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**BETWEEN THEM AND THE SKY:
THE CONSTITUTIONALITY OF CLASSIC AMERICAN LITERATURE
by
MITCH MELTZER**

**A dissertation submitted to the Graduate Faculty in English in partial
fulfillment of the requirements for the degree of Doctor of Philosophy, The
City University of New York**

2002

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Abstract**BETWEEN THEM AND THE SKY:
THE CONSTITUTIONALITY OF CLASSIC AMERICAN LITERATURE****by****Mitch Meltzer****Adviser: Professor Angus Fletcher**

The argument of this thesis is that the Constitution of the United States has had a determinative effect on the group of writers responsible for what has since become known as the American Renaissance. The peculiar process of self-constituting engaged in by the American states after the Revolution created what this thesis refers to as a “secular revelation,” that is a paradoxical legal instrument that on the one hand insists on its thorough-going secular character, yet on the other assumes an almost-miraculous, revelational authority. Such a joining of antinomies is by its nature not resolvable, resulting in neither a secularized revelation, nor a revelation-fired secularity, but a consciousness of incommensurate realities—as though an awareness of a coin’s two sides, notwithstanding that neither side can be seen in the presence of the other. Thus the settlers could initiate a quasi-mythic origin, a kind of foundation without a

foundation, a foundation in mid-air, upon which to build their new polity and new national identity.

With the founding generation passing, Lincoln faces the paradox of their secular revelation and commands an absolute dependence upon obedience to the law as a way of limiting the danger of new, innovative revelation. Lincoln can be said to save the revelation of the Constitution by trying to limit the force of revelation, while Emerson at roughly the same time argued for saving the paradox at the risk of new, unsettling revelation. If Lincoln could be said to fix the political heritage of the Constitution, Emerson opened up the full cultural significance of that founding paradox. Thus in Emerson, as in those who followed him, there is a procedure of paradox, a fondness for self-contradiction, and with it a tendency toward the essayistic. The response to this procedure varies—from a matter of grateful acceptance, as in Whitman, to a half-horrified perplexity, as in Melville—but in either case gives birth to what the Americans had been long searching, a new, distinctive note of literary presence.

Acknowledgments

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I wish to thank as well both Professor Jacqueline Di Salvo and Professor Joan Richardson for their careful and critical responses to this thesis. Professor Richardson, in her capacity as Executive Officer, helped me as well past the many time-hurdles I kept running into rather than over.

For their patiently persistent encouragement and the great gift of their friendship, I am grateful to Steven Goldberg, Marc Kaminsky, Derek Miller, Alan Rosner, and the late Carol Saltus.

How much I owe my wife, Laurie, and my two almost-perfect children, Benjamin and Rebekah, they will never altogether grasp. All I can do is thank them, with all my heart.

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Abbreviations

Emerson

Emerson, Ralph Waldo. Essays & Lectures. ed. Joel Porte. New York: Library of America, 1983.

ECW

Emerson, Ralph Waldo. The Collected Works of Ralph Waldo Emerson. ed. Robert E. Spiller. Cambridge: Harvard UP, 1971-.

EJ

Emerson, Ralph Waldo. Emerson in His Journals. ed. Joel Porte. Cambridge: Harvard UP, 1982.

Frame

Montaigne, Michel de. The Complete Essays of Montaigne. trans. Donald M. Frame. Stanford: Stanford UP, 1965.

JMN

Emerson, Ralph Waldo. Journals and Miscellaneous Notebooks. ed. William Henry Gilman, Ralph H. Orth, et al. 16 vols. Cambridge: Harvard University Press, 1960.

MC

Melville, Herman. Correspondence. ed. Lynn Horth. Chicago: Northwestern UP, 1993.

Paine

Paine, Thomas. Collected writings. ed. Eric Foner. New York: Library of America, 1995.

Whitman

Whitman, Walt. Complete Poetry and Collected Prose. ed. Justin Kaplan. New York: Library of America,

Introduction

We have it in our power to begin the world over again. A situation, similar to the present, hath not happened since the days of Noah until now. Tom Paine¹

Above the atmosphere they live in, above the heads of all the American poets, and between them and the sky, floats the Constitution of the United States and the forms of English literature. John Jay Chapman²

This thesis presents an argument for the central relevance of the Constitution of the United States to the distinctively American literature created in what F. O. Matthiessen called “one extraordinarily concentrated moment of expression,” a moment he named American Renaissance (1941). Matthiessen discussed five classic American writers—Emerson, Thoreau, Hawthorne, Melville, and Whitman—to whom all critics would now likely add, at a minimum, Emily Dickinson as a sixth. This argument will draw its illustrative material from Emerson, Whitman and Melville, one each from the three pairs of essayists, poets and novelists, on the assumption that if what is said applies significantly to all

three, then there is good reason to think it is of some substantial relevance to the others.

The Constitution, though it forms the foundation of the American polity, is from a literary point of view the plain cousin of the better known, more eloquent Declaration of Independence, so much so that phrases from the latter—"all men are created equal;" "life liberty and the pursuit of happiness"—are often assumed to be in the former. That this doggedly pedestrian legal instrument should be cited as central to any literature, least of all such strange inventions as "Self-Reliance," "Song of Myself," and Moby Dick, and that it should do so in the guise of a "secular revelation," will require some preliminary explanations.

First, what this argument offers is a theory, a theory that adduces the Constitution as the cause of certain shared and distinctive literary qualities in all of these works, and other works by their respective authors. A theory about literary qualities, or more generally about literature, is not a work of 'literary theory' as the term is now used. Jonathan Culler in his pithy Literary Theory: A Short Introduction (1997) begins by acknowledging that "theory in literary studies is . . . a body of thinking and writing whose limits are exceedingly hard to define," and settles on a general description of 'theory' as designating "works that succeed in challenging and reorienting thinking in fields other than those to which they apparently belong." Though he tells us they may form some part of it, what "theory in literary

studies is not [is] an account of the nature of literature or methods for its study."² What is meant by a theory as proposed in this thesis is the kind of hypothesis, or series of connected hypotheses, that a chemist or a social scientist might have in mind—in other words, an attempt to offer an empirically verifiable, causative description of some set of agreed-upon data.

The data, in this case, is commonly perceived aspects of particular literary texts. Much of the material examined in this thesis, therefore, is already deeply familiar, and I do not belabor the characterizations of the texts or the general period that produced them. Though there is no shortage of lively debate among critics, there is nevertheless a very large area of agreement rehearsed in shelf upon shelf of interpretive works, and in countless essays and articles. I do not offer new critical evaluations of the authors I cite, nor do I engage in much that could be described as interpretation. What I do offer is a theory that proposes the Constitution as the contextual agent behind these particular literary phenomena. There is no attempt at the kind of rigorous quantification that a theory in the sciences would likely produce, but only because the nature of the data will not allow it.

Although this thesis discusses the Constitution, it is not therefore an argument for the sake of political theory as such. Like any other ideas, those expressed here have behind them, no doubt, political assumptions,

but for the purposes of this argument these are matters of secondary rank. The Constitution has often been surrounded by a rather triumphalist pride in American political stability and longevity that any mention of it is likely to stir some shade of that pride, or just as likely, an objection to any such assumption. The focus here is upon the Constitution as a cultural given of American identity. No matter how bitter the arguments about it, “anti-Constitutionalism” is a neologism we can find little use for in American history; it should be recalled that even during the Civil War, a murderous constitutional argument, neither opposed the Constitution, only the other side's shredding of its fabric.

As is always the case, some considerations must be bracketed for the sake of pursuing a theory. Thus many terms—from ‘American’ itself, to ‘new world’ and ‘literature’—are left uncontested, and there are likewise perspectives that are adopted for the purposes of the theory that one may otherwise wish to reject. I have, for instance, been at times acutely aware that all which I have discussed under the rubric of “initiation” and “beginning” were, from the perspective of the inhabitants of North America, much closer to tragic ‘endings.’

**

Few critics and scholars of American literature have had anything to say about the Constitution, notwithstanding the sea change in literary study

of the past few decades that has brought a new and aggressive insistence on political perspectives and, in part because of it, a deepening interest in interpretation--its methods, modes, and rationales. As Nietzsche taught, and churches and courts the world over daily confirm, interpretation is one of the manifestations of a will to power. It is a method for negotiating disagreements and differences--between the old and the new, between this text and that, their reading and yours, your understanding and mine. Among its secondary effects, interpretation tends to gather all the objects of its attention into one vast accumulation of verbal artifacts, so vast, potentially, that the idea of 'literature,' under the pressure of interpretation, has gradually yielded to the more abstract and amorphous notion of 'culture,' or 'cultural work.' There has developed as well, lending some sense of coherence and purpose to this imposing and capacious 'canon,' an interdisciplinary interpretive thematics, centering on the determining force of language, and taking as crucial the deeply political issues--(though not necessarily politicized)--arising from the often hidden language of gender, race, and class. Thus the Constitution would seem, in many respects, an ideal object of study.

After all, few if any texts of the modern world have begot an interpretive practice denser, more diverse, or methodologically more self-conscious. And the text is possessed of so potent a political aura that a nation submits to it as its ultimate authority. Moreover, as the world's first

written constitution, and itself an act of union, it forces not only questions about the place of language and interpretation in the new republic, but in its conscious attempt to unify conflicting interests and perspectives-- conflicting states, conflicting sources of power, conflicting levels of authority--it raises fundamental questions about identity itself, suggesting a dynamic of active, yet counter-balancing forces, as the paradoxical model for union, and thus identity. Given all this, and the document's governing presence at the very center of American identity, it is surprising that the Constitution is so little thought of in connection with the study of American literature.

Michael Warner in The Letters of the Republic presents a very thoughtful and persuasive understanding of the Constitution as central to what his subtitle well describes, Publication and the Public Sphere in Eighteenth Century America. His penetrating analysis of the text begins with the fundamental question: "Why is the ground of legality, and thus of coercion [in the United States], an official hermeneutics of a written text?"³ His answer makes a significant contribution to any understanding of the Constitution's textual status, and thus of potential relevance to the study of American literature. And indeed, Warner does offer a reading of early American novels, although he treats them not as literature in the more specialized sense of our "liberal aesthetic," a sense according to Warner not yet active in the 1780's and 1790's, but as products of the print-

created republican public sphere. As a group, these novels implicated in the textual status, or more accurately the status of textuality, or the “printedness”, of the Constitution, but they all likewise share a deep anxiety that their own verbal play poses a threat to that very public sphere in which they understood their own work to function. The works of most concern to me, the classic texts associated with the beginnings of a distinctive American literature, primarily result, according to Warner, from the very easing of that anxiety, an easing accomplished by “the joint triumphs of literary publishing and nationalism in the liberal society of the nineteenth century.”⁴

Christopher Gustafson, in a chapter devoted to the Constitution in Representative Words: Politics, Literature, and the American Language, 1776-1865, does end with reference to a link between the founding document of the nation and its classic literature:

More than the Declaration, the Constitution is the ground of American Renaissance literature. The conflicts between union and liberty, freedom and slavery, the tyranny of the majority and the rights of the individual, the protection of regional identity (states' rights) and the quest for national identity (consolidation) and between property rights and human rights: these moral and political conflicts, inscribed in the text of the Constitution, take form first as the stuff of textual battles in the

constitutional crises of the nineteenth century and then, inscribed in the plots, as the stuff of American Renaissance literature.⁵

This interesting claim, although unfortunately neither clarified nor developed, and seemingly limited to constitutional issues reworked in “plots,” does nevertheless stand as a testament to one critic’s sense that the Constitution significantly registers in later American literature, and to a greater degree than the more commonly cited “Declaration of Independence.”

A few critics, notably Allen Grossman and Kerry Larson, have offered specific insights into the way constitutional politics, and the issues of union and consensus, are manifested, or paralleled, in the poetics of Walt Whitman. And students of literature have given thorough readings of the Constitution itself in regard to the artfulness of its political rhetoric. Robert Ferguson’s discussion of the “literary configuration” responsible for a dozen first rank works of a “civic” or “consensual literature”, beginning with the “Declaration of Independence” and including the Constitution of 1787 is an exemplary instance. The Framers, according to Ferguson, constructed a politically workable “official language” with which they composed a “literature of public documents...in a creativity of almost unlimited effectiveness.”⁶ Most often, however, when the Constitution is mentioned in a larger American literary or cultural context, it serves

primarily as a reminder of general linguistic issues, and the preeminent place interpretation must serve in such a constitutional union.

**

The thesis is divided into three parts, each of which is subdivided into five sections. The first part argues for a view of the Constitution as a secular revelation. The term 'secular' is most often used to mark a distinction from the religious, or the more strictly religious. Christian Europe distinguished between regular clergy, who were bound the religious rule of an order, and the secular clergy who were not. Secular likewise pointed to any realm more associated with the world than with the Church, a somewhat more neutral synonym for profane, since unlike the root meaning of profane—pro fanus, outside the temple, or impious—secular comes merely from saeculum, the notion of age, or generation.

But there is a stronger sense of secularity, and it is this stronger sense that informs the idea of a "secular revelation." This sense is illustrated by a statement in a recent Western Catholic Reporter, Canada's largest weekly religious newspaper: "We need," the editors explained, "to send missionaries into secularity in the same way we once sent them to faraway countries."⁷ Secular need no longer refer to one half of a binary opposition secular/religious, but rather to the idea of a world simply devoid

of religion, without any commitment to what Freud called the “oceanic feeling” of divinity, indeed without any sense of the divine, or the religious, whatever. A world that remains to that Canadian paper wholly alien, a faraway country.

What is strange about this idea of the secular is how relatively new it is. Religion had always seemed as ancient as the hills, forming the ligatures of belief that bind (religare) together any social community. Not necessarily so in the modern world. For the last century or two, there have been many people—from highly sophisticated intellectuals to ordinary and rather ignorant folk—who maintain that not merely is this or that religion is untenable, but that all religion, and all religious feeling, whatever is unquestionable and absolute, is superfluous, and no necessary part of human imagination.

Revelation is the sudden appearance of precisely this sort of absolute authority, what a strictly secular world cannot contain. Thus a secular revelation is a deep paradox, one that allows of no resolution, each half of the paradox denying the other. Such a paradox is close to what logicians call a paradox of categorization, for instance the paradox of light appearing sometimes as a particle and sometimes as a wave. These are antinomies that must remain as if facing in opposition, each perspective decisively occluding the other.

Having established the Constitution as such a paradox, the thesis in its second part describes the first half century or so of American literature and how it responded to being a nation constructed from paradox. It comes to consider two speeches, one by Lincoln and one by Emerson, which seem to set the terms of the Constitution's assimilation to American political, and literary, culture, respectively. At the end of this second part is both a statement of the theory of the constitutionality of classic American literature, and a set of predictions about what literary qualities one would expect to find if the theory were true.

The third and final part of the thesis is a series of short essays in which those predictions are tested against the work of Emerson, Whitman, and Melville.

NOTES FOR INTRODUCTION

¹ Paine, Collected Writings, p. 52-53.

² Chapman, p. 143.

³ Culler, p. 3

⁴ Warner, p. 97.

⁵ Warner, p. 176.

⁶ Gustafson, pp. 295-296.

⁷ Ferguson (1984), p. 495

⁸ Found on the Western Catholic Reporter's web page--
<http://www.wcr.ab.ca/index.shtml>—on November 2, 2001.

I. The Constitution of the United States as a Secular Revelation

1. At the Beginning

To the early American farmer St. John de Crevecoeur's famous question of "What then, is the American, this new man?" the modern American art critic Harold Rosenberg provides a helpful commentary: "To be a new man is not a condition but an effort—an effort that follows a revelation in behalf of which existing forms are discarded as irrelevant or are radically revised."¹ What, then, is this New World? The dream of a world of newness is millennia older than what Europe named the New World.² Finding access to a pristine realm, a world fresh from Creation, is among the most ancient of human desires, whether named Arcadia or the Garden of the Hesperides, the cherubim-guarded Eden or the lost continent of Atlantis. When the European Renaissance with its burning curiosity and enflamed acquisitiveness sent men ranging across oceans to the new found lands of America, it seemed as if they had transported this timeless mythic wish into the unadorned light of history. What seemed an unreachable fantasy had suddenly appeared as a place that could be charted on a map, and explored. The pious Humanist Thomas More, not two decades after Columbus's first voyage, called his imagined version of life in the New World, as if in half-playful disbelief, No Place (Utopia), in the

original Latin). And in the next century, John Locke could proclaim, with neither skepticism nor irony, "In the beginning all the world was America."³

But for those who came not to explore the New World, but to settle it—at least the part of it which would become the mainland British colonies, with which this thesis is exclusively concerned—this unprecedented merging of the mythic and the historical resulted in what may appear as some very odd effects. Most strikingly, perhaps, is that within less than a century, that settlement's developing societies began to experience some of the peculiar aspects of the unhoused condition we call modernity. The historian Jon Butler in a masterful survey of the colonies from 1680 to the verge of the American Revolution goes so far as to describe these mainland colonies as "distinctively modern":

They became ethnically and nationally diverse, not homogenous. They developed transatlantic and international economies that supported a vigorous domestic trade and production. Their politics looked ahead to the large-scale participatory politics of modern societies. They exhibited the modern penchant for power, control and authority over both humanity and nature that brooked few limitations or questions about their propriety. And they displayed a religious pluralism that dwarfed the mild religious diversity found in any early modern European nation.⁴

Thus just as Crèvecoeur's new man reflected not merely a passive condition but demanded an active stance, so did this newness of the new world, for the settlers' Edenic fantasies notwithstanding, they had not returned to their origins. In marked contrast to the long-settled humanity (the "natives") they found here, the Europeans suffered the lack of what the religious historian Mircea Eliade has called an illud tempus (a "that time"), in other words, a mythic origin, in their New World. Such an origin, passive in nature, and so distant as to be clouded by layers of mystery, is what Thomas Mann describes in the mythical prologue to his Biblical epic, Joseph and His Brothers: "Very deep is the well of the past. Should we not call it bottomless?"⁵ It is just such an origin that Edward Said helpfully distinguishes from a mere beginning.⁶ Beginnings are, in contrast to origins, precisely of the here and now; they are the very mark of contingency. Active and purposeful, beginnings lack both depth and shadows, and must suffer the all-present, moment-by-moment surface of the Now, without "the authority of the eternal yesterday."⁷ The approach to an origin is controlled by ritual, available only at sanctified times through sanctified means; a beginning is available at any moment, a possibility whenever and wherever there's a mind, and will, to make one.

It is not surprising, then, that questions of legitimacy continually arose for the European settlers. Michael Kammen points to "the early American obsession with land titles and with surveying" and "the quest for

accurate boundaries” as “part and parcel of the quest for social and cultural norms and for stable political institutions.”⁸ However much the early settlers felt themselves “in the beginning,” this did not relieve them of the need to establish some ground of legitimacy. Nor was this need exhausted with beginning again and again, not least because the vast diversity of the North American continent’s landscape and climate did to them what it had done to the native settlers thousands of years earlier, fractured them into different and distinct societies.⁹ Spread along a narrow band of the eastern seaboard, the settlers formed separate and distinct societies arising both from the local conditions, and from the regional folkways they brought with them.¹⁰

There was not, however, a similarly great variety in the means by which they establishing these beginnings. They did not begin demarking their various boundaries, by erecting pillars, nor by marking out temple grounds. They did not heap stones, or pile mounds of earth. They did, of course, engage in profound works of physical habitation—the first arrivals on Cape Cod had within decades consumed the forests and removed the topsoil, leaving the sand dunes that still stand today; and everywhere the native peoples, where they impeded that habitation, were cleared with a similar decisiveness and ruin—but for their conscious beginnings they clung to the use of language. In part a legacy of the Puritan covenant theology, in part from the roots of Hebraic text-centeredness, itself derived

from Platonic idealization, and in part the rise of enlightenment with its notion of objectivity and articulate reason as opposed to the hearsay of tradition—for some combination of these reasons and others, the new world settlers distinctively exercised their capacity to begin by means of words.

The peculiar status of language for the mainland colonists has been long recognized, and in recent decades given ever-increasing emphasis. To critics like Christopher Looby in his Voicing America, and Jay Fliegelman in Declaring Independence, it was the orality of speeches, sermons, and publicly declaimed documents that gave language its special generative potency in the minds of the settlers; to other critics—of recent note Michael Warner in The Letters of the Republic and Larzer Ziff in his survey of Writing in the New Nation—it was specifically the printed word in which the crucial initiating force of language inhered.¹¹ In either case, as if in compensation both for the stark absence of those physical monuments and immemorial landmarks that give order to both inner and outer landscape, it seems that for these settlers it was language itself, their very words which they had carried with them, that had become invested with a vast, inherent New World authority.

This attitude to language has been often traced to the Bible-obsessed New England Puritans, who had, after all, devoted themselves to an almost rabbinic textual engagement, seeking to construct their daily

social and political lives upon an authoritative understanding of the Word of God.¹² Benjamin Franklin, a child of Boston, well represents this emphatic linguistic orientation, as he well represents so many aspects of colonial American culture. As a young man of 23, and in perfect health, he had composed his now celebrated epitaph:

The Body of
B. Franklin,
Printer;
Like the Cover of an old Book,
Its Contents torn out,
And stript of its Lettering and gilding,
Lies here, Food for Worms.
But the Work shall not be wholly lost:
For it will, as he believe'd, appear once more,
In a new & more perfect Edition, Corrected and amended
By the Author.¹³

Almost like a metaphysical poet of a century earlier, the young Franklin so straddles the line between inherited piety and the wit of new learning, that it is difficult to know whether what he is evincing here is his devotion to traditional religious categories, or to the new world of letters and learning. Indeed, so consistent is his imagined relation to language, that fully half a century later, addressing his son with the first part of his

Autobiography, Franklin using the same image, remarks upon the blessedness of his life: "That Felicity, when I reflected on it, has induc'd me sometimes to say, there were it offer'd to my Choice, I should have no Objection to a Repetition of the same Life from its Beginning, only asking the Advantage Authors have in a second Edition to correct some Faults of the first."¹⁴ He begins this Autobiography with an account of "this obscure Family of ours," by highlighting two sets of facts for each of his forbearers: their religious affiliations and, otherwise inexplicably, the quality and quantity of the literary productions, in prose or verse, such as they were, for not a one of them could be described as a writer, or even a practitioner of Franklin's own profession of printing. It seems as though whatever work in language they had left behind gave these distant Old World relations whatever New World substantiality Franklin could imagine for them.

Yet Ben Franklin was himself already a late manifestation of the significance and legitimacy attributed to linguistic acts in the mainland British colonies. From the earliest settlements the colonists had begun their new lives through documents: by swearing Agreements and Oaths, entering into Covenants, devising Compacts and Constitutions, composing Fundamentals and Charters, penning Orders and Frames of Government. A "Catalogue of American Founding Documents" assembled by the political scientist Charles Lutz lists close to one hundred and fifty such

verbal beginnings, all but the last eighteen dating from before the era of the American Revolution.

The Revolution itself had begun not with the shot at Concord which Emerson a half century would describe as “heard round the world,” nor on the heels of any particular outrage by the British King or his troops, but by the widespread reading of Tom Paine’s pamphlet, Common Sense.¹⁵ George Trevelyan in his History of the American Revolution went so far as to claim that “it would be difficult to name any human composition which has had an effect at once so instant, so extended and so lasting.... It worked nothing short of miracles and turned Tories into Whigs.” Even granting Trevelyan’s Whig sympathies, Common Sense has often been described as the single most successful political pamphlet in Western history. Certainly many of Paine’s contemporaries had a similar conviction. General Washington credited its “sound doctrine and unanswerable reasoning” for persuading many “to decide upon the propriety of separation.” Washington’s fellow Virginian Edmund Randolph described its effect more plainly still: “the public sentiments which a few weeks before [the publication of Common Sense] had shuddered at the tremendous obstacles, with which independence was environed, overleaped every barrier.”¹⁶ Yet it is no diminishment of Paine’s great stylistic achievement—relying, as Gordon Wood has pointed out, on his readers knowing nothing more than the Bible and the Book of Common

Prayer—to insist that its extraordinary impact depended upon a population unusually susceptible to verbal articulation and argument.¹⁷ Thus the young Washington Irving drew on a long heritage when, towards the end of Jefferson's presidency, he made comic satire of a language-mad new nation, having his fictional visitor from the East, Mustapha Rub-A-Dub Keli Khan, write home about this strange logomanical world:

To let thee at once into a secret, which is unknown to these people themselves, their government is a pure unadulterated LOGOCRACY or government of words.... Every offensive or defensive measure is enforced by wordy battle; and paper war; he who has the longest tongue, or readiest quips, is sure to gain the victory—will carry horror, abuse and ink-shed into the very trenches of the enemy, and without mercy or remorse, put men, women, and children, to the point of the –pen!¹⁸

And again, a decade later, in The History of New York Irving's Dutch historian Dietrich Knickerbocker introduces the British settlers by explaining to his readers just what kind of freedom had motivated their setting out from the Old World:

their liberty of conscience likewise implied liberty of speech....so that rather than submit to such horrible tyranny they one and all embarked for the wildernesses of America,

where they might enjoy unmolested, the inestimable luxury of talking.... the simple aborigines of the land for a while contemplated these strange folk in utter astonishment...and gave them the name of Yanolkies, which in the Mais-Tchusaeg (or Massachusett) language signifies silent men—a waggish appellation, since shortened into the familiar epithet of YANKEES, which they retain unto the present day¹⁹

It is tempting to see the mark of beginning for the new nation, its central linguistic act, in the Declaration of Independence from Britain. Indeed, Jacques Derrida in a brief essay, “Declarations of Independence” has described the Declaration as a kind of “declarative act which founds an institution.”²⁰ Jefferson wrote, in the name “of the Representatives of the united States of America,” those scattered “inhabitants of America” whom Paine addressed in Common Sense: “That these United Colonies are, and of Right ought to be Free and Independent States; that they are Absolved from all Allegiance to the British Crown, and that all political connection between them and the State of Great Britain, is and ought to be totally dissolved.”

And Jefferson’s eloquent phrases--“self-evident” truths, “unalienable Rights,” “Life, Liberty and the pursuit of Happiness”—are often cited as representing most powerfully the Founding era’s expressive achievement. They seem to capture the very moment of the peoples’ inspired self-

discovery. It is a matter of historical fact, however, that the Declaration served no such function. Pauline Meier in her illuminating study of the Declaration's reception has shown what comparatively little significance the document possessed to its contemporaries.²¹ In itself, the Declaration created nothing. It marked an end, rather than a beginning. The old regime had now come formally to a close.²² Maier describes how every sign and symbol of the monarchy, from taverns to churches, suffered a thorough destruction amid the celebratory glee that greeted Congress's announcement of independence. In New York City the rebels transformed a gilded equestrian statue of George III into American lead bullets. But it was not Jefferson's document that ignited these crowds: the Philadelphia papers had published the news of independence on July 2, while Jefferson's draft was still being debated, and the news had traveled quickly to the other colonies. The words of the Declaration of Independence merely confirmed the deed. Only in retrospect—some decades later—did Jefferson's universalizing eloquence appear to exert what the linguistic philosopher J. L. Austin would call a performative force, enacting what it articulated. Pauline Meier sums up the evidence, and her own surprise, thus:

What were the Americans celebrating with their processions, their ceremonial bonfires, their "illumination," the firing of guns and ringing of bells, the printed pages that they "fixed up" on the walls of their homes?

The news, not the vehicle that brought it; Independence, the end of monarchy, and the assumption of self-government, not the document that announced congress's decision to break with Britain. Considering how revered a position the Declaration of Independence later won in the hearts and minds of the American people, their disregard for it in the earliest years of the new nation verges on the incredible.²³

The colonies had declared what they were not: they were no longer British; but what were they, and what were they to be? There was neither the time, nor the inclination, to address such questions when independence itself had still to be earned on the battlefield.²⁴ When they did act to establish their legitimacy it took the form of constituting their former colonies as states. Virginians did not imagine themselves sharing an identity with the inhabitants of Massachusetts, nor did either people conceive themselves as constituting one nation with Pennsylvanians, nor Pennsylvanians with New Yorkers.²⁵ It had been a mere three years since the very first meeting of a Continental Congress, of which more members had been to London than had ever set foot in the Congress's Philadelphia, North America's largest city. Indeed, amid the business of declaring independence in Pennsylvania, Jefferson had written to friends in Virginia how difficult it was at such a time to be so far from "my country."²⁶

When the colonists declared their independence they had possessed no grand scheme of union, and certainly none of nationhood.

Independence was itself a reigning value and deep practice in the New World. Every European man and woman who arrived at the continent's shore, whether driven there by hope or desperation, or as often as not by some combination of the two, had, for the most part, voluntarily left behind all that was familiar, all that bound each to homes and villages, indeed to everything then recognized as the humanly civilized world. The sailing itself--months across the open ocean--was more than likely to be difficult, a passenger in even the best circumstance running a considerable risk of serious illness or death. These were people who had not merely departed for the New World, they had all but abandoned themselves to it.

Yet as Jay Fliegelman has explained in Prodigals and Pilgrims: The Revolution Against Patriarchal Authority, this abandonment did not come, as abandonment often does, shadowed by shame and guilt, but was instead accompanied by a strong sense of initiating independence and innocence. To choose to leave home had come increasingly to be socially reinforced as a source of self-respect. A new conception of the family, and the degree of the child's responsibility to the parents had become established. Fliegelman's wide ranging study is in part about this strong current of change in the realms of education, in the theories of child development, and in what we would now call family politics. Fliegelman is concerned with the high tide of these developments in the latter half of the eighteenth century, and in this context what he describes, through the use

of a wide variety of sources—from educational treatises and textbooks to the severely abridged and widely read colonial versions of Robinson Crusoe and Clarissa—is how the passage from the Old World to the New had come to be analogized to the development of an individual from childhood to maturity.²⁷ Leaving home came to be seen not as a betrayal of the family, an attack upon the Father, but instead as a healthy and necessary journey out from the safe, protected harbor of parental care, into the full and open independence of adult life. This developmental view was further intensified, if also complicated, by the Protestant insistence on the individual's relation to his Father in heaven, over and above his father at home.

As a powerful instance of this change, the parable of the prodigal son came to be re-imagined and re-evaluated. As Fliegelman describes Crusoe's refusal to return to "parent and prescriptive Christianity" after the "conversion [attending] his island isolation:" "The circle of the prodigal's return has snapped; it has become again the straight line of the pilgrim's progress." To the colonists in North America, Crusoe came to represent a reinterpretation of what had been a recursive return to the origin of father and home, an eternal return, divinely sponsored, became an act of spiritual freedom, an taking on an adult burden of open-ended departure, a new beginning. In a similar way, Richardson's Clarissa, by resisting the tyrannous authority of her father--tyrannous because extending beyond its

rightful limits--could become a type of the revolutionary.²⁸ Tom Paine's impatient argument for an end to colonial dependence--he had himself arrived in America just two years before—made use of just such reasoning: "We may as well assert," he wrote, "that because a child has thrived upon milk, that it is never to have meat; or that the first twenty years of our lives is to become a precedent for the next twenty."²⁹

Fliegelman himself cites Ben Franklin, and it would be almost impossible for the sage of Philadelphia not to come to mind once again.³⁰ The first and most memorable section of his Autobiography, written in 1770 before anyone had seriously contemplated independence, is a literary invention which so successfully articulated aspects of this common white male experience of setting out, as to have seemed for centuries now as much an allegory for the pursuit of an America life as a personal account. Ben departs from Boston, escaping, in fact, from an apprenticeship to his older brother —an Old World hierarchy—crosses the Schuylkill to create his inimitable self. Beginning with nothing more than his penny loaf of bread, he cuts a new trail to honor and renown. Franklin does not return to his family in Boston, just as the colonists will not return to their dependence upon the Crown. In each case it is not merely a freedom that is being exercised—though it is that—but a self-imposed demand has been imposed, a demand that the future be chosen rather than inherited or fated.

European visitors have often noted how harsh this demand for personal independence can be. D. H. Lawrence at the beginning of this past century, in his Studies in Classic American Literature, stated it with powerful simplicity:

They came [to America] largely to get away—that most simple of motives. To get away. Away from what? In the long run, away from themselves. Away from everything. That's why most people have come to America, and still do come. To get away from everything they are and have been.³¹

Given so deep an investment in an ideal of personal independence it is no surprise that historically they had never evinced interest in a common perspective. Indeed, it was not until 1754, preparing for war against the French and their Indian allies, and facing the practical need of a common defense, that anyone had so much as proposed serious plan for a colonial 'union.'³² None other than Benjamin Franklin had put forward the 'Albany Plan of Union.' Written earlier in the year, itself in response to rising conflict with the Indians, Franklin had published the plan accompanied by America's first political cartoon—a snake separated into segments with the motto "Join or Die." The delegates to that colonial conference did in fact unanimously approve a version of the Albany Plan, but it met an equally unanimous rejection by the separate colonies, those, at least, who paid it any attention to it at all. Thus even in the face of military

emergency, the colonists did not have sufficient sense of themselves as a collective, sharing a common identity, to permit them to unite. Their one shared identity resided in their relation to the Crown; they reflected where they had come from less than where they were.

