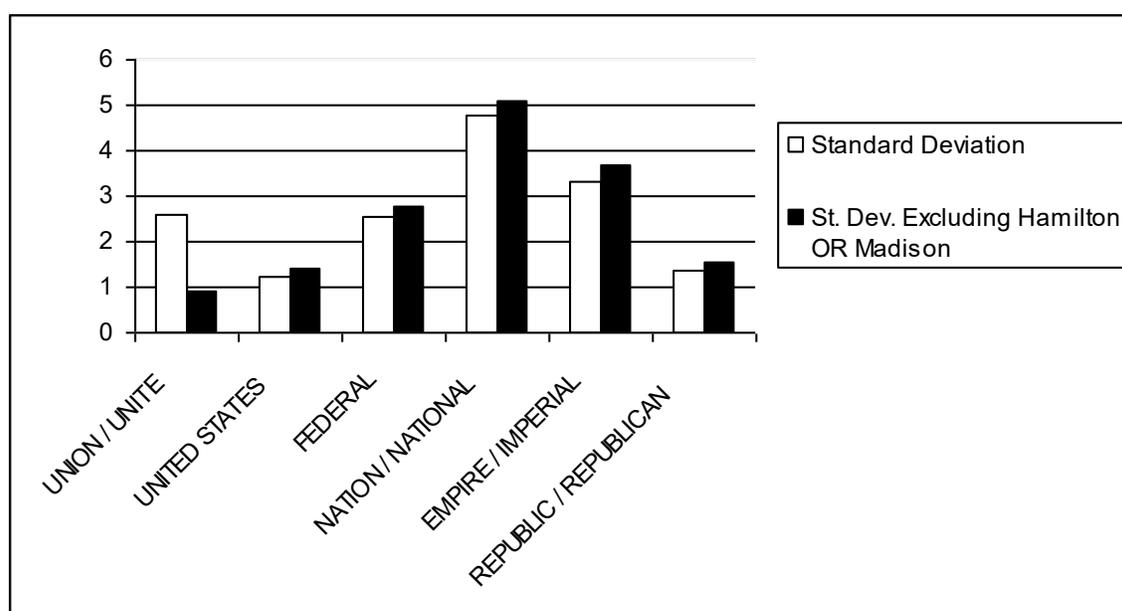


Figure 1. Standard Deviation of terms between authors of Federalist Papers.

Any historian could question the importance of the word “union” or any of the other terms in the debate surrounding the Constitution, and in order to realize their significance an analysis may also be conducted in view of time. With the exception of two, the Federalist Papers were all published chronologically according to their number, though they appeared in different New York newspapers. The final eight were published at once in a combined volume.

Nevertheless, given their sequential order, a linear regression, as shown in Table 2, can be conducted to see how the frequency of usage of each term changed from Paper to Paper.

Table 2. Linear Regression Results of Frequency of Usage in Federalist Papers

	Union	United States	Federal	Nation	Empire	Republic
Federalist Paper Number	-0.055 (0.016)***	0.045 (0.013)***	0.009 (0.021)	-0.044 (0.026)*	-0.007 (0.010)	-0.023 (0.017)
Hamilton	4.346 (1.130)***	0.971 (0.880)	-2.854 (1.437)*	3.498 (1.796)*	0.194 (0.731)	-1.581 (1.170)
Madison	4.474 (1.360)***	1.709 (1.059)	1.994 (1.729)	1.849 (2.162)	0.196 (0.880)	0.927 (1.408)
Jay	2.825 (1.925)	0.046 (1.498)	-4.387 (2.446)*	9.188 (3.058)***	-0.181 (1.244)	-3.214 (1.992)
Hamilton & Madison	4.879 (2.270)**	0.027 (1.767)	-1.552 (2.885)	-2.861 (3.607)	7.310 (1.468)***	-1.204 (2.349)
Constant	3.835 (1.346)***	-0.546 (1.048)	5.044 (1.711)***	5.705 (2.139)***	0.497 (0.870)	3.967 (1.393)***
# of Obs.	85	85	85	85	85	85
R-squared	0.30	0.19	0.19	0.21	0.30	0.11

Note: Standard errors in parentheses; the category “Hamilton Or Madison consisting of Papers with uncertain authorship is the excluded category;

* significant at 10%; ** significant at 5%; *** significant at 1%

The results of the linear regression show whether each term was used at an increasing or decreasing rate and with what percentage of significance. For example, the use of the word “union” decreases over time with significance at the one percent level. This indicates that in any random sampling the possibility of receiving this kind of distribution is one in a hundred. With only a one percent chance that such a distribution would occur a second time it is difficult to argue that the decrease in its use was not intentional. It seems as though the authors calculatngly used “union” the most in the beginning and allowed its use to diminish over time.

