

THE UNIVERSITY OF CALGARY

ALEXANDER HAMILTON AND THE THEORY OF *ONE* REVOLUTION

1774 - 1787

by

MALCOLM FRASER RENNIE

A THESIS

SUBMITTED TO THE FACULTY OF GRADUATE STUDIES

IN PARTIAL FULFILLMENT OF THE REQUIREMENTS FOR THE

DEGREE OF MASTER OF ARTS

DEPARTMENT OF HISTORY

CALGARY, ALBERTA

APRIL, 1980



Malcolm Rennie 1980

THE UNIVERSITY OF CALGARY
FACULTY OF GRADUATE STUDIES

The undersigned certify that they have read, and recommend to the Faculty of Graduate Studies for acceptance, a thesis entitled "Alexander Hamilton and the Theory of *One* Revolution, 1774-1787" submitted by Malcolm Fraser Rennie in partial fulfillment of the requirements for the degree of Master of Arts.

Marian C. McKenna

Supervisor - M. C. McKenna
Department of History

S. A. Silverman

S. A. Silverman
Department of History

T. E. Flanagan

T. E. Flanagan
Department of Political Science

Date April 28, 1980

ABSTRACT

In several important books and in most of the periodicals where he is mentioned, Alexander Hamilton is seen as a significant and influential figure in the movement leading to the formulation and ratification of the American Constitution. Although highlighting Hamilton's political successes, this approach tends to underemphasize the sources of Hamilton's political arguments immediately before and during the Confederation period. By concentrating on the results of Hamilton's political lobbying and rhetoric in the 1780s, historians seem to have overlooked the roots of his political ideology.

The argument to be developed in this thesis is that Hamilton's political stance in the Confederation period was essentially reactionary, based on his refusal to accept the natural right theory of revolution inherent in the American Revolutionary ethos as the basis on which to found a secure and powerful nation. The fervor with which the right to revolt was being defended during and after the Revolution was, in Hamilton's opinion, very frightening: this excitement had been useful in breaking down the former governing structure, but it could hardly be relied upon to build and maintain anything effective in terms of a new one.

Hamilton thus held to a theory of *one* revolution; he hoped that the American states would not carry the revolutionary principle too far and rebel against the authority of the Congress. It was this fear of a second revolution that dominated Hamilton's political outlook throughout

the Confederation period. It was an ideology which in fact grew out of his Revolutionary pamphlets, and experiences during the Revolutionary war, and finally crystallized in his "Continentalist," "Phonicon," and New York Assembly speeches and pamphlets long before he made these ideas famous by incorporating them into *The Federalist Papers*, and thus writing them into history.

ACKNOWLEDGEMENTS

Much of the shape and style of this thesis can be credited to the careful direction of my supervisor, Dr. Marian C. McKenna, whose patience and concern were most responsible for bringing this thesis to completion. I thank her sincerely for the great amount of time and interest she devoted to my work.

Other professors provided some advice and encouragement. Dr. James D. Tagg from the University of Lethbridge first developed my interest in American history, and helped inspire this thesis as well. Dr. Shadia B. Drury of the Political Science Department at the University of Calgary provided much-needed incentive in my first year in graduate study. Calgary History professors Dr. Herman Ganzevoort and Dr. Sheldon Silverman contributed constructive criticism to my early work as well.

G. Neil Reddekopp, a former graduate student of Dr. McKenna's, read and commented on several drafts of the thesis.

The University of Calgary should be acknowledged for the funding it provided, and the faculty, staff, and graduate students of the Department of History all thanked for their support and, where applicable, friendship, for they made my time spent in the Department thoroughly rewarding.

As for personal acknowledgements, many people helped prop me up during these past years. I would like to specifically thank my parents and family, Kathleen Overn, Susan Kooyman, and for her most special support, Lori Phellps.