Indeed, one source of Crown and Parliament's complacency in the face of initial complaints rising from the colonies in the 1770's lay in the British confidence that no unified action, least of all a workable union, could be expected from such people. As late as 1765, John Dickinson of Delaware had confidently described to William Pitt, the Secretary of State, the disastrousness of any attempt at an American independence from the Mother Country:

...what, sir, must be the Consequences of that Success? A Multitude of Commonwealths, Crimes and Calamities of mutual Jealousies, Hatreds, Wars and Devastations; till at last exhausted Provinces shall sink into Slavery under the yoke of some fortunate Conqueror."³³

When Boston reacted to the "Tea Act of 1763" with their December Tea Party, and the British in turn responded with a series of their so called "Coercive Acts"--soon known throughout the colonies as the "Intolerable Acts"--the colonists did manage to organize the Continental Congress for Philadelphia in 1775. This left the King's ministers, as Pauline Maier describes them, "dumbfounded." Unified colonial action had seemed

inconceivable. And in fact, without the boycotting support of the other colonies, Massachusetts would likely have been unable to sustain its resistance to British demands. Yet still a year later in March of 1776, John Adams still feared that independence would be unacceptable because the different colonies lacked any common political perspective.³⁴

Nor did the frequently bilious Adams lack a firm basis for his pessimism: just two months before, at the January convening of the Second Continental Congress, no more than a third of the delegates had looked favorably upon the possibility of independence. Only after the release of Paine's pamphlet, and British blunders, such as Virginia's Royal Governor inciting the slaves to revolt against their rebellious masters, did all the colonies unite in a bid for independence.

Their first attempt to establish a legitimate collective authority issued in the Articles of Confederation, adopted by the Continental Congress in 1777, though not formally ratified by the States until 1781. These articles amounted to a makeshift arrangement for pragmatically unanimous decision-making, and were focused largely upon the needs of prosecuting the war. There has, of course, been a long running historical debate over how these Articles compare to the Constitution of 1787 in their fealty to the spirit and purposes of the Revolution; but there's little dispute that the Articles were never, in their own time or since, of any particular symbolic importance.³⁵

The war came and went, leaving a distinctly communal independence to contend with. The British in their red coats surrendered at Yorktown, and among the customary mournful tunes they played, was a setting of a nursery rhyme:

If mammas sold their babies
to gypsies for half a crown;
If summer were spring
and the other way round
Then all the world would be upside down³⁶

And the world had turned upside down, though not merely for the British. The independence that had been declared a half decade earlier had brought with it not merely the tentative and provisional cooperation of wartime, but a newly felt need for some more ordered coordination. And any such order could only come at the expense of some degree of independence—now no longer from Britain, but from one another. Yet how can independence, experienced as a personal value, be shared across so vast a physical and cultural space without losing anything worthy of the name? Having made good on their declaration, the States had to grapple with the conundrum of any initially successful revolution: having destroyed the old order, they had now to order things anew. The power had been so successfully wrested from the perceived tyranny, had now to

be re-formulated. Having become independent from Britain, they needed now to arrange a dependence upon one another.

What they required was something like that illud tempus, a collective origin, from which they could develop a new collective identity. The war had succeeded only in transforming separate colonies into separate states. And these states jealously guarded their independence, and struggled to maintain what they called their Confederation. John Dickinson's pre-Revolution prediction of inevitable disunity had not, and could not, be discounted.

NOTES FOR CHAPTER ONE

¹ Crèvecoeur, p. 66; Rosenberg, p. 18.

² See Jones, chap. 1 for a helpful survey of this image.

³ Locke, sec. 49. Barbara Kiefer Lewalski in the Cambridge Literary History of the United States, ed. Bercovitch goes so far as to make a link between the pristine New Word and the Constitution by the notion of utopia in the sense of an ideal community "from Plymouth of the Mayflower Compact to Brook Farm. It underlies as well the conception of the American Constitution as an ideal political instrument for a good society." (p.27)

⁴ Butler (2001), p. 2-3 "Distinctively modern" is the description of a tendency and direction, of course. As he himself writes, "two characteristics of modern society [urbanism, and rapid technological development] never appeared in the colonies."

⁵ Mann, p. 3.

⁶ Said, see especially the first two chapters which are full of suggestive remarks about the conditions necessary for making beginnings.

⁷ The phrase is Max Weber's, cited in Kammen (1972), p.32.

⁸ Kammen (1972), P. 43.

⁹ Murrin, p. 334.

¹⁰ See the engaging study by David Hackett Fisher of Four Folkways in British America.

¹¹ There is an argument about whether language's primacy is imagined as oral or written—see Looby and Fliegelman's Declaration for one side of the argument, Warner and Ziff for the other. I've chosen to emphasize the written for the rather obvious reason that I am less interested in the more general questions of national foundation than I am in the consequences for American writing of that foundation.

¹² This is part of an often stated larger claim, in recent decades associated especially with Sacvan Bercovitch, that the pattern of New England imagination had a determinative influence on the whole of what would become the United States. See specifically The Puritan Origins of the American Self, and The American Jeremiad. This has now been vigorously, and persuasively, contested by historians such as Jack Greene in Pursuits of Happiness, for whom the South is the more typical and representative region. It should be noted, for instance, that Ben Franklin, a child of New England, made his reputation in the middle colony of Pennsylvania and was as admired in Virginia as he was in Massachusetts. (Indeed the censorious, supreme New Englander John Adams couldn't abide the great man, while the Southern planter James Madison, in Philadelphia for the Constitutional Convention, delighted in recording Franklin's conversation in a notebook he dedicated to the purpose.)

¹³ Franklin, p. 91. And indeed this is the epitaph that more than half a century later he had engraved upon his tombstone in Philadelphia, where it is still readable.

¹⁴ Franklin, p. 1307.

¹⁵ Historians have estimated that an extraordinary percentage of the colonists had actually read Paine's pamphlet.

¹⁶ All these quotations come from Isaac Kramnick's long and valuable introductory essay to Paine, Common Sense, p. 29.

¹⁷ Wood (1995), p. 20.

¹⁸ Irving, pp. 144-145 (Salmagundi No. vii, Sunday April 6, 1807)

¹⁹ Irving, pp 493-494.

²⁰ Derrida, p.8. The central concern of Derrida's little talk, which plays around the question of who signs such a founding act, "and with what so-called proper name" is far more applicable to the Constitution's "We the People" than it is to Jefferson's drafting of the Declaration.

²¹ What I hope will be clear by the end of this chapter, I think the title of Maier's book, *American Scripture*, is not altogether appropriate, although the question will come up again in the chapter on Lincoln.

²² Edward Countryman (1985) puts the case succinctly: "In metaphorical terms, the colonials killed their king in 1776. In very real terms, they destroyed the whole ancient pattern of institutions, beliefs, habits and usages that had comprised the British Constitution in America." (p. 125)

²³ Maier, pp. 154-160.

²⁴ For the view, developed in the early decades of the next century to which Lincoln subscribed during the Civil War, that the Declaration was indeed the founding document, see below, chapter 7.

²⁵ Of course, these terms—Virginians, Pennsylvanians, New Yorkers—are themselves collectives, aggregates of social groups with more local regions. Virginians of the

Tidewater plantations did not identify with Virginians of the backcountry. And we can continue in this vein to consider families, and then individuals, and in a more modern vein Nietzsche's "rendezvous of selves." It is nevertheless the case that every union, not only the Union, suppresses differences. The point here is that the colony, and then the state, was the largest entity that engendered loyalty, and offered identity for most Americans.

²⁶ The observation and the citation to the letter to William Fleming, 1 July 1776, Boyd, vol I, 411-412, is in Ellis, p.11.

²⁷ This is by no means meant as a summary, even an inadequate one, of the 'prodigals and pilgrims' of Fliegelman's richly rewarding study, much of which is relevant to the tensions—both religious and legal—of imagining the movement from dependence to independence.

²⁸ Fliegelman quotes in this context a starkly simple statement of this sentiment in the correspondence of John Adams: "The People is Clarissa." (p. 89), although in Adams's letter from which the quotation comes—a letter Fliegelman himself supplies in a later chapter (p. 237), Adam's point is not that the People prior to Independence are being tyrannized by the King, who by rights should be a loving father, but rather that, at the time of the French Revolution, the People are being seduced by a Lovelace, viz. the "awful spirit of Democracy."

²⁹ Paine, Collected Writings, p. 83.

³⁰ Fliegelman and I have much company in noting Franklin's relevance. Christopher Looby in citing Franklin, notes that Sacvan Bercovitch and Emery Elliot likewise cite Franklin.

³¹ Lawrence, p.3.

³² King James II had ordered the creation of a New England Confederation uniting Massachusetts, Connecticut, Rhode Island and Plymouth Colony, which after two years expanded, with the addition of New York and New Jersey into the Dominion of New England, but Confederation and Dominion together survived less than five years. And this Congress held at Albany's City Hall, intending to pacify the Iroquois along with uniting the colonies, was primarily a northern affair, though both Carolinas attended, and the plan was intended to encompass all the British mainland colonies but the frontiers of Georgia and Nova Scotia.

³³ cited in Murrin, p. 340

³⁴ Adams expressed the view to Horatio Gates that the inevitably "popular Principles and Maxims" that would guide the creation of new state governments would be "abhorrent to the Inclinations of the Barons of the South, and the Proprietary Interests in the Middle Colonies." see Maier, p. 36.

³⁵ I hasten to add—of no importance to the colonists. To some historians, their symbolic importance has been considerable.

³⁶Kramnick, p. 24

2. The Path to Union

What could Norton mean in saying that the only great men of the American past were Franklin & Edwards? We have had Adams... Washington & the prophetic authors of the Federalist, Madison & Hamilton. Emerson¹

If we are to inquire into the formation of a collective identity for the newly independent states it is to the Constitution of the United States that we must turn, a document tacitly bespeaking a quite extraordinary commitment to the generative power of language.² With the possible, and minor, exception of its brief flourish of a Preamble, the Constitution itself is utterly devoid of eloquence, persuasive or otherwise. It has nothing of the Declaration's soaring rhetoric of inalienable rights and the pursuit of happiness. Its prose was intended, as a recent historian has described it, "not for inspiration but for instruction."³ But it is from this governing instrument that the former colonists derived what became for them an almost proper name: "We the People."

The Constitution was, by all accounts, a highly unlikely outcome of the process set in motion by the Revolutionary War. This is exceedingly difficult to remember, since (not accidentally) all that happened to the English colonists, and afterwards to the new states, is often popularly

treated as a rather extended prehistory to the United States. Even a brief review of the course of the union of the states will, however, quickly reveal just how contingent such a prehistory was.

After the Declaration of Independence, and until the Articles of Confederation were ratified in 1781, the Continental Congress remained the only national institution of government, and it pursued the war by system of administration only gradually, and never very successfully, developed.⁴ Conscious of this uniquely national function, Congress did act with a great consciousness and concern for its prestige and prerogatives, yet it relied from the start upon the individual states. Even in regard to its most crucial task of provisioning the army, the Congress could do nothing without the states, no matter how ineffectually they often performed it.

After the Articles of Confederation were formally ratified by all the states—such unanimity distinctive to the structure of the Confederation, what power the Congress, now the Confederation Congress, could exercise ebbed still further. By 1783, two years into government under the Articles, the authority of Congress had been so diminished that the interest of the representatives in attending made the calling of a quorum a regular challenge. Yet there remained no other unified, national—if 'national' is the proper word—authority: it was Congress, or there was nothing. Consequently even such elementary matters of the continuing, and

sometime bitter, border disputes between individual states remained unsettled. But it was the economic realm that most felt this relative absence of central authority. Britain, along with the rebels' former allies of France and Spain, had begun restricting trade with the new nation, and the separate states themselves had set about erecting barriers, like tariffs, that by interfering with interstate commerce still further limited trade. Congress had insufficient power to contest either of these economic developments. Even in matters of foreign policy, where the Confederation Congress possessed theoretically exclusive authority, it had difficulty asserting any power. Western expansion depended to a considerable degree upon the national government's having the power both to negotiate with European powers, and to once settling began to offer protection to those who would migrate. The Articles of Confederation, through which sovereignty remained almost exclusively within the several, separate states, weakened almost to paralysis the power of any central authority. Most dramatically, and of the greatest long-term significance, the Confederation Congress could never find an acceptable mechanism by which it could reliably raise revenue, the sine qua non of any governing authority. A national five per cent tax on imports had been twice proposed, and twice defeated.

Yet reformers feared that any move to increase Congressional power would be interpreted by the now independent Americas as nothing

less than a corrupt self-aggrandizement. They had, after all, overthrown their king to organize themselves precisely against a central authority, its power at a distance, and this revolutionary perspective had continued unabated after the war with Britain had come to an end. Even their schemes of representation tended to be very carefully guarded, those they elected often considered little more than messengers to the legislative bodies of their constituencies' views. Deeply suspicious of power, they favored the idea of immediate recall if the representative did not follow his perceived instructions, and made it a general rule to hold elections annually. Indeed, under the Confederation there were strict term limits; Article Five stipulated that no delegate could serve in the Congress for more than three years out of every six. What attempts were made to reform the Articles in the direction of increasing Congress's authority, had all failed, doomed in advance by Article Thirteen of the Confederation requiring unanimous ratification by the states for any proposed alteration or amendment. Reformers counseled each other to remain patient, frequently indulging the hope that Britain would behave after the war much as it had before, and by imposing short-sighted measures—such as barring the Americans from trading with any of the British Caribbean colonies—would bring about a unity of purpose the States would never achieve on their own.

One of the most active reformers, James Madison, himself forced by term limits from the Confederation Congress, continued to work for reform from within the Virginia Legislature. Now in a position to observe very closely the behavior of the state legislators, he came to attribute the paralysis of the national political system as much to their crude parochialism as to the Articles themselves:

Is it to be imagined that an ordinary citizen or even an assemblyman of Rhode Island in estimating the policy of paper money, ever considered or cared in what light the measure would be viewed in France or Holland; or even in Massachusetts or Connecticut? It was a sufficient temptation to both that it was for their interest.⁵

Nor was this only Madison's view. The crisis the political elite experienced, and fretted over in their private correspondence, derived not only from an un-funded and powerless Congress, but from what to them were democratic abuses—most especially in the area of paper money, credit and debt. It seemed as if the revolutionary commitments to disinterestedness and virtue upon which they believed the Republic depended were rapidly eroding under the pressures of small minded and self-serving people.⁶

By 1786 Madison had settled his hopes for reform on a Convention of the states to consider uniform commercial regulations. He managed to

help pass through the Virginia legislature a resolution calling for a Convention of the States in Annapolis, Maryland, for September of 1786, with the explicit task of settling certain disagreements about the navigation of the Potomac as well as suggesting a system of interstate commerce. Of the thirteen states invited to the Annapolis Conference, only eight even bothered to name representatives. Of these eight, only five state delegations attended. Two of the delegates—Madison himself, and the New Yorker Alexander Hamilton—are often held responsible for quickly transforming this dismal result into a call for a second convention in Philadelphia for the following May, this one “to devise such further provisions as shall appear to them necessary to render the constitution of the federal government adequate to the exigencies of the Union.”

Over the course of 1786 the problems intensified: New Jersey had refused to honor any new Congressional requisitions, while New York had effectively vetoed the impost. The fears of disunion, or worse, were very real. Madison acknowledged in his private correspondence that whereas the notion of new, separate confederacies among the states had been held in “long confinement to individual speculations & private circles,” it was now “beginning to shew itself in the Newspapers.”⁷ And how could these divided confederacies fail to tempt the European powers to enter into competing alliances?

Again the Virginia legislature took the lead, appointing seven delegates to this second convention, any three of whom were authorized to represent the state; Virginia was followed by New Jersey, Pennsylvania, North Carolina and Maryland. Only then, in February of 1787, did Congress itself endorse the idea:

Whereas there is provision in the Articles of Confederation and perpetual Union, for making alterations therein...And whereas experience hath evinced, that there are defects in the present Confederation, as a mean to remedy which, several of the States ...have suggested a convention for the purposes expressed in the following Resolution....

Resolved, That in the opinion of Congress, it is expedient, that...a Convention of Delegates, who shall have been appointed by the several States, be held at Philadelphia, for the sole and express purpose of revising the Articles of Confederation.... [to] render the federal Constitution adequate to the exigencies of Government, and the preservation of the Union.⁸

The quality of the state delegations varied considerably. The two most renowned participants were unquestionably the retired General, George Washington, by all accounts the most popular and respected man in North America, and Benjamin Franklin, then an ailing 83 years old. Of

the others there was a considerable range of ability and distinction. Most had played some important role in the Revolution, and fully three-fourths had one time or another served in the Congress. If they were not all men of wealth, they were nearly all, not surprisingly, of an elite social standing. Yet some of the most famous men of the Revolution were not present. Thomas Jefferson and John Adams were both serving as Ambassadors abroad, in France and England respectively, while Patrick Henry and Richard Henry Lee had both refused appointment. In all, twelve states appointed seventy four delegates, of whom fifty-five participated in the convention, although some for only a small fraction of its four and half month duration. At the completion of the convention's work there were forty-two delegates in attendance.

The convention that gathered in Philadelphia from May to September of 1787 had seemed to its supporters like a last chance for empowering the national Congress. Not that Madison, or any of the other delegates who straggled into Philadelphia between its appointed opening of May fourteenth and the ten days later, when the presence of seven state delegations allowed for the convention to get under way, held out any great hopes for solving the nation's difficulties. As Madison wrote to a soon-to-be fellow delegate: "In general I find men of reflections much less sanguine as to a new than despondent as to the present System." If in four years they had been unable to effect the most modest and gradual

reforms, how likely were they now to tackle the difficulties in one grand effort?

They met in the State House, built in 1732 and by colonial standards a grand public building. The paving stones about the building were covered with earth to quiet the passing traffic, and a guard was placed both outside and inside the Hall where the delegates met, for the convention proceeded under a rule of strictest secrecy--a matter to which we must return. Sessions were held every day but Sunday, almost always from ten in the morning until three in the afternoon.⁹ Voting was by state, with each state present entitled to one vote, and a quorum of seven states necessary, and a simple majority sufficient for all matter considered.

Aside from his active participation in every phase of the deliberations, and in the delegates' evening socializing, Madison returned every night to his rooms, and at the risk of sheer exhaustion composed from his thorough notes a full account of all that had transpired in the Convention, who had spoken and what precisely each had said. It is primarily to these notes that we owe most of what we know about the proceedings. Through them we can follow the various plans and compromises that issued in the Philadelphia Convention's improbable success.

What is immediately striking is that the delegates gave short shrift to the Articles of Confederation they had been solely instructed to revise, and

went to work almost at once upon an entirely new foundation for government. Madison had prepared a plan which was submitted to the Convention by his Virginia colleague Edmund Randolph, and has since become known as the Virginia plan. They commenced to debate its various provisions, engaging in extended discussion before the Committee of the Whole of, among other things, and most crucially, the size and scope of the executive, and the means and apportionment of representation in the legislature. It is this latter issue that brought the Convention to a standstill. The small states balked at what they feared would be their inevitable domination by the large states. An alternative plan was then introduced, this one proposed by William Paterson and since known as the New Jersey plan. As opposed to the Virginia Plan's proportional representation, this called for equal representation accorded to each state in the new Congress. Now the large states dissented. What followed came to be called the Great Compromise, otherwise known as the Connecticut Plan. This last and final plan, drafted by, among others, Oliver Ellsworth and Roger Sherman, brought agreement: there would be proportional representation in a lower house of representative, whereas in the upper body of the Senate each state would receive equal representation.

Just as the delegates were ultimately eager to reach a compromise on this primary conflict between the small and the large states, that

between the slave states and the rest was quickly buried. But in marked contrast to the southern states' aggressive defense of a few short decades later, it was still clear to the men of all sections that slavery cast so dark and shameful a shadow upon the republican experiment as to dictate an evasion of its very name: there were no "slaves" in the Constitution, only persons, and percentages thereof—that fateful three-fifths formula of representation to account for the enslaved.

On the last day of the Convention, September 17, the Constitution was read, signed, and immediately made public. That the Convention was meeting, and where, had been matters of public knowledge, as was their express purpose was to improve upon the national government, but no one knew exactly what to expect. Although we know from Madison's notes that the delegates in the Convention regularly reminded themselves that public opinion set limits to the options they could consider, they nevertheless took quite extraordinary measures to keep their proceedings a secret. This is not merely the conventional privacy practiced by deliberative bodies in the eighteenth century--a practice that only gradually gave way with the First Congress—but every word spoken in the Convention, every entry in its journals, indeed any and all discussion of the Convention's concerns or deliberations, were held in the strictest secrecy. This secrecy applied not merely to the public, but extended even to close friends of the delegates, their relations, indeed their political associates. The ban on information

was absolute. Nor was there anything pro forma about the ban. Guards were posted around Independence Hall to discourage the curious, and not a scrap of paper was permitted to leave the room. There is a revealing anecdote about the seriousness of this policy, its all but sanctified quality, highlighting as well the role played by the otherwise silent George Washington who presided as the officer of the Convention on a raised platform. Max Farrand tells the story in his long standard account of the framing:

One of the members dropped a copy of the propositions which were before the convention for consideration, and it was picked up by another of the delegates and handed to General Washington. After the debates of the day were over, just before putting the question of adjournment, Washington arose from his seat and reprimanded the member for his carelessness. 'I must entreat Gentlemen to be more careful, least our transactions get into the News Papers and stir the public repose by premature speculations. I know not whose Paper it is, but there it is (throwing it down on the table), let him who owns it take it.' At the same time he picked up his Hat, and quitted the room with a dignity so severe that every Person seemed alarmed . . . It is something remarkable that no Person ever owned that paper."¹⁰

One effect of this secrecy was that when the Convention finished its work, the Constitution was presented not as merely a political document, one that had been hammered out, phrase by phrase, through four long and contentious months of compromise, but as if it were suddenly revealed, all of a piece. And yet its very first words assert its thoroughly secular authority: “We the People . . . do ordain and establish. . . .” Who else could possess such authority? In the Convention itself, this conclusion had come to seem inevitable. As Max Farrand describes it: “such a phrase would have been impossible at the beginning of the convention; it was accepted without question at the end.”¹¹

But then who were the delegates, locked away in their Philadelphia chamber, whose signatures form the conclusion to the document? According to the Constitution’s final paragraph, they were something between “the States”—or what we must conclude were representatives of the States—and mere witnesses:

Done in Convention by the Unanimous Consent of the States
present the Seventeenth Day of September in the Year of our
Lord one thousand seven hundred and Eighty seven of the
Independence of the United States of America the Twelfth in
Witness whereof We have hereunto subscribed our
Names....¹²

There is something a little more than a little indirect about this formulation. Madison himself referred to it in his notes as “this ambiguous form.” Add to this the unprecedented secrecy practiced by the delegates and you have an almost hopelessly complex calculus of authority. The historian Edward Countryman in his summation of the Convention and Ratification describes the whole process of the People’s sovereignty and the Constitution with a realistically casual acceptance: “There was an element of myth making and fakery involved, of course;” but that “of course” covers much that is essential in understanding the background conditions of Constitutional authority, and with them—so this thesis contends—the broader conditions for American imagination.¹³

NOTES FOR CHAPTER TWO

¹ EJ, 548.

² Here is a description by a political scientist considering “The Logic of American Constitutionalism:” “American constitutional interpretation takes for granted the elemental preposterousness of its subject, namely the presumption that a political world can be constructed and controlled by words.” (Harris , p. 34.)

³ Rakove (1996), p. 342

⁴ The other national institution was, of course, the Army.

⁵ Quoted in Wood (1972), p. 75, from which much of this paragraph and the next directly, or indirectly, derives.

⁶ Wood (1972) p. 76 thus summarizes the period: "By the mid 1780's gentlemen up and down the continent were shaking their heads in disbelief and anger at the 'private views and selfish principles' [these were Washington's words] of the men they saw in the state assemblies."

⁷ See Rakove (1996), p. 377.

⁸ Quoted in Farrand (p.28) with additional ellipses added

⁹ Farrand, p. 55-59 There were two breaks—a recess for the Fourth of July, and ten days in August.

¹⁰ Farrand, p. 65.

¹¹ Farrand, p. 191

¹² It was Benjamin Franklin who proposed this formulation as a compromise that would enable the Convention to conclude with something approaching unanimity, though according to Madison it had originated with Franklin's Pennsylvania colleague, Gouverneur Morris, who hoped Franklin's prestige would carry the motion.

¹³ Countryman (1985), p.134.

3. The People, Having Spoken, Speak

It is best, perhaps, to pause here in order to glance, at least, at other political motives of the Convention, and thus the Constitution's relation both to the legacy of the Revolution in general, and more specifically to the prior governing arrangements under the Articles of Confederation. The account given so far has focused on the perceived need for a more powerful unifying authority, but needless to say, this is a vast historical subject, and one in which political vision, allegiances and commitments are bound to play a substantial part. Since at least the late nineteenth century, and most emphatically with the publication of Charles Beard's vastly influential work An Economic History of the Constitution of the United States (1913), historians have questioned the motives of the Founders, and attempted to reopen the debate begun by the defeated anti-Federalists. To Beard, they had conjured up a crisis of governance under the Confederation as mere pretext. Their real intentions were reactionary, and guided by their deep investments in financial speculation.

Beard's claim that, in fact, such speculators dominated the Philadelphia convention has long been decisively disproved, but that is not to say that the interests of property were not important, or even predominant, in the motives of those who sought a reform of the Articles. Indeed, something like a consensus has formed among historians that the

men behind the Constitutional Convention—beginning with Hamilton and Madison—were in fact pursuing a conservative, even an anti-democratic agenda.. What remains largely open to debate is precisely how, in the context of the late eighteenth century British world we are to understand such terms as “conservative” and “democratic.”¹

Most influential of recent views is that of Gordon Wood, for whom the struggle was of the “worthy against the licentious,” that is, a reaction of those members of the elite, like Madison and Hamilton, who with an aristocratic conception of political leadership feared the licentious excesses of democracy. These “worthy,” however, used the arguments and the language of radical democracy to defeat the more radical democrats. Thus they significantly increased the authority of both the Senate and the Executive, while emphasizing the representational aspect of all the governing bodies, and consequently, according to Wood, they “helped to foreclose the development of an American intellectual tradition in which differing ideas of politics would be intimately and genuinely related to differing social interests...thereby contributing to the creation of that encompassing liberal tradition which has mitigated and often obscured the real social antagonisms of American politics.”² In other words, to put the matter in the simplest terms, the Federalists were in fact nationalists, supporters of a strong central government, and their opponents, named by them as anti-Federalists, were actually federalists proper, those, that is,

who were interested in the maintaining most power at the level of the States.

Did the Constitution favor the interests of those who possessed property? Yes. Did it favor established elites? Yes. Was it anti-democratic? Yes, to the extent that it assured that politics would be primarily the business of prominent men, with each state possessing only two Senators, and each House member representing some 30,000 people, with long terms—six and two years respectively, the Senate, along with the Presidency, elected only indirectly by the People. But it was certainly a republican government, democratic in the sense that ultimately the governors could rule only with the consent of the governed.

Yet in crude Marxist terms, in addition to favoring the elites and the property holders, the Constitution also favored those who dreamed of an increase in status or property—in other words it favored the progressive forces of economic development and modernization. If it represented a defeat for the radical democracy generated by the Revolution, with citizen legislators and political representation kept on a very short leash—the Massachusetts Assembly was fully four times the size of the First Congress—it also represented a victory for the revolution of the bourgeoisie.³ Its success in encouraging capitalist development could hardly be more obvious.

Why, then, have we focused in the brief account of the Convention on the need for union and foundational authority? Not because this focus is any more the “real” reason behind the Constitution than the others—although it was real enough and by no means negated by conflicting considerations—but because our interest here is not the political development of the United States, nor in its economic development, not even in what one might call its ideology. Nor is there any claim that such matters—along with subjects of immense importance in all of these realms, like the fact of slave labor and its peculiarly racist context, or the now increasingly obvious ramifications of gender—have had no discernable effect on American literature. But whatever else it is, the United States Constitution is an unusual, identity-generating force in the nation’s history, and it is this quasi-invisible, because so numbingly obvious, aspect of the ruling document that bears investigation as a factor in the development of a national literature.

Although the larger and legitimate political and economic questions may not be especially relevant to such an investigation, the question of how the Constitution managed to achieve a degree of authority that would allow a regime based upon it to function, and then to flourish, most certainly is. Those who planned and participated in the process were acutely aware of this need, and thus the great significance attaching to the recruitment of George Washington as a delegate. Madison, along with

Hamilton and Jay, had urged Washington's involvement with the knowledge that the trust he inspired, in addition to his enormous popularity, would go far toward establishing national credentials for the entire effort. But in itself this was by no means sufficient. Throughout the process of Ratification, to which we now proceed, this concern for legitimacy became central to both sides in the hard fought campaign.

The success of the convention, that fact that it resulted in a proposed instrument, did not in the least assure the reformers' desired object. The Confederation Congress had first to consider the document, and if it approved it, send it on to the several States where deliberative bodies expressly elected for the purpose would assemble to consider its ratification. When nine of the thirteen states agreed, the Constitutional regime would begin. But the reaction in the states was a large open question, and its defeat in any of the four largest states of Virginia, Pennsylvania, New York or Massachusetts would have made the union impracticable.

Aside from all these hurdles, no one, least of all the men of the convention themselves, had any very clear idea how, when it came to it, the Constitution would pragmatically function. Repeatedly, in speeches to the convention, the delegates would remind one another how vigilant they must be not inadvertently to tie the hands of those who would in future be building what they themselves had only framed. Thus Edmund Randolph,

in the second month of the convention, reminded the Committee of Detail that “in the draught of a fundamental constitution” their labor must be “to insert essential principles only; lest the operations of government should be clogged by rendering those provisions of permanent and unalterable, which ought to be accommodated to times and events.”⁴

The Congress did, after three days of an intense and often angry debate, allow the process begun at Philadelphia to continue, though they sent it to the states pointedly without comment. Writing to Richard Henry Lee of “the new Constitution as it is already called,” Samuel Adams used the omnipresent image of architecture to describe his first reading: “as I enter the Building I stumble at the Threshold. I meet with a National Government, instead of a foederal Union of Sovereign States.”⁵ Elbridge Gerry spoke of the proposed Constitution in even more drastic terms as “a many headed monster; of such motley mixture, that its enemies cannot trace a feature of Democratic or Republican extract.”⁶ James Mason claimed it was “at present impossible to foresee whether it will, in its operation, produce a monarchy or a corrupt oppressive aristocracy.”⁷ And Patrick Henry, the most mesmerizing of revolutionary orators, who had opposed the convention from the start—“I smelt a rat,” he said, explaining why he turned down appointment to the Virginia delegation—opened the Virginia Ratifying Convention by declaring the Republic “in extreme danger.” Rhetorically insisting upon his respect for those who had

convened in Philadelphia-- "I have the highest veneration for those Gentlemen [of the Convention]"—he immediately challenged them on the proposed governing instrument they had produced, "but Sir, give me leave to demand, what right had they to say, We, the People. My political curiosity, exclusive of my anxious solicitude for the public welfare, leads me to ask, who authorized them to speak the language of We, the People, instead of We, the States?"⁸

Every state, with the exception of Rhode Island, held elections for ratifying conventions, and each of those state ratifying conventions, aside from North Carolina's, saw their part of the process to completion. The first five states to ratify the new constitution--Delaware, Pennsylvania, New Jersey, Georgia and Connecticut—did so expeditiously, between September and the following January of 1788; but the crucial large states had yet to be heard from.

The reformers did more than wait for a response. They organized a sustained and aggressive campaign to convince the ratifying conventions, and the people at large, of the wisdom and necessity of the Philadelphia Convention's work. In what amounted to the first national political campaign in the country's history, hundreds of pamphlets were published, the most famous, and afterwards influential, being the Federalist Papers. As with almost all of the other pamphlets written during the controversy, the Federalist Papers, hurriedly penned by Alexander Hamilton with

contributions by Madison and John Jay, were published under a pseudonym associated with Republicanism, in their case the ancient Publius. Although Washington and Franklin had both lent their estimable names to the campaign, what bore the weight of persuasion was the mass of these pseudonymous pamphlets, largely written with a logic and cogency, and at an intellectual level, that a consensus of historians has long judged a high water mark for democratic discourse.

The Federalist Papers themselves, although published in newspapers, were written primarily as a handbook of arguments meant to arm the Federalists in the crucial New York and Virginia conventions. The opposition to the new Constitution—named by their adversaries the anti-Federalists—possessed sufficient force by the time the Massachusetts's convention in February to threaten the very course of ratification. Their strongest objection, and the one that stalled the Massachusetts's convention, was the lack of a bill of rights. Consistent with the secrecy of Convention's proceedings, so that only the final document itself was ever revealed, the Federalists in Massachusetts refused to consider any changes to the proposed Constitution; they did promise, however, the addition of amendments amounting to a bill of rights as one of the new government's first actions. This persuaded not merely the Massachusetts convention, but also provided a model for the two remaining large states. Given a similar assurance, both managed to ratify the Constitution,

although neither by impressive margins: Virginia by a vote of 89 to 79, and New York by a mere 30 to 27.

But the question posed by the most articulate and principled anti-Federalists, namely by what authority delegates were to speak not merely for the States but for the very People themselves, remained the largest theoretical stumbling block to the Constitution's legitimacy. The men of the Convention had used the formula of "We the People" as a proleptic response to this very question. The very process of ratification, providing for the election of separate conventions in each state to vote on the Constitution, had been borrowed from Massachusetts, which itself had developed the innovation as a way of establishing popular authorization for its state constitution in 1783. It was felt that in the case of so fundamental a political instrument that they needed at least the appearance of popular sovereignty; but then how, in the end, is anything like a People's sovereignty possible?