The term that maintains the highest significance, either in its increase or decrease of use, is “union.” It is interesting to note the statistical significance of “union” showing a negative

coefficient of -0.055 and “United States” a positive coefficient of 0.045. With almost equal negative and positive correlates at the one percent significance level, it is as if the use of “United States” intentionally replaces “union” over time, although the average use of “union” in four of the last six Papers returns to exceeding its overall average. One could conclude that, while its use diminished over time, “union” remained most important to be used in the opening and final Papers. This may have been done intentionally in order to construct a foundation of “union” in the beginning followed by a strong conclusion of “union” to sum up the entire work. Of all the terms analyzed, only the uses of “United States” and “federal” increase over time. However, the change in the use of “federal” is not significantly different than zero. In addition, the significance of the increase of “United States” could arguably be due to its lack of ideology and its connection to “union.” It may have been possible for opponents of the Constitution to argue against a “national” or “federal” government, but they would find it difficult to challenge the “United States.” For the most part, the use of “federal,” “empire” and “republic” all have too little change over time to have significance, regardless of author. The significance of Hamilton and Madison as combined authors to increase in their use of “empire” can be explained by Federalist Paper 19 which has 47% of all its uses in all of the Papers, given its particular focus on analyzing ancient empires. When looking at the respective authors it is also interesting to note that Hamilton and Madison, individually as well as in their combined Papers, are significantly likely to have increases in their use of “union” over those Papers where authorship is unknown. On the other hand, Jay is the only author who is significantly likely to use “nation.” Statistically speaking, those factors with greatest significance are Hamilton and Madison’s increasing likelihood to use “union” and its overall decrease over time as “United States” is increased.

These results are important and whether or not they are significant historically is left to the historian and statistician to decide together in a union of their own.³²

As indicative of any work relying on quantitative research, particularly in regard to rhetoric, so many questions are left unanswered and more studies are needed. These results only reveal what, how often, and how likely words were used, which provides a sampling of their importance. Nevertheless, relying entirely on numbers does not explain how each term was understood. Quantitative history rarely explains the story without questions being raised. This is where the objectivity of numbers yields to the subjectivity of explanation. Federalists began their arguments upon a foundation that imagined union as their cause. Once the groundwork was laid, authors could then immerse themselves more fully into the rhetoric concerning particularities over delegated powers and natural rights. This study will now address the opening remarks, or first publications of these proponents of the Constitution, whereupon the foundation was laid that supported later documents.

AMERICA’S FIRST POST-STRUCTURALISTS AND THE FOUNDATION OF “UNION”

The importance of union in the Federalist Papers is evident in today’s most recent publications of the documents. In the Modern Library’s publication of *The Federalist*, editor Robert Scigliano divides the Papers into six parts. He places Federalist Paper 1 as an “Introduction,” after which Papers 2 through 14 are placed in the section “The Utility of Union.”³³ Is it any wonder that the first Federalist Papers to appear in print advocated union before dealing with any of the other intricacies regarding the Constitution? Most appropriately,

³² As a robustness check, the regression analysis was also analyzed with the use of terms as a percentage of the word-count and the results were consistent in terms of both direction and significance.

³³ Robert Scigliano, ed., *The Federalist* (New York: The Modern Library, 2000).

Federalist Paper 1 sets the stage for labeling the American political union by using all of the above terms at least once, “union” dominating with seven mentions. Nevertheless, this pattern does not remain throughout all of the Papers, but it does yield the question as to why each term was used at least once in the opening arguments posed by federalists. In addition to these terms, the American Union is seen as a “country,” which is indicative more so of the geographic relationship of the states and has become a popular use when referring to political unions. America is also referred to as belonging to one of many “societies of men.” Considering the vernacular within this single document, including calls for “patriotism,” being “judicious,” considering the “public good,” and all with the goal for the “preservation of that species of government,” any reader may be lost in trying to understand what kind of “species” is truly being advocated.³⁴ As political propaganda, it is reasonable to suggest that Alexander Hamilton and other proponents of the Constitution knew that regardless of the kind of government it would eventually portray, whether national, imperial, or republican, the most important thing was to link that government to union. These men knew of the power of language, specifically in its possible disconnect with reality and, therefore, no matter what signifiers they used the final signified element needed to be union. In a way, the Founding Fathers were the first post-structuralists in American history.

Hamilton was not the only Federalist author who understood the importance of ensuring that political signifiers never outweighed union. In Federalist Paper 2, John Jay advocated that America “should, to all general purposes, be one nation, under one federal government.” It could be asked why Jay used “federal” when referring to the government rather than “one nation” being “national,” though Jay calls it a “national government” later in the same sentence. It may have not mattered to Jay, because the purpose of any government, whether federal or national,

³⁴ Alexander Hamilton, Federalist No. 1, Oct. 27, 1787.