TABLE OF CONTENTS

	PAGE
INTRODUCTION	1
CHAPTER I HAMILTON'S REVOLUTIONARY WRITINGS, 1774-1775	8
CHAPTER II HAMILTON'S ROLE IN THE REVOLUTIONARY WAR, 1775-1782	30
CHAPTER III THE CRITICAL PERIOD, 1783-1787.	50
CHAPTER IV THE FORMULATION OF HAMILTON'S POLITICAL IDEAS IN THE CRITICAL PERIOD.	73
CHAPTER V THE HISTORIOGRAPHY OF THE CONFEDERATION PERIOD. . .	108
CONCLUSION	126
ANNOTATED BIBLIOGRAPHY	134

INTRODUCTION

Alexander Hamilton--least home-grown of the American Founding Fathers, a revolutionary soldier of fame and fortune, the man beside (or behind) George Washington, author of the majority of the classic *Federalist Papers*, and the man who drafted the master plan for the modern American economy--even today is not well understood as either a figure or symbol from America's past. For example, among scholars of this compelling personality, there is nothing approaching unanimity on what constituted the driving force behind Hamilton's early career. Although the biographical sketches of Hamilton provided by F. Scott Oliver (1912), Nathan Schachner (1946), Louis M. Hacker (1957), Broadus Mitchell (1957-62), John C. Miller (1959), Clinton Rossiter (1964), Gilbert Lycan (1970), Gerald Stourzh (1970), Holmes Alexander (1977) and James Thomas Flexner (1978) have all acknowledged that Hamilton supported the notion of a "strong, central government" in the 1780s, there is considerable disagreement over Hamilton's motives for doing so. The literature dealing with Hamilton has not been restricted to biography, because he was an individual who had an uncanny knack of being on the spot where history was about to be made. Yet the monographs covering Hamilton indirectly, as Revolutionary pamphleteer and soldier, as member of the Continental Congress, or as a leader of the 1780s movement for constitutional reform, are no more in agreement on the basis for Hamilton's political ideas than his biographies. Thus, although Hamilton found his early career sandwiched in between what

would become two of the greatest events in American history (the Revolution and the formulation of the Constitution), and although he has become the subject of a prodigious amount of published material, the need for further study becomes clearer when one examines his political ideology or probes his motivation. Admittedly, almost every fact and detail about Hamilton's life, obscure or otherwise, has been chronicled somewhere. In terms of information, very little new can be discovered, but there are still new ways of interpreting that information. Therefore, although the *what*, *when* and *where* of Hamilton's life are fairly well known, perhaps there will never be a final or unquestioned version of the *why*.

This thesis will suggest that Hamilton supported a "strong, central government" because he believed that it would be the best safeguard against a second revolution, that is against rebellions and regional alliances that would divide the infant Republic and enact civil war.¹ This interpretation of Hamilton's early political ideas and career is one that has been seldom stressed in the histories to date. Recently the treatments of Hamilton's economic philosophy have equaled if not outnumbered interpretations of his political thought. No single

¹The terms rebellion, regional alliance and civil war have here been equated with the term revolution. Although the distinction between the civil war which Hamilton foresaw in America in the 1780s, and the kind of revolution which took place when the British colonists opposed the British government in America in the 1770s, should not be overlooked, both can be considered types of revolution. According to Crane Brinton, the English Revolution was a civil war and the American Civil War was an abortive revolution. Revolutions seem to be categorized but not defined by their size. Brinton noted that uprisings like Shay's Rebellion or the Whiskey Rebellion in the American 1780s and 1790s can be considered revolutions. See *The Anatomy of Revolution* (New York, 1938), 23, 72, 227.

work has devoted more than passing attention to Hamilton's fear of another revolution, and this fear has never been seen as central to Hamilton's political ideology. No work has been based completely on Hamilton's political theory of revolution. This is surprising since Hamilton wrote two Revolutionary pamphlets before 1776; and throughout the 1780s he was preoccupied with the belief that the spirit of revolution would be carried on with too great a fervor to allow the establishment of stable government. Hamilton's writings are filled with numerous comments on both real and possible revolutions, and these opinions were remarkably consistent for a politician; indeed, they almost beg comparison with the writings of the noted political philosophers Hamilton studied and quoted, such as Thomas Hobbes, David Hume and William Blackstone. Taken together, Hamilton's views on revolution help explain some of the political and constitutional stands he took in the 1780s.