There is, to begin with, Paine's common sense distinction between society where there exists what could be called a perfect popular sovereignty, and a government which the sheer numbers of individuals in the necessitates some scheme of representation. The larger the society forming a government, the greater the weakness of representation, since there must, for practical purposes, be some upper limit to the number of representatives. This was in fact, one of the chief concerns of critics of the

Constitution about the national government it invented. Indeed, on the very last day of the Convention itself the proportion of persons to representatives in the lower house was adjusted downward. As Madison records it:

Mr. Gorham [delegate from] said if it was not too late he could wish for, for the purpose of lessening objections to the Constitution, that the clause declaring 'the number of Representative shall not exceed one for every forty thousand,' which had produced so much discussion, might not yet be reconsidered. . . .⁹

Washington himself urged this immediate readjustment, and the figure was lowered to 30,000 by a unanimous vote. And it was precisely the scale involved in the national legislature that Madison had argued in Federalist No. 10, the most celebrated of the papers, would save the new Republic from factions with "the instability, injustice, and confusion introduced into public councils [that] have, in truth, been the mortal diseases under which popular governments have everywhere perished." The size of the population represented would create so many factions, so many interests, that no single faction could achieve a majority status that would subvert the very notion of popular sovereignty.¹⁰

But even if there were no objection to the fact of representation itself, the question of the People's sovereignty still entailed inherent

paradoxes. Stanley Elkins and Eric McKittrick in their massive Age of Federalism explain how vexed was the very notion of sovereignty in the period. By then something of a platitude, sovereignty was, theoretically at least, indivisible. In terms of the British Constitutional tradition, it was Parliament, meaning 'king-in-Parliament' that was sovereign: "There was no province of government form which Parliament's authority could be excluded; and sharing any portion of it with any other body would be imperium in imperio, a solecism, a logical absurdity." The Founders developed, nevertheless, a conception of the People's sovereignty that managed that very feat. They argued that sovereignty did not, as the anti-Federalists assume, reside in the states; indeed it could reside only in the whole of the People. And though the People would not logically give any of it away, they were nevertheless free to delegate as they saw fit—precisely what they had been doing by ratifying the Constitution.

Thus it was the defenders of the sovereignty of the States who were opposing the legitimate rights of the People to assert the highest and final authority. Like all such political struggles neither this single argument, nor arguments alone, were responsible for the ultimate victory; but by the summer of 1788 the States had become a Constitutional union.

NOTES FOR CHAPTER THREE

¹ Needless to say, this is merely a gesture in the direction of a potted account of this vast historical debate. For the purposes of this argument, as I hope will become clear, the outcome of this debate is of no great relevance, since the form of the Constitution of interest in this context is not effected by it. James Ellis in his recent popular account, Founding Brothers, has commented on the persistence of this debate: "It is truly humbling, perhaps even dispiriting, to realize that the historical debate over the revolutionary era and the early republic merely recapitulates the ideological debate conducted at the time, the historians have essentially been fighting the same battles, over and over again, that the members of the revolutionary generation fought originally among themselves. Though many historians have taken a compromise of split-the-difference over the ensuing years, the basic choice has remained constant, as historians have declared themselves nationalists, liberals, or conservatives, then written accounts that favor one camp or the other, or that stigmatize one side by viewing it through the eyes of the other, just as the contestants did back then." (p. 15)

² Wood (1969), p. 562.

³ The detail of the relative size of the legislature is from Countryman (1985), p. 200. The whole of his sixth chapter is a brief summary and masterful balancing of the many "reasons" behind the adoption of the Constitution, from large scale economic tendencies to some ill-timed drinking among New Hampshire anti-Federalists.

⁴ quoted in Rakove (1996), p.342.

⁵ Bailyn, ed. I, p.446.

⁶ Banning,, p. 170.

⁷ Banning, p. 170.

⁸ Bailyn, ed. II, p. 596.

⁹ Madison, p.655.

¹⁰ It is on this point, chief among others, that modern critics as well fault the Constitution for itself subverting popular sovereignty. In this view the Constitution is a retrenchment from the popular democracy they describe the Revolution as having ushered in.

4. Almost a Miracle

On the eve of the Revolution, Paine had exulted at the messianic possibility “to begin the world anew.” John Adams, in his “Thoughts on Government,” written at about the same time, put the matter with barely less enthusiasm: “How few of the human race have ever enjoyed an opportunity of making an election of government more than of air, soil, or climate for themselves or their children.” If not quite at this ecstatic pitch, some at the Constitutional Convention seemed convinced that their work promised something similar. Madison and Hamilton both asserted in the convention that they “were now to decide for ever the fate of Republican Government;” Gouveneur Morris claimed “the whole human race will be affected by the proceedings of this Convention.” James Wilson, after the Convention, made, if possible, a still bolder claim:

After the lapse of six thousand years since the creation of the world, America now presents the first instance of a people assembled to weigh deliberately and calmly, and to decide leisurely and peaceably, upon the reform of government by which they will bind themselves and their posterity.¹

The critic Robert Ferguson cites Bacon’s essay “Of Honor and Reputation” to underline how exalted a role these men imagined themselves given to play.² Bacon lists four “degrees of sovereign honor” of which “in the first

place are conditores imperiourum, founders of states and commonwealths” and “in the second...legilatores, lawgivers.”³

It is not then quite as surprising, perhaps, that this legal assembly, subject to all the ordinary historical conflicts of ideas and material interests, could yield so thorough and pervasive a mythology as that surrounding the ‘miracle’ at Philadelphia. And if the invocation of ‘miracle’ seems to restrict the investigation to only popular and uncritical accounts, consider the famous description the Deist Thomas Jefferson gave, from his post as Ambassador in Paris, of the men who had gathered at Independence Hall in Philadelphia—nothing less than “an assembly of demigods.” And here is James Madison, writing to Jefferson, his confidante and friend, a mere month after the Convention adjourned:

All things considered, given the range of opposition, and the all the difficulties of compromise, and not ignoring its manifest imperfections, and all the innumerable compromises required, and notwithstanding how many questions will remain unsettled even if the new government should be agreed upon and formed, I can't help myself seeing the document as a very miracle.⁴

This acknowledgement of the very this-worldly political origin of the Constitution, only to be followed by an almost assertion of its miraculous quality is a surprisingly typical response. Benjamin Rush, after viewing the

celebratory Federal Procession on July 4, 1788 in Philadelphia,
commented:

I do not believe that the Constitution was the offspring of inspiration, but I am as perfectly satisfied that the Union of the States, in its form and adoption, is as much the work of a Divine Providence as any of the miracles recorded in the Old and New Testament were the effects of a divine power.⁵

Even the simple factual statement of its origin must first explicitly deny the divine hypothesis. Here is Robert Morris, concluding with what seems the obvious: "While some have boasted it is a work from Heaven... I have many reasons to believe that it is the work of plain, honest men, and such, I think, it will appear."⁶

John Murrin attributes the Constitution's early apotheosis to its very fragility, to the fact that it "became a substitute for any deeper kind of national identity:"

Hovering there over a divided people, it aroused wonder and awe, even ecstasy. Early historians rewrote the past to make the Constitution the culminating event of their story. Some of the Republic's most brilliant legal minds wrote interminable multivolume commentaries on its manifold virtues and unmatched wisdom. Orators plundered the language in search of fitting praise. Some may even have put the

document to music. This spirit of amazement, this frenzy of self-congratulation, owed its intensity to the terrible fear that the roof could come crashing at almost any time. Indeed, the national walls have taken much longer to build.⁷

But what remains surprising is how this mythic aura seemed after ratification to overcome even the opponents of the Constitution. After all, had the Convention failed to arrive at a compromise—and any reading of Madison's notes from the Convention makes it clear that this was a distinct possibility—or had the several states balked at its ratification, all these remarks would join the untold number of other enthusiastic and subsequently disappointed hopes to which the American Revolution, like every revolution since, has given birth. It is the greatest challenge facing any attempt at historical imagination to maintain a lively sense of contingency: the more you know about how everything hangs together, the more difficult it is to embrace the knowledge that very in the past the word 'inevitable' is rarely, if ever justifiable; that any number factors—from the sublime to the ridiculous—may have altered what afterwards can all too easily seem like an iron chain of causality. If this is of such grand themes as the rise of great powers, or the gradual development of technologies, then all the more so is it the case in such a local and contingent phenomenon like the framing and ratification of the American Constitution. History always threatens to become mythic almost as a natural

consequence of its merely having happened. When the history involves so primal a realm as a people or state's foundation, the lure of the mythic becomes almost irresistible.

Since by all accounts the people of the states had been divided very evenly between supporters and opponents of the new Constitution, historians engaged in the necessary business of demythologizing, have long asked how and why this "apotheosis of the Constitution" had occurred.⁸ For however vigorously some historians have adopted a perspective critical of the Constitution as a fulfillment of the promises of the Revolution, after the ratification, no political party ever did. As Lance Banning summarized the political conditions of the new Union's first decade:

As early as the spring of 1791 the Constitution was accepted on all sides as the starting point for further debates. Within four years of ratification the Republican opponents of the new administration—a party which probably included a majority of the old Anti-Federalists—insisted that they stood together to defend the Constitution against a threat that originated itself. While interest in fundamental amendments persisted for years, determined opposition to the new plan of government disappeared almost as quickly as it arose... The quick apotheosis of the American Constitution was a phenomenon

without parallel in the western world. Nowhere have so many fierce opponents of a constitutional revision been so quickly transformed into an opposition that claimed to be more loyal than the government itself.⁹

Elkins and McKittrick offer a similar description and describe the result as “one of the minor marvels of American history.”¹⁰ As an explanation for this sudden shift in allegiance, Banning adduces the prevailing republican ideology with its absolute need for a constitution as a standard against which to hold the government. But from our point of view the question remains the more general one of what it is about the Constitution that allowed it to achieve and maintain sufficient authority to form a people, and to pursue this question further it is necessary to return once again to the framing itself.

For what Hamilton famously called “a bundle of compromises” this is rather extraordinary treatment. The motive, clearly enough, was to prevent the kind of tampering that could unravel such a potentially fragile construction: any change in one compromise would likely put pressures on many others. Since this leads us back to the fact of the document’s rapidly acquired mythic aura, perhaps it is fitting here to examine to what degree those in the Convention considered the question of the mythic, or religious or sacred aspect of their work.

The first thing to notice about the delegates' religious concerns is that notwithstanding the place of religion in colonial American society, and the active participation of ministers in the Revolution, that aside from one former Baptist preacher, there was not a single clergymen among the delegates. Still more notable, in all the four and half months of deliberations only one delegate so much as mentioned any idea of the divine, or mentioned the relevance or importance or religious life. And that delegate? None other than Benjamin Franklin.

Aside from Washington, no other American possessed Franklin's eminence, at home or in Europe.¹¹ A man whom Edmund Burke addressed as the Friend of Humanity, Franklin had in fact just returned to America from France after almost a decade delighting, and being delighted by, Paris as the Confederation's Minister Plenipotentiary. At 82 years old, in ill health, he was now carried through Philadelphia in a litter manned by four prisoners from Philadelphia's jails. Although, as in the case of Washington, his presence was highly valued for the aura of legitimacy it gave to the convention, Franklin rarely spoke. Never much of an orator even in his prime, in the debates of the Convention Franklin would write out what little he had to say, and his colleague James Wilson would speak the words as the great sage sat and listened. In some respects, he seemed like a figure from another era. His first speech advocated unpaid government offices as a sound principle for disinterestedness. But not one

the delegates or their world would ever seriously consider this proposal. Nothing whatever came of that, since unlike Franklin, who had retired with financial security forty years earlier to pursue a life of public service, the delegates were young men with no intention either to abjure office or to renounce material advancement.

Franklin spoke at any length again only after a month of close argument among the delegates had failed to find any substantial agreement on the all-important question of proportional representation— Morris claimed afterwards that “the fate of America was hanging by a hair.”¹² This time Franklin read the speech himself, according to Carl Van Doren “in his low, soft, hesitant voice, addressing his words directly to Washington in the Chair, almost as if this matter were between the two.” It is in this short speech that Franklin makes the single substantive reference to the Divine in the whole of the Convention's deliberations. The enlightened philosopher and scientist decried the little progress the convention had made as “a melancholy proof of the imperfection of Human Understanding:”

In this situation of this Assembly, groping as it were in the dark to find the political truth, and scarce able to distinguish it when presented to us, how has it happened, Sir, that we have not hitherto once thought of humbly applying to the Father of lights to illuminate our understandings....

I therefore beg leave to move—that henceforth prayer imploring the assistance of Heaven, and its blessing on our deliberations be held in this Assembly every morning before we proceed to business....”¹³

It is certainly worth noting that it was Franklin, a man famous for almost everything but his piety, who should have made this proposal. Writing over half a century later, the pioneering American historian, biographer, and editor, Jared Sparks, was still defending Franklin against charges of hostility to religions in general and Christianity in particular. He quotes from Franklin’s epistolary answer late in his life to Yale College President Ezra Stiles who had inquired about his religious sentiments. While Sparks acknowledges that Franklin’s response “is not very precise,” he insists that it has none of the “cold and heartless fidelity, which some writers have ascribed to him, and for which charge there is certainly no just foundation.”¹⁴

Franklin’s seemingly benign request for prayer elicited an almost complete lack of interest. Some raised objections that the measure would perhaps reveal a dangerous desperation in the proceedings; others that the Convention had no funds to hire a minister. According to Madison there were several unsuccessful attempts “for silently postponing the matter by adjournment,” and when the adjournment carried, that ended the matter. It was not put to a vote, at that time, or afterwards.¹⁵

The reason why now seems impossible to recover, though some historians have imagined that it is perfectly clear. To Judith Sklar it was merely an index to the extraordinary difficulties of the business at hand:

[Franklin] suggested that the Convention try prayer instead, which for Franklin amounted to an expression of despair. As intelligent as ever, even in old age, he had put his finger on the difficulty the framers confronted: There were no precedents, no models, no examples to guide them in their utterly novel enterprise. It would have to be all their own invention.

To Stephen Boiten, addressing explicitly the “religious dimensions of the early American state,” the incident is easy to characterize: “old Benjamin Franklin made a rather embarrassing show of piety.” There seems no way to know. There have been other conjectures. Was there a problem involved because of the different Protestant denominations represented, and the Catholics? Was it deemed improper in Philadelphia where the Quakers did not offer prayers at political assemblies? Did Hamilton speak up, as some tradition has it, and renounce any need for “foreign aid.” Or did Franklin himself merely make the gesture to impress upon the divided delegates the seriousness of the undertaking, and their need for cool heads and compromise. One certainly develops a sense, in reading over Madison’s Notes, of the intensely demanding, practical business at hand,

with new proposals, rejections, and counterproposals coming at the delegates nearly every day. Perhaps, notwithstanding their respect for Franklin, they simply had no patience for ceremony, however pious. It was left for Franklin to note on his manuscript: "The Convention, except three or four persons, thought prayers unnecessary." Does this note register astonishment? Sarcasm? Implied criticism of the body of delegates? The entire brief episode reveals how much remains unrecoverable about the inner sense of the Convention's proceedings.

Yet perhaps there is another explanation, both for Franklin's prayerful speech, and the delegates' silence, an explanation that points toward a deeper understanding of the Constitution's difficult-to-account-for authority. Franklin was a man utterly at home with secularity, and at the same time possessed of a placid, minimally doctrinal acceptance of the Divine, as he was likewise persuaded of a necessary place for religion in the life of a community. Thus he supported all the churches of Philadelphia, regardless of their denomination. Franklin had no compunctions about associating God with the new Constitution, even if only by the intercession of prayer, because the quasi-religious nature of the Convention's business must have seemed obvious to him. This is all the more striking when we return to his concluding speech at the Convention, not because the speech makes use of religious language or motifs. Quite the contrary. Just as Franklin alone alluded to God during

the Convention, so at its end it is he who emphasizes the profoundly secular grounds on which they were forced to take their vote.

And in fact, Franklin begins his last speech with good-natured mockery of religious sects and their certitudes, quoting the Protestant Steele's dedication to the Pope: "the only difference between our Churches in their opinions of the certainty of their doctrines is, the Church of Rome is infallible and the Church of England is never in the wrong." And generalizing further still, from religion to nature itself, he quotes 'a certain French lady' who arguing with her sister confesses that she meets "with no body but myself, that's always in the right—Il n'y a que moi qui a toujours raison." All this is appended to Franklin's opening statement: "I confess that there are several parts of this constitution which I do not at present approve, but I am not sure I shall never approve them," which he afterwards takes up again:

In these sentiments, Sir, I agree to this Constitution with all its faults, if they are such; because I think a general Government necessary for us, and there is no form of Government but what may be a blessing to the people if well administered....

For when you assemble a number of men to have the advantage of their joint wisdom, you inevitably assemble with those men, all their prejudices, their passions, their errors of opinion, their local interests, and their selfish views. From

such an assembly can a perfect production be expected? It therefore astonishes me, Sir, to find this system approaching so near to perfection as it does....

Thus I consent, Sir, to this Constitution because I expect no better, and because I am not sure, that it is not the best.

Franklin's final speech is, in its way, a miniature masterpiece of what Arthur O. Lovejoy calls the "method of counterpoise." To Lovejoy "the group of extraordinarily able men" who made the Constitution "had few illusions about the rationality of the generality of mankind."¹⁶ They "held, in the main" a highly negative appraisal of human nature and human motivations, namely that he "was actuated always by non rational motives—by 'passions,' or arbitrary and unexamined prejudices, or vanity, or the quest of private advantage—and yet as always inwards and incorrigibly assured that his motives were rational."¹⁷ Thus they turned naturally to counterpoise: "accomplishing desirable results by balancing harmful things against one another." The model for this was Newton's celestial mechanics, where the planets' centrifugal force is precisely balanced against their centripetal force, "these two otherwise mischievous forces cause these bodies to behave as they should."¹⁸ To Lovejoy the men of the Convention realized that their "problem was not chiefly one of political ethics but of practical psychology, a need not so much to preach to

Americans about what they ought to do, as to predict successfully what they would do” and thus the applicability of the Newtonian model.¹⁹

Franklin's conclusion itself is a perfect application of this general method, a positive statement arising from a combination of negations: “I consent...to this Constitution because I expect no better, and because I am not sure, that it is not the best. And thus he concludes:

On the whole, Sir, I can not help expressing a wish that every member of the Convention who may still have objections to it, would with me, on this occasion doubt a little of his own infallibility, and to make manifest our unanimity, put his name to this instrument—

Note that Franklin's words do not bind the signatories to a formal endorsement of the document, but merely ask that as members of state delegations, they all agree to sign as witnesses. When Charles Cotesworth Pinckney, a delegate from South Carolina, thought to reach beyond this ambiguity, and pledge himself to the Constitution's ratification, Franklin responded: “It is too soon to pledge ourselves before Congress and our Constituents shall have approved the plan.” The anticipatory character of We the People was not lost on Franklin. As it happened, even after last minute changes were accepted—most dramatically changing the ratio of representation in the lower house from one delegate for every 40,000 inhabitants down one for every 30,000—there remained

three delegates still present (Elbridge Gerry, Edmund Randolph, and George Mason) who could not bring themselves to sign; but the speech, alone not bound by the secrecy of the proceedings, was sent by Franklin to a number of correspondents and in less than six months had been reprinted over thirty six times, and in nearly every state.²⁰

It was Franklin who alone made reference to religion, it was Franklin as well who insisted that anything like the certainty of the religious realm was out of the question. Is this not another application of counterpoise, or what might be called more generally a positive acceptance of tension, or balance, though certainly of a much subtler and tacit sort? Although perhaps not all that tacit. Consider Franklin's contribution to the ratification debate. He did not merely hint of myth or miracle: in his newspaper essay, entitled "A Comparison of the Conduct of the Ancient Jews and of the Anti-Federalists in the United States of America," he aims directly at the very model of divine revelation. Employing his characteristically fictionalizing wit, he relays the speech of a "zealous Advocate for the propos'd Federal Constitution:"

On the whole, it appears, that the Israelites were a People jealous of their newly-acquired Liberty, which Jealousy was in itself no Fault; but, when they suffer'd it to be work'd upon by artful Men, pretending Public Good, with nothing really in view but private Interest, they were led to oppose the Establishment

of the New Constitution [Franklin's italics], whereby they brought upon themselves much Inconvenience and Misfortune.²¹

And to be certain that the full implication of this argument is clear, Franklin proceeds paradoxically—another kind of tension—to disclaim the very analogy between Constitution and the Holy Book, precisely by way of affirming it:

To conclude, I beg I may not be understood to infer, that our General Convention was divinely inspired, when it form'd the new federal Constitution, merely because that Constitution has been unreasonably and vehemently opposed; yet I must own I have so much Faith in the general Government of the world by Providence, that I can hardly conceive a Transaction of such momentous Importance to the Welfare of the Millions now existing, and to exit in the Posterity of a great Nation, should be suffered to pass without being in some degree influenc'd, guided and governed by that omnipotent, omnipresent and beneficent Ruler, in whom all inferior Spirits live, and move, and have their Being.

Perhaps it was Franklin alone could let the secular and revealed aspects of their undertaking flicker without alarm.²² When the conditions of

its framing are considered together, along with the function that it exercises, the Constitution seems a peculiarly hybrid kind of phenomenon, a paradox, secular and revelational at once.

Why, for instance, is God absent, not only from the proceedings of the Convention, but from the document itself. This did not go unremarked, eventually leading to a failed attempt at a new preamble (“Recognizing Almighty God as the source of power in civil government, and acknowledging the Lord Jesus Christ as the governor among nations....”).²³ The religious scholar Marvin Marty, having read in their entirety the two Library of America volumes on The Debates of the Constitution, making note of “all references that could be construed as religious” through the 2,387 pages of documents, finds what he calls “terribly slim pickings,” and concludes that “the two volumes confirm the idea that the founders’ practical politics displaced and left little room for sustained discussion the metaphysical, metaethical and theological backdrop to constitutionalism.”²⁴ Specifically in regard to the ordinary matters of religious life, “one would hardly know from these collected documents that Americans were churchgoers.”²⁵ The clergy are “all but invisible.” References to the Bible specifically as a source of authority are “extremely rare.” In one of them Dickinson “uses I Corinthians 12 on the body of Christ as an analogy for ‘the benefits of union’ in the republic.”²⁶

To this account might be added the fact that in the whole of the Federalist Papers there is not a single reference to God.

There is no question in all this that the founders, like the vast majority of their fellow Americans, knew their Bible, only that, as Jon Butler in his recent history of American religion, Awash in a Sea of Faith says of the Revolution, it was “a profoundly secular event.” When afterwards the ministry was able to “sacralize” it, it was strictly by virtue of the fact that so many of the clergy has, as it happened, supported the Revolution.

NOTES FOR CHAPTER FOUR

¹ All three of these last quotations—Madison, Morris and Wilson— are found in Farrand, p. 60f.

² Ferguson (1999), p. 233.

³ Bacon, “LV. Of Honor and Reputation,” p. 122.

⁴ Bailyn, ed. vol II, p. 194.

⁵ quoted in Kammen (1986), p. 45.

⁶ quoted in Farrand, p. 206-7. Morris also suggests that “others have given [the Constitution] a less righteous origin”—in effect an anti-Federalist inversion of the same thought.

⁷ Murrin, p. 347. The image of a roof and walls is borrowed from Francis Hopkinson, composer, poet, and signer of the Declaration.

⁸ Kammen (1986) traces the question from the late nineteenth century, although he himself expresses some qualified reservations about the basis for the question—see pp. 46ff.

⁹ Banning, p. 167-168.

¹⁰ Elkins and McKittrick (1961): “In the end, of course, everyone “crossed over” [to the side of the Constitution]. The speed with which this occurred once the continental revolutionists had made their point, and the ease with which the Constitution so soon became an object of universal veneration, still stands as one of the minor marvels of American history.” (p.394-395)

¹¹ Frontier settlers of western North Carolina had named their state “Franklin.”

¹² For Morris’s remark, see Farrand, p. 94

¹³ Madison, p. 209-210.

¹⁴ Chapter XIV, available on The Electronic Franklin:

"[http://ushistory.org/franklin/biography/index .htm](http://ushistory.org/franklin/biography/index.htm)"

¹⁵ Madison, p. 211.

¹⁶ Lovejoy, p. 38.

¹⁷ Lovejoy, p. 37.

¹⁸ Lovejoy, p. 39.

¹⁹ Lovejoy, p. 46.

²⁰ Bailyn, II, p. 1138

²¹ Franklin, p. 1147

²² In this context see Leo Lemay's interesting suggestion, what may "at first seem far fetched," that Franklin's "sense of self can best be thought of as a species of mysticism." Emerson, ed., p. 228.

²³ See Beeman, p. 329. The attempt reached its height during the Civil War, and then sank without leaving so much as a ripple in the popular mind.

²⁴ Marty, p.316; p. 327.

²⁵ Marty, p. 318.

²⁶ Marty, p. 317.

5 The Paradox of Secular Revelation

Nothing so thin, but has ...two faces; and, when the observer has seen the obverse, he turns it over to see the reverse. Life is a pitching of this penny, --heads or tails. We never tire of this game, because there is still a slight shudder of astonishment at the exhibition of the other face, at the contrast of the two faces....This head and this tail are called, in the language of philosophy, Infinite and Finite; Relative and Absolute; Apparent and Real; and many fine names beside.

Emerson¹

It is not often enough remarked how peculiar a status the Constitution possesses for the United States. It is not merely that few, if any, texts of the modern world have begot an interpretive practice denser, more diverse, or methodologically more self-conscious. This late eighteenth century text, engrossed on antique parchment, is felt by the Americans to emanate so profound an aura, that one of the world's most powerful, and arguably most aggressive, and skeptical, nation states continues to submit to it as the ultimate source of its political authority. There is no national voice that questions this status, that decries the

Constitution as an alien text. The charge of “unconstitutional!” bespeaks an unquestioned, and all but unquestionable, standard of absolute judgment. Indeed, conflicts engaging citizens’ deepest convictions—even in this late age of “cultural civil war”—are channeled, into disputes over the Constitution’s proper and legitimate interpretation.

A dramatic historical exception to this rule offers only proverbial proof. Henry Lloyd Garrison, leader in the decades before the Civil War of those most committed and uncompromising in their opposition to slavery, famously burned a copy of the Constitution at an abolitionist meeting on July 4, 1854, in Framingham, Massachusetts. In its tacit endorsement of slavery, the Constitution was nothing less, he proclaimed, than “a covenant with death and an agreement with Hell.”² His followers cheered, though even among them some hissed in consternation; but this was not a gesture likely to be repeated, and by the war Garrison himself emerged as firmly committed to the Constitution’s sanctity.³

Even now, at the outset of the twenty-first century, and notwithstanding the recent, decades-long resurgence of fundamentalist Christianity in American political life, it is striking that there has been no public movement to insist the Constitution submit itself to a higher authority, as, for example, the Gospels, or the words of Jesus. In the case, for instance, of the bitterly disputed Roe v. Wade decision, over which some have been willing either to spill blood, or to apologize for those who

do, there has been no argument that the 1787 text itself, if it allows such judgments, must be illegitimate, but only the furious assertion that certain judicial interpreters have erred, arrogating to themselves powers that the Constitution itself does not grant to them.

One could, perhaps, argue that this is an overstatement of the Constitution's authority in American life, mistaking the Constitution of We the People, for the People themselves, that ultimate authority in the United States resides not in the letter of the text but in the sovereign People. The People are, after all, free to amend the Constitution; indeed they are free even to replace it. While it is true that there is in the document a clear, and some time exercised, right of amendment—though in fact seriously limited by Part V of the body of the Constitution⁴—the very procedure of amendment, as well as that for convening a new constitutional convention, follow clear Constitutional provisions; it is therefore dubious that any authority, the People included, can be said to subsume that of the text itself.

And yet how rarely the Constitution is examined in the more general contexts of American culture. It is often as if the Constitution's governing presence at the center of American identity is merely incidental to its political machinery. One has only to turn to two texts, written by academic experts, and published for what turned out to be the underwhelming celebration of Constitution's bicentennial, to glimpse the strangeness of

this fact. The first, historian Michael Kammen's Bicentennial contribution, begins with an acknowledgement of his surprise in discovering how little had been written on his chosen subject, that indeed notwithstanding the enormous accumulation of scholarship on and about the Constitution, his own work, A Machine That Would Go of Itself: The Constitution in American Culture, would be the first attempt in two centuries "to describe the place of the Constitution in the public consciousness and symbolic life of the American people."⁵ He expressed a professional astonishment that "the most revealing cluster of pertinent source material"-the papers from the Centennial Commission of 1887, and from the Sesquicentennial of 1937--had remained untouched through all the intervening years. The second, The Constitution of 1787: A Commentary by political scientist George Anastaplo, is equally odd. While writing his commentary, he expressed a surprise similar to Kammen's in finding that, prior to his own attempt, the Constitution had attracted in its first two hundred years not a single commentator who cared to consider the document in the absence of reference to its ever growing mass of "judicial and other official interpretations and applications;" that there had not yet been written "any other book-length, section -by-section commentary of the United States Constitution proceeding primarily from the original text itself."⁶

Why? How could it be that a text engendering the American people's identity is so rarely invoked in discussions of American culture

beyond strictly legal or political contexts? It is as if there lurks some mystery or secret about the Constitution, perhaps better left unexamined.

In order that the Constitution work it must be a wholly secular document, and it must be a revelation. It must be fully secular, yet fully revealed. But if it were a revelation, it would have to meet the criteria established by the Biblical model, and for Protestants, most especially an Old Testament criteria. When God comes down upon Sinai a thick cloud of smoke hides the mountaintop. The people assemble at the foot of the mountain, warned not to proceed further. Only Moses ascends. The revelation sets out a scheme of government—how the People are to live among themselves—along with some particular laws. And along the way the People accept it. They say to Moses: “All that the Lord had spoken, we will do.”⁷ The Constitutional Convention, along with the Ratification, seem to accord squarely with this Sinaitic model. Four clear indices of revelation in the Sinai account they all knew, seemed to have their parallels in 1787—that only a representative of the people actually receives it; that the reception is veiled in absolute secrecy, that the revelation itself declares something like a scheme of government along with some particular laws, and that the People give their voluntary acquiescence. And both, of course, are verbal artifacts.

Yet the most striking parallel of the Constitutional founding to the Sinaitic revelation is that in both cases a group of separate if related social

entities became a People. The Biblical Hebrews had similarly come from elsewhere to their land, and thus faced the conundrum of a beginning without an origin, and both the Biblical revelation and the Constitutional Convention converted that beginning into something that was also an origin. The tribes of Israel became a nation, and the Chosen People, so the States of the former colonies became a nation and a People.

Of course, analogies of this general sort were a commonplace of the kind of typology that obsessed New England, and it is difficult to believe that that heritage did not play some part in the American founding. But it must be stressed that neither those who framed the Constitution, nor those who ratified it, consciously subscribed to any such typological understanding. And the Constitution was as much the work of the South, and indeed of the Middle Colonies—perhaps more so—than of New England. Moreover, typology is a form of analogical interpretation which is anything but a matter of secrecy and evasion. It is all the more interesting, therefore, as we examined in the last chapter, how very muted and tactful and as-if the typological suggestions were. It is all in the realm of Lincoln's famous reference to the Americans as "an almost Chosen People," an assertion accompanied by a denial. Paradoxy has replaced orthodoxy.

But on the face of it, conceiving the blueprint-like Constitution as a revelation is a rather far-fetched conception. There is certainly little reason to believe that the Constitution was consciously modeled on Biblical, or

Sinaitic, revelation. But on what was it modeled? The Founders believed that they more or less invented the form themselves, with hints from the State Constitutional Convention of Massachusetts of a few years earlier, and subsequent historians have largely agreed.

And yet, the ambiguity of the representative status of the delegates, and the secrecy of their proceedings is, at the least, an interesting parallel. Rakove claims that “the most remarkable aspect of the Convention’s four-month inquiry was that it was conducted in virtually absolute secrecy, uninfluenced by external pressures of any kind.”⁸ Secrecy itself casts something of a mystery about the proceedings, just as things secret have a kind of natural association with things sacred.⁹ That this extreme secrecy continued even after ratification makes it perhaps that much more striking. Not only did the surviving delegates keep a remarkable fealty to the Convention’s rule, but Madison, notwithstanding the urging of others, refused to publish his Notes, the only thing amounting to a full record of the course of the Constitution’s creation, until after his death. And he was the last of the delegates to die, just one year short of a half century after the Convention completed its work.

As for the people’s voluntary acceptance of the Constitution, Madison himself in a speech on the floor of the House of Representatives in 1796, addressed its high significance when discussing his personal

knowledge of the Convention's "intention," and whether that intention could serve as a guide for understanding the Constitution:

after all, whatever veneration might be entertained for the body of men who formed our constitution, the sense of that body could never be regarded as the oracular guide in the expounding the constitution. As the instrument came from them, it was nothing more than the draught of a plan, nothing but a dead letter, until life and validity were breathed into it, by the voice of the people, speaking through the several state conventions.¹⁰

What of the content of the Constitution and any analogy to revelation? The United States Constitution is often described, along with its precursor state constitutions, as the first written constitution. It is now agreed, however, that its great innovation was instead in the very nature of its content, the radical aspect of its supremacy. It is not merely the "supreme law," as it says itself, in regard to the laws of the separate states; it is superior to any laws whatever: it is the law of the laws. Moreover, the Americans themselves knew very well that their greatest achievement was the creation of this high, overarching authority. When they looked at England they saw a sovereign Parliament that obeyed no law but that of its own devising, including as in the Septennial Act of 1713 extending its own duration. It is precisely because Britain lacked not a written constitution per

se, but a government-framing constitution, a law by which the law must operate, that Paine could say with conviction that “there is no constitution in England.”

But then how can we explain the complete and indeed the surprising absence of any religious reference in the Constitution itself, and the rarity of such reference in the ratification debates? Is it because it would introduce a frame of reference precisely in conflict with the underpinnings of the very process of constituting the new nation? In order for the part sacred aspect of the Constitution to function, at least two conditions had to be met? It could not be made explicit; and the Bible itself, the historical revelation, had to be kept out of sight. There was nothing irreligious about the Convention, and nothing hostile to religion in the Constitution, but it is as if the Bible and all its accompanying myths—and the word is used neutrally here, not as a token of unbelief—as if they had to remain off stage if the Constitution were to assume the role assigned it, of constituting a people, e pluribus unum, a One from the Many.