was union. Returning to the importance of perpetual union, Jay argued, “A strong sense of the value and blessings of union induced the people ... to institute a federal government to preserve and perpetuate it.”³⁵ Jay continues this sense of union in Federalist Paper 3 wherein, instead of referring to the “United States,” Jay argues for the just causes that would come from a “United America.” Once again, this document can be summed up in “the importance of their continuing firmly united under one federal government, vested with sufficient powers for all general and national purposes.”³⁶ Whether the purposes were of a federal, national, or general nature, perpetual and continual union remained the focus. Nevertheless, the numbers in all of Jay’s Papers show his preference for “national” governance. In Federalist Paper 64 Jay argued, “In proportion as the United States assume a national form and a national character, so will the good of the whole be more and more an object of attention, and the government must be a weak one indeed, if it should forget that the good of the whole can only be promoted by advancing the good of each of the parts or members which compose the whole.” Despite his preference for nationalism, however, Jay still argued on the basis of union as he believed a “national form” was best for “the good of the whole.”³⁷

Following Jay’s authorship in Papers 2 through 5, Hamilton began Federalist Paper 6 perpetuating the importance of union, but did so by focusing on union’s oppositional binary, disunion. As he explained, “the three last numbers of this paper have been dedicated to an enumeration of the dangers to which we should be exposed, in a state of disunion, from the arms and arts of foreign nations. I shall now proceed to delineate dangers of a different and, perhaps, still more alarming kind – those which will in all probability flow from dissensions between the States themselves, and from domestic factions and convulsions.” Dissensions, factions, and

³⁵ John Jay, Federalist No. 2, Oct. 31, 1787.

³⁶ Jay, Federalist No. 3, Nov. 3, 1787.

³⁷ Jay, Federalist No. 64, Mar. 5, 1788.

convulsions had been the cause of numerous wars and would remain common enemies to the American Union throughout its history, so it was important to avoid any form of government that made division possible. Although Hamilton uses nation with equal frequency to Jay's Papers, he used this Paper to discuss the value of republican governance. Hamilton asked his readers rhetorically, "Have republics in practice been less addicted to war than monarchies? Are not the former administered by MEN as well as the latter?" Despite this historic prevalence, "commercial republics, like ours," said Hamilton, "will never be disposed to waste themselves in ruinous contentions with each other. They will be governed by mutual interest, and will cultivate a spirit of mutual amity and concord." Hamilton spoke vigorously of the historic wars between republics fostered by commerce not to challenge the value in republican government but to show how the American Republic would remain uniquely united. Hamilton ends this Paper by quoting l'Abbé Mably's 1757 *Principes des Négociations* that argues, "NEIGHBORING NATIONS (says he) are naturally enemies of each other unless their common weakness forces them to league in a CONFEDERATE REPUBLIC, and their constitution prevents the differences that neighborhood occasions, extinguishing that secret jealousy which disposes all states to aggrandize themselves at the expense of their neighbors."³⁸ In other words, the close vicinity of the states required their union under a republican government to prevent war.

Proponents of the Constitution regularly argued that their plan would be more likely to prevent division or war. In his next Paper, Hamilton furthered his argument for union by answering the question, "What inducements could the States have, if disunited, to make war upon each other?" Hamilton concluded that if proper measures were not taken, "the peace of the States would be hazarded to the double contingency of external invasion and internal

³⁸ Hamilton, Federalist No. 6, Nov. 14, 1787.

contention.”³⁹ In Federalist Paper 8, Hamilton threatened that unless the republic as it then stood was changed, “we should, in a little time, see established in every part of this country the same engines of despotism which have been the scourge of the Old World.” To conclude, Hamilton calls for ratification of the “Constitution, the rejection of which would in all probability put a final period to the Union.”⁴⁰ It was a choice between union and disunion. This did not mean that republicanism was to be abandoned, either. Under the Articles, the United States was already a Republic, but republican government needed to be perfected in order to avoid the failures that were had by other republics in history. The Federalist Paper with the highest incidence wherein “republic” or “republican” government is used is Number 9, wherein Hamilton built upon his earlier rejection of the Old World. In this Paper Hamilton went further into showing historic examples of failed republics as the “means, and powerful means, by which the excellences of republican government may be retained and its imperfections lessened or avoided.”⁴¹ In other words, republican government could not only be maintained under the newly federal Constitution but would be perfected to ensure its perpetuity.

Madison followed up Hamilton’s discussion of republicanism with his own focus on the virtues and vices of republics and democracies, judging that republican governance was closest of all to that which best prevented faction – union. As another figure who could have understood post-structural theory and the importance of language, Madison examined the particularities within these two forms of government in the oft-quoted Federalist Paper 10. To Madison, it was not about which structure prevented faction altogether, but which “will be less apt to pervade the whole body of the Union” with vices. Madison accepted the idea that opponents of the Constitution may have also been in favor of union, nevertheless a union perhaps more factitious

³⁹ Hamilton, Federalist No. 7, Nov. 17, 1787.

⁴⁰ Hamilton, Federalist No. 8, Nov. 20, 1787.