Yet the Constitution has been so often imagined as a machine, the very essence of secularity. It seems one of the last association we would make a revealed text. Kammen in The Machine that Would Go By Itself explains that the metaphor behind his title remained dominant from the ratification debates until at least a hundred years afterwards.¹¹ In 1981,

Gary Wills examining the Federalist Papers is still comfortably uses the figure: "A constitution," he writes, "is precisely, an ordering, a proper articulation into parts; a machine for living."¹²

What keeps general reflection on the Constitution in American culture a strangely subdued, even occluded, affair is, perhaps, just this paradox of the its secular and revelational character. It is not a secularized revelation. In its formation and its function, it is simply secular from one perspective, as it is revelational from another. Not that these aspects or faces of the Constitution actually work together. In an ordinary way, the combination makes no sense. It violates logic. It is para doxos, beyond belief. But then John Dickinson had famously insisted that logic could play no part in Constitution's construction: "Experience must be our only guide," he told his fellow delegates. "Reason may mislead us."¹³ And Max Farrand concludes his account of the Constitution's framing by acknowledging that

it was not a logical piece of work. No document originating as this had and developed as this had been developed could be logical or even consistent. That is why every attempted analysis of the constitution has been doomed to failure. From the very nature of its construction the constitution defies analysis upon a logical basis.¹⁴

It is as a secular revelation that the Constitution met the challenge which Hannah Arendt described as confronting modern political life, namely its “most elementary predicament” of needing to overcome the “profound instability” that results from “the emancipation of the secular realm from the tutelage of the Church.”¹⁵ The United States Constitution established authority for an American national life from a paradoxically middle position, now assuming a transcendent authority, now insisting on an uncompromising secularity.

The practice of constitutional interpretation, from the first Congresses to the present, reflects this paradoxical quality. The belief in original meaning, the idea that the meaning of the text was somehow fixed by the founders, or the ratifiers, coexists in what could be described as a tension, or a contradiction, with the idea of an organic constitution whose meaning changes with the changing times. Is it a revelation, handed down to us to live by and preserve, or is it a machine of our own making, one we can revise and rework as it suits us? Joseph Ellis, in his recent popular book on the Founders, describes the debate between these two irreconcilable conceptions as historically unresolved, and then comments: “If that means the United States is founded on a contradiction, then so be it. With that one bloody exception, we have been living with it successfully for over two hundred years.”¹⁶

Framed in strictest secrecy, claimed proleptically as of the whole People's authorship, obscuring the very existence of the nation's religious life while it assumes a transcendent, overarching authority, a beginning that was also an origin, and replete with Sinaitic analogies, the Constitution of the United States befits a nation conceived in paradox, in which independence brought mutual dependence, and sovereign states remained intact within a sovereign union.

The first national coin minted by the government of the United States, in the same year as the Constitutional Convention, provides an apt metaphor for the Union's paradoxical foundation. On one side, thirteen interlocking rings, themselves together forming a larger ring surrounding the almost mystical motto "We Are One." On the obverse side, below the sun and a sundial, are the doggedly secular, hortatory words: "Mind Your Business."¹⁷ It is as if the Constitution is the optically illusory sphere created by flipping this coin into the air. The two sides, "We Are One Mind Your Business" cannot by their very nature be seen at one and the same time except through this continuous oscillation.

NOTES FOR CHAPTER FIVE

¹ Emerson, p. 90 ("Montaigne")

² An account of the meeting is given in Mayer, pp.39-49, and Merrill, pp.207-207.

³ As another instance of the Constitution's capacity to absorb dissent, note Frederick Douglass who, having in 1849 referred to it as proslavery, was calling it by 1862 an antislavery charter. See Levinson, p. 38.

⁴ The Congress, whenever two thirds of both houses shall deem it necessary, shall propose amendments to this Constitution, or, on the application of the legislatures of two thirds of the several states, shall call a convention for proposing amendments, which, in either case, shall be valid to all intents and purposes, as part of this Constitution, when ratified by the legislatures of three fourths of the several states, or by conventions in three fourths thereof, as the one or the other mode of ratification may be proposed by the Congress; provided that no amendment which may be made prior to the year one thousand eight hundred and eight shall in any manner affect the first and fourth clauses in the ninth section of the first article; and that no state, without its consent, shall be deprived of its equal suffrage in the Senate (emphasis added)

⁵Kammen (1986), p.11.

⁶ Anastaplo, p.3

⁷ Exodus 19:8. The other details come also from Exodus chapter 19.

⁸ Rakove (1979), p. 399.

⁹ Jefferson, complaining to Adams about the request to publish the two friends' private correspondence wrote, "These people think they have a right to everything however secret or sacred." The passage is quoted in the Preface to Cappon, ed. p. xxv, and dates from Aug 10, 1815.

¹⁰ Quoted in Rakove (1996), p. 362.

¹¹ Kammen (1986), pp. 17-19. The phrase in his title is from James Russell Lowell, who, however, gently warns his countrymen against the "complacency" evident in the image.

¹² Wills (1981), p. 255.

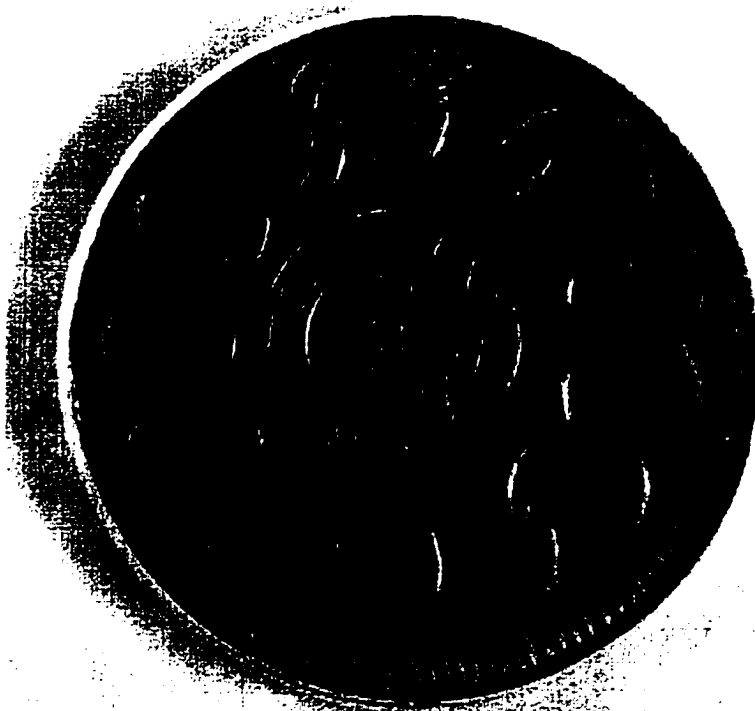
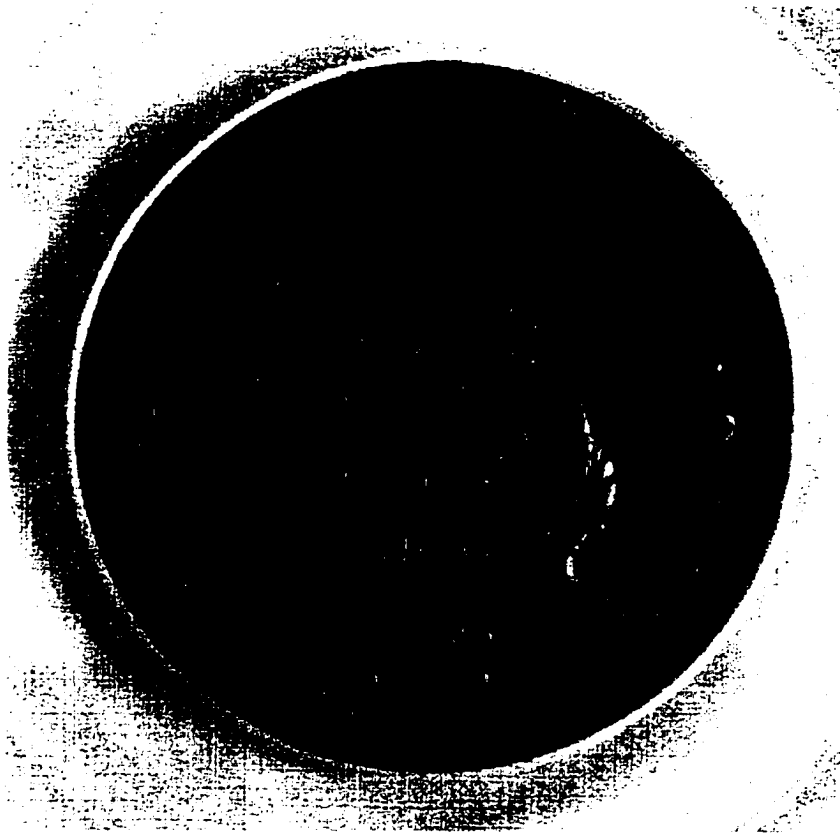
¹³ Quoted in Farrand, p. 203.

¹⁴ Farrand, p. 201.

¹⁵ Arendt (1963), p. 159-160.

¹⁶ Ellis, p. 16.

¹⁷ Everywhere amid the founding, it seems, is the aged Ben Franklin. He seems to have devised the coin's design, known now as the Fugio, or Franklin, cent.



Note that the individual rings are indistinguishable from the larger ring which they constitute, thus a perfect illustration of the mystery of the One of union.

Illustration One: The Fugio (Franklin) Cent

II. . Secular Revelation and a Theory of the American Renaissance

6. Declarations of American Literary Independence

In 1788, the year of the Constitution's ratification, Philip Freneau, the acknowledged "poet of the Revolution," published in the name of an imaginary sometime weaver and writer, the late Robert Slender, an "Advice to Authors" which begins with what will become an often repeated sentiment in the new nation: "There are few writers of books in this new world, and amongst these very few that deal in works of imagination, and, I am sorry to say, fewer still that have any success attending their lucubrations." A little further on, he defensively explains that "a political and a literary independence . . . being two very different things—the first was accomplished in seven years, the latter will not be completely effected, perhaps, in as many centuries." He offers ten numbered pieces of advice to the "genuine author," starting with a warning against dedicatory epistles "first invented by slaves, and . . . continued by fools and sycophants," and concluding with this stoical recommendation:

10. If fortune seems absolutely determined to starve you and you can by no means whatever make your works sell; to keep up as much as in you lies, the expiring dignity of authorship, do not take to drinking, gambling or bridge-building [Paine's

would-be means of earning a living] as some have done ,
 thereby bringing the trade of authorship into disrepute; but
 retire to some uninhabited island or desert, and there, at your
 leisure, end your life with decency.”¹

It has long been recognized how quickly, and impatiently, Americans proceeded from political independence and nation-building to a campaign for a new and independent American literature, a campaign that often amounted to a simultaneous demand and disappointment, and that was to continue for nearly half a century. Not surprisingly, these declarations of American literary independence were diverse, and changed with the changing conditions in the Union.

The dominant literary task demanded in the first decades of national life was the defense of the new republican government. It must be remembered that during the earlier Federalist period, most especially before Jefferson's election in 1800, though lingering on until after the War with the British in 1812, the survival of the newly constituted Union was by no means assured, and that there was, therefore, a general agreement about the urgency of literature coming to its defense. In part this is a reflection of the larger denotative range of the notion of 'literature,' one still in keeping with Samuel Johnson's definition of "learning; skill in letters." What a later age would call learned treatises—the Commentaries of Blackstone; works by Grotius, Pufendorf, Burlamaqui, and Montesquieu—

were written with a consciously literary intention, and were so read.² But literature in the sense of poems and novels was likewise dominated by a peculiarly communal and didactic purpose. As Michael Warner has pointed out, the Americans of the early republic “even in their aesthetic discourse, understood their engagements with print activities [as] in the republican public sphere subject to its norms.”³

In practice this often meant doggedly imitative and didactic verse. Thus Timothy Dwight, in his introduction to the imitative Greenfield Hill of 1794, offers it with a didactic defense of his work: “Poetry appears to be as advantageous an instrument of making useful impressions as can easily be conceived. It will be read by many persons who would scarcely look at a logical discussion”⁴ Poetry, by this view, is an instrument, one designed for its therapeutic qualities, with the weaknesses of its readers in mind. There is nothing condescending in this, anymore than there is anything indecorous when Royall Tyler has the Prologue in his play The Contrast apologize for the dramatic shortcomings with an assertion of communal, republican intentions:

Should rigid critics reprobate our play,
 At least the patriotic heart will say,
 “Glorious our fall, since in a noble cause.
 “The bold attempt alone demands applause.”⁵

Looking back from the perspective of 1852 on these early attempts at a national literature, Ralph Waldo Emerson evinces nothing but scorn for this didactic literature, contending that "from 1790 to 1820 there was not a book, a speech, a conversation, or a thought in the state."⁶ In the case of imaginative literature, at least, Emerson's judgment has long seemed, however uncharitable, not altogether inaccurate. Two hundred years later in 1958, Leon Howard summarized the case against the nation's earliest literary writers with more sympathy, and a minor note of qualification, but with no higher opinion: "The products of their enthusiasm, study, and sensitivity are generally imitative in form, neoclassic in style, and deadly in their effect upon sensitive later readers."⁷

Recent decades have witnessed, however, an attempt to revise this critical consensus, though in order to work this revision there has been a parallel effort at revision of the very criteria of critical judgment. Michael Gilmore in the most recent Cambridge History of American Literature exemplifies what might be called the current historicist orthodoxy when he insists that the earlier consensus "takes for granted the existence of an ahistorical notion of what constitutes literary achievement, one that gives absolute primacy to aesthetic value."⁸ Without quite falling prey to this shell game of literary valuation, Michael Warner devotes himself to a study of the early novel while explicitly denying any attempt "to redeem these novels as triumphs of artistic intention." Indeed he goes so far as needing

to justify his engagement in what he describes as a “proto-literary field,” the study of which could amount to “mere antiquarianism,” by the opportunity it provides for “rethinking the relation of cultural goods to the public sphere.”⁹ For he, too, shares in the notion that these early novels must be understood as “features of a public sphere rather than a liberal aesthetic.” And since he describes the novel form as “by nature divorced from the public sphere, designed as an occasion for a specially private kind of subjectivity” he concludes, not surprisingly given these assumptions, that these “novels could only narrate their anxieties about the hazard to the republic that they themselves posed.”¹⁰

The most penetrating recent critic of this republican literature, in its didactic aim of union and in its “aesthetics of order and control,” and upon whose work this chapter is indebted is Robert Ferguson, who by re-imagining the historical “configuration of law and letters” dominating the period has managed to address with insight the genuine, if modest, literary achievements of the new nation’s earliest writers, without needing surreptitiously to cast them out of the realm of poetics. He shares with other revisionist critics a desire not to sacrifice “the creative context of early national writings to the success story of a later literature” and to acknowledge “the original meaning and strength of the republic’s first books;”¹¹ but when he goes on to cite John Adams’s collected correspondence to Thomas Jefferson as “the central literary

accomplishment of the period," he makes no move to obfuscate the notion of the literary, and adduces the confirmative opinion of Ezra Pound, that modernist high priest of the aesthetic.¹²

The Federalists who politically dominated the Union until the election of Jefferson in 1800, and continued to dominate culturally until at least as late as the War with the British in 1812, conceived of republicanism as a polity precariously balanced between the oppression of tyranny and the licentiousness of democracy. Their Revolution had focused on the tyranny of the king; their fears of democracy became lodged in the image of the later events in France, and most especially as those Revolutionary events became interpreted by their ideological enemies, beginning with the formidable Edmund Burke. Ferguson explains that the didacticism of the literature of this period of Federalist domination had a strongly conservative cast, and it aimed at fostering a stable communal unity. It was above all the unity of a listening audience that the literature essayed. As Ferguson has aptly expressed it: "In the early republic the unity of a listening audience was simultaneously a type for and a step toward a unified country"¹³

The technique by which the early writers were to accomplish such a union was the ancient literary art of eloquence. Hugh Swinton Legaré, Attorney General and then Secretary of State under Tyler, and the dominant critic of the southern states—not a combination of vocations

likely from any later time--defined eloquence as "poetry subdued to the business of civic life." The precision of this brief description reveals both the direction and the pressures under which the earliest American poets, dramatists and novelists needed to work. What Ferguson describes in his book, Law and Letters in the New Republic, are the historical circumstances in which the exemplars of eloquence were the students of law, so that the literary itself became allied to the law, and lawyers became the literary activists, the primary source and audience for the new American literature.

Until the Revolutionary generation, ambitious young men found themselves naturally moving toward the ministry, as the foundations of all early American institutions of higher learning attest. About the time of John Adams's generation, however, these young men began to migrate to the practice of law. Indeed, by the early years of the republic, when only one in five hundred had any higher education, it was the lawyers for whom this education was seen as a distinctive mark of their profession.¹⁴ Cicero, whose bust notably presides over the idealistic debates in Charles Brockden Brown's novel, Wieland (1799), served as the model for the early American lawyer. This lawyer's natural habitat was in the courtroom. Traveling around the country with the state court judges, these circuit-riding lawyers formed thereby an active sense of fraternity, while the entertainment afforded by the local sessions of the courts made them

natural focal points of public attention. Moreover, in a republic constituted by language, their devotion to the written word qualified them as the obvious defenders of the new political order. As Alexis de Tocqueville was later to explain:

The government of the Union depends almost entirely upon legal fictions; the Union is an ideal nation, which exists, so to speak, only in the mind, and whose limitations and extent can only be discerned by the understanding.¹⁵

It was as men of letters that the lawyers naturally dominated literature. As a self-conscious educated elite they were the largest audience for the literature as well.

It cannot then be surprising, but it is nevertheless striking, just how many of the early American writers were associated with the law. To mention only the most significant writers, Charles Brockden Brown, John Trumbull, Royall Tyler, Hugh Henry Brackenridge, Washington Irving, William Bryant, and James Fennimore Cooper had all of them trained as lawyers, and of these half had actively practiced the profession, at least for a time. Within this configuration of law and letters, it was unquestionably the law that dominated. Not only was it impossible to earn a living in America by writing alone, it was not perceived as desirable, and amounted almost to an abandonment of the cause of the Union. Brown, the first American to declare himself a professional writer, left his law

career in Philadelphia for a literary career in New York with only the greatest trepidation, and after two years of prodigious literary production, writing his five strongest novels, he retired from literature to enter business. A full quarter century later we can still hear literature's subordinate status in both the content and tone of a letter addressed to the young Henry Longfellow by the editor of the United States Literary Gazette, Theophilus Parson Jr. Longfellow had written him longing to abandon his father's law office for literary work at the Gazette, to which the editor replied:

There is a stage in the progress of a bright mind, when the boy has thrown away his toys and marbles, but the young man is still so far a child as to value things more by their elegance and power of amusing than by their usefulness. He plays with his books and thinks he is working when he is only playing hard . . . Get through your present delusion as soon as you can; and then you will see how wise it will be for you to devote yourself to the law.¹⁶

It is law in the singular with which these men of letters were preoccupied. Brown's powerfully fascinating novels tend to engage in wildly burgeoning allegories in which abstract principles of law and social order often occupy a prominent position. The most effective of them, Wieland, confronts the reader with a frightening case of confused sources

of authority, fraudulently ventriloquized voices, and crimes that seem to evade the categories of courts. Brackenbridge's Modern Chivalry is similarly concerned with the principle of law, with the fate of the Founders' high valuation of law when confronted by the democratic reality of frontier life, just as for Washington Irving the law as a system of order is the obsessive object of his satire and humor.

For our purposes of tracing the effect the paradoxical form of the Constitution had on the development of American literature, it is ironically the case that these lawyer-writers are of very little interest. Law for them meant a conservative check on excessive order from above and insufficient order from below, so that the Constitution embodied the system of national defense which the community, led by the men of letters, dutifully struggled to maintain. What engaged the imaginations of these men of letters was the great danger implicit in the Constitution, its need for interpretation, bringing with it the threat of a democratic freedom in interpretation. With the gradual breakdown of the configuration of law and letters that Ferguson describes, this anxiety and its defensive posture became increasingly explicit, and its alliance to literature faded.

Beginning with the War of 1812, and the Union's increasing commercialism, there came a rapidly expanding accumulation of case law. As the men of letters gave way under the tide of a rising democratic age of universal white male suffrage, the legal profession changed dramatically.

Where once a lawyer needed to be a highly educated man, versed in the classics, and in the literary art of eloquence, what he increasingly came to need was a mastery of the ever-increasing numbers of law textbooks. In keeping with this development, all the state bar associations dropped the requirement of a college education. Daniel Webster, the very paradigm of the lawyer as a generalist orator of the early republic, found in his later years that he needed the assistance of friends in order to function professionally, friends who had mastered the new technical legal competence. However magnificent his grasp of the larger notion of the law, he grew increasingly ignorant of the laws.¹⁷

With the Compromise of 1820, slavery, the unsettling conflict at the heart of the Constitution, came to the fore in national discourse, and the lawyers could no longer reach for eloquence as a means of unification. Compromise is the product of often crabbed negotiations, and purposeful ambiguity; one doesn't rouse a people into compromise. Declarations of American literary independence developed, as the intimate connection between law and letters dissolved, with an increasingly nationalist fervor. Literary independence continued to be declared into at least midway into the century. An often quoted passage from Longfellow's brief autobiographical novel of 1852, a dialogue between a schoolteacher, Mr. Churchill, and a brash entrepreneurial would-be Magazine editor, well

captures both the noisiness of these declarations, and the lingering dissent they aroused:

'I think, Mr. Churchill,' said he, 'that we want a national literature commensurate with our mountains and rivers,—commensurate with Niagara, and the Alleghenies, and the Great Lakes?'

'Oh!'

'We want a national epic that shall correspond to the size of the country; that shall be to all other epics what Banvard's Panorama of the Mississippi is to all other paintings,—the largest in the world!'

'Ah!'

'We want a national drama in which scope enough shall be given to our gigantic ideas, and to the unparalleled activity and progress of our people!'

'Of course.'

'In a word, we want a national literature altogether shaggy and unshorn, that shall shake the earth, like a herd of buffaloes thundering over the prairies.!'

'Precisely,' interrupted Mr. Churchill; 'but excuse me!—are you not confounding things that have no analogy? Great has a very different meaning when applied to a river and when

applied to a literature A man will not necessarily be a great poet because he lives near a great mountain. Nor being a poet, will he necessarily write better poems than another, because he lives nearer Niagara.'

. . .

'And as for having it so savage and wild as you want it, I have only to say, that all literature as well as all art, is the result of culture and intellectual refinement.'

'Ah, we do not want art and refinement; we want genius—untutored, wild, original, free.'¹⁸

If we are to understand how only after the end of the configuration of law and letters did the Constitution realize its force and direction in the development of an American literature, we need to consider the very last, and arguably greatest literary figure of that earlier configuration. He came from the West, with virtually no formal education whatever , and survived as a somewhat anachronistic lawyer-writer into a later age. It is to this old fashioned courtroom lawyer, Abraham Lincoln, that we now accordingly turn.

NOTES FOR CHAPTER SIX

¹ Spiller, ed. pp. 11-12

² See Ferguson, p. 31; 43.

³ Warner, p. 151. See also Michael Gilmore's contention that "this picture [of an unworthy earlier literature] has now been revised, as new interest in the writing of the early Republic has brought fuller appreciation of that writing's goals and character;" that these goals and character were republican and communal, and had not yet yielded to a nineteenth century "aesthetic paradigm that was congruent with liberal ideology and economic individualism." (Bercovitch ed., p. 555)

⁴ Spiller, ed. p. 19.

⁵ Spiller, ed. p. 28.

⁶ EJ , 440. The state, it must be noted, is Massachusetts.

⁷ Howard (1958), p.53.

⁸ Bercovitch, ed. p.541. This is followed by an equally representative statement about the writers "whose works established the national canon [for whom] imaginative art was differentiated from religious, moral, and civic forms of discourse." Although as a comparison of the tendencies in attitude toward literature in the respective periods, this is unobjectionable, these unqualified statements are, as I hope the remainder of this thesis demonstrates, little more than polemics posing as scholarship. See also Cathy Davidson's methodological summary in the introduction to her study of early American novels, *Revolution and the Word*: "seemingly nonliterary considerations still suggest the scope and nature of a particular work's use and appeal, the interpretive community to which the work appealed, how its appeal illuminated the sociological context in which it takes place, and all of these factors together can contribute to a history of texts, an archaeology of reading." [emphasis added] (p. 6). That qualifying

“seemingly” manages to evade the question of specifically literary value while seeming to address it.

⁹ Warner, pp.151-152.

¹⁰ Warner, p. 151; 176. This is to leave aside the question whether Warner’s assumption that the novel is “by nature divorced from the public sphere, designed as an occasion for a specially private kind of subjectivity” is actually the case. On the face of it, it would seem truer, for instance, of lyric poetry than of almost any form of prose fiction. .

¹¹ Ferguson (1990), p. 4.

¹² Ferguson (1990), p. 5.

¹³ Ferguson (1990), p. 81.

¹⁴ Ferguson (1990), p. 66.

¹⁵ Tocqueville, p. 164.

¹⁶ Quoted from Lawrence Thompson, Young Longfellow 1807-1843. New York: Macmillan, 1938 in Ferguson (1990), p. 93.

¹⁷ Ferguson (1990), pp 230.

¹⁸ Longfellow, pp 754-756.

7. Lincoln: Preserving the Revelation

With the most important of Abraham Lincoln's early speeches, his 1838 "Address to the Young Men's Lyceum in Springfield," we arrive at what would become, in many respects, the culmination of the Constitution's ratification in American political life. In his speech Lincoln articulated a view of the Constitution, largely in accord with the Whig rhetoric of his time, that would remain consistent throughout the remainder of his life, and which would guide him through the long complex struggle of the Civil War.

We must first at least take note of some of the radical changes that had occurred between the early republic and the late 1830's when Lincoln delivered his Springfield Address. In the earlier period, as we have seen, the lawyer-writers saw themselves as helping to establish the republican experiment, eloquently awaking their countrymen to a sense of communal responsibility. With the second victory over England in 1815, and the passing of the revolutionary generation, a new spirit arose, not only of rising democracy, (however strictly limited by gender and race), but also, and not incidentally, by increasing political divisiveness. Even before the dominance of the era-entitling figure of Andrew Jackson, the fact of party conflict—not merely the division into factions, however bitter, which Jefferson still hoped to transcend, but the entrenched oppositions forces

we now associate with mass democracy itself—had become an accepted aspect of American political life. The course of Jackson's presidency merely intensified these national divisions. Upon "King Andrew's" retirement, his hand-picked successor, Martin Van Buren, a veritable party boss, neither imagined nor desired any end to this division. The issue of tariffs—demanded by the North for the protection of burgeoning industry, and dreaded by the South—and most significantly, of course, the issue of slavery, increasingly a strictly southern institution—had together threatened the very union which the Constitution had established. A series of compromises, hard-fought and bitter, failed to bring the country back to a secure sense of a shared republican experiment. Just as the South vigorously defended slavery, and its right to extend the institution to new lands in the West, an increasingly radicalized abolitionism demanded an end to enslavement, and at once. The Missouri Compromise of 1820, intended to settle the issue of slavery in the vast area of the Louisiana Purchase, and to insure a balance between slave and free states, had maintained at best an uneasy peace between the South that resented any Federal law limiting slavery and those in the North who considered the compromise a shameful acquiescence in slavery's expansion.

Nor were these the only changes. With the development of early industry came the beginnings of a market economy. Immigration dramatically increased, as did the movement of people westward,

encouraged by the vast program of internal improvements, many of them in transportation —another issue of sustained political contention—of which Lincoln himself was a strong supporter. Amid such steady and dramatic transformations it is not surprising that the subject of Lincoln's Address to the Young Men's Lyceum, "The Perpetuation of Our Political Institutions," had become an increasingly common topic on which to speak.

Addressing these young men, Lincoln was not much more than a young man himself. At twenty-nine, still single, having just two years earlier received his license to practice law, he was in the middle of a successful career as an Illinois state legislator. Indeed, he had played a crucial role in winning for Springfield the seat of the state capital from Vandalia. In his Address he presents two clear points of reference—a then, and a now: then is the time the Revolution and the founding of the government, what "was felt by all, to be an undecided experiment; "¹ now, with that experiment "understood to be a successful one," is a time to question how to preserve that governing "legacy bequeathed us, by a once hardy, brave, and patriotic, but now lamented and departed race of ancestors."² Lincoln calls specific attention to two related threats against this legacy of "our fathers." The first he refers to as "something of ill-omen amongst us":

I mean the increasing disregard for law which pervades the country; the growing disposition to substitute the wild and

furious passions, in lieu of the sober judgment of Courts, and the worse than savage mobs, for the executive ministers of justice. This disposition is awfully fearful in any community; and this it now exists in ours, though grating to our feelings to admit, it would be a violation of truth, and an insult to our intelligence, to deny.”³

Lincoln cites two specific instances of this lawlessness, one in Mississippi, where a vigilante campaign against gamblers continued “until first Negroes, then white men supposed in league with Negroes, then strangers present merely for business, till dead men were seen literally dangling from the boughs of trees upon every road side;” the other instance was in St. Louis where a mulatto man who “within a single hour from the time he had been a freeman, attending to his own business, and at peace with the world” had been chained to a tree and burned to death.⁴ Lincoln then anticipates the young men’s’ question, “But you are, perhaps, ready to ask, ‘What has this to do with the perpetuation of our political institutions?’” With the spread of such lawlessness, he explains, the protection of people and of property will no longer be secure, and thus the crucial “attachment of People” to the government will weaken. It will then be only a matter of time before “men of sufficient talent and ambition will . . . seize the opportunity, strike the blow, and overturn that fair fabric, which

for the last half century, has been the fondest hope, of the lovers of freedom , throughout the world.”⁵

With all the eloquence of a forensic preacher, Lincoln asserts that there is an answer to this threat of lawlessness:

As the patriots of seventy-six did to the support of the Declaration of Independence, so to the support of the Constitution and Laws, let every American pledge his life, his property, and his sacred honor; --let every man remember that to violate the law, is to trample on the blood of his father, and to tear the character of his won, and his children's liberty. Let reverence for the laws be breathed by every American mother, to the lisping babe, that prattles on her lap;—let it be taught in schools, in seminaries, and in colleges; --let it be written in Primmers, spelling books, and in Almanacs; --let it be preached from the pulpit, proclaimed in legislative halls, and enforced in courts of justice. And, in short, let it become the political religion of the nation; and let the old and the young, the rich and the poor, the grave and the gay, of all sexes and tongues, and colors and conditions, sacrifice unceasingly upon its aLtars.⁶

Here, very explicitly, Lincoln takes on the task that Ferguson explains as the driving purpose of the early configuration of law and letters—a

defense of the republican government. In and of itself, the outline of this solution was not original with Lincoln. But we need only read his most famous precursor for this rhetoric of constitutional preservation, Daniel Webster, to sense the new force that Lincoln brings to the argument. Here is Webster, commemorating the fiftieth anniversary of the Battle of Bunker Hill in 1825:

And let the sacred obligation which have devolved on this generation, and on us, sink deep into our hearts. Those who established our liberty and our government are daily dropping from among us. The great trust now descends to new hands. Let us apply ourselves to that which is presented to us, as our appropriate object. We can win no laurels in a war for independence. Earlier and worthier hands have gathered them all. Nor are there places for us by the side of Solon, and Alfred, and other founders of states. Our fathers have filled them. But there remains to us a great duty of defence and preservation ... Let us cultivate a true spirit of union and harmony. In pursuing the great objects which our condition points out to us, let us act under a settled conviction, and an habitual feeling, that these twenty-four States are one country. Let our conception be enlarged to the circle of our duties. Let us extend our ideas over the whole of the vast field in which

we are called to act. Let our object be, OUR COUNTRY, OUR WHOLE COUNTRY, AND NOTHING BUT OUR COUNTRY.⁷

Literary effectiveness aside—and Webster’s rhetoric sounds like pedestrian barrel-thumping in comparison to Lincoln’s--what is immediately most striking is how much more somber and religiously resonant Lincoln’s words are. It is in this sense that Ferguson describes Lincoln as the culmination of the configuration of law and letters, combining “legal abstraction and religious feeling in different and powerful ways.” It is as if the revelational aspect of the secular revelation of the Constitution receives an open, full-voiced assertion in the face of threatened lawlessness.

Lincoln’s religion has long been a matter of discussion and debate—in his own time, and among scholars and historians since. He belonged to no church. Indeed, it is not clear that religion is at all the proper term for his somber and stoical fatalism. In his resistance to evangelicalism, and religious enthusiasm of every sort, he is again closer to the lawyer-writers that came before him than he is to his increasingly religious-mad contemporaries. Yet he maintained his very personal attitude toward religious matters with a kind of perfect balancing between the play of language and the assertion of belief. Typical is the response he offered to a newspaper editor’s query about his habits of prayer: “I have been driven many times upon my knees,” he explained to him, “by the overwhelming

conviction that I had nowhere else to go.” Lincoln kneels here as if on the very knife edge of religion and secularity. Is this prayer in the sense that the editor meant? It is, and it is not.