⁴¹ Hamilton, Federalist No. 9, Nov. 21, 1787.

in nature. According to Madison, faction could amount to “a number of citizens, whether amounting to a majority or a minority of the whole, who are united and actuated by some common impulse of passion, or of interest, adverse to the rights of other citizens, or to the permanent and aggregate interests of the community.” In other words, though they advocated union, even if under a democracy, anti-federalists could still be acting in opposition to the rights and liberties that only union could protect. In Madison’s view, union prevented the vices of human nature from resulting in faction, but what form of union was perfect or, at least, more perfect? In a democracy, Madison saw that “men of factious tempers, of local prejudices, or of sinister designs, may, by intrigue, by corruption, or by other means, first obtain the suffrages, and then betray the interests, of the people.” Alternately, in a large republic, Madison believed, “you make it less probable that a majority of the whole will have a common motive to invade the rights of other citizens; or if such a common motive exists, it will be more difficult for all who feel it to discover their own strength, and to act in unison with each other.” As such, as Madison concludes, “the same advantage which a republic has over a democracy, in controlling the effects of faction, is enjoyed by a large over a small republic, – is enjoyed by the Union over the States composing it.” Madison finished this Paper by placing republicanism and federalism in what seemed to him to be a more perfect union. “In the extent and proper structure of the Union, therefore,” he argued, “we behold a republican remedy for the diseases most incident to republican government. And according to the degree of pleasure and pride we feel in being republicans, ought to be our zeal in cherishing the spirit and supporting the character of Federalists.”⁴² Federalism and republicanism each contained their merit, and combined, they could lessen the tyrannical diseases that resulted from human nature.

⁴² Madison, Federalist No. 10, Nov. 22, 1787.

The rhetorical battle waged by federalists (and anti-federalists alike) indicates their understanding of the importance of a strong signifier. Why would the federalists have spent so much time defending union, given that anti-federalists were likewise in favor of union? Regardless of the rhetoric they may have utilized concerning the type of government the new Constitution embodied, federalists had very little ideologically to offer that anti-federalists could not have argued was already in place. Under the Articles, there already existed a republican form of government with a federal authority in Congress which together maintained a single nation. Granted, differences in practice existed between the republican, federal, and national implications of both the Articles and Constitution, but these differences were as ambiguous as their rhetoric allowed. In the end, federalists and anti-federalists alike understood that outside of the rhetorical machinations over liberty, power and nature, there remained the importance of a signifier with some perception of real meaning. Union signified the desire of every American and no other rhetoric could replace it, either as signifier or signified. Hamilton, Jay, and Madison knew this and built their entire discourse on a foundation that could never fail.

IDEOLOGIES AND UNION

Considering that proponents of the Constitution took on the name federalists in their publications, it should be asked how they understood federalism. In Federalist Paper 23, Hamilton defended the Constitution, saying, “the POWERS are not too extensive for the OBJECTS of federal administration, or, in other words, for the management of our NATIONAL INTERESTS.” Is Hamilton linking federalism to nationalism, or is he saying that administration can be described as federal whereas interests can only be described as national? In the final line of this Paper, Hamilton shows that national interests exist regardless of the form of Union. The question was what kind of organization would oversee those interests. If the Constitution were

not adopted, Hamilton argued, “we cannot fail to verify the gloomy doctrines which predict the impracticability of a national system pervading entire limits of the present Confederacy.”⁴³ In other words, under a confederate government, the national interests of the union would fail to be maintained. Only under a federal system could they be preserved. Hamilton, therefore, used the term “federal” to denote an institution or ideology, whereas his use of “national” represents an identity or social force.⁴⁴ This bares the question as to what Hamilton meant by the term “union.” If there were no union between the states, could national interests or a national identity still exist? Without union there would be no national system. In Hamilton’s view, a federal administration was what was needed in order to act as “an energetic government; for any other can certainly never preserve the Union of so large an empire.”⁴⁵ Union, therefore, is neither an institution nor an identity, but a structure that determines whether such ideologies or social forces can exist. The opposite is also true, for without the proper institution or identity to maintain the structure, the union would also cease to exist.

Hamilton’s application of “federal” and “national” in the contexts of ideology and identity, respectively, are also found in Madison’s examination of the Constitution’s “republican” form. In Federalist Paper 39, Madison opened with an assessment of what could properly be termed as republican government. Pointing to historical examples of republics, Madison argued that their differences “show the extreme inaccuracy with which the term has been used in political disquisitions.” He then defined republicanism as a form of government operated or administered by persons selected by the people, whether directly or indirectly. “It is

⁴³ Hamilton, Federalist No. 23, Dec. 18, 1787.

⁴⁴ See David C. Hendrickson, *Union, Nation or Empire: The American Debate Over International Relations, 1789-1941* (Lawrence: University Press of Kansas, 2009), 4-5. Hendrickson sees “internationalism, nationalism, and imperialism ... as signifying either *ideologies* or *social forces*” and “‘empire,’ ‘nation,’ and ‘union’ ... as signifying either *institutions* or *identities*.”

⁴⁵ Hamilton, Federalist No. 23, Dec. 18, 1787.

essential to such a government,” he added, “that it be derived from the great body of the society, not from an inconsiderable proportion, or a favored class of it.” The question that this definition yields, however, is whether such a republican form would be derived of a national or federal character. Madison compared both federal and national government to show that the proposed Constitution created a perfect union of both. According to Madison, the “foundation on which it is to be established” rendered it federal, whereas the “sources from which the ordinary powers of government are to be derived” rendered it national. Whereas the foundation represents the ideological or institutional form of government, the sources refers to the social force of the people. In other words, “federal” referred to “political bodies” within the union, whereas “national” signified “individual citizens.” The Constitution formed a government that derived its power from the union of both. “Among a people consolidated into one nation,” he argued, “this supremacy is completely vested in the national legislature. Among communities united for particular purposes, it is vested partly in the general and partly in the municipal legislature.”⁴⁶

The government was to be formed, therefore, by the authority of a people united in the context of identity and social forces and states united by their ideology and institutions. Without union, however, neither national nor federal characteristics could exist within a republic. Consequently, by forming a federal and national republican government, concerns over state and individual rights were addressed. All that was left was whether the Union would also act as an empire.

Not only was nationalism combined with federalism through a separation of identity and ideology, but national identity was also utilized in combination with empire as an institution. Federalist Paper 19 discusses empires more than any other Paper, and herein is, at least, a partial explanation of how empire and imperialism were constructed in early American history. It is not entirely known who the author is of this Paper, though it is accepted by many scholars to be the

⁴⁶ Madison, Federalist No. 39, Jan. 16, 1788.

combined effort of Madison and Hamilton. Nevertheless, the authors of this Paper illustrated contemporaneous thoughts concerning imperialism by describing the history and formation of the Germanic empire. According to Madison and Hamilton, imperialism alone was not enough, because “the force of imperial sovereignty was insufficient to restrain such powerful dependents; or to preserve the unity and tranquility of the empire.” Whether of an imperial nature or not, what was important was union. The Paper later explains “that the empire is a community of sovereigns, that the diet is a representation of sovereigns and that the laws are addressed to sovereigns.” Given the emphasis on rulers rather than the ruled, the threat of faction within the empire increased whenever local interests came into play, even under the threat of invasion. The argument then placed the United States under the Articles of Confederation as a similarly governing empire wherein each state maintained its own sovereignty. As such, something more was needed to prevent America from becoming, like Germany, “a feeble and precarious Union.”⁴⁷ The next few Papers continued to explain failures or weaknesses in other confederacies, while promoting increased union under the authority of a national rather than imperial government to prevent faction.

It was under a national government that the interests of the ruled, rather than rulers, were believed to be secured in an empire. In Federalist Paper 22, Hamilton concluded the discussion in previous Papers by showing how a national empire could be constructed. He wrote, “The possibility of a question of this nature proves the necessity of laying the foundations of our national government deeper than in the mere sanction of delegated authority.” Empires of the past had failed because the people were bypassed when rulers kept power unto themselves. Without distancing himself from the notion that the United States embodied an empire, however, Hamilton argued, “the fabric of American empire ought to rest on the solid basis of THE

⁴⁷ Madison and Hamilton, Federalist No. 19, Dec. 8, 1787.

CONSENT OF THE PEOPLE. The streams of national power ought to flow immediately from that pure, original fountain of all legitimate authority.”⁴⁸ In other words, since the individual states represented their own sovereignty, as a united institution they formed an empire, but in order to preserve the empire, or Union, the operating ideology was to be national rather than imperial. This is not to suggest that imperialism never operated as an ideology in America’s political union, but it was meant not to be the focal point.

Since the empire was to be governed by a national ideology, even if the Union ever did engage in imperialism, the national government could still be maintained. Hamilton’s construction of nationalism is illustrated in his discussion of American’s fear of standing armies. To calm this fear, he suggested a focus on America’s national roots. He said, “Though in speculative minds it may arise from a contemplation of the nature and tendency of such institutions, fortified by the events that have happened in other ages and countries, yet as a national sentiment, it must be traced to those habits of thinking which we derive from the nation from whom the inhabitants of these States have in general sprung.” Hamilton then proceeded to give a brief history of the move against standing armies in Britain, whereupon he concluded, “From the same source, the people of America may be said to have derived an hereditary impression of danger to liberty, from standing armies in time of peace.”⁴⁹ Since the root of nation means birth, it seems logical to assume, given this statement, that Hamilton saw nationalism as being linked to heredity. It is likewise significant that he views the “national sentiment” as coming from “the people.” Under a national empire, therefore, the people of America were united by nature. If those of foreign heredity were ever to be incorporated within the Union, therefore, it would be nature that dictated whether they were considered people, or citizens.

⁴⁸ Hamilton, Federalist No. 22, Dec. 14, 1787.

⁴⁹ Hamilton, Federalist No. 26, Dec. 22, 1787.