Whatever one makes of Lincoln’s religious life, there is no question that the Bible was the most important book in his life, as well as in the development of his prose. One can hear it very plainly echoing through his plea for preserving the Constitution. In a way that recalls the early rabbinic teaching of the Mishnah to “make a hedge about the torah,” Lincoln advocates an Old Testament commitment to sober and persistent mindfulness, akin to the passage in Deuteronomy known to Protestants as the “Great Commandment,” and used for the “Schema,” the central rabbinic prayer: “And these words, which I command thee this day, shall be in thine heart: And thou shalt teach them diligently unto thy children, and shalt talk of them when thou sittest in thine house, and when thou walkest by the way, and when thou liest down, and when thou risest up.”⁸

But Lincoln does not end his speech here, when, as David Herbert Donald in his recent Lincoln biography suggests, “most listeners must have thought he had nearly finished.”⁹ He continues, instead, with a second related threat, one that since Edmund Wilson’s chapter on Lincoln in Patriotic Gore has frequently been seen as a warning against the likes of Lincoln himself—against men not merely of ambition but of “towering genius,” those belonging to “the family of the lion, or the tribe of the

eagle:"¹⁰ Such men, Lincoln warns, will not be content merely to preserve the legacy of the revolution:

Towering genius disdains a beaten path. It seeks regions hitherto unexplored. It sees no distinction in adding story to story, upon the monuments of fame, erected to the memory of others. It denies that it is glory enough to serve under any chief. It scorns to tread in the footsteps of any predecessor, however illustrious. It thirsts and burns for distinction; and, if possible, it will have it, whether at the expense of emancipating slaves, or enslaving freemen.¹¹

Lincoln warns that what had before maintained the institutions of government could no longer do so:

I mean the powerful influence which the interesting scenes of the revolution had upon the passions of the people as distinguished from their judgment. By this influence, the jealousy, envy, and avarice, incident to our nature, and so common to a state of peace, prosperity, and conscious strength, were, for the time, in a great measure smothered and rendered inactive....¹²

And again, Lincoln contrasts the Fathers' actions with what he understands this new time now demands:

They [i.e. the Fathers] were the pillars of the temple of liberty; and now, that they have crumbled away, that temple must fall, unless we, their descendants, supply their places with other pillars, hewn from the solid quarry of sober reason. Passion has helped us; but can do so no more. It will in future be our enemy. Reason, cold, unimpassioned reason, must furnish all the materials for our future support and defense. Let those materials be moulded in to general intelligence, sound morality, and, in particular, a reverence for the constitution and laws....¹³

Lincoln here argues with a paradoxically fiery passion for a “cold, unimpassioned” reason, advocating a deeply conservative, and logical defense to preserve a thoroughly Romantic and inspired vision of a heroically self-constituted, self-governing people.

Thomas Jefferson, the founder most closely associated with Lincoln if only because, as we shall soon see, the importance to Lincoln of the Declaration of Independence, nevertheless provides a striking contrast to this view of the Constitution. Jefferson had, at the outset, expressed great enthusiasm about the Constitutional Convention, indeed referring to its participants as “an assembly of demigods,” and by the year of its ratification declared it to be “unquestionably the wisest ever yet presented to men.”¹⁴ Yet throughout his life, Jefferson harbored what was the most

profound objection to the Constitution, more radical and far-reaching than anything suggested by the anti-Federalists. In contrast to the early Federalist writers, who as we have seen concerned themselves with the Constitution as a mechanism of social order, and worried about the freedom of its interpretation, what disturbed Jefferson about the Constitution was the very thought of its stable perpetuity. Although he expressed his view during the campaign for ratification, he did so only in a private letter to James Madison, one that would not reach publication until 1829, the year after his death.

Jefferson and Madison, as colleagues and mutual confidantes, shared a continuously probing political dialogue. On September 6, 1789, from his post as Foreign Minister to France, Jefferson explicitly raised a difficulty about the Constitution—indeed, any Constitution—that had been on his mind, but which, as he put it, in “the moment of making up general dispatches” he had not yet time to address. Now he begins at once with the crux of his concern:

The question Whether one generation of men has a right to bind another, seems never to have been stated either on this or our side of the water. Yet it is a question of such consequences as not only to merit decision, but placed also, among the fundamental principles of every government. The course of reflection in which we are immersed here on the

elementary principles of society has presented this question to my mind; and that no such obligation can be transmitted I think very capable of proof. I set out on this ground which I suppose to be self evident: *“that the earth belongs in usufruct to the living;”* that the dead have neither powers nor rights over it.¹⁵

The text here is characteristic of Jefferson both in the largeness of its claim and its accompanying assertion of indisputable clarity; and for many students of Jefferson, it has assumed a central place in the Jefferson canon.¹⁶ Hannah Arendt, in her profound ruminations On Revolution , cites Jefferson as unique among the Founders in discerning the central “flaw in the structure of the revolution”—a flaw as characteristic of the French as of the American Revolution—namely “that the principle of public freedom and public happiness without which no revolution would ever come to pass should remain the privilege of the generation of the founders....”¹⁷ Jefferson alone considered how to maintain what Arendt calls the “lost treasure” of the revolution, that possibility for individual participation in public affairs. This treasure, the plastic moment of revolution and its enlivening effects on the those who live through it, becomes lost precisely in the attempt to settle the revolution’s achievement. For a sense of this loss consider a most unlikely witness, William Wordsworth, who testified to the happiness and freedom which he

himself felt, though “untaught by thinking or by books / To reason well of polity or law,” while residing in France during the Revolution.¹⁸ And in reading the following lines it should be kept in mind that by the time Wordsworth wrote them he had, in his political views, turned decisively against revolution:

Bliss was it in that dawn to be alive,
 But to be young was very Heaven! O times,
 In which the meagre, stale, forbidding ways
 Of custom, law, and statute, took at once
 The attraction of a country in romance!
 When Reason seemed the most to assert her rights
 When most intent on making of herself
 A prime enchantress—to assist the work
 Which then was going forward in her name!¹⁹

To begin the world anew, to participate in the vital creativity of the political realm, free to follow not the accumulated decisions and habits of the past, but only Reason itself—it is the loss of this that Jefferson feared would result from the stable perpetuity of any constitutional arrangement. That Jefferson continued to ponder the problem he expressed in the 1789 letter to Madison is evident from a letter some two decades later to Samuel Kercheval. Kercheval had written in 1816 to request Jefferson’s views on the reform of the Virginia Constitution. Pleading his retirement, and his

contentment to “ask but for rest, peace and good will,” Jefferson nevertheless responded to Kercheval with an uncompromising reiteration of his views:

Some men look to constitutions with sanctimonious reverence, and deem them like the arc of the covenant, too sacred to be touched. They ascribe to the men of the preceding age a wisdom more than human and suppose what they did to be beyond amendment. I knew that age well; I belonged to it, and labored with it. It deserved well of its country. It was very like the present, but without the experience of the present; and forty years of experience in government is worth a century of book-reading; and this they would say themselves, were they to rise from the dead.²⁰

Although he insisted that he was no “advocate for frequent and untried changes in laws and constitutions,” Jefferson did offer at least two concrete suggestions on the means whereby, in his own terms, the dead might be prevented from governing the living. One was a proposal for periodically re-constituting the government, since “each generation is as independent as the one preceding...it has then, like them, a right to choose for itself the form of government it believes most promotive of its own happiness.”²¹ This generational period, he suggested, could be established through the consultation of tables of mortality at nineteen

years. More realistically, perhaps, he proposed a system of wards, "little republics," like New England townships, "the wisest invention ever devised by the wit of man for the perfect exercise of self-government, and for its preservation," into which the country would be divided.²² Both of these innovations would keep open the opportunity for individual political action which a fixed constitution threatened to close down.

Nothing could be more opposed in spirit to Lincoln's attitude toward the Constitution. Neither of Jefferson's suggested innovations were pragmatically workable, nor were they ever seriously attempted. His anxiety for the spirit of political freedom made possible by the Revolution, and his concerns about the status of the 1787 Constitution, indeed about the potential status of any "perpetual" constitution, have played virtually no part in American political tradition, whereas the Lincoln we hear at Springfield represents the authentic voice of American Constitutional tradition, for good or ill.²³ Lincoln's stance toward the Constitution is, moreover, the one he would hold to consistently through the rest of his life, and by which he would prosecute the Civil War, an event that many historians view as the final settlement of the American Revolution.

Indeed, it is in his commitment to a fixed and perpetual Constitution that determined Lincoln's particular response to the issue of slavery. Of the examples of lawlessness which Lincoln cites in his address, the one that would have been most obvious to his listeners had slavery at its

center, yet to this instance he offers merely allusions, though the allusions are unmistakable. In Alton, Illinois, not three months earlier, a mob had murdered an abolitionist editor, Elijah P. Lovejoy, and thrown his press into the Mississippi. Whenever "bands of hundreds and thousands," Lincoln told the young men, "burn churches, ravage and rob provision stores, throw printing presses into rivers, shoot editors, and hand and burn obnoxious persons at pleasure, and with impunity; depend on I, this Government cannot last."²⁴ Neither a name, nor a place, nor so much as the dignity of its own sentence was granted to this attack which shocked Northern opinion. But why? Although unequivocally opposed to slavery, Lincoln objected to the abolitionists for the very reasons he articulated at Springfield: they stirred the passions, precisely the activity that would, in his mind, lead to the overthrow of government by the people. Mobs had twice previously tossed Lovejoy's press into the river, but they proceeded to burn down his warehouse and shoot the editor when he afterwards vowed to defend his third press with sixty armed abolitionists from surrounding towns.²⁵

The year before Lincoln's address, he had, along with fellow delegate Dan Stone, protested anti-abolitionist resolutions in the Illinois legislature. The terms of his protest were likewise consistent both with his opposition to slavery and his equal opposition to emotional appeals for abolition. Where the resolutions had declared that "the right of property in

slaves, is sacred to the slave-holding states by the Federal Constitution," the protest instead held that "the Congress of the United States has no power, under the constitution, to interfere with the institution of slavery in the different states." Similarly, although Lincoln and his fellow delegate declared that "the institution of slavery is founded on both injustice and bad policy," they also insisted that "promulgation of abolition doctrines tends rather to increase than to abate its evils."²⁶ This was the very position that Lincoln was to maintain repeatedly in the early years of the Civil War, and in the face of the incomprehension of anti-slavery Unionists. That slavery "deprives our republican example of its just influence in the world" he had no doubt, but that the Union demanded a strict fealty to the Constitution, of this he was equally convinced. Only by means of the Constitution would the Union survive, and only the survival of the Union could guarantee a legal system of popular self-government.

When, in the midst of the Civil War, circumstances forced him, as he saw it, to emancipate the slaves of the rebelling states, Lincoln was to call upon the Declaration of Independence as though it were the passional basis for the Constitution. As he boldly asserted in his very brief statement at the dedication of the battlefield in Gettysburg, "our fathers brought forth on this continent, a new nation, conceived in Liberty, and dedicated to the proposition that all men are created equal." That the invocation of Jefferson's words from the Declaration of Independence as justification for

the Civil War was a departure, both for Lincoln and for national policy, is evident from the response to the Gettysburg Address by the opposition press in the North. The Democratic New York World stated the case very plainly: "This United States" it vehemently protested, "[was] the result of the ratification of a compact known as the Constitution," that is, most assuredly not of the Declaration of Independence.²⁷ Gary Wills, in his literary and historical account of Lincoln at Gettysburg attributes this innovation to Lincoln alone, as if he had, by one masterstroke, single handedly achieved it:

[Lincoln at Gettysburg] not only put the Declaration in a new light as a matter of founding law, but put its central proposition, equality, in a newly favored position as a principle of the Constitution (which, as the Chicago Times noticed, never uses the word). What had been a mere theory of lawyers like James Wilson, Joseph Story, and Daniel Webster—that the nation preceded the states, in time and importance—now became a lived reality of the American tradition. The results of this were seen almost at once. Up to the Civil War, "the United States" was invariably a plural noun: "The United State are a free government." After Gettysburg, it became a singular: "The United States is a free government."²⁸

Pauline Meier mildly dissents from Willis's account of Lincoln at Gettysburg pulling of the "giant (if benign) swindle" of injecting the Declaration into the Constitution. She insists, instead, that "virtually any [historical] subject is too complex for simple answers," and that in this case it was only because Lincoln's audience had been long prepared for such an innovation, could he institute it.²⁹ However historians judge the precise degree of Lincoln's responsibility, we can see clearly that in arguing in 1838 for the open sanctification of the text, even to the extent of advocating a civic cult based upon it, while expressing his hope that the struggle from which it issued "will be read of, and recounted, so long as the bible shall be read," Lincoln had attempted an answer not only to the two threats he specifically cites—lawlessness, and the inevitable rise of dangerously ambitious men—but to the fundamental question raised by any fixed text by which a people intend to align their future.

Again, in a Christian context, the Bible is the natural model for such a text. We can hear this with rather startling clarity when in 1854, at the Dedication of Antioch College, the Rev. John Phillips stood before a table with "three costly bound Bibles" and said to the new College President, Horace Mann: "I speak in behalf of the donors of these Bibles. In the name of the Great God, I present them to you as the Constitution of the World."³⁰ It had reached the point where the sanctification was so powerful that the secular text was offered as a paradigm for the scripture.

In his view of the United States after the constitutional founding, Lincoln's biblical orientation—perhaps because of his very non-doctrinal devotion to scripture—marks a dramatic difference from Jefferson's enlightened rationalism. To Lincoln, cleaving to the letter of the Constitution, while at the same time infusing it with the principles of the Declaration, was the only assured means of preserving the institutions formed by the Revolution. The ancient rabbis in their way, as the Church fathers in theirs, found ways to seal off the revelation, and to contain the destabilizing threat of unceasing scriptural expansion. Lincoln's response, the American stance in relation to the Constitution, seems closer to the rabbinic model, if only because Christian scripture is closed to history by virtue of Jesus' sacrifice, representing as it does an end to sacred history, while for the rabbis history must continue. Just as the rabbis valorized interpretation as the heir and guardian of prophetic inspiration, so Lincoln held up the law—itself the realm of endless interpretation—as the fulfillment and protection of America's governing Constitution. At the same time, and by the same means Lincoln accomplished something the rabbis and the Church did not need to—namely controlling the secularity of the nation's secular revelation. Where Jefferson argued—privately at least—that the ideals of the Revolution, as enunciated by the Declaration of Independence, were sufficient to guide new generations in entirely new acts of self-constituting, Lincoln, by having the Constitution absorb those

principles of the Declaration, making, in M. L. Bradford's words, "a quasi religion of equality," preserved the Constitution against the threat of secular instability. Lincoln reconfigured the paradox of a secular revelation into a mostly tacit dialectic between the fixed text—the rules—of the Constitution, and the animating life within that text, the Declaration of Independence. Thus revelation ceases—as it must—; and it continues—as it must.³¹

NOTES FOR CHAPTER SEVEN

¹ Lincoln I p. 33.

² Lincoln I p. 28.

³ Lincoln I p. 29.

⁴ Lincoln I p. 30.

⁵ Lincoln I p. 32.

⁶ Lincoln I pp. 32-33.

⁷ Shewmaker, pp. 99-104

⁸ Duet. 6: 6-7. The "shema" encompasses the whole of Deut. 6:4-9.

⁹ Donald, p. 81

¹⁰ Wilson, pp. 99-130; Lincoln I p. 34.

¹¹ Lincoln I p. 34.

¹² Lincoln I p. 35.

¹³ Lincoln I p. 36.

¹⁴ Capon, ed. p. 678.

¹⁵ Jefferson, p. 959.

¹⁶ Jeffersonian Legacies, p. 281.

¹⁷ Arendt (1963), p. 232.

¹⁸ Wordsworth, p.323 (9:198-199, 1850)

¹⁹ Wordsworth p.397 (11:108-112, 1850)

²⁰ Jefferson, p. 1401.

²¹ Jefferson, p. 1402

²² Lincoln I p. 1399.

²³ As with all such categorical statements, there is always the possibility of exceptions. However unlikely its influence, note, for instance, the recent political pamphlet of a book, *The Velvet Coup*, in which Daniel Lazare, in the light of George W. Bush's Supreme Court assisted election, presents a powerful argument for the complete abandonment of what Gore Vidal refers to as "our rotted constitution."

²⁴ Lincoln I pp. 31-32.

²⁵ Donald, p. 82.

²⁶ Quoted in Donald, pp. 63-64.

²⁷ New York World, Nov. 27, 1863 as quoted in Donald, p. 465.

²⁸ Wills (1992), p. 144.

²⁹ Indeed it would appear that Roy P. Basler attributes to the 1838 Address itself, Lincoln's having reasoned out "how American political institutions may be preserved and yet modified by the people to rectify errors in the structure of justice." See Basler, ed. p. 85.

³⁰ Mann, Dedication, p. 3.s

³¹ That this tacit dialectic remains in practice is evidenced by the unending argument between constitutional originalists, or so called strict constructionists, and those who advocate a "living constitution." Neither side carries the day for very long, and the underlying principles of constitutional interpretation remain an active battlefield.

8. Emerson: Preserving the Paradox

“What business have Washington or Jefferson in this age. You must be a very dull or a very false man if you have not a better & more advanced policy to offer than they had. They lived in the greenness & timidity of the political experiment. The kitten’s eyes were not yet opened. They shocked their contemporaries with their daring wisdom: have you not something which would have shocked them? If not, be silent, for others have.” Emerson¹

The American independence! that is a legend. Your Independence! that is the question of all the Present.²

Although neither a lawyer, nor a politician, and not addressing himself to the public sphere per se, Ralph Waldo Emerson in speaking to the Phi Beta Kappa graduates at Harvard College, was responding to much the same situation Lincoln faced in his Address at the Springfield Lyceum. Emerson shared, with Lincoln and others, a sense that the young republic now confronted not merely increasing instability, but a necessary reassessment of the legacy of the Revolution. As we noted in considering

Lincoln's speech, the Constitution itself had begun to falter, its compromises--between the states' and the union's sovereignty, most pointedly on the issue of slavery--were crumbling under the pressures of national expansion. The closed system of 1787 was rapidly and radically opening, with a precipitous rise in political instability. And the very year Emerson spoke at Harvard, 1837, the country was going through a dramatic financial panic and depression; in his journal he noted that 'what was, ever since my memory, solid continent, now yawns apart and discloses its composition and genesis.'³

While Lincoln tells the young men of the Lyceum that the world is waiting upon them, the first generation after the passing of the founding Fathers, to prove that popular self-government can persist and not fall prey to lawlessness, Emerson is encouraging the assembled young scholars to embrace the present as the time for America to fulfill "the postponed expectation of the world with something better than the exertions of mechanical skill." For each speaker and his respective audience, the course of America's self-constituting had created opportunity for a new shared freedom, but this freedom needed to be encouraged, and defended. The Revolution had given them the future, but did not guarantee it.

In juxtaposing Emerson's Oration with Lincoln's Address, the very real distinction between the use of language in the realm of politics and its

use in the realm of literature must be acknowledged. Acknowledging it, however, is a much easier matter than persuasively delineating it. When Oliver Wendell Holmes, a half century after Emerson's oration, known by then as *The American Scholar*, called it America's "intellectual Declaration of Independence," it is clear enough that he did not mean that Emerson had needed, as the signers of Jefferson's Declaration had, to pledge his life, his fortune, or his sacred honor to anyone.⁴ Jefferson's Declaration, though it did not, as we have seen, have for its contemporaries the originating status American tradition would come to grant it, certainly did, from the English King's point of view, and that of his government, amount to a speech act. Jefferson's words, as signed by the representatives assembled in the Continental Congress, had performative force—they enacted what they described:

We. . . in the Name, and by Authority of the good People of these Colonies, solemnly publish and declare, That these United Colonies are, and of Right ought to be Free and Independent States; that they are Absolved from all Allegiance to the British Crown, and that all political connection between them and the State of Great Britain, is and ought to be totally dissolved.

By comparison to such a pragmatically consequential speech act as this, Emerson's Oration was simply a speech.

And yet Emerson's words certainly did have consequences; they were, however, imaginative or symbolic consequences. Or as Emerson himself put it: "Words and deeds are quite indifferent modes of the divine energy. Words are also actions, and actions are a kind of words." J. L. Austin, in introducing the idea of a speech act, makes a distinction between pragmatic, referential language, and literary language, describing the latter as parasitic upon the former. Referential language has real, pragmatic effects in a way literary language does not. He cites an American writer to make his point: "Walt Whitman" he explained, "does not seriously incite the eagle of liberty to soar."⁵ According to Austin, nothing happens by means of this utterance. Yet this perspective needlessly diminishes the very real happenings of literary language. To use his own example, we might well ask, where is one to encounter this "eagle of liberty," and how might one go about seriously inciting it to soar? We may be able to find the bird in a Bestiary, or in some other text, but there is no such species in any of the Peterson Field Guides. Whitman does very much expect the Eagle of Liberty to soar, in the only sense that an Eagle of Liberty can do anything, in the only sense that there exists an Eagle of Liberty at all.

All that has been so far discussed about the United States Constitution and American literature has involved either explicitly political writers, or, in the case of those from the decades immediately following the

creation of the United States, writers who aspired to act within the political or public realm, possessed by explicitly didactic purposes. Emerson is not either obviously political or didactic. He does not address himself to the pragmatic difficulties of a people and a political entity founded upon a written Constitution, upon what we have referred to as a secular revelation. Yet the United States in which Emerson wrote and spoke was nevertheless dominated by those difficulties, and not merely in the obvious form of its daily politics. In any of the simplest and most immediate matters of communal identity, and history, and of the often unarticulated but shared assumptions about what we would now call the construction of their social lives, the fact of the Revolution, and the self-constituting self-government it gave birth to, was everywhere present.

It is difficult to recapture now how very new and tentative the Union of the States still was—not only as a political and economic confederation, but as a form of polity. It is well to remember that a reading of the diplomatic cables of the early 1860's reveals the shared European assumption that the rather bizarre experiment of popular government in the United States had, by then, reached its inevitable conclusion: disunity and dissolution. Thus that the American Revolution and its Constitutional regime was a central presence for the writers of what we now think of as classic American literature, composed from roughly the 1830's until the Civil War, should be no more surprising than that the French Revolution

and the phenomenon of Napoleon was a similarly central for the roughly contemporaneous writers of France.

Thus Holmes's equivalence of the Declaration of Independence with Emerson's Oration is notable for its casual assumption of the political realm's easy merging with the literary: Holmes seemed to have meant by this metaphor that that Emerson had in speaking to the Phi Beta Kappa graduates, decisively issued the call for a new American literature; but as description of the explicit contents of Emerson's speech, which Holmes had in fact attended, this is largely inaccurate. It is true that at the beginning and again at the end of the Oration, Emerson did—as if in a concession to the occasion—sound the familiar notes of this literary nationalism:

Our day of dependence, our long apprenticeship to the learning of other lands, draws to a close. The millions, that around us are rushing into life, cannot always be fed on the sere remains of foreign harvests. Events, actions arise, that must be sing, that will sing themselves. Who can doubt, that poetry will revive and lead in a new age, as the star in the constellation Harp, which now flames in our zenith, astronomers announce, shall one day be the pole-star for a thousand years.⁶

And near the end:

Mr. President and Gentlemen, this confidence in the unearthed might of man belongs, by all motives, by all prophecy, by all preparation, to the American Scholar. We have listened too long to the courtly muses of Europe. The sprit of the American freeman is already suspected to be timid, imitative, and tame.⁷

But if the audience had expected any development of such patriotic sentiments, they must have been very disappointed. Instead Emerson begins by citing a fable. It is, he explains, “an old fable, which, out of an unknown antiquity, convey[s] an unlooked for wisdom:.”

that the gods, in the beginning, divided Man into men, that he might be more helpful to himself; just as the hand was divided into fingers, the better to answer its end....that there is One Man, --present to all particular men only partially, or through one faculty; and that you must take the whole society to find the whole man.⁸

Both the fable, and the subject of the fable, point to the realm of origins. But these are not national origins, with their concomitant claim to historical truth, but rather these are origins of the human itself, and explicitly fabulous in character, or what we might call cosmic. Emerson tells the graduates that the fable “covers a doctrine ever new and sublime,” so that it is not really a statement of origin in the sense of a putative history or

genealogy, but rather an insight. He illustrates this insight by describing a farmer as we meet him in society, or a soldier, or a professor, or an engineer, as merely fragments of men—"members [who] have suffered amputation from the trunk, and strut about so many walking monsters...." This is caused, he explains, not merely by the specialization of labor, but by a defect of individual vision:

The planter, who is Man sent out into the field to gather food, is seldom cheered by any idea of the true dignity of his ministry. He sees his bushel and his cart, and nothing beyond, and sinks into the farmer, instead of Man on the farm.⁹

Similarly is a scholar, who should be "Man Thinking," become a bookworm, and a "mere thinker."¹⁰ By describing the doctrine as "ever new and sublime" Emerson means quite simply that it is true now, as he speaks; and that it is true not only for the young people he is addressing, but for everyone: "Is not, indeed, every man a student" he asks, "and do not all things exist for the student's behoove?" The specifically American scholar has become simply the student, and the student has become the human being: "And finally, is not the true scholar the only true master?"¹¹

Emerson imagines a primal world, and insists that it is identical both with this world, now. His famously optative mood is here, as often, leaning in the direction of the imperative. Addressing the young men of Phi Beta

Kappa at thirty-two years old, Emerson, like Lincoln at the Springfield Lyceum, is a young man himself, at the start of his own career. And just as Lincoln--speaking to himself, perhaps, as much as to them--makes a demand of his audience, namely, to worship the Constitution and its laws, so does Emerson. "The one thing in the world, of value," he tells them, "is the active soul. This every man is entitled to; this every man contains within him, although, in almost all men, obstructed, and as yet unborn." And the active soul is active in only one way, and that is in the midst of creation. Thus books, the form in which the mind of the past most impinges upon our consciousness, are of no value as such; in fact, misused they are a grave danger: "What is right use [of books]?" Emerson asks, and answers: "They are for nothing but to inspire. I had better never see a book, than to be warped by its attraction clean out of my own orbit, and made a satellite instead of a system." What Emerson wants is that his young American auditors awaken, and create—to Emerson these are all but synonymous verbs.

Lincoln had attempted to settle the political fate of the United States Constitution, at least in the basic outline of its status, and to a great degree succeeded. Henceforth the letter of that text is established as an absolute, but time-bound, embodiment of the truths of the Declaration. How does Emerson's invocation to the active soul relate to what Lincoln urges upon his audience? In the first place, Lincoln is interested—perhaps desperate

is not too strong a term—to preserve the political institutions which, he believes, contain the promise of the American Revolution, whereas to Emerson “any institution,” fixing any past achievement, is nothing less than the active soul’s very enemy:

The book, the college, the school of art, the institution of any kind, stop with some past utterance of genius. This is good, say they, — let us hold by this. They pin me down. They look backward and not forward. But genius looks forward: the eyes of man are set in his forehead, not in his hindhead: man hopes: genius creates. Whatever talents may be, if the man create not, the pure efflux of the Deity is not his. . . .¹²

For Lincoln the Revolution has passed, the primal time is over, and now the achievement of that time, the Constitution, must be given its proper sway, its authoritative status. Thus he proposes raising the Constitution to a quasi Biblical status. Emerson insists, at least by implication, that from the perspective of the active soul, the Bible itself needs de-authorizing:

The sacredness which attaches to the act of creation, — the act of thought, — is transferred to the record. The poet chanting, was felt to be a divine man: henceforth the chant is divine also. The writer was a just and wise spirit:

henceforward it is settled, the book is perfect; as love of the hero corrupts into worship of his statue.

And what is here implied becomes in the next year's Divinity School Address explicit, condemning "the assumption that the age of inspiration is past, that the Bible is closed,": this view, in itself indicates "with sufficient clearness the falsehood of our theology."¹³

Emerson, like Lincoln, is desperate to preserve the American legacy, but for him that legacy is not a fixed institution to be worshipped; it is not the historical achievement of the Constitution. For Emerson the American legacy is the paradox of the nation's self-constituting itself, and it is this capacity that he wants to preserve, not merely for the few, and for the past, but for the present moment, and for all. Indeed, the acceptance of this paradox—that what is secular is what is revealed, what is out in the open is the deepest mystery—is to live in the active soul.

And this, Emerson informs his audience, is directly related to the politics of the present. He abandons in his Oration "this abstraction of the scholar" to talk "of nearer reference to the time and to this country," and points first to the rise of equality, "the movement which effected the elevation of what was called the lowest class in the state."¹⁴ It is in keeping with this movement that what is most common and familiar is that to which the active soul is most drawn: "The meal in the firkin; the milk in the pan; the ballad in the street; the news of the boat; the glance of the

eye; the form and the gait of the body. . . ."; this is the very stuff of what we might call the secular, everyday reality.¹⁵ It is here precisely where Emerson locates the spiritual realm:

show me the ultimate reason of these matters; show me the sublime presence of the highest spiritual cause lurking, as always it does lurk, in these suburbs and extremities of nature; let me see every trifle bristling with the polarity that ranges it instantly on an eternal law; and the shop, the plough, and the leger, referred to the like cause by which light undulates and poets sing; --and the word lies no longer a dull miscellany and lumber room, but has form and order.¹⁶

For Emerson it is in Nature at its most ordinary where the highest realm of the spirit is revealed. The secular is revelational, the two are one—the very basis for the paradox undergirding the Constitution.

And thus in his urging of the active soul Emerson comes to what he calls "another sign of our times, also marked by an analogous political movement. . . the new importance given to the single person."¹⁷ And here, too, it is the fact of paradox, this time itself explicitly political in its language, that is striking, for it is this supreme individual who is the very source of union. "Every thing that tends to insulate the individual," he tells his audience, "—to surround him with barriers of natural respect, so that each man shall feel the world is his, and man shall treat with man as a

sovereign state with a sovereign state; --tends to true union as well as greatness.”¹⁸ Sovereignties tending to true union? One is tempted to ask whether any union could survive such an abundance of “sovereign states?” Is this not akin to the very condition of lawlessness which Lincoln feared? What could be more lawless than the condition of each person a sovereign state?

But lawlessness is the last thing Emerson fears. For the scholar, for the individual mind, Emerson proposes only freedom. “Free even to the definition of freedom” is what he urges upon the individual. And he quotes the definition of freedom he has in mind: “without any hindrance that does not arise out of his own constitution.”¹⁹ Even if we allow that there is no intentional pun on the nation’s founding document, the contrast to Lincoln could hardly be more stark. Again, it is not the Constitution in itself that Emerson is interested in preserving, but the very action of self-constituting. That this action necessitates inspiration—what Lincoln thinks of as passion—is to Emerson its very value and meaning. “It is a mischievous notion,” he protests, “that we are come late into nature; that the world was finished a long time ago.” And what this vision necessitates, above all else, is not worshipfulness, as Lincoln proposes, but “self-trust”: “In self-trust,” Emerson explains, “all the virtues are comprehended.” He does not imagine such self-trust to be an easy matter. It demands that instead of “the ease and pleasure of treading the old road. . . he takes the cross of

making his own, and, of course, the self-accusation, the faint heart, the frequent uncertainty and loss of time, which are the nettles and tangling vines in the way of the self-relying,..."²⁰

It is as though the political idealism Jefferson espoused, but never found a practical way to implement, represented no more than the starting point for Emerson's vision. Jefferson proposed a union of little republics, and the right of each generation to its own self-constituting. Emerson imagines not republics, but individuals, sovereign persons, and not merely the freedom to change generation to generation, but to the freedom to cast off each moment in favor of the truth of the next.

To the overweening individual whose ambition Lincoln analyzes and fears, Emerson offers a response bespeaking a kind of pity:

Men such as they are, very naturally seek money or power; and power because it is as good as money,--the "spoils," so called, "of office." And why not? for they aspire to the highest, and this, in their sleep-walking, they dream is highest. Wake them, and they shall quit the false good, and leap to the true, and leave governments to clerks and desks. The revolution is to be wrought by the gradual domestication of the idea of Culture. The main enterprise of the world for splendor, for extent, is the upbuilding of a man.²¹

This may well seem a desperate strategy and hope, a revolution utopian in scope. In part, this is no doubt a fair criticism of the political dangers of Emerson's championing of self-trust; but it is in part, as well, a reflection of the inherent difficulty Emerson has in expressing the oscillation of a paradox with a static image of its imagined (and impossible) solution. But to any objection of the sort Lincoln would make, Emerson offers a clear protest, one enunciated in the very first lines of his first published book, Nature:

Our age is retrospective. It builds the sepulchres of the fathers. It writes biographies, histories, and criticism. The foregoing generations beheld God and nature face to face; we, through their eyes. Why should not we also enjoy an original relation to the universe? Why should not we have a poetry and philosophy of insight, and not of tradition, and a religion by revelation to us, and not the history of theirs?²²

It should be noted, lest he seem too airy in his aspirations to bear any comparison at all to the nuts and bolts of material life with which Lincoln is ultimately concerned, that Emerson was neither unaware nor indifferent to the cost involved in such living with an active soul. He had in the very year of the Oration to the Phi Beta Kappa Society, inherited from his first wife's estate a secure, if modest, income. In his journal he interrogated himself, and to what degree this "accidental freedom by

means of a permanent income” underwrote the a life he urged on others. He did himself acknowledge in his talk that his path leads “so often [to] poverty and solitude.”²³ But no, he decided, “my direction of thought is so strong that I should do the same things,—should contrive to spend the best part of my time in the same way as now, rich or poor. If I did not think so, I should never dare to urge the doctrines of human culture on young men.”²⁴ This does not, of course, necessarily settle the issue, but it demonstrates Emerson was by no means blind or indifferent to it.

For Emerson the beginning is not merely always available, but always inescapable. He preserves the paradox of self-constituting, or the generation of secular revelations, by accepting completely the contradiction of this moment with the next. Even if, with Stanley Cavell, we dilate these moments and call them “moods,” the radical destabilizing finds no firmer foundation.²⁵ Lincoln wants to preserve the possibility of self-government, of political freedom, and thus he needs to control the very process that created such a government; Emerson wants to preserve the paradox of that creation, that it may not cease.

NOTES FOR CHAPTER EIGHT

¹ EJ, 265.

² EJ, 456.

³ Emerson, p.