Thus, when the American political union engaged in acts of imperialism the laws could continue to be seen in favor of the citizens linked by nature while creating categories of Otherness when considering those of a different race or ethnicity.

WRITTEN AND SPOKEN RHETORIC

While the newspapers were filled with political propaganda in the form of the Federalist Papers and opposing publications, outside the comfort of written rhetoric was the fiery spoken rhetoric that engulfed ratifying conventions. The Virginia Ratifying Convention held particularly strong debates as representatives meticulously pondered each clause within the new Constitution. Understanding the gravity of the situation, Virginia's delegates began slowly. On Monday, 2 June 1788, the Convention went under way. The activities of the first day were mainly administrative, whereupon it was ordered that "two hundred copies of the plan of federal government" be printed and distributed to members of the Convention, following which George Mason requested adjournment until the following day.⁵⁰ As the Convention reconvened on Tuesday, the administration of the debate was discussed and resolved. After setting the rules for the Convention, "Mr. [John] Tyler moved that the Convention should resolve itself into a committee of the whole Convention, to-morrow, to take into consideration the proposed plan of government, in order to have a fairer opportunity of examining its merits."⁵¹ Delegates in Virginia were not going to pass any bill of this importance without first having taken the time to read and carefully examine the proposed Constitution. Arguments for or against the Constitution needed time to be considered and carefully constructed. Early American politicians knew of the

⁵⁰ Elliot, *Debates in the Several Conventions*, 2nd Ed., Volume III, 2.

⁵¹ *Ibid.*, 3.

importance of rhetoric, especially in Virginia. It was here that such powerful orators like Patrick Henry and James Madison wielded their rhetorical swords for battle.

In every sense, the battle over the Constitution in Virginia followed the pattern of the debate between union and disunion that so often saturated the newspapers. On 14 June 1788, during Virginia's Ratifying Convention after considerable debate over the power to draw forth the militia, Madison argued that the states could not promise "general protection ... without a general power to use the strength of the Union." He followed this by suggesting that reason dictated the necessity of the Constitution, and then returned to the danger of faction against union:

If we review the history of all republics, we are justified in the supposition that, if the bands of the government be relaxed, confusion will ensue. Anarchy ever has produced, and I fear ever will produce, despotism. What was the state of things that preceded the wars and revolutions in Germany? Faction and confusion. What produced the disorders and commotions of Holland? The like causes. In this commonwealth, and every state in the Union, the relaxed operation of the government has been sufficient to alarm the friends of their country.⁵²

The record indicates that Madison spoke much more, but apparently not loud enough to be heard, or at least for the remainder of his speech to have been documented.⁵³ Nevertheless, following his remarks, Patrick Henry arose and brought to the floor the same rhetorical debate that modern scholars have engaged in concerning the labeling of the United States. "Mr. Chairman," Henry spoke, "it is now confessed that this is a national government. There is not a single federal feature in it. It has been alleged, within these walls, during the debates, to be national and federal, as it suited the arguments of gentlemen. But now, when we have heard the definition of

⁵² James Madison in Virginia Ratifying Convention, Jun. 14, 1788, in *Ibid.*, 394.

⁵³ *Ibid.*, 395, 415 & 439. For some reason, in numerous remarks of Madison's we find similar references to his speaking too softly to be heard. One must wonder if this was intentional on Madison's part or if particular persons meant to hear were within audible distance.

it, it is purely national.”⁵⁴ Political union was accepted by all, but the type of union in practice and ideology was where disagreement persisted.

Those in opposition to the Constitution were not necessarily opposed to creating a new constitution for the Union or even a national government so long as certain republican or federal principles truly did exist. They simply wanted certain checks against the despotism that so commonly accompanied human nature. Perhaps Henry’s opposition to a national rather than federal government was due to his fear that national meant giving in to the nature of man. Where state governments maintained greater control, Henry believed, representatives were less likely to accomplish evil designs. Following the Sunday recess, Henry opened Monday’s debate with another speech against the proposition that Congress have the power of raising armies, rather than leaving authority over the militia to the states. This contest between parties gradually evolved, however, to the point of discussing the degree to which Congress had power over the state, both in regard to policing and legislating. Once again, the issue was not one of union, but simply to what degree various departments had power within that union. The underlying concern then returned to human nature. Henry asked, “Will not the members of Congress have the same passions which other rulers have had? They will not be superior to the frailties of human nature.”⁵⁵ To place a check on the weakness of man, Henry desired that Congressional authority be limited and feared that any power not explicitly defined in the Constitution could then be exercised by an unrighteous body geographically removed from the states. A few minutes after Henry spoke, George Mason addressed similar concerns. He understood the dangers of human nature and, understanding the power or rhetoric, both that which is written and that which is implied, desired for a specifically written clause. “That Congress should have power to provide

⁵⁴ Patrick Henry in Virginia Ratifying Convention, Jun. 14, 1788, in *Ibid.*, 395.