⁴ His speech might have been offense to some, as his talk the next year at Harvard's Divinity School was to many, and such offense is not without its material

consequences—four decades would pass before Emerson received another invitation to speak at Harvard. But there were criticisms of his speech. Indeed when he returned to Harvard's Divinity School a year later for a similar address, it almost cost him his career, and did result in three decades without another invitation to Harvard.

⁵ Austin, p. 104.

⁶ Emerson, p. 53.

⁷ Emerson, p. 70.

⁸ Emerson, p. 53.

⁹ Emerson, p. 54

¹⁰ Emerson, p. 54.

¹¹ Emerson, p. 54.

¹² Emerson, p. 57-58.

¹³ Emerson, p. 83.

¹⁴ Emerson, p. 68.

¹⁵ Emerson, p. 69

¹⁶ Emerson, p. 69

¹⁷ Emerson, p. 70

¹⁸ Emerson, p. 70.

¹⁹ Emerson, p. 65.

²⁰ Emerson, p. 63

²¹ Emerson, p. 66-67.

²² Emerson, p. 7.

²³ Emerson, p. 63.

²⁴ see Rusk p. 251

²⁵ Cavell (1981), pp. 141-160.

9. The American Renaissance of Secular Revelation

I greet you at the beginning of a great career, which yet must have a long foreground somewhere, for such a start.

Emerson, to Whitman on the Leaves of Grass (1855)

F. O. Matthiessen on the first page of his American Renaissance described how “the starting point for this book was [his] realization of how great a number of past masterpieces were produced in one extraordinarily concentrated moment of expression.”ⁱⁱ The exposition that has so far been presented of the new and unlikely development of a North American Union, brought about by a brief legal document—a verbal instrument—and the prolonged reception of that document by both politicians and—to use the old fashioned but historically proper term—“men of letters,” provides a rather long and peculiar foreground to that concentrated moment of expression. But then there is much that is peculiar and prolonged about the development of literature in the communal hothouse of the early United States. The newness confronting the European settlers and their descendents in the New World—both its novelty and (to them) its nakedness—and the openings and barriers it presented to any initiating foundation applies with redoubled intensity to the realm of what Matthiessen named in his subtitle, the new nation’s “[literary] art and

expression.” The land was indisputably new, at least from their perspective, but the means of verbal art and expression, namely the English language, though it served to connect the former colonists to one another also coupled them to the Old World.

The Constitution and its deep paradox as a prophetic and at the same time strictly mechanistic text—its status as something of a blueprint with vatic-like authority—did survive through many failed compromises, as the firm foundation for a republican polity, though not without a struggle which spilt more blood than any American war before or since. But how is imagination, how is a literature, to be established with anything like an analogous beginning? The early writers with aspirations for a distinctively republican and American literature had gone no further than an adaptation of the forms of English literature to rather superficially new thematic concerns. What they desired, and often demanded, was, however, something other than the American branch of English literature.

The monumental figure of Abraham Lincoln has been cast here as the representative of the final settlement of the constitutional foundation, both on the plane of ideas and of action. By advocating a worshipful relation to the law, and by injecting, at Gettysburg and beyond, the Declaration’s resonant affirmations of equality and freedom into the Constitution, Lincoln thrust the political newness of the New World decisively into the past. The heroic generation of Washington and

Jefferson, Madison and Adams, had confronted that heady prospect of beginning the world anew; but that time had now past. The men of the Revolution had all but miraculously founded a new unified polity upon the blankness of their New World, leaving to Lincoln's generation the crucial task of preserving that polity, and where possible gradually reforming it in keeping with its engendering principles.

It is not really a worship of the Constitution that Lincoln was advocating, but rather of the principle of law represented by the Constitution and by all the positive legislation that the layers of sovereign government had created, and would continue to create. It was in the proactive defense of the hard-fought foundation of republican government that Lincoln had urged such civic piety; in other words, Lincoln's argument did not explicitly confirm what we have been describing as the revelational aspect of the Constitution, but rather attempted to envelop the whole area of the of law—what in our terms is both the revelational and the secular aspects of the Constitution, and all its surrounding institutions and legal derivations, with a protective civic cult. The paradox of those two aspects of the Constitution's was threatening to collapse; and Lincoln advocated his civil religion precisely in response to that collapse, to the unraveling of the Constitution's postulating compromises on state sovereignty, and most especially on the perpetuation of African slavery that that sovereignty was increasingly used to defend.

The hybrid character of the founding document had been both a form and a means of evasion: it neither acknowledged its paradox, nor made any attempt to resolve it; and in this way the Constitution's evasion allowed people without an identity securely anchored in the mythic profundities of blood or cult or governance to feel their consciously constructed foundation as nevertheless uncontested, possessed of an overarching authority, and thus sufficiently stable to sustain.

The historian John Murrin describing the American national identity that was developing in the late eighteenth century as an "unexpected, impromptu, artificial and therefore extremely fragile creation of the Revolution. . . . [so that] the Constitution became a substitute for any deeper kind of national identity."ⁱⁱ We have read already his metaphor, adapting the title from Francis Hopkinson, a "roof without walls [that] aroused wonder and awe, even ecstasy."ⁱⁱⁱ Lincoln's America no longer felt that amazement and sense of self-congratulation. Their fear of a collapsing union was gradually becoming, in the 1840's and 1850's, more sustained, somber and corrosive; and Lincoln's valorization of law in the abstract was both a instance of that fear and his attempt to combat it.

If Lincoln in his soberly pious rule of law pointed the way of political development under the Constitution, Emerson--as many for the past century and a half have variously claimed--opened the way to a distinct cultural, and more specifically literary, realm in the self-constituted

republic of the United States. For both of these latter Founders the central question of such founding was that of independence—from a political and communal perspective or from the perspective of the single self. To Lincoln, if the Union failed, then the possibility of self-government would fail with it; Emerson's conviction was almost equally dramatic, as he concludes his hopeful invocation of the "American Scholar," promising that "A nation of men will for the first time exist, because each believes himself inspired by the Divine Soul which also inspires all men."

What we have called, after Matthiessen's monumental volume, the American Renaissance is, indeed, a renaissance, a rebirth. What is reborn in the first generation after the passing of the Founding generation, is the very act of founding itself, the peculiarly evasive business of self-constituting. Politically the newness of the New World needed to be, at least partially, abandoned; but what it was just this necessarily abandoned legacy that Emerson first seized upon. "Why should not we also enjoy an original relation to the universe?" Neither the Constitution, nor any other institution, would count as a settled achievement. Emerson refused any fixed foundation, or rather he accepted that absolute newness was everything of value, and that acts of self-constituting amid such unsettleable newness would be the American condition.

Thus only by ambiguously renouncing the very notion of a literary tradition did the Americans initiate a distinctively new literature.^{iv} And this

is not the only ambiguity of the Emersonian response, for what, after all, an absolute and perpetual newness? Such ever-newness is itself a kind of transcendent timelessness. A permanent revolution is some hybrid between the most extreme of revolutions, and no revolution at all. And indeed, Emerson took the image of the circle, the Old World's symbol for the eternal and immemorial, for timelessness, and subverted it into a figure of unceasing instability and change, of the endless need, to quote a phrase of Gertrude Stein's "to begin to begin again." "Our life," Emerson writes, "is an apprenticeship to the truth, that around every circle another can be drawn; that there is no end in nature, but every end is a beginning, that there is always another dawn risen on mid-noon, and under every deep a lower deep opens."^v

In this American Renaissance of secular revelations what the political realm needed to conserve, the realm of imagination needed to expend. It was freedom and wildness, not legal sobriety and clearly drawn borders, that would serve to generate an American poetry. And yet how strange the name of Renaissance to describe a process that itself precisely denies it is a rebirth of anything, but rather a new birth, a first birth. The difficulty of the term Matthiessen chose for the period of Emerson, Whitman, and Melville is evident is the curiously collapsing, almost incoherent defense that Matthiessen briefly offered for his title:

It may not seem precisely accurate to refer to our mid-nineteenth century as a rebirth; but that was how the writers themselves judged it. Not as a rebirth of values that had existed previously in America, but as America's way of producing a renaissance, by coming to its first maturity and affirming its rightful heritage in the whole expanse of art and culture.^{vi}

What the writers of the American Renaissance did assert as their American birthright is the uncanny originating power of that language possessed in the New World, exactly what made the Constitution not only a possible method of founding the nation, but a necessary one. Emerson, unbounded by the pragmatic, communal demands of politics and law, was thus set free to use, even to cultivate, the now anarchic energy of language. One reason, very probably, that the idea of a renaissance likely occurred to Matthiessen as a fitting model for this development derives from the reigning concerns of the New Criticism, most especially the preeminence of paradox in the literature of, especially, the great metaphysical poets.^{vii} Cleanth Brooks in The Well Wrought Urn identified paradox in its capacity to articulate indirection as a defining characteristic of poetic language in general, as the century before. Thomas De Quincey, among others, held that paradox needed to be central to poetry because it was central to experience:

So little need is there for chasing or courting paradox, that, on the contrary, he who is faithful to his own experiences will find all his efforts little enough to keep down the paradoxical air besieging much of what he knows to be the truth. No man needs to search for paradox in this world of ours. Let him simply confine himself to the truth, and he will find paradox growing everywhere under his hands as rank of weeds.^{viii}

And it is not metaphysical poetry alone that could have made the notion of a Renaissance persuasive. In general terms, a renaissance is a period of roiling tension, when the new rushes in over all that is established creating a kind of rip tide. The achievements of such a time seem to develop within a force field of these powerful oppositional motions. It is thus not, perhaps an accident merely—and yet another hint for Matthiessen's title—that the English Renaissance, and what Matthiessen named the American, come both to a more or less decisive end with the cataclysm of a sustained Civil War.

What had been long demanded in the early United States, and often declared—a new expression, a new literature, for the new world of the American experiment—had suddenly appeared, so suddenly in fact, and in such strange and surprising forms, that it required a half century and more to be fully apprehended.

NOTES FOR CHAPTER NINE

ⁱ **Matthiessen, p. vii.**

ⁱⁱ **Murrin, p.344.**

ⁱⁱⁱ **Murrin, p. 347. The image of a roof and walls is borrowed from Francis Hopkinson, composer, poet, and signer of the Declaration.**

^{iv} **This calls to mind Rosenberg's brilliantly paradoxical phrase, "the tradition of the new"**

^v **Emerson, p. 403.**

^{vi} **Matthiessen, p. vii.**

^{vii} **Matthiessen does have a chapter on "the metaphysical strain" in which he asserts the importance of this literature to his authors, though he nowhere makes the connection between this strain, and the appropriateness of the book's title.**

^{viii} **Preminger, ed. p. 598.**

10. The Literary Consequences of Paradox

The writers of the American Renaissance wrote under a national paradox, founded, as the nation itself, by the United States Constitution. The implication, here made explicit, is that these writers exhibit in their work consequences, literary consequences, of that paradox.

There is a rather firm consensus on the experiential texture of these individual writers, each quite different and yet also related to one another. However great the interpretive disputes over the meanings of the essays of Emerson, the poems of Whitman or the stories and novels of Melville, there is a well-shared apprehension of the literary attributes of their distinctive works. What will follow in Part Three will be an attempt to trace out the theory of this literature's "Constitutionality", applying it to characterizations of these writers that are, for the most part, critical commonplaces. This is as it should be, since there is no attempt here to discover any new phenomena, only to explain some that are long-observed and well-considered, both how and why they may have got that way.

Any theory, in a general scientific sense, must be testable, even if it is sometimes neither easy nor obvious how to go about it; but if it's a theory, it ought to predict, or retrodict, something that can be verified. Of course in a humanistic realm like that of literature, where experiments must

be primarily gedanken, or thought, experiments, where the purity in the objects of study is impossible to achieve, and the only lab located in your own mind, even retrodictions cannot be of the precise and measurable sort like those made by chemists and physicists. But if a theory is to be other than a story or a description or interpretation, then predictions there must be.

If the Constitution is, as I have described it, a secular revelation; and if, as I've asserted, the literature of the American Renaissance is in some crucial way under the auspices of the Constitution, how can we know it? I propose that there are a constellation of qualities, salient characteristics, that we could look for in the writing of the American Renaissance which would serve as markers for the prevailing presence of the Constitution and its peculiarities. Whether by reflection, or inspiration, by a process closer to derivation, or instantiation, or by the empirically baffling condition of "being in the air," the Constitution acts upon the possibility of imaginative writing in ways that are discernable, and explainable.

Most obviously, this Constitutionally mediated writing embraces not necessarily paradox itself—though often it may—but the very stuff of paradox: self contradiction. Such writing does not merely allow contradictions to pass, or to grant them force, it positively embraces them, or insists on their omnipresence, as if rather than a weakness to contradict oneself, or to perceive contradictions wherever one looks, it were a sign of

vitality and strength. Such an avowal is perfectly befitting a secular revelation, since the very life of such a paradoxical construction is its self-contradiction. That it lays claim to two opposing and irreconcilable contexts or perspectives is the quintessence of it. There is nothing of the conundrum or the puzzle about this quality of self-contradiction. It does not invite resolution. Rather like the modern physical conception of light—a wave and a particle, not one or the other, not a wave-like particle, or a particle-like wave, but a wave and a particle both—though nothing, of course, can be both. And yet if we are to understand how light works, it must be both. This kind of self-contradiction need not be, in itself, a form of cleverness or wit. Nor need it be attended by an particular affect: it may well bring joy, but then it may also bespeak terror. All that is crucial, and everywhere present, when the writing lives within the imaginative space of self-constituting, is that it will be openly self-contradictory.

Another predictable quality, a formal counterpart to the fact of self-contradiction, is that any literature composed within the orbit of the Constitution will be inclined toward the essayistic. The essay is the name for a kind of literary work with a very ambiguous kind of unity: its animating impulse seems related to indecision or a feeling of contradictoriness-- the one a 'soft' and the other 'hard' version of the same hovering sense of incongruity. Of course it need not be in an explicitly essay form, but there will be a strong tendency not merely to the discursive—which may often be

the case—but to forms that are not quite formal. About every work notably touched by the quality of the essayistic there lingers a question as to its formal, or aesthetic, independence. It is no accident that among the earliest of essay conventions in English is the partitive “of,” as in “Of Lying,” and “Of Friendship:” whatever can be described by reference to the essayistic has an air of incompleteness or imperfection about it, and of the digressive quality of rumination.

Thus the fragmentary is another of the qualities we would expect to find generated by the regime of a secular revelation. Just as the Bible, as scholars and exegetes have long acknowledged, is a “verse literature,” that is, a literature in which the smaller, fragmentary units are given a disproportionately greater weight in relation to the larger composition than is ordinarily the case. And there are other related reasons to explain why one might expect to find compositions rather emphatically fragmentary. There is the connection between revelation and prophecy, what could be called prophecy’s discontinuity. Revelation usually needs to be pieced together, because it is in the nature of the revealed that it is only partial. The political aspects of a ‘national’ or a ‘people’s’ revelation is equally determinative, since any all-encompassing unity must confront not merely the miscellany of its contents—another nudge toward fragments—but the question of order, or hierarchy. In the case of the United States and the

Constitution, the question will be one of non-hierarchical order, or the proper dispositions of the parts, or fragments, making up the whole.

And so we shall find a regular contrast between idea of unity and of miscellany, what is captured in the national motto of E pluribus Unum,—“Out of many, One.” This contrast will be found not merely in a probing of the relation between the individual and the larger society, and such attendant matters as the significance of conformity, but from the other direction, the tension between the fragments and the whole will encourage an interrogation of the nature of that whole—whether ‘whole’ refers to the “Unum” of the nation, or the unity of a poem, trying to hold together all those fragmentary words and sounds, meanings and images.

The texts will likely be cosmic in their reach, ambitious for capturing, as the Constitution instructs, the whole everything; and yet the impossibility of this—the contradiction of it—the reality of all those simple separate units will keep returning. Thus we should find evidence of the possibility of the cosmic dropping down to the trivial, and lifting back up to the cosmic, and of all the comedy likely attendant upon such incongruous juxtapositions.

And what of the writers? Who are they in this scheme of things? They will need not to be prophets, but to play at prophecy, both in the sense that one plays a role in a family, but also as one plays a role in the theater—seriously and not so seriously, or not seriously in the same way. They will be shamans, or clowns, or both and neither.

What they will not likely be, or will not be in an easy and immediate way, is narrators. It is not that there will be an absence of stories, but the kind of progressive accumulation of incident and meaning that results in causally plotted sequence is going to be difficult to maintain. The self-contradictory, essayistic and fragmentary impulse, the saltatory rhythm of revelation and secularity set into motion by the paradox of self-authorized founding will not give itself gently to the time-layered concatenations of untroubled narrative.

Many, though not all, of these briefly reviewed qualities bear some general relation to European romanticism, and it would, of course, be surprising if they did not. The argument here is not that there is nothing in common between the classic texts of American literature, and other texts, including the contemporary texts of England and Germany—an obvious absurdity—but rather that this constellation of qualities reflect a very particular set of conditions that in the context of the story of American literary development, can helpfully be called their constitutionality.

The constitutionality of classic American literature refers neither to legal nor political qualities, but rather to matters of poetics—it outlines, that is, the principles by which texts are constructed. At the same time the principles together from something like the psychic landscape of a self-constituted national identity. They do not determine the shape of the literature any more than mountains and lakes determine the shape of

human habitations; but do they create the crucial prevailing conditions. It is possible to write a neo-chivalric romance in the forests of North America, as Cooper memorably did, just as it is possible to build a chateau in a desert; but it is working against the landscape's determining conditions, and unlikely to release the full power of the opportunities that landscape creates.

To live as part of a self-constituting nation is to be committed to a notion of foundation, and thus of construction, which oddly enough requires a degree of indirection and evasiveness. That coin of relative and absolute that Emerson describes, just like Union's Fugio Cent, has the property of all coins—it exists in three dimensionality yet has only two faces. But there must be something between those two faces, that which allows us to make the transition from one face to the other. Yet can that between-space be if there is to be a transition, what Emerson calls a dart, or we have called a flip—a motion barely a motion, as much change in orientation as movement? In some sense, there is nothing between the faces of the coin. It is the nothing that is, the fulcrum of the paradox, an invisible hinge. Each of the writers we will now discuss—Emerson, Whitman and Melville—make an art by hovering about that fulcrum or hinge, relocating back and forth, from one side to the other, keeping a balance almost vertiginous.

Formal. Quality	Relation to the Constitution's Secular Revelation
1. Self Contradictory	Life derives from paradox and incongruity, whether the consequences are joy, wonder, or terror.
2. Essayistic	The essay is the form for the flickering of paradox; the essayistic reigns where contradictoriness prevails.
3. Fragment over Whole	Secular revelation, like all revelation, is highly discontinuous—a "verse literature." This is related to the idea of prophecy. In addition, the secular revelation of the Constitution must have as its explicit center the ordering of parts.
4. Unity and Miscellany	The Constitution is itself an expression of a need for union, recognizing the miscellany from which it must be constructed, the <u>E Pluribus Unum</u> .
5. Cosmic	The <u>Unum</u> ...
6. Often Comic Undertone	...and the unassimilable persistence of the <u>Pluribus</u> .
7. Flirting with oracular	Who can the Founders be but prophets? Yet they are nothing of the kind, mere politicians; and who can the writers be. . . , but are they not merely scribbling for their bread?
8. Troubled relation to narrative	If this moment is new, and the possible beginning that will re-order all that has come before, where is the stability for the sequence of narrative?

Illustration Two: For the reader's ease, this simple chart lists the expected literary qualities, along with a brief description of their relation to the paradox of secular revelation as found in the Constitution.

III. Prose, Poetry and Fiction under the Constitution

11. Whim and Loafing

I often say of Emerson that the personality of the man—the wonderful heart and soul of the man, present in all he writes, thinks, does, hopes, goes far toward justifying the whole literary business—the whole raft good and bad—the whole system. You see, I find nothing in literature that is valuable simply for its professional quality; literature is only valuable in the measure of the passion—the blood and muscle—with which it is invested—which lies concealed and active in it.

Whitman to Horace Traubel¹

No facts are to me sacred; none are profane. Emerson²

Waldo Emerson, Walt Whitman, and Herman Melville were all professional writers; or were they?. Emerson made his living as a lecturer. He could never, as his friend Carlyle did, earn a sustainable income from his writing. Whitman was a professional journalist, even writing an anti-temperance novel on commission—until, that is, he somehow metamorphosed into a great poet, by which time he supported himself anyway he could, but never by writing. Melville had indeed written

bestsellers, and until *Moby Dick*, at least, had been a professional in the sense of living off his writing. But at a deeper level he was not a practitioner of an established art in quite the way Dickens, or George Eliot was. Having become famous for his two novelistic memoirs of the South Sea islands, for instance, Melville explicitly requested of his publisher that he not advertise his third novel, Mardi as by the best-selling author of Typee and Omoo.³ As Newton Arvin in his early insightful study of Melville describes him, "he came to the profession of letters as a kind of brilliant amateur, and he was never quite to take on, whether for better or for worse, the mentality of the professional."⁴

In part this is certainly a reflection of the immature American market for books, the competition from Great Britain, and the various difficulties of international copyright. But there is the persistence and routine of the professional in the cases of such writers as Irving, Cooper, and Longfellow in the identical conditions—no matter how they began, or how they earned their living—that none of these writers possessed. This is a difficult and subtle matter, as much, if not more, psychological than it is economic or sociological. It is not laid to rest by the simple fact that all of these writers, at different times and in different ways, eagerly hoped for sales, and even did what they could to generate them. It is, to use Arvin's term, a matter of mentality, of associations and habits.

But if the ambiguous status of their professionalism is not determined by economic or social conditions alone, then from what does it derive? All of these writers in their own particular accent said, as Melville put it, “No in thunder,” a No to, among other things, the burgeoning business of American life. They wanted nothing to do with the very busyness of business, its triumphantly mindless materialism. All were democrats, idealizing, or nearly, the labor of working men (and in the case of Whitman, at least, women as well); but they were themselves all but committed to what the culture around them, would refer to as different forms of idleness, if not downright laziness.

“I lean and loaf at my ease,” proclaimed the poet, un-named though photographed, in the first lines of the first edition of Leaves of Grass in 1855.⁵ And everywhere in that poem, in later editions ultimately titled “Song of Myself,” there is the poet—watching, describing, feeling, sympathizing, desiring other Americans at work; but rarely in that poem, or in the others, is he engaging in any action himself. Indeed, Walt Whitman the man had a reputation for laziness his whole life long, among his family and his employers. Paul Zwieg in Walt Whitman: The Making of a Poet amusingly quotes “political adversaries” exploiting his reputation by calling him “too indolent to kick a musketo.”

Whitman was upwards of two-hundred pounds, and of a slow and ambling gait, but Melville, able even in his sailor’s retirement to scramble

up the main mast rigging to delight fellow travelers at sea had no such reputation for laziness. Yet he did have, as his brother Gansevoort wrote in a letter “not general laziness by any means—but that laziness which consists in an unwillingness to exert oneself in doing at a particular time....”⁶ Melville himself called his habit of procrastination—if that’s what it was-- “a sad failing.”⁷ That the figure of leisure and unprincipled inactivity appealed to him we can see plainly in a character like Long Ghost in Omoq; and indeed, the whole of the South Sea narratives are full of a delight in the idea of a life lived in what, from a nineteenth-century American point of view, could only be described as a sensual indolence.

But in “The Dart,” Chapter 62 of Moby Dick, we find Melville locating the reason for this inclination to inactivity, metaphorically at least, in the very seriousness and purpose of well-focused and determined work. Describing the heavy labor of rowing first required of the “harpooner or whale-fastener” before he throws his harpoon, and lamenting that therefore “taking the whole fleet of whalemens in a body . . . out of fifty fair chances for a dart, not five are successful,” Melville (as he often does) suddenly lifts the chapter to the level of aphoristic generalization, and concludes: “To ensure the greatest efficiency in the dart, the harpooners of this world must start to their feet from idleness, and not from toil.”

Not surprisingly, it is in Emerson’s prose, that the meaning behind this purposeful idleness is most articulately rehearsed. Emerson, in Self

Reliance, proposes to himself: “I would write on the lintels of my door post, Whim,” and the Biblical allusion to the so-called “Great Commandment” of Deuteronomy is clear:

Hear, O Israel: The LORD our God is one LORD: and thou shalt love the LORD thy God with all thine heart, and with all thy soul, and with all thy might. And these words which I command thee this day shall be in thine heart: and thou shalt teach them diligently unto thy children, and shalt talk of them when thou sittest in thine house, and when thou walkest by the way, and when thou liest down, and when thou risest up. . . . And thou shalt write them upon the posts of thy house, and on thy gates.⁸

Emerson transforms this demand of always and everywhere keeping in mind the oneness of God to never forgetting that it is Whim which should guide him when he sets to work.⁹ Emerson explains by implication how it is that a devotion to the one God is related to whim when in the same passage he writes, “Nothing is at last sacred but the integrity of your own mind.” And if, as Emerson puts it in Nature, “I am part or particle of God,” then the integrity of your mind is the oneness of God, and the acceptance of whim—what is generally dismissed as the idle impulse of a moment—is precisely the devotion commanded in the Biblical passage Emerson adapts.

Thus idleness, laziness, devotion to whim--in the case of the writers of the American Renaissance, these are very marks of the prophetic; the impulse amid idleness is the access to revelation. Emerson's Whim upon his doorposts is the sign of a patient, if often difficult, receptivity, both inside the walls of his study, and beyond them:

A prophet waiting for the words of the Lord. It is the prophet's fault that he waits in vain? Yet how mysterious & painful these laws. Always in the precincts—never admitted; always preparing—vast machinery—plans of life—traveling—studies—the country—solitude—and suddenly in any place, in the street, in the chamber will the heaven open & the regions of boundless knowledge be revealed; as if to show you how thin the veil, how null the circumstances. The hours of true thought in a lifetime how few!¹⁰

Whitman's loafing and leaning, like Melville's idleness in preparation for "the dart," and Emerson's patient painful waiting for the few hours of thought, all are reflections of a pronounced inclination to prophecy

But what has any of this to do with the Constitution? Certainly none of these writers needed to have had the founding document of the United States in mind. The conditions of American identity in both its beginning origin—to use the properly paradoxical description—and its continuing development, depended upon a transcendent authorization. It was

“revealed” in Philadelphia and by means of an almost mysteriously indirect process of ratification; but what had been revealed was, as we have emphasized, anything but other-worldly.

It was Emerson, the deep-diving Emerson, as Melville approvingly described him, who first and most clearly articulated that the authority of revelation can, indeed must, arise from “the infinitude of the private man.” These writers do not all share the same attitude toward this startling almost incoherent assertion of Emerson’s, but more of that later. What is crucial in this context is that the psychic landscape of consciously self-constituted American life had, with Emerson, opened into the realm of literary expression, which thus by necessity involved some kind of claim to prophetic authority.

Stated in this quasi-doctrinal way all this may sound merely like a case of the profoundly Romantic, which of course it is; but it may likewise sound as though it can be accurately described by M. H. Abrams’ term, borrowed from Carlyle’s Sartor Resartus, of “natural supernaturalism,” which it cannot. For Abrams “the most distinctive and recurrent elements in both the thought and literature of the age had their origin in theological concepts, images and plot patterns.” These theological reference points were not merely borrowed, but suffered a wholesale “translation,” so that all the “characteristic concepts and patterns of Romantic philosophy and literature are a displaced and reconstituted theology, or else a secularized

form of devotional experience.”¹¹ Abrams approvingly quotes T. E. Hulme’s formula equating the whole of Romanticism with “spilt religion.”¹² To apply this description to Emerson, however, is to make the error for which Henry James criticized Emerson’s contemporaries. “They were so provincial,” James writes of them, that they thought him a secularizer, when indeed he was “not in the least a seculariser, but in his own subtle insinuating way a sanctifier.”¹³

It may be that Abrams’ “natural supernaturalism” is meant to express the sanctification of the secular as well as the secularization of the sacred; but the strange paradox of a secular revelation is precisely a not quite conscious refusal of any such translation, in either direction, even to the point of denying the two categories altogether. In fact, Emerson does just that, insisting in “Self Reliance” that “no facts are to me sacred; none are profane.”¹⁴ To return to the image of the Fugio Cent, the sacred assertion of “We are One” on the one side does not translate, any more that it disputes or converts, the secular obverse to “Mind Your Business;” a coin is so fitting an emblem for the idea of paradox because one side is, and is not, a part of the other. There is simply no way to see both sides at once. The best you can do is flip it, which makes for an uncanny kind of transition, one that is no kind of translation, or “carrying over,” but rather a complete othering, which other is, in turn, a very curious reassertion of the oneness of the coin.

The stance of these writers both is, and is not, prophetic. Thus, not surprisingly, prophecy is not a profession; the status of their “professionalism” as writers is so ambiguous. Throughout their writings, the sacred and the secular are in some kind of elusive, hybrid suspension. In keeping with this quality, we find self-contradiction is everywhere in their work. In Emerson and Whitman, and in Melville as well, there is a steady and unyielding combination of these two contradictory realms—the revealed and the secular. In Melville’s work it is often implicit—most strikingly in the thoroughly analyzed factory of the Pequod which is all the while a floating cosmos of metaphysical strife—where in Emerson and Whitman it is explicitly embraced, even celebrated. “We are made of contradictions,” Emerson notes in his Journal, “our freedom is necessary.”¹⁵ More experientially, he writes in “Circles,” “I am God in nature, I am a weed by the wall.”¹⁶ And Whitman, in his easy embrace of whatever it is he finds, puts the matter most simply and directly. “Do I contradict myself?” he asks, toward the very end of “Song of Myself,” “Very well then....” he answers himself, “I contradict myself; / I am large. . . . I contain multitudes.”¹⁷

Still, these are writers, secular writers, after all; they write essays, poems, and novels. Emerson, Whitman, and Melville lived almost exactly contemporaneous lives, Emerson about a decade older, but the latter two born the same year—1819—and both died in the last decade of the century, one year apart. Yet as writers the three are each strikingly sui

generis. It is, of course, true that all artists of such stature are distinctly individual, but if we consider, for instances, three great English counterparts—Ruskin, Browning and George Eliot; or Arnold, Tennyson and Trollope—the English writers resemble one another in a very general way more than any of them resemble the three Americans, or what is here more to the point, more than any of the Americans resemble one other. Emerson writes prose, as Whitman writes poetry, and Melville writes fiction—as if each were forced to invent the very genre on his own. Melville’s description of American “isolatoes” referred to the condition of their art as well as of their lives. However we might evaluate works such as “Self Reliance” or “Song of Myself” or Moby Dick, they are not good examples of any generic literary procedure. At their most characteristic these American writers seem to be either geniuses, or cranks and wild men. And again, it is Emerson who, in his search for a form, will best serve to introduce the question of just what kinds of literary arts these all-or-nothing writers practiced.

NOTES FOR CHAPTER ELEVEN

¹ Richardson, p. 531.

² Emerson, p. 412.

³ Parker, p. 615.

⁴ Arvin, p. 78.

⁵ Reynolds (p. 64) warns us against taking Whitman’s “indolent loafing persona [as in] direct opposition to an increasingly capitalistic American culture” because Reynolds’s diligent research revealed “a whole class of so-called loafers...mainly

young working-class men and women who had been impelled by hard times to reject normal capitalist pursuits....” How Whitman’s voluntary identification with this “loaferdom” invalidates the characterization is not clear to me.

⁶ quoted in Parker, p. 165.

⁷ Parker, p. 165.

⁸ Deut 6:4-9

⁹ Cavell, *Sense of Walden*, p. 153-4

¹⁰ Porte, 123.

¹¹ Abrams, p. 65.

¹² Abrams, p. 66.

¹³ James, p.253.

¹⁴ Emerson, p. 412.

¹⁵ Porte, 350.

¹⁶ Emerson, p. 406.

¹⁷ sec. 51, p.43 (Miller ed.)

12. Essays in Time

Let who will ask, where is the fruit? I find a private fruit sufficient. This is a fruit, –that I should not ask for a rash effect from meditations, counsels and the hiving of truths.

Montaigne

At the conclusion of a penetrating essay on Emerson, written as a book review of James Eliot Cabot's memoir of the writer, Henry James ambivalently praised Emerson for "failing to strike us as having achieved a style [which] is usually the bribe or toll-money on the journey to posterity" a journey on which, he assures us, Emerson is nevertheless on "his way."¹ Of Emerson the essayist James says simply that he "had never really mastered the art of composition—of continuous expression," indeed that "it is hardly too much, or too little, to say of Emerson's writings that they were not composed at all."

Anyone who attempts reading through the two series of Emerson's essays understands precisely what James had in mind. There is eloquence enough to stun even those most resistant to what he says, innumerable moments of memorable expression, unforgettable sentences; but for a reader to remember afterwards whether this or that stirring articulation came from "Friendship" or "History," or perhaps "Nature,"

“Politics,” or “Circles” is often exceedingly difficult. It is like trying to recall amidst a lightning storm any one particularly striking flash and thunderbolt. Here is a brief selection of Emersonian moments, instances of his condensed eloquence; let any reader familiar with Emerson’s Essays attempt to match each with its corresponding essay:

God offers to every mind its choice between truth and repose. Take which you please; —you can never have both.²

Let the stoics say what they please, we do not eat for the good of living, but because the meat is savory and the appetite is keen.³

I am always insincere, as always knowing there are other moods.⁴

Let a man keep the law,—any law, —and his way will be strown with satisfactions.⁵

We grizzle every day. I see no need of it.⁶

He that writes to himself writes to an eternal public.⁷

The dice of God are always loaded.⁸

Men descend to meet.⁹

Of any particular essay a reader can often discern a mood, an atmosphere; but as neither ordered expositions, nor narrative sequences, lacking much of what makes either argument or dramatic structure, the essays often defy summary. Emerson knew this as well as any of his later

critics. At work in 1838—the Essays First Series were published in 1841—he wrote to Carlyle: “Here I sit & read & write with very little system & as far as regards composition with the most fragmentary results: paragraphs incompressible each sentence an infinitely repellent particle.”¹⁰ To Margaret Fuller he explained how he was “inventing transitions like solder to meld irreconcilable metals.”¹¹ He lamented his “formidable tendency to the lapidary style,” and upon completion of his first volume of *Essays* conjured a number of images to convey his sense of the result: “I build my house of boulders;” “[they are] “only boards & logs tied together.”¹² Nor was this characteristic of his *Essays* only. A decade later he would note in his journal: “I found when I had finished my new lecture that it was a very good house, only the architect had unfortunately omitted the stairs.”¹³

Yet it would be false to describe Emerson as merely stringing together aphorisms. However extraordinary the effect of his superbly shaped sentences they do not feel as if they are merely planted in, but rather that they arise from, the surrounding discourse. Nor did he aim at a brilliance of effect: “I would have my book read as I have read my favorite books,” he remarked in his journal, “not with explosion & astonishment, a marvel and a rocket, but a friendly & agreeable influence stealing like the scent of a flower or the sight of a new landscape on a traveler.”¹⁴ To what then can we attribute this pervasive discontinuity?