⁵⁵ *Ibid.*, 437.

for the general welfare of the Union,” he said, “I grant. But I wish a clause in the Constitution, with respect to all powers which are not granted, that they are retained by the states. Otherwise, the power of providing for the general welfare may be perverted to its destruction.”⁵⁶ Following Mason’s remarks, Henry asked that articles eight through thirteen of Virginia’s Declaration of Rights be read. This request was not only aimed at securing the entire assembly’s attention to the importance of a Bill of Rights, but also to secure favor and acceptance of George Mason’s prior remarks, given that Mason was the principle author of the Declaration of Rights.

The remainder of the day’s debate focused on the degree to which a Bill of Rights should be required in the new Constitution, or at least rhetorically outlined to be left to the individual states. Henry arose again and asked for such a written declaration, reminding the body that such a statement was included when the Articles of Confederation were written. “How were the congressional rights defined when the people of America united by a confederacy to defend their liberties and rights against the tyrannical attempts of Great Britain?” he asked. Had Hamilton been at the Convention, he may have argued that if it had not been written to the letter, it certainly remained in spirit by implication. Henry would not have accepted this answer, though, arguing, “The states were not then contented with implied reservation. No, Mr. Chairman. It was expressly declared in our Confederation that every right was retained by the states, respectively, which was not given up to the government of the United States.”⁵⁷ No matter what spirit the Constitution was written under, Henry and many that agreed with him wanted to see the letter of the law, for only that which was rhetorically written could then be protected.

⁵⁶ George Mason in Virginia Ratifying Convention, Jun. 14, 1788, in *Ibid.*, 442.

⁵⁷ Patrick Henry in Virginia Ratifying Convention, Jun. 14, 1788, in *Ibid.*, 446.

PERPETUITY AND UNION

The Founding Fathers understood the fragility of union and the *isms* that perpetually threatened its preservation. If power was not balanced, the union would fall prey to the many *isms* common in nations, republics, and empires, particularly despotism, whether against individuals or states. The new American Union, therefore, was not to be viewed as an impenetrable fortress. Instead, Jefferson hoped “that they will amend it (the Constitution) whenever they shall find it work wrong.”⁵⁸ Washington, Hamilton, and Madison all made similar references to the possibility of amending the Constitution. Jefferson was in favor of term limits and perpetual checks on the status of the union. He was not alone in this desire, either, and the Constitution itself required that the President “shall from time to time give to the Congress information on the state of the Union.”⁵⁹ In addition, it was stipulated that the President give suggestions to Congress so that the Union could be maintained. In the very first State-of-the-Union address, President Washington advocated uniform policies regarding the military, naturalization, education and, perhaps most important, economy. “Uniformity in the currency, weights, and measures of the United States is an object of great importance, and will,” Washington assured, “be duly attended to.”⁶⁰ In his final State-of-the-Union, Washington reiterated some of these propositions, particularly with regard to establishing a national university and military academy. Aside from America’s deficiencies, however, he was pleased with “the success of the experiment” of union, and prayed “that the virtue and happiness of the people may be preserved, and that the Government which they have instituted for the protection

⁵⁸ Thomas Jefferson to Madison, Paris, Dec. 20, 1787, in Bailyn, *The Debate on the Constitution*, Part One, 213.

⁵⁹ “Constitution of the United States,” 1787, Article II, Section 3.

⁶⁰ Washington, “First State-of-the-Union,” Jan. 8, 1790, in Edward Boykin, ed., *State of the Union* (New York: Funk & Wagnalls Company, 1963), 11-12.

of their liberties may be perpetual.”⁶¹ Perpetuity was exactly what the Founding Fathers had in mind when forming the Union and requiring updates in the form of presidential addresses.

Following the American Revolution and the formation of the United States, intellectuals and elites sought to create a more perfect union with the goal of perpetuity in mind. How to do so was not entirely clear. As social tensions escalated following the war, it became clearer to more American leaders that a new form of union needed to be constructed. The Constitutional Convention of 1787 sought to create this union according to their contemporaneous understanding of political identity as well as social forces. The political identity of America resulted in an institutional organization that included the executive, legislative, political and judicial actions of those in power. This was balanced according to the social forces of individuals and states using various ideologies, including federalism, nationalism, republicanism, and even imperialism. Early American leaders understood, however, that these actions were not all that were needed in order to solidify their union. Whatever institutions and ideologies they incorporated, such would need to be built upon the foundation of union, otherwise faction would continue to threaten the rhetoric that constructed a “more perfect” and “perpetual” union. Washington made his support of the Constitution as a means of union very clear when he wrote a letter to Charles Carter that was subsequently published to all. In it he wrote, “The constitution or disunion is before us to choose from.”⁶² Washington placed the Constitution as being equal to union, and this rhetorical posturing is exactly how the Federalist Papers were constructed in trying to convince the states to choose between ratification and division. It was their argument that the Constitution was written for nothing less than forming “a more perfect union.”