All the biographies of Emerson agree on how long and arduous the path to his own form and voice, his characteristic method. There was no blessed or fortuitous breakthrough, no clear way to literary achievement as there had been for Irving, or Cooper, or Emerson's contemporary Longfellow. Beginning was a prolonged struggle, a kind of invention ex nihilo of a peculiarly American writer. Emerson in his writing life recapitulated the situation of the Founders, facing the problem of how to begin afresh, as if from an absolute newness, how to lay a foundation, so to speak, in mid-air. "In England," Emerson remarked in his later travels, "every man you meet is some man's son; in America, he may be some man's father."¹⁵ As Emerson experienced it, the condition of being American was one of continuous beginning, of necessary founding, and re-founding.

It was when Emerson returned from his European travels following the tragically early death of his first wife that he discovered that the way for him lay in an acceptance of his own access to revelation, however sporadic:

As the law of light is fits of easy transmission & reflexion such is also the soul's law. She is only superior at intervals to pain, to fear, to temptation, only in raptures unites herself to God and Wordsworth truly said:

Tis the most difficult of tasks to keep

Heights which the soul is competent to gain.¹⁶

It is these heightened moments of vision, raptures which by their nature are discontinuous, that account for the decentralizing, aphoristic intensities in Emerson's Essays. And it is his complete acceptance, his almost affirmation, of the discontinuity Wordsworth's lines lament between vision and material life that made Emerson the latter-day Founder of a distinctive American literature. In the text of the Constitution the individual parts are emphasized at the expense of any larger design or form of the work, each inserted to answer one demand or another of the interests engaged in the creation of the United States, and so did the parallel paradox in Emerson's essays. It may seem that this fragmented condition is merely an aspect of its legal language, which in part of course it is; but it is a result, as well, of the demands made both by the nature of so vast a collaboration, and by the need to construct, as if brick by brick, a new political reality, and behind the fragmentary, discontinuous quality of Emerson's composition there is, however strange it may seem, a similar kind of collaboration and construction. In his case, the collaborators, though they too had to struggle to find a pathway to union, were all named Emerson, and what they likewise constructed, as if brick by brick, was what Emerson's Orphic Poet had chanted in "Prospects," the concluding section of Nature, his first book: "Every spirit builds itself a house; and beyond its house a world; and beyond its world, a heaven."¹⁷ Unlike the solid political building demanded

by the political Constitution, however, Emerson's—guided by whim—was a profoundly "frolic architecture."¹⁸

Emerson's frolic composition is closely related to the already examined pervasiveness of self-contradiction. In the passage from Self Reliance in which Emerson enjoins upon himself the commandment to whim, in the very next thought he almost retracts that very idea: "I hope it is somewhat better than whim at last, but we cannot spend the day in explanation."¹⁹ More dramatically still, having sounded the tocsin for self-reliance repeatedly through the first half of the essay, he suddenly reverses himself to warn against the very notion.:

Life only avails, not the having lived. Power ceases in the instant of repose; it resides in the moment of transition from a past to a new state, in the shooting of the gulf, in the darting to an aim... Why, then, do we prate of self-reliance? Inasmuch as the soul is present, there will be power not confident but agent. To talk of reliance is a poor external way of speaking. Speak rather of that which relies, because it works and is.²⁰

Here the very idea of a self in all its whim-directed integrity is itself dismissed as too composed, too static; the independence he is championing must itself be free from its very dependence on the self. As he expresses it in his journal, "Becoming somewhat else is the whole game of nature, & death the penalty of standing still."²¹ And this is true of

thought as well as of life: "I cannot conceive of any good in a thought which confines & stagnates. Liberty means the power to flow. To continue is to flow. Life is unceasing parturition."²² Again—to cite one more instance in place of many others, this from the Journal: "Everything teaches transition, transference, metamorphosis: therein is human power, in transference, not in creation; & therein is human destiny, not in longevity but in removal. We dive & reappear in new places."²³

This restless, not to say ruthless, metamorphosing gave offense in Emerson's time, and gives offense in ours; A. Bartlett Giamatti, in an address to the Yale Class of 1991, found this thorough-going commitment to change and transition sufficient grounds for characterizing Emerson's thoughts as "those of a brazen adolescent."²⁴ 'Adolescent' does refer to growth, and is thus far perfectly justifiable, although Giamatti meant, of course, lacking the maturity and seriousness of the fully grown. It is amusing to try to imagine what Emerson himself would have thought of such an epithet coming from a man on the verge of resigning the Presidency of Yale in order to preside over professional adult baseball. About the predictable opposition to this forever diving and reappearing we know Emerson was perfectly clear: "This one fact the world hates, that the soul becomes; for that for ever degrades the past, turns all riches to poverty, all reputation to a shame, confounds the saint with the rogue, shoves Jesus and Judas equally aside."

Emerson's extreme commitment to motion and change is in part, no doubt, a response to the underlying and movement by reference to the peculiar emerging conditions of mid-nineteenth century America.

Tocqueville is certainly clear in the second volume of Democracy in America that from a European point of view one of the striking characteristics of such a democratic society is both the expectation and acceptance of change. In a chapter on the idea of the perfectibility of man he tells of an encounter with "an uneducated man:"

I once met an American sailor and asked him why his country's ships are made so that they will not last long. He answered offhand that the art of navigation was making such quick progress that even the best of boats would be almost useless if it lasted more than a few years.²⁵

More explicitly still, in his chapter on the effects of this new democracy on language, he describes this state of continual transition as deeply internalized, explaining how "in a continually changing situation [the Americans] are never obliged by unchanging circumstances to stick to any view once held...they never know whether what they say today will fit the facts of tomorrow...."²⁶

But it is Emerson's persistent conviction that "the aim of the true teacher," he writes... [is] to teach the doctrine of perpetual revelation" which is the deepest spring of his frolic compositional impulse.²⁷ The last

half century's editing of Emerson's unpublished writing has yielded an increased awareness of his highly idiosyncratic literary method, most dramatically in revealing the extent of what his editors have taken to calling "parallel passages." What is referred to by this term is Emerson's re-use of sentences, even whole paragraphs, that had been written earlier, in some other context, whether from talks, lectures, letters, or most especially from what for convenience is referred to as Emerson's' Journal. This Journal is actually a very miscellaneous collection of diaries, commonplace books, and various other sorts of notebooks—some two hundred of them—first made available in a bowdlerized edition published by his son in the early part of the century, and since 1982 in a complete and carefully edited scholarly edition. The term "parallel" is a bit of a misnomer, since these are for the most part not merely analogous passages but word for word repetitions. Emerson himself called his this private journals a "Savings Bank," as if they served as a conscious repository of riches, a place where insights could safely be stored awaiting their useful deployment. And indeed, the editors of the Journals and Miscellaneous Notebooks have noted a single vertical mark (a "use mark") that Emerson tended to make through any passage he put to use, sometimes more than once, in his essays. Thus, although there is nothing explicit in the text to alert the reader to the fact, any essay of Emerson's, as Joseph Slater in his introduction to the volume of the Essays First Series in the current

Collected Works describes it, “a collage, a chrestomathy, a mosaic of Byzantine intricacy.”²⁸ And this practice is only compounded by the fact that Emerson's journals are themselves filled with passages he copied from whatever ‘lusters’ he uncovered in his wide and rambling reading.

In order to convey some sense of how extensive and peculiar Emerson's practice of assembling “some single cord out of my thousand and one strands of every color & texture that lie raveled around me in old snarls,” (as he wrote to his friend Caroline Sturgis), Slater in his Introduction lays out the known sources behind the first ten paragraphs of “Circles,” roughly one quarter of the essay.²⁹ “Circles” is often critically celebrated as one of Emerson's finest compositional achievements, and indeed Slater chose “Circles” for his demonstration precisely because of all the essays in the First Series it is probably the least traceable to Emerson's notebook and journal entries, and the only essay that had not been used, at least in part, in one of Emerson's lecture courses, and by this choice dramatically emphasizing the extent of these “parallel passages.” Of the first ten paragraphs only three are actually new, having never appeared elsewhere. The first paragraph has a sentence from his Journal of 1835, and a further clause rewritten from another passage of 1839. The third paragraph uses sentences written in his Journal of 1836, and others from 1840. Again in the fourth, the first five sentences have their source in an earlier entry from that same year's Journal. While the

fifth paragraph is new, as is the seventh, the one between is based entirely on a talk he had delivered in Boston in 1837, and a further entry from the journal of 1840, which likewise provided two other entries used as the bulk of paragraphs eight and nine. The tenth paragraph repeats almost in its entirety a journal reflection from 1839, with the extraordinary penultimate statement, "I am God in nature; I am a weed by the wall" copied from a journal entry of May 1840.³⁰

These fragments of his former writing and reading embedded in his essays are decentralizing in that they exact a kind of attention that erodes the reader's perception of the single composition. The process by which Emerson produced his essay, his conjoining of those "infinitely repellent particles," amounts to a practice it is tempting to label discomposing. Emerson is the furthest from the kind of writer to take by the fireside for repose. There is no settling down in his essays, or into them. It is not merely that they are dialectical, since even that implies some sort of system, a regularity in balancing the one hand with the other, they are rather more meteorological, like gusts of wind blowing from what direction they will, from one moment to the next. If this suggests that Emerson's discomposing procedure engages in what in the next century would call the aleatory—a conscious abandonment to the contingent and the random—then that is not entirely inappropriate. Emerson approvingly described Thoreau who when talking of art "blotted a paper with ink, then

doubled it over, & safely defied the artist to surpass his effect."³¹

Revelation, however perpetual, came when it would, and just as in the question of aleatory composition, it was for Emerson, as we have seen when he reflected upon his essay writing, perplexing how to think about artless artfulness.

In the Part One we examined how the Constitutional Convention managed to create a text with a secular surface beneath which percolated the assurance of revelation by the severe secrecy of its proceedings combined with the elaborate misdirection of its authorship. Emerson facing a similar need composed his paradoxical essays through that very queer absence of what James meant by a style; Emerson, faced with the desire to write an Essay, had no choice in the end but to cull those moments of revelation from his daily work of journalizing, and to proceed to aggregate them into the most perfect union he could manage. The "true thoughts," the momentary revelations, were the awaiting "fractions, waiting" as Emerson described them, "to become integers."³²

And just as the constitutional union the Framers envisioned needed to work with the diverse peoples and states, so did Emerson in his essays begin with the fact of his overwhelming experience of miscellany.

Alas for America as I must so often say, the ungirt, the diffuse, the profuse, procumbent, one wide ground juniper, out of

which no cedar, no oak will rear up a mast to the clouds! it all runs to leaves, to suckers, to tendrils, to miscellany.³³

Again, the facts “on the ground,” such as the three-fold increase in Boston’s population from the time of Emerson’s childhood to his middle age, and a society Tocqueville observed as “so practical, complicated, agitated, and active,” must have contributed to this sense, but the apprehension of the miscellaneous went deeper, something more properly described as metaphysical. Emerson writes in his Journal:

Life

If any of us knew what we were doing, or whither we were going!

We are all dying of miscellany.³⁴

Indeed, it may well be that the apprehension of disunity, miscellany, even the threat of incoherence, is a good index of the very need for union.

What in the latter part of the eighteenth century Diderot, in “Rameau’s Nephew,” had sketched psychologically as the simple soul, the sincere or whole man, had already by then begun to fracture under the rising pressure of modernity.³⁵ Or, as Emerson put it in his plain style eloquence: “I am always insincere, as always knowing there are other moods.”³⁶

Emerson’s essays make a bid to bring together these contending moods—(“Our moods do not believe in each other”)—to unite these disparate states of mind.³⁷ Just as the Constitution asserts the wholesale

creation of an entire polity, so the essays are repeatedly given to claims of completeness and expansive generality. Once again, this is a trait common to the culture that Emerson dramatically exemplified, so that there is a large consonance between the claim implied by one of Tocqueville's chapter headings—"Why the Americans Show More Aptitude and Taste for General Ideas than their English Forefathers"—and the very titles of Emerson's essays: "History," "Love," "Intellect," "Art," "Nature," "Experience"—none of these subjects so much as delimited by a Baconian partitive "of."

It is thus that the figure of the circle is a subject so befitting Emerson, since the circle is indeed the age-old sign of unity, totality and completeness. To return again to the Constitution, the unity of the states does not obliterate the separate states, but mysteriously coexists with them. Similarly in any revelation that is at the same time secular this impulse to unity and totality is both asserted and continuously undermined; Emerson's circles, while remaining perfect, are at the same time forever being broken—that is the thrust of his essay. God's nature is "as a circle whose centre [is] everywhere, and its circumference nowhere," so "there is no outside, no enclosing wall, no circumference to us," and yet "around every circle another can be drawn." And so of all Emerson's essays, however inspired they are, are also the result just of Waldo tacking things together at his table. There is the unity of revelation on the one hand, on

the other there is the secularity of miscellany, always one and always two: "The natural world may be conceived of as a system of concentric circles, and we now and then detect in nature slight dislocations, which apprise us that this surface on which we now stand is not fixed, but sliding."³⁸ The circle is perfect and eternal, yet likewise forever being "swallowed and forgotten."³⁹

The discomposing freedom, the wildness, of Emerson's rhetoric is exactly what was necessary in order to put all that was new and strange in the assumptions behind the United States, and a new American identity, into the work of verbal imagination. Emerson himself understood very well what kind of imaginative writing came naturally, and just how contradictory it was: "I, who tack things strangely enough together, & consider my ease rather than my strength, & often write on the other side, yet am an adorer of the One."⁴⁰

Is Emerson's achievement then to be found in the Essays, or in his Journal, (more properly in his accumulated journals and notebooks)? Here too there is a parallel to the Constitution's secular revelation: what had been during the ratification, (though it sank quickly from sight afterwards) the source of a lively political debate, namely the relation between the "We the People" at the beginning of the Constitution, and the names of the signers at the end, reappears reconfigured as the critical conflict in assessing the relative value Emerson's journals versus his essays. The

source of revelation, and the source of a secular text, cannot be the same; yet of course in a secular revelation they must be. (Again note Emerson's "I am part or particle of God:" what then when the I speaks?) Some of Emerson's' most articulate critical champions--Harold Bloom among others-- indulge in the rhetorical claim that Emerson's real masterpiece is none of the texts he had published, but the multifarious Journal itself—and no mere selection from it, either, but the entire collection. And this, notwithstanding that there is no modern reader's edition of the text in publication, and the earlier, bowdlerized version has been out of print for well over half a century, in other words throughout the entire period of the dramatic postwar expansion of American Studies.⁴¹

Lawrence Rosenwald, in 1988, took this position to its logical conclusion in a book whose contention is present in its title: Emerson and the Art of the Diary. Rosenwald argues from the fact that Emerson on occasion exchanged his journals with friends and relations, and even allowed a visiting stranger to read part of it through, that therefore the diary aspect of the manuscript should be considered a work of art in its own right. But this perspective robs what is most peculiar about his prose of any interest or significance, and in any case flies in the face of Emerson's often alluded-to ambition, as most clearly articulated at the very beginning of his new post-ministerial career in 1835, namely to write the very books he would go on to write over the next twenty odd years:

When will you mend Montaigne? When will you take the hint of nature? Where are your Essays? Can you not express your one conviction that the moral laws hold? Have you not thoughts & illustrations that are your own; the parable of geometry & matter; the reason why the atmosphere is transparent; the power of Composition in nature & in man's thoughts; the use & uselessness of traveling; the law of Compensation: the transcendent excellence of truth in character, in rhetoric, in things; the sublimity of Self-reliance; and the rewards of perseverance in the best opinion? Have you not a testimony to give for Shakespear, for Milton? one sentence of real praise of Jesus is worth a century of legendary Christianity.⁴²

It appears that we must simply accept the ambiguity of notions like primary and secondary in Emerson's essays. Most interestingly, if we were to inquire where in the universe of universe of texts we could find a similar ambiguity, a case of secondariness compounded into a primary work, then the clearest instance would be what has traditionally been revelation itself, none other than the Book, the Holy Bible.

Since his days at the Harvard Divinity School and the early years of his ministry, in large part through his brother William who had gone to study in Göttingen, Emerson had wrestled with the new higher criticism of

the Bible. Throughout the eighteenth century Enlightenment skepticism had eroded the textual integrity of the Bible, and by the end of the century scholars such as Johann Gottfried Eichhorn had begun to apply the scientific methods of critical analysis developed for the study of secular texts to Scripture. Whatever their religious motives were in investigating the seeming contradictions of the Biblical texts, these scholars began to offer a new picture of revelation as a kind of anthology, or even patchwork, of various poems, legal codes, and other “Oriental” genres, both oral and written, oftentimes of strikingly diverse provenances one from the other. These critical studies, while often almost impossible for students of the Bible to resist, were together threatening to undermine the primary status of Scripture itself. The extent to which this scholarship had the effect of shaking Emerson’s Christian faith, and being responsible for his ultimate resignation from the pulpit—as it certainly did for his brother William—is of less interest in this context than what it says about the his evolving understanding of what, then, accounts for the authority of the Biblical text, or indeed for that of any text at all.

Barbara Packer, writing on Emerson’s response to the higher criticism, has traced what ultimately became Emerson’s “admiration for [the] more radical form of source study that ends by exploding the identity of the author” as in his excited conviction that “from Wolf’s attack upon the authenticity of the Homeric poems dates a new epoch of learning.”⁴³ Yet,

as Packer asks by way of conclusion, “in demystifying the notion of origins, what has happened to the notion of authority....if the very notion of origin is exploded, and the text dissolved into a heap of fragments, by what right does the poet speak?”⁴⁴ She suggests that Emerson’s answer to this question was “half psychological, half pragmatic.”⁴⁵ For the psychological half she quotes Emerson explaining how previous texts, from a writer’s perspective at least, lack any real substance in comparison to the writer’s own thoughts: “the ministration of books and of other minds are a whiff of smoke to that most private reality with which he has conversed.”⁴⁶ For the pragmatic part of Emerson’s response, Packer reminds us of his great admiration for the synthesizing genius of writers like Chaucer, Wordsworth, and Shakespeare, how they took from others in constructing their own words, citing even Jesus for praise in his borrowings from the ancient Rabbis: “He picked out the grains of gold.”⁴⁷

But this does not seem an adequate account, for Emerson after all engaged in a method of merging other texts, albeit largely his own, into a new primary text that resembled nothing so much as what he had learned about the accumulating composition of Scripture itself. Geoffrey Hartman in an attempt to arrive at a formal distinction between the prose narrative of Scripture and that of secular fiction, stresses the degree to which the composite aspect of the Biblical text, “the redactional process”—and he is dealing primarily with the foundation stories of Hebrew Scripture—creates

“a style in which every sentence is a jealously guarded deposit, as if language had to have authority, whatever uncertainties encompassed the reported event or act of naming it.”⁴⁸ This seems to catch not only a quality of Biblical storytelling, but of Emerson’s prose as well, in which each assertion, no matter how immediately qualified or contradicted, has a distinctness and dignity as though it were chiseled in stone. “I would like to assert,” Hartman writes further, “that Scripture can be distinguished from fiction by its frictionality....”⁴⁹ He acknowledges that a respect for such friction—the conflict between the fragments—exists in fictional or “literary” texts as well, but insists that whereas in a novel, for instance, “the respect which shapes variant stories into narrative [reflects] only the aesthetic problem of blending them into a unified whole,” Scripture “recalls, or should recall, the authority of traditions handed down, each with its truth claim....”⁵⁰

Of course Emerson does not write stories; on the contrary, he is often described as having little interest even in reading them.⁵¹ There is, in fact, barely a page of any kind of narrative to be found in Emerson’s writing, as if the temporal and characterological continuity narrative entails simply held no interest for him. He writes only essays, that least formal of forms. In his praise of Bacon, arguably the originator of the form in English, he singles out precisely his necessary imperfection of the form: “Each of Shakespear’s dramas is perfect, hath an immortal integrity. To

make Bacon's work complete, he must live to the end of the world."⁵²

Bacon's essays "allowed," he wrote, "of perpetual amendment and addition," as "every one of his works was a gradual growth."

This accretionary development of Bacon's essays, and the way that development echoes, in a very general sense at least, the Scriptural mode of composition is still more striking in that very essayist, the great original, Emerson sought "to mend." In Montaigne's case the diversity of "sources" is so extreme that modern editions of the Essays make use some mark within the text, such as superscripts, in order, as Donald Frame explains in his complete English translation, "to distinguish the three certain strata in which the Essays were composed," roughly speaking fragments from 1580, from 1588, and anything added after that last date. Otherwise, as Frame puts it, "an attentive reader unaware of these strata is likely to find Montaigne puzzling and may write him off as irresponsibly inconsistent."⁵³

Nothing could be more congenial to Emerson, who after all famously declared foolish consistency "the hobgoblin of little minds."⁵⁴ In many ways it is the very appeal and purpose of the essay form. Montaigne claimed that he would never have written his Essays at all if he had ever managed to maintain a consistent perspective on anything: "If my mind could gain a firm footing, I should not speak tentatively, I would not make essays, I would make decisions."⁵⁵ He plays on the verb "to essay" (essayer) meaning, to try, as if the essay is not so much a form as merely

an attempt at a form. "All contradictions are to be found in me," he writes; and, "Even fixedness is nothing but a more sluggish motion."⁵⁶

The essay is, in its miscellaneous and wandering way, the most secular of forms—often quotidian, peripatetic: for Emerson Montaigne's books was "full of fun, poetry, business, divinity, philosophy, anecdote, smut ...dealing of bone & marrow, or cornbarn & flour barrel, or wife, & friend, & valet, of things nearest & next..."⁵⁷ And yet, it is precisely by the essay's wandering, by the discontinuous path of its digressions, that it reveals to the author what he knows, what he did not necessarily know that he knew. The essay wanders but with a true aim, so that what merely happens along the way becomes the very heart of the matter. This doubleness makes it a very fitting almost-form for the paradox of a secular revelation.

"I think nothing is of any value in books," Emerson writes in "The Poet," "excepting the transcendental and extraordinary." Emerson sought to "mend" his much beloved Montaigne by flooding the pragmatic of the essay with his vision of "the infinitude of the private man." He noted in his Journal, "the remarkable trait in American character is the union not very infrequent of Yankee cleverness with spiritualism." By adopting and adapting the constitutional poetics that created American national identity into essays, each a speaking out of that paradoxical, self-contradictory claim to an ultimate authority deriving from no more ordinary selfhood,

Emerson set American literature on its self-regarding yet wildly ambitious course. We turn now to Whitman and then Melville, and their strangely essayistic and deforming expansions of the literary arts of poetry and of fiction, as they follow along that very peculiar course.

NOTES FOR CHAPTER 12

- ¹ James, 271.
- ² Emerson, p.412; "Intellect"
- ³ Emerson, p.550; "Nature"
- ⁴ Emerson, p.587; "Nominalist and realist"
- ⁵ Emerson, p.360; "Prudence"
- ⁶ Emerson, p.412; "Circles"
- ⁷ Emerson, p.316, "Spiritual Laws"
- ⁸ Emerson, p.289 "Compensation"
- ⁹ Emerson, p.391; "The Over Soul"
- ¹⁰ Emerson, Selected Letters, p. 177.
- ¹¹ Emerson, Letters, II. p. 378.
- ¹² EJ, p. 378.
- ¹³ EJ, p. 418
- ¹⁴ EJ, p. 264.
- ¹⁵ EJ p. 390
- ¹⁶ JMN, IV, 87.
- ¹⁷ EJ, p. 48.
- ¹⁸ Hollander, I, p. 174. ("The Snowstorm")
- ¹⁹ Emerson, p. 262.
- ²⁰ Emerson, p. 271.
- ²¹ EJ, 460.
- ²² EJ, 460.
- ²³ EJ, 372.
- ²⁴ Porte, ed. (1999), p. 8.
- ²⁵ Tocqueville, p. 453.
- ²⁶ Tocqueville, p. 482.
- ²⁷ EJ, 202.
- ²⁸ ECW, I, p. xxiv.
- ²⁹ This quotation is cited in Slater's Introduction, xxv, from L II, 282.
- ³⁰ ECW, I, p. xxvi
- ³¹ EJ, p. 378.
- ³² EJ, p. 381.
- ³³ EJ, p. 372.
- ³⁴ EJ, p. 308.
- ³⁵ See Trilling.
- ³⁶ EJ, p.

³⁷ Emerson, p. 406.

³⁸ Emerson, p. 409.

³⁹ Emerson, p.413

⁴⁰ EJ, 466.

⁴¹ There is a scholarly edition, with an elaborately exact apparatus meant to reproduce precisely every mark and gesture one might discern looking at the actual handwritten pages themselves, though many of these sixteen volumes are out of print as well.

⁴² EJ, 139.

⁴³ Packer (1986), p. 90.

⁴⁴ Packer (1986), p. 90.

⁴⁵ Packer (1986), p. 91.

⁴⁶ Packer (1986), p. 91.

⁴⁷ Packer (1986), p. 92.

⁴⁸ Hartmen, p.5

⁴⁹ Hartman, p.13.

⁵⁰ Hartman, p.13.

⁵¹ See for instance Alfred Kazin's picturesque description of Emerson in American Procession. Although, it must be said, from the facts of his biography this does appear something of an overstatement, a view he held more than a practice he maintained. Indeed he complains of Thoreau in his Journal for his intolerance of this habit among young clerks: "You do us wrong, Henry T., in railing at the novel reading. The novel is that allowance & frolic their imagination gets. Everything else pins it down." (EJ, p.369.)

⁵² Porte (1979), p. xiii.

⁵³ Frame, p. xvi.

⁵⁴ Emerson, p. 265.

⁵⁵ Frame, p. 611. ("Of Repentance")

⁵⁶ Frame, p. 610. ("Of Repentance")

⁵⁷ EJ, 196.

13. The Leaves are of Grass, the Grass is of Leaves

A child said, What is the grass? fetching it to me with full
hands;

How could I answer the child? I do not know what it
is any more than he.

Whitman, *Leaves of Grass* (1855)¹

Walt Whitman himself is said to have set the type for ten of the ninety-five pages of the first version of his one, ever revised, book of poetry, *Leaves of Grass*. A printer's shop on Brooklyn's Fulton Street had produced almost eight hundred of the books, two hundred of which were bound in a green cover, the gold stamped letters of the title filigreed with entwining tendrils on the cover. Whitman sent a copy of this rather tall and thin quarto volume (8" x 12") to, among other notables, Ralph Waldo Emerson in the small New England village of Concord. Emerson's immediate response is one of the prime instances of what Melville, reading Hawthorne, would call "the shock of recognition:" "Genius the world round stands hand in hand, and one shock of recognition unites them all."²

Emerson's five page note evinced greater enthusiasm than he had ever expressed even for the work of his closest associates such as

Thoreau, whose *Walden* was published the same year. Dazzled, Emerson admitted to Whitman: "I rubbed my eyes a little to see if this sunbeam were no illusion...."³ Reading Emerson's essay, *The Poet*, of roughly a decade earlier, it is easy to fall into the mythic identification of Emerson's *Annunciation* followed by *Whitman's Arrival*. *Leaves of Grass* is so much the great literary flowering of Emersonianism that it is especially gratifying to witness Emerson, against all the prejudices of class, region, and temperament, so signally note Whitman's sudden appearance.

The whole of Emerson's private letter found its way into the *New York Tribune*, and the following year Whitman brought out a second edition of *Leaves of Grass* with the words, "I Greet You / at the / Beginning /of a Great / Career / R W Emerson," stamped in gold on the very spine of the book. Whitman had the moral right of literary affiliation to quote Emerson's high praise, and the practical sense not to pause and ask the New Englander's permission. However distasteful Emerson may have found Whitman's self-promotion, he never retracted either the words or the judgment.. Indeed, years later, he wrote recommending Whitman to Secretary of State Seward, saying of Whitman's poems that "they show extraordinary power, and are more deeply American, democratic, and in the interest of political liberty, than those of any other poet."⁴

Though Whitman could be critical of the later Emerson, he maintained till the end Emerson's centrality. "Emerson never fails," he told

Traubel, “he can’t be rejected; even when he falls on stony ground, he somehow eventuates in a harvest.⁵ Even in the case of Emerson’s famous argument with Whitman, in which he had repeatedly attempted to persuade Whitman to tone down the open sexuality of the “Children of Adam” poems for third edition of *Leaves of Grass* (1861), there remained a profound sympathy and understanding between the Boston Brahmin and the Broadway would-be B’hoi. As Whitman described the walking argument to Horace Traubel, Emerson

did not urge [self censorship] for my sake but for the sake of the people. He seemed to be arguing that I didn’t need the people as much as the people needed me. I said: ‘You think that if I cut the book there would be a book left?’ He said, ‘Yes.’ Then I asked, ‘But would there be as good a book left?’ He looked grave; this seemed to disturb him a bit. Then he smiled at me and said, ‘I didn’t not say as good a book—I said a good book.’ That’s where we left it.⁶

In a remark critical of *Leaves of Grass*, Emerson did describe the book as a combination of “the *Baghavat Gita* and the *New York Tribune*,” a judgment that has been elaborated upon, consciously or not, by nearly every critic of Whitman’s work since. If we were to substitute for the talk exchanged among the farmers in Concord for the *New York Tribune*, however, the same could be said of Emerson’s prose. Emerson moves

quite naturally from philosophic abstraction to the “milk in the firkin,” and differs from Whitman in this respect only as village and rural life differ from the new environment of the City. This is not an inconsiderable or undramatic difference, but it is not so great that Emerson could fail imaginatively to make the connection.⁷

As a result, at least in part, from the radically urban modernity of New York, Whitman is Emersonianism in extremis. He darts rapidly, without transition, from vignettes, both public and private,

The suicide sprawls on the bloody floor of the bedroom.
It is so I witnessed the corpse there the pistol
had fallen.⁸

The heavy omnibus, the driver with his interrogating
thumb, the clank of shod horses on the granite floor,
The carnival of sleighs, the clinking and shouted jokes
and pelts of snowballs. . . .⁹

to personal proclamations,

And I know I am deathless,
I know this orbit of mine cannot be swept by a carpenter's
compass,
I know I shall not pass like a child's carlacue cut
with a burnt stick at night.¹⁰

I cock my hat as I please indoors or out.11

to still moments of reflection and insight:

Urge and urge and urge,

Always the procreant urge of the world.12

And to glance with an eye or show a bean in its pod

confounds the learning of all times. . . .13

The restless rapidity of Whitman's transitions, and the miscellaneous multiplicity of the places and persons he describes, reflect the imaginative pulse and texture of city life; but it is not merely this new urban perspective that encourages in Whitman the extreme instance of those qualities we have already identified in Emerson. There is also the matter of his open and explicit political convictions.

Because we have been attempting to argue for the generative force of the Constitution as a hidden, context-constructing presence, the degree to which Emerson, among others, was openly engaged by political, even explicitly constitutional issues, has been perhaps thus far muted. All the writers of the American Renaissance were what might be called America-mad, each obsessed in different ways by the phenomenon of the United States. In Emerson's case, it is obvious enough in the title and focus of "The American Scholar." But here, too, Whitman is the extreme instance.

Not only did he work as a newspaperman in an era when American newspapers were openly partisan and political, but he wrote pamphlets himself, engaged in popular political oratory, and even after his metamorphosis into a poet—(and any glance at his earlier attempts at verse confirm the justice of so dramatic a term)—he remained a deeply committed Union man. Both Allen Grossman and Kerry Larson have, in different ways, examined Whitman's "poetics of union", or "drama of consensus," for the way in which the poet inflected his political preoccupations in his 1855 *Leaves of Grass*, in his Civil War poems, and beyond.¹⁴

We can discern Whitman's abiding concern about the question of unity, and not only in its political meaning, intertwined in the very title of his work. Amid all the revisions of Whitman's one ever-growing book of poetry, he never had any thought of changing the title: it remained *Leaves of Grass* that he continued to write, from the first edition of 1855 until the version he left upon his death in 1892. One man, one book. The title could not be improved for the simple reason that it perfectly captured the paradox of his entire poetic enterprise. The title plays not merely upon the ambiguity of leaves, meaning both the leaves of his book and the leaves of grass, but more significantly upon the much subtler, all but hidden ambiguity between the sense of reading it as what grammarians call an objective genitive and that of a subjective genitive: leaves of grass, or

leaves of grass. In other words, are these grass's leaves--one grass plant, every blade a leaf of that plant; or are they leaves of grass—every leaf itself a separate plant? No emblem could catch more clearly the oscillation in Whitman's poetry between, on the one hand, the meaning of a union or a unity, and on the other the meaning of the separate self.

In Emerson's prose the decentralizing inertia of the aphoristic fragments make the essay, as originated by Bacon and Montaigne, a congenial genre for his architectonic imagination—though we have seen Emerson's own self-confessed perplexity of his own method of composition. Whitman had no doubt that he was a poet, but whether what he wrote were poems remained, even for him, something of an open question. His Introduction to the first edition famously declared that "the United States themselves are essentially the greatest poem," which seems to stretch the idea of a verbal artifact past the breaking point, particularly when he continues by describing the States as a phenomenon highly resistant to any kind of formal unity:

In the history of the earth hitherto the largest and most stirring
appear tame and orderly to their ampler largeness and stir.
Here at last is something in the doings of man that
corresponds with the broadcast doings of the day and night.
Here is not merely a nation but a teeming nation of nations.

Here is action untied from strings necessarily blind to
particulars and details magnificently moving in vast masses.

And when, in that first edition, we reach the pages of poetry, we find that in fact none of the poems—and by their subsequent printing in later editions we know, if we doubted it, there are twelve of them—none are individually titled, or even clearly demarcated one from another.¹⁵ Indeed, there are no titles in the volume at all, other than the title of the volume itself.

The longest of the untitled poems, the first, is now known to us by the title Whitman had assigned it by the tome of the Deathbed edition of 1892, “Song of Myself.” It is now usually recognized as the poet’s greatest single work. Edwin Haviland Miller, in an introduction to his unusual edition of the poem, refers both to “the search for genre” and “the search for structure,” as two of the evasive quarry hunted by many of the more than 300 critics and readers he cites in his “Mosaic of Interpretations.”¹⁶ Hunting, however, is not catching. To explain, for instance, the structure of the 1336 line poem, critics have offered dozens of schemata, no single one achieving a consensus among readers; yet unlike some of Whitman’s earlier detractors, few now doubt the poem has a structure, however elusively protean it remains.

For all its justly celebrated lyricism, Whitman’s 1855 “Song of Myself” has something distinctly essayistic about it, not merely in the

indeterminacy of its genre, and the openness of its form, but in the place that statement occupies in the poem. Like Emerson's essays but more surprisingly, in Whitman's poem—(and to glance ahead, in many of the short chapters of *Moby Dick* as well)—an informal discoursing will suddenly rise and dominate what had been lyrically or dramatically expressive. In a recent dissertation by W.C. Harris, a student of Allen Grossman's, Whitman is identified as one of the primary figures, along with Poe, Melville, and Henry James of a literature focused on the "philosophical problem of the one and the many," a version of the Constitution's *e pluribus unum*. But any such focus derives not from a problem, philosophical or otherwise, rather from the necessary and vital self-contradictoriness of the American condition, as expressed in its founding Constitution. Nor is the response to that condition limited to thematics. The impulse toward the essayistic is a formal response, informal in tone, to the elusiveness of the Constitution's underlying paradox. It amounts to a kind of loosening, or better, perhaps, a needful inflation, that gives open space, a "Western frontier," in which the self-contradiction can breathe without coming right up against the necessary boundaries demanded by any artistic form.

The artistic form of *Leaves of Grass* is a subject to which Whitman gave a good deal of thought and expression. He sometimes likened it to the nation itself: "I consider *Leaves of Grass* and its theory experimental

as, in deepest sense, I consider our American republic itself to be, with its theory.”¹⁷ In 1857 Whitman made a note to himself on future plans of *Leaves of Grass*:

The Great Construction of the New Bible. Not to be diverted from the principal object—the main life work—the Three Hundred & Sixty five [poems].—it ought to be ready in 1859.¹⁸

Though the link here to the nation is not itself explicit, Whitman, former carpenter and house-builder, in using the word ‘construction’ for the writing of his “New Bible,” echoes the both the image and the conception of the Constitution’s framing; “construction” is otherwise, on the face of it, rather an peculiar word to describe what seems identified as a work of religious inspiration.

Is Whitman, then, a religious poet? Harold Bloom thinks so, and claims that “part at least of [Whitman’s] place as a center of the American canon is his still unacknowledged function and status as the national religious poet.”¹⁹ But there is no clear way to navigate these murky waters of the Ineffable, in which words like religious, revelational, spiritual and secular dart dimly about. We must insist, again and at once, that the revelational is not the same thing as the religious, however both are assumed inoperable in the realm of the secular. Secular does not mean, as it once did, the part of the world that fits together with the religious or the sacred like two halves of a shell—if one does not cover the

phenomenon, the other will. Nor is the secular as understood here a contradiction of the religious. It is merely that in the secular realm there is only power, no longer, in this period, any authority that is itself independent of power, so that from a secular point of view religious claims of authority are personal and private, and a private right to such claims protected from the government. But from a secular point of view, a claim of authority without a secular power deemed legitimate behind it is nothing but a piece of political manipulation, a dangerous form of special pleading. Thus the legitimacy of power must be established by something other than power itself, in other words by the very authority for which secularity has no place.

What has been referred to as the revelational in this authority comes from what, using the image of the coin, is the other side, the other side that contradicts the clear and incontestable secularity of all the arrangements of power. No matter that this is necessarily the case, it is likewise an offense to elementary logic--the very definition of a paradox.

Though Whitman writes of a New Bible, it is also the case that his Bible is the most explicitly secular we can quite imagine. Indeed, Whitman directly addressed the question of religious understanding, glossing in "Song of Myself" the key terms of religious thought and practice:

And I have said that the soul is not more than the
body

I have said that the body is not more than the soul,
 And nothing, not God, is greater to one than one's
 self is...

.....

....

And I call to mankind, Be not curious about God,
 For I who am curious about each am not curious
 about God,
 No array of terms can say how much I am at peace
 about God and about death.²⁰

It is not merely that this is unorthodox, or beyond conventional religious categories; at the same time that it asserts the reality of the soul, of the body, and of God, these lines uproot them from any context in which they may possess a sure and stable meaning or place. The category of religious is itself made irrelevant—indeed is invoked in order to be set aside, that we not “be curious” about it. Harris refers to Whitman’s “neo-Bible,” but this procedure could as easily, and perhaps more accurately, be described as anti-Biblical as it is neo-Biblical.

Whitman’s poetry is the clearest literary case of a secular revelation along the paradoxical lines of the Constitution. It does not merely follow the Constitution as if that were a kind of template for American writing; rather, it invented a poetic form that gave rebirth to the paradox operating

within the founding document of the Constitution.. The Founders suppressed, consciously and not so consciously, that paradoxical circle of self-constituting authority; Whitman proclaims it--though the matter remains so elusive that it is effectively hidden even out in the open. And Whitman address the religious directly "I do not despise you priests," he writes in "Song of Myself," and immediately adds, for whatever comfort the priests and their followers may take from it, "My faith is the greatest of faiths and the least of faiths." Just as Emerson concludes "The American Scholar" with the messianic hope that "a nation of men will for the first time exist, because each believes himself inspired by the Divine Soul which also inspires all men," Whitman introduces the first edition of his poems by claiming that "there will soon be no more priests," for the simple and sufficient reason that "every man shall be his own priest"—a fact, or course, which renders the distinction of a priesthood meaningless.

The union Whitman championed was not merely of states and of persons, but of perception and apperception, of the visible and invisible, the present and the absent, even of the living and the dead. It was a union as well of the poet and his book, as the later editions of *Leaves of Grass*, his series of revisions and rearrangements unto death, suggest. That he offered himself to his readers, while at the same time withdrawing from them, both companion in the world and revealer of the world—"in the game and out of the game"—is another of these self-contradictory unitary

gestures, but one that goes to the heart of the kind of self both Whitman and Emerson claimed and encouraged, a subject to which the next chapter is devoted.

NOTES TO CHAPTER THIRTEEN

¹ Whitman, p. 31.

² Wilson (1943), p. 199. (Melville, "Hawthorne and His Mosses.")

³ Emerson, Selected Letters, p. 384.

⁴ Richardson, p. 528.

⁵ Richardson, p. 530.

⁶ Richardson, 529.

⁷ There is continuing disagreement among Whitman's and Emerson's biographers about how far, if at all, Emerson retreated from his embrace of Whitman's poetry.

⁸ Whitman, p. 33.

⁹ Whitman, p. 33.

¹⁰ Whitman, p.46.

¹¹ Whitman, p. 45.

¹² Whitman, p. 28.

¹³ Whitman, p. 85.

¹⁴ In his very inventive and suggestive critical essay, Allen Grossman has examined the "poetics of union" as found in the poetry of Whitman and the policy of Lincoln. In both he sees an anti-hierarchical valuing of the person, though distinguishes Whitman from Lincoln in the poet's reader needing to engage in a "continual critique." Although Grossman's formulations have had no part in this thesis, his determined and imaginative engagement with discerning a relation between the founding texts and the development of American poetry served for me as an inspiring confirmation of my own intuitions.

¹⁵ All twelve poems, in various revised versions, were republished in one or another, or in some cases, all, of the subsequent editions of Leaves of Grasses, with titles.

¹⁶ Miller, Edwin (1989).

¹⁷ see Larson, p. xxii.

¹⁸ see Loving, p. 234.

¹⁹ Bloom (1994), p. 286.

²⁰ Whitman, p. 85.

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Illustration Three: The Frontispiece of Leaves of Grass (1855)

14. Who Can Follow, Who Cannot?

Only what proves itself to every man and woman is so,
Only what nobody denies is so. "Song of Myself"¹

You are also asking me questions, and I hear you;
I answer that I cannot answer you must find out for
yourself. "Song of Myself"²

I teach straying from me, yet who can stray from me?
"Song of Myself"³

Why is there no author named on the title page of Leaves of Grass?
A frontispiece to the volume does have a picture, a stippled engraving of a
photograph. A young man, in open-collared working clothes, one hand
knuckled upon his hip, the other hand slipped into the pocket of his
trousers, and one side of his hat at a jaunty angle back from his forehead.
Is this the Walter Whitman whose name is listed as possessor of the
copyright. Is this the "Walt Whitman, an American, one of the roughs, a
kosmos" mentioned in the book's first poem? He does not, as the poem
describes him, appear particularly "disorderly fleshy and sensual . . . eating
drinking, breeding," nor "hankering, gross, mystical and nude." A picture of

indeterminate relevance, no name, and yet to describe the first edition of Leaves of Grass as anonymous feels profoundly misleading; the figure of the poet, from the unusual prose Introduction onward, is everywhere present.

I celebrate myself

And what I assume you shall assume

For every atom belonging to me as good belongs to you.⁴

The poetry begins with the author making it twice into the first line, as subject and object of the first brief sentence, and again into the second line, and the third, by which time the reader too (the “you”) has twice appeared. What has not appeared, and page after page will not appear, is the semblance of the outer patterning which in the middle of the nineteenth century all but defined the notion of poetic literature. Rhyme itself is dispensable, but meter as well, even a hint of heightened rhythm? No author named, the frontispiece of a photographed working man, and poetry denuded of its distinctive rules and decorum—the whole odd-shaped volume shouts Democracy. And, again, what after all do those first lines proclaim if not the equality, indeed almost the identity, between the poet and the reader.

But just as suddenly, the self-sharing poet is loafing in converse with his soul, observing, breathing, loving, undisguising himself, himself a song

rising and meeting the sun. Again, without warning, the reader is accosted:

Have you reckoned a thousand acres much? Have you reckoned

the earth much?

Have you practiced so long to learn to read?

Have you felt so proud to get at the meaning of poems?⁵

Is this mockery of the reader; a piece of condescension? Is this any way to address a gentleman reading a poem? The voice modulates at once to comforter, or comforting seducer:

Stop this day and night with me and you shall possess

the origin of all poems,

You shall possess the good of the earth and sun there are

millions of suns left,⁶

Here is the promise of revelation, of insight with authority, offering origin and future. But no, the voice of the poet is not the source of revelation, but the active perception of the reader:

You shall no longer take things at second or third hand

nor

look through the eyes of the dead nor feed on the

spectres in books,

You shall not look through my eyes either, nor take things
from me,

You shall listen to all sides and filter them from yourself.⁷

Who is in charge here? Who is this poet, and what claim is he making for himself? No authorship is claimed for Leaves of Grass because there is not a denial but an evasion of authorship, and with it of authority. The root idea of the notion of authority is to increase, specifically to increase the degree of order, so that an author brings the miscellany of experience or imagination into an order, what we have been referring to as a composition, what Robert Frost called a “stay against confusion.”

Emerson struggled with uniting the contending states of his mind into the composition of his essays, and constructed them with what he discerned as missing stairs, discovering himself first on one floor, then another, and accepting that thus it was. Whitman assumes a much greater degree of control, but only by means of a near-complete mystification of his presence. He will tell you all the secrets because evidently you already know them. He is forcefully present in all his gross particularity—“Washes and razors for foofoos for me freckles and a bristling beard”—while he assures you that there is nothing of him that is not of you.

A persistent interest among critics of Whitman, particularly in recent years, has been what Tenny Nathanson’s very thorough discussion calls it,

Whitman's Presence. What is Whitman's impulse to inject himself, and us his readers, so aggressively into his poems, such that they have, as Nathanson observes it "an uncanny quality that makes their very solicitude unsettling."⁸ Nor is this dismissed as a superficial stance. Nathanson rightly describes that

At its best [Whitman's] work does bear on us with an immediacy not ordinarily associated with poetry: the figure who is said to rise up and appear to us in the poet's direct addresses to his audience seems to overflow the boundaries of the very work that conveys him to us, to shuck off his status as a fictive character extinguish a literary representation and impinge on us personally and directly.⁹

Indeed, to Nathanson this "unlikely sense of immediacy" is "one of Whitman's finest accomplishments."¹⁰

The question we ask here is what need does Whitman's poetry address that this strangely pressing intimacy should be one its finest accomplishments, and does this bear on our claim that the Constitution itself is that filter through which Whitman, like Emerson before him, apprehended the possibility of order and authorship, of union and composition. To return to the photograph across from the title page of Leaves of Grass, considered in this context it is best understood as a attempt to circumvent the mediating presence of language itself. There is

a person here, nothing more, it says, and nothing less. Can a person exercise authority? I can, Whitman repeatedly explains, only to the extent that you can as well. The freedom of the verse, for all its intensities, refuses the conventional display of poetic [tricks?] talent and the hierarchical privileges of poetic form, in order thus to invite the reader in accepting the equality of his own authority.

Whitman as everyman? What could be more preposterous to claim of this prodigious personality? The poet does not merely reveal his charisma, willingly or no, he flaunts it, brandishes it like a beneficent weapon, a prehensile form of love. What are often referred to as Whitman's catalogs, the long stretches of lines given over to describing first one moment or scene, and then another, then another, another, and another, create in the reader an almost hypnotic passivity in the face of an endless procession of landscape and life. The poet's voice diffuses itself into a passive, passionate possession of others, not merely the others, but their very worlds as well, indeed the world:

My ties and ballasts leave me I travel I sail
 my
 elbows rest in the sea-gaps,
 I skirt the sierras . . . my palms cover continents,
 I am afoot with my vision.

.....

....

Looking in at the shop-windows in Broadway the whole

**forenoon pressing the flesh of my nose to the thick
plate-**

glass,

Wandering the same afternoon with my face turned up to the

clouds;

My right and left arms round the sides of two friends and I in

the

middle;

Coming home with the bearded and dark-cheeked bush-boy . .

..

riding behind him at the drape of the day;

Far from the settlements studying the print of animals' feet, or

the

moccasin print;

By the cot in the hospital reaching lemonade to a feverish

patient,

By the confined corpse when all is still, examining with a

candle;

Voyaging to every port to dicker and adventure;

Hurrying with the modern crowd, as eager and fickle as any,
 Hot toward one I hate, ready in my madness to knife him;
 Solitary at midnight in my back yard, my thoughts gone from
 me a long while¹¹

There are moments in "Song of Myself" when Whitman seems like
 no one so much as Bottom the Weaver, desperate to play all the parts:

I am of old and young, of the foolish as much as the wise,
 Regardless of others, ever regardful of others,
 Maternal as well as paternal, a child as well as a man,
 Stuffed with the stuff that is coarse, and stuffed with the stuff
 that is

fine,

.....

Comrade of raftsmen and coalmen -- comrade of all who
 shake

hands and welcome to drink and meat;

A learner with the simplest, a teacher of the thoughtfulest,
 A novice beginning experient of myriads of seasons,
 Of every hue and trade and rank, of every caste and religion,
 Not merely of the New World but of Africa Europe or

**Asia a wandering savage,
 A farmer, mechanic, or artist a gentleman, sailor, lover or
 quaker,
 A prisoner, fancy-man, rowdy, lawyer, physician or priest.
 I resist anything better than my own diversity,
 And breathe the air and leave plenty after me,
 And am not stuck up, and am in my place.**

Like Bottom, Whitman is easy to mock, but full of poetry. His desire to ground his vision in the common earth—"If you would find me, look for me under your boot soles"—what qualified Thoreau's intense admiration for "this most clear Democrat—"It is as if the beasts speak"—likewise seems almost an echo of Bottom's transformation into an Ass. Whitman's outrageousness, insisting to all that "the scent of my armpits is an aroma finer than prayer" is the expression of a man at peace with the animal of himself. Of course this Bottom is only a part of Whitman. Like many who make a fuss about being simple, the poet is a very complicated fellow.

John Jay Chapman, although a brilliant critic of Emerson, could say no more of Whitman than that he "has given utterance to the soul of a tramp."¹²

[Tramps] have always tried civilized life. Their early training, at least their early attitude of mind towards life, has generally been respectable. That they should be criminally inclined

goes without saying, because their minds have been freed from the sanctions which enforce law. But their general innocence is, under the circumstances, very remarkable, and distinguishes them from the criminal classes.¹³

It is certainly the case that Whitman is often all over the place, can sometimes barely stay in the same place, not to say in the same identity, for more than a few lines in a row. The theater, operatic and Shakespearean, set Whitman's imagination afire, and you can see in the series of photographs he had taken over the course of his life how comfortable he was with the idea of posing, playing the dandy, the tough, the prophet, the sage. In "Song of Myself" he became everyman by becoming everyone. Bloom in a brilliant piece of interpretation described Whitman as no mere autodidact but profoundly autoerotic. This might sound like a very unlikely narrowness of experience, but if you aspire to be everyone, onanism and orgy are not very far apart.

Jorge Louis Borges, an devoted reader of American Renaissance writers, wrote two poems, almost variations on one another, one entitled "Whitman," the other "Emerson" in which he describes them as suffering from what could be called the melancholia of democracy, or of free choice. His editor describes the two seeming portraits, no doubt correctly, as masks for Borges; and yet Borges chose them as masks for a reason. Here is the more eloquent of the two:

Emerson

Closing the heavy volume of Montaigne,
 the tall New Englander goes out
 into an evening which exalts the fields.
 It is a pleasure worth no less than reading.
 He walks toward the final sloping of the sun,
 toward the landscape's gilded edge;
 he moves through the darkening fields as he moves now
 through the memory of the one who writes this down.
 He thinks: I have read the essential books
 and written others which oblivion
 will not efface. I have been allowed
 that which is given mortal man to know.
 The whole continent knows my name.
 I have not lived; I want to be someone else.¹⁴

Are Emerson and Whitman extra-ordinary men? Richard Poirier has addressed this consequential question in The Renewal of Literature: Emersonian Reflections under the rubric of "The Question of Genius." He describes Emerson as having "a tragic view of the disparity between desire and possibility, all the more so because the physical continent of America did sometimes seem like a bridge between the two."¹⁵ For Emerson the significance of genius, including atavistic genius, and the whole institution

of literature, is that it “makes us feel our own wealth.” Poirier quotes “The Over-Soul” on “the great poet:”

His best communication to our mind is to teach us to despise all he has done. Shakespeare carries us to such a lofty strain of intelligent activity, as to suggest a wealth which beggars his own.... Why, then, should I make account of Hamlet and Lear, as if we had not the soul from which they fell as syllables from the tongue?¹⁶

Poirier concludes that “we are left with the peculiar prospect that works of ‘genius’ may enhance and create human life by the degree to which they make themselves inconspicuous.”¹⁷

Perhaps Emerson may be said to make himself inconspicuous; he certainly has a famously Olympian coldness. But Whitman? Yet it is Whitman who ends “Song of Myself” in the very process of disappearing: “I effuse my flesh in eddies and drift it in lacy jags. / I bequeath myself to the dirt to grow from the grass I love.”

Whether they are men of genius, or perhaps better called prophets, what is it they want from their readers? Their word is not “from the Lord,” nor is it consistent, as prophets’ words generally are, with doctrine or tradition. Emerson urges what he calls self-reliance, and Whitman’s expresses that demand in a way that could not be clearer, nor more self-contradictory: “I teach straying from me,” he tells his reader, “but who can

stray from me?"¹⁸ Following Emerson and Whitman is not to follow them. Just as the Constitution's secular mechanization of power is not to impinge upon the ineffable authority of its establishment, but to mind its business without recourse to the underlying mystery of an achieved union, so the Americans are to learn what Emerson and Whitman have to teach by abandoning them as teachers. The nation is founded in anti-foundationalism, the established tradition to refuse what is handed down.

Whitman and Emerson encourage followers, even if they are highly paradoxical about how one may actually follow. For both, the future is always beginning, always open and thus they are most often referred to as optimists. They do not hasten after conclusions, or foolish consistency, and they hold out some promise that conflict, if it will not cease, will nevertheless allow further growth and not contraction. Neither of them write narratives, in part because for neither of them does a story ever end.

A nation of strayers, of strays, and yet it must be remembered that throughout the decades of the American Renaissance, and indeed dominating much of American life according to its earliest observers, domestic and foreign, was a crushing conformity to getting on with the business of getting on. And the paradox of secular revelation can be seen as giving birth not merely to a pragmatic willingness to be content with what works, whether strictly logical or not, but also to the long-recognized tendency of anti-intellectualism in American life, to the general drift not so

much of opposition to thought as deep skeptical impatience with it, even hostile indifference. The costs of evasion vary, and, as we will see in the case of Melville, the storyteller, there are considerable costs in refusing evasion as well.

NOTES FOR CHAPTER FOURTEEN

- ¹ Whitman, p. 56.
- ² Whitman, p. 83.
- ³ Whitman, p. 83.
- ⁴ Whitman, p. 27.
- ⁵ Whitman p. 28.
- ⁶ Whitman, p. 28
- ⁷ Whitman, p. 28.
- ⁸ Nathanson, p. 179.
- ⁹ Nathanson, p. 181.
- ¹⁰ Nathanson, p. 180.
- ¹¹ Whitman, p. 59.
- ¹² Chapman, p. 145.
- ¹³ Chapman, p. 144.
- ¹⁴ Borges. p. 211..
- ¹⁵ Poirier, p. 70.
- ¹⁶ Poirier, p. 68-69.
- ¹⁷ Poirier, p. 83.
- ¹⁸ Whitman, p. 83.

15. Wicked, and Spotless

N.B. This “all” feeling, though, there is some truth in it. You must often have felt it, lying on the grass on a warm summer’s day. Your legs seem to send out shoots into the earth. Your hair feels like leaves upon your head. This is the all feeling. But what plays the mischief with the truth is that men will insist upon the universal application of a temporary feeling or opinion. Melville, in a letter to Hawthorne¹

In 1845, the young Herman Melville, having returned to his mother’s home in Lansingburgh, New York, after almost 6 years of on and off laboring as a common seaman, and encouraged to write an account of his travels, took to his desk and in less than a year had completed a manuscript that his brother, Gansevoort, secretary of the American Legation in London would take with him to have published. Harper & Brothers in New York had rejected it, but Gansevoort had the manuscript placed with John Murray in London who by February of 1846 published Melville’s first book as Narrative of a Four Months’ Residence among the Natives of a Valley of the Marquesas Islands. The next month the firm of Wiley & Putnam had published it in New York, retitled Typee. By the time Melville had finished and then published again in London and New York

his second book, Omoo, he had become, at the age of twenty six, a literary celebrity. Although in regard to both books he was accused of exaggerating the truth of his experiences, they were nevertheless published and read as travel accounts, and Melville became known as “the man who lived with the cannibals.”

Over the next few years, Melville devoted himself to his new life as a professional writer, associating with the literary circle around the Duyckink brothers in New York, and borrowing books from their substantial libraries. As we have already seen, for his third book, Mardi—the first by no account a traveler’s tale—he had requested (if unsuccessfully) that his publisher make no mention of his earlier successes, in order that the other-worldly romance be judged independently. Mardi did not do well, with critics or readers, and Melville with a wife and a new born son, threw himself into the extraordinary labor of writing two books in a scant four months, each based on his other travels at sea, Redburn and Whitejacket. It was in this time that he also produced a number of unsigned reviews, including a fateful piece on Nathaniel Hawthorne entitled “Hawthorne and His Mosses.”

Even in the nineteenth century world of high literacy, this was a remarkable achievement for a young man with little formal education and after half a decade of hard physical labor among sailors whose reputation for living reckless, even savage, lives was well deserved. Melville was well

aware of the strangeness of his development, and sketched its history in a letter to Hawthorne: "Until I was twenty-five, I had no development at all. . . . Three weeks have scarcely passed, at any time between then and now, that I have not unfolded within myself."² The book Melville next wrote, his now universally recognized masterpiece, Moby Dick, is of all the texts generated during Matthiessen's "concentrated moment" of the American Renaissance the least and the most obviously a secular revelation.

To describe an oration like "The American Scholar," or a long poem like "Song of Myself" as somehow participating in a mode of secular revelation is not, necessarily, so unusual a claim. Lectures and poems both are forms of literature that correspond to a quite vast range of expectation. But Melville, most unlike both Emerson and Walt Whitman, engaged consistently in the construction of narratives; and novels, however various, do raise the quite legitimate expectation of a storybook, no matter how subtle the notion of story upon which they may depend. On the face of it, it may well seem that a storybook which is at the same time a revelation, secular or otherwise, has departed the from the orbit of the novel altogether.

Indeed, Lawrence Buell, has described Moby Dick, first in his major survey, New England Literary Culture: From Revolution to Renaissance, and later in a more developed article, as a piece of "literary scripturism," or as a "sacred text." By this is meant, he points out, "an analogy and not a

definition,” for which he offers a panoply of justifications, including, among others, the so-called canonical status of Moby Dick for current critics, the “religious ferment” of the period of the American Renaissance, E. M. Forster’s definition of a “prophetic” novel, and the sacralizing character of Emersonianism (Melville’s novel is “something like a full literary efflorescence” of what “in Emersonian transcendentalism” is “the birth of comparative religion as a discipline and as a literary force.”).³ He cites an essay by Paul Ricoeur, “Toward a Hermeneutic of the Idea of Revelation” for its five-fold classification of the “textual phenomenon:” “prophetic, narrative, prescriptive, wisdom and hymnic.” And he alludes to a reading of Moby Dick “as a document in the history of the class in American and specifically northeastern post-Puritanism between Reformation-Calvinist and Enlightenment-Unitarian cross-currents, with Melville emerging as a sort of disaffected Calvinist.” From all this, Buell concludes that Moby Dick “stands as a great pioneering work of comparative religion and as one of the most ambitious products of the religious imagination that American Literature is likely to produce.”

Buell’s calling his presentation an ‘analogy’ gives him wide latitude to offer suggestive hints of all different sorts, but its heap of ideas creates, at best, a very general impression. Certainly much that he adduces has been variously deployed in this thesis as well, and though it is impossible to refute an analogy, it can be shown that the terms of Buell’s conclusion

actually obscure the revelational aspect of Melville's novel. Here is Nathaniel Hawthorne, in a famous passage of his English Notebook, describing his talk with Melville when the younger man visited in Liverpool, five years after he had completed Moby Dick:

[Melville] informed me that he had "pretty much made up his mind to be annihilated."; but still he does not seem to rest in that anticipation; and, I think, will never rest until he gets hold of a definite belief. It is strange how he persists—and has persisted ever since I knew him, and probably long before—in wandering to and fro over these deserts, as dismal and monotonous as the sand hills amid which we were sitting. He can neither believe, nor be comfortable in his unbelief; and he is too honest and courageous not to try to do one or the other. If he were a religious man, he would be one of the most truly religious and reverential; he has a very high and noble nature, and better worth immortality than most of us.⁴

It seems misleading, at best, to describe Melville, a man who could "neither believe, nor be comfortable in his unbelief," as writing in Moby Dick "a great pioneering work of comparative religion." And if it is "one of the most ambitious products of the religious imagination," it is equally so of the irreligious, or godless, imagination. To make of Moby Dick a rough analogy to scripture or sacred text is to drain it of the powerfully conflicting

tension—that very wandering to and fro Hawthorne found so courageous and noble—that raises the novel to such an inimitable pitch. Melville always claimed not merely the rights of a storyteller, but the obligation of a truth-teller, one who demands to “strike through the mask.”

Newton Arvin is much closer to the strangeness of Melville's novel when he comments that “to speak of the structure and texture of Moby Dick is to embark upon a series of paradoxes that are soberly truthful and precise.”⁵ The paradoxes that Arvin rehearses have their counterparts in what we have been describing as the consequences of the Constitution's secular revelation:

Few books of its dimensions have owed so much to books that have preceded them, and few have owed so little [the compounding of the primary with the secondary]; not many imaginative works have so strong and strict a unity and not many are composed of such various and even discordant materials [unity with miscellany, and the independence of fragments within the whole]; few great novels have been comparably concrete, factual, and prosaic, and few of course have been so large and comprehensive in their generality, so poetic both in their surface fabric and in their central nature [self-contradictory]⁶

Nor does Arvin exhaust the list. The self-contradictory, for instance, is still more striking than he describes it, confronting not merely the prosaic with the poetic, but everywhere facing divinity with darkness, the ineffable with the hyper-articulate, the dry land with the sea, savage with civilized, among a host of other antinomies. The cosmic retreats before the sharp advance of a deflating comic undertow, it then fleeing in turn from the sudden rise of the immeasurable. Cetological observations give way to oracular visions, one brief chapter following another like a narrative mosaic of essayistic tesserae.

Melville has generally been understood to stand in some posture of opposition to Emerson, out of sympathy with Emersonian optimism. As he himself said, "I do not oscillate in Emerson's rainbow." But he adds to that comment at once, "Yet I think Emerson is more than a brilliant fellow." The paradox of secular revelation, the way it founds itself on the absence of foundation, is something in which Emerson and Whitman took their various delights. Emerson darted from aim to aim, and lived, as he said, in the transition; and Whitman, solid Walt, could effuse his flesh in eddies and lacy jags. But for Melville, no such evasive flitting was available, and the paradox of a foundationless foundation did not delight him, but sent him tirelessly pacing from surfaces to depths, from light to shadow, from blubbery fellowship to isolated horror.

Emerson essayed, and Whitman sang; but Melville wanted to tell stories. There is a freedom in non-narrative modes of literature that must be controlled in the pursuit of sequence and the sustained mimesis of most stories and novels. But by its nature, narrative resists the kind of evasive and ecstatic aspect of a secular revelation. It is as if there is no resting place between appalling wonders of sight and appalling wonders of insight. Narratives depend upon time; moments accumulate, form patterns, invite retrospection in a narrative. The narrative progresses. These formal requirements are at straining cross purposes to all we have seen in the impulse to secular revelation.

Moreover, Melville is not only a writer of narratives, but in *Moby Dick*, as in most of his work, he is a teller of sea tales. In mythological terms his world of a small ship's crew floating upon a vast watery deep is the very story of a human foundation in a naked and natural world. Thus the inevitable metaphor of the ship of state, since a state, as mythologically conceived, is a firm foundation upon which humanity can securely build. For Melville the distinction between what is ours and what is nature's is harshly defined as the difference between camaraderie, order, safety, a human life and the murderous sublimities of the sea. Emerson imagines a world when vision will align with daily fact, Whitman aspires to live in such a world, but for Melville these are prospects both desperate and half mad. But then, isn't this the quest of Ahab, Melville's hero—whatever kind of

hero is is who is desperate and half mad. He will find balance by righting his wound against the order of the world—all will become vision, even if a vision of horror. He will apprehend the design, even if a design of darkness.

The skeptical yet highly imaginative Ishmael—let us call him Ishmael, that son of Father Abraham who was not the son of the blessing, thus a figure both in and out of the story—speculates, explains, casts his eyes upon the deep to see what he can see. But as he says in the end of his obsessive subject, the whale: “I know him not, and never will.” The creature’s very face can be seen only in fragments. Only the wounded Ahab is at one with himself, though at the cost of monomaniacal madness.

None of the sailors can hold out against Ahab’s resolve, his lining up the poles of paradox in the darkness of his secret knowledge. Is there a version of resolution between the mighty opposites of human will and the hidden order of the world that can be accessed in the light? Before Melville abandons writing novels, he takes to the inland waterway of the Mississippi and in The Confidence Man he examines the claims of trust in the world as we see it. What he finds is the vertigo of infinite fraud.

The paradox of incommensurate perspectives upon which the United States is founded demands either a very passive, or a hyperactive, imagination, or both. Melville’s Ishmael survives the destruction that Ahab

courts only the way Job survives, inexplicably. Ahab's truthfulness is matched by the Confidence Man's lies, and it is unclear how life is possible skirting past both these possible resolutions of the paradox, anymore than it is clear just how one is to follow Emerson and Whitman in their refusal to follow, in their embracing evasion of self-contradiction. Melville expresses both horror and joy in confronting the incommensurate: "I have written a wicked book," he writes to Hawthorne upon completing Moby Dick, "and feel spotless as the lamb."

NOTES FOR CHAPTER FIFTEEN

¹ MC, p. 194.

² MC, p. 193.

³ Buell (1986) Moby-Dick, p. 69.

⁴ Quoted in Matthiessen, p. 490.

⁵ Arvin, p. 151.

⁶ Arvin, p. 151. All the bracketed words are my own.

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