⁶¹ Washington, “Eighth State-of-the-Union,” Dec. 7, 1796, in *Ibid.*, 31-33.

⁶² Washington to Charles Carter, Dec. 14, 1787, in Bancroft, *History of the Formation of the Constitution*, Vol. II, 280.

BIBLIOGRAPHY

- Anderson, Benedict. *Imagined Communities: Reflections on the Origin and Spread of Nationalism*, Revised and Extended Ed., 2nd Ed. London, Verso, 2006 [1983].
- Bailyn, Bernard, ed. *The Debate on the Constitution*, Part One. New York: Library of America, 1993.
- Bailyn, Bernard. *The New England Merchants in the Seventeenth Century*. Cambridge: Harvard University Press, 1979 [1955].
- Bancroft, George. *History of the Formation of the Constitution of the United States of America*, Volume I. New York: D. Appleton and Co., 1882.
- Bancroft, George. *History of the Formation of the Constitution of the United States of America*, Volume II. New York: D. Appleton and Co., 1889.
- Beard, Charles A. *An Economic Interpretation of the Constitution of the United States*. New York: The MacMillan Co., 1921.
- Boykin, Edward, ed. *State of the Union*. New York: Funk & Wagnalls Company, 1963.
- Chernow, Ron. *Alexander Hamilton*. London: Penguin Books, 2004.
- Collier, Jane Fishburne. *Marriage and Inequality in Classless Societies*. Stanford: Stanford University Press, 1988.
- Elliot, Jonathan, ed. *The Debates in the Several Conventions on the Adoption of the Federal Constitution*, 2nd Ed., Volume I. Philadelphia: J.B. Lippincott Co., 1891.
- Elliot, Jonathan, ed. *The Debates in the Several Conventions on the Adoption of the Federal Constitution*, 2nd Ed., Volume III. New York: Burt Franklin, 1888.
- Hendrickson, David C. *Union, Nation or Empire: The American Debate Over International Relations, 1789-1941*. Lawrence: University Press of Kansas, 2009.
- Hollinger, David A. and Charles Capper, eds. *The American Intellectual Tradition*. Cambridge: Oxford University Press, 1993.
- MacCormack, Carol P. and Marilyn Strathern, eds. *Nature, Culture and Gender*. Cambridge: Cambridge University Press, 1980.
- Moody, Robert E. Review of *The Birth of the Republic, 1763-1789* by Edmund S. Morgan. *The New England Quarterly* 30, no. 4 (Dec., 1957): 532-534.
- Morgan, Edmund S. *The Birth of the Republic, 1763-1789*. Chicago: University of Chicago Press, 1956.
- Nash, Gary B. *The Forgotten Fifth: African Americans in the Age of Revolution*. Cambridge: Harvard University Press, 2006.
- Paullin, Charles Oscar. *Diplomatic Negotiations of American Naval Officers, 1778-1883*. Baltimore: Johns Hopkins Press, 1912.

- Peterson, Merrill D., ed. *Thomas Jefferson: Writings*. New York: Library of America, 1984.
- Pippenger, Wesley E. and James D. Munson, eds. *The Virginia Journal and Alexandria Advertiser*, Volume IV. Westminster, MD: Heritage Books, 2001.
- Robertson, David Brian. *The Constitution and America's Destiny*. Cambridge: Cambridge University Press, 2005.
- Schlesinger, Sr., Arthur M. *New Viewpoints in American History*. New York: The MacMillan Co., 1922.
- Scigliano, Robert, ed. *The Federalist*. New York: The Modern Library, 2000.
- Shays' Rebellion and the Making of a Nation*. Springfield Technical Community College. <http://www.shaysrebellion.stcc.edu/>.
- Simons, Sarah E., ed. *American Literature Through Illustrative Readings*. New York: Charles Scribner's Sons, 1915.
- Sparks, Jared, ed. *The Writings of George Washington*, Volume IX. Boston: Russell, Odiorne, and Metcalf, and Hilliard, Gray, and Co., 1835.
- Syrett, Harold Coffin, ed. *The Papers of Alexander Hamilton*. New York: Columbia University Press, 1962.
- Szatmary, David P. *Shays' Rebellion: The Making of an Agrarian Insurrection*. Boston: University of Massachusetts Press, 1980.
- Turner, Frederick Jackson. *The Frontier in American History*. New York: Henry Holt and Co., 1920.
- Warner, Michael. *The Letters of the Republic: Publication and the Public Sphere in Eighteenth-Century America*. Cambridge: Harvard University Press, 1990.
- Wright, Esmond. Review of *The Birth of the Republic, 1763-1789* by Edmund S. Morgan. *The English Historical Review* 73, no. 288 (Jul., 1958): 537-538.
- Zarefsky, David. "Four Senses of Rhetorical History." *Doing Rhetorical History: Concepts and Cases*. Kathleen J. Turner, ed. Tuscaloosa: The University of Alabama Press, 1998.