Specifically, this thesis will maintain that three major themes in Hamilton's writing grew out of his fear of a second revolution, and that all were defensive outlooks and colored Hamilton's overall political view accordingly. The first is Hamilton's defense of natural rights in a Hobbesian manner. Obviously natural rights to be protected required a government to do the protecting, and often a strong government at that. Thus Hamilton was led to his second defense, this time of American government *per se*, through his arguments that its functions were essential and through his understanding that an *American* government was by definition a central government. And this in turn led to a third defensive outlook, one regarding American security, and based on his belief that the defense of the entire nation required a strategy mapped

out and secured, at war and at peace, for the entire nation. All three of these views--which writers have often explained as merely indicative of Hamilton's trust in the size and power of one American government--can in fact be seen as growing largely out of his fear of a second revolution, for nothing was threatened by such a tragedy more than the protection of American natural rights, the American government itself, and American national security.

The significance of Hamilton's ideas on revolution can be broken down into stages which are roughly chronological; each will be presented as a chapter in this thesis.

The first chapter, "Hamilton's Revolutionary Writings, 1774-1775," examines the significance of the pamphlets written on the brink of the American Revolutionary War. Can there be such a thing as a revolutionary with anti-revolutionary views? Hamilton's early writings seem to answer this in the affirmative. His views can stand as excellent proof of the conservative nature of the American Revolution, and Hamilton himself can take his place as model for all sober, reluctant and moderate revolutionaries. How Hamilton's earliest pamphlets supported various understandings of the American Revolution thus forms the principal subject of the first chapter. Further, the ideological origins of the Revolution are examined and shown to be not solely Lockean, for Hamilton seemed to justify the Revolution according to the political theories of William Blackstone and David Hume, theories that are considered to be in some ways directly opposed to Locke's on the specific topic of revolution. The case of Hamilton in 1774-75 makes it apparent that there are more ways of explaining the American Revolution than merely as the ideas of John Locke expressed by the pen of Thomas Jefferson.

Chapter Two examines the quandary of the "reluctant revolutionary" caught in a war he hoped would never take place. Hamilton's role in the Revolutionary War and his opinions on the military and political conflict of the time are examined. What emerges is the picture of a pacifist caught in a time of war, and an advocate of political harmony caught in an age of political factionalism and upheaval. Since Hamilton's reaction to the horrors of war has been given little attention, even in his biographies, it is chronicled here, and it is directly linked to his larger anxieties about the possible consequences of an internal struggle for power. Hamilton's aversion to conflict seemed great enough to force him to bend his political beliefs in favor of a government strong enough to prevent it. One is led to wonder just how many of Hamilton's contemporaries, who shared his Revolutionary experiences, went on to share his political ideas, and particularly his belief that the colonies were leaving the war period with as many crises as when they entered it? It has been claimed that philosophies of big government tend to arise as reactions to times of chaos. Hamilton's views and experiences between 1776 and 1782 are used in Chapter Two to test that generalization.

Chapter Three drops the chronological development of Hamilton's career and political outlook, in order to examine events and attitudes during the Confederation Era--the so-called 'Critical Period' in American history, from the close of the war to the call for a convention either to revise the Articles of Confederation or find a more acceptable constitution for the infant state. This section will provide a setting for an analysis of Hamilton's post-war career, to be chronicled in the ensuing chapter, and will also provide a background from which to

present other first-hand opinions of the post-war period, so that Hamilton's views can be correctly positioned in comparison with and relation to other writers of his time.

Chapter Four addresses itself to explaining the overriding rationale behind Hamilton's political stance during the Confederation period. Hamilton's basic political ideas have given him a reputation for being primarily an imperialist, monarchist, futurist or power-hungry glory-seeker. However, by analysing several of Hamilton's basic political stands prior to 1787, and surveying his role in the years 1782 to 1787, Chapter Four shows the young Hamilton emerging as a significant political commentator and politician fearful of the dismemberment of his adopted nation, afraid of a revolt against the Continental Congress, or an unsolicited military coup. No other explanation for Hamilton's early political career so satisfactorily accounts for all of these early political ideas.

Chapter Five throws Hamilton's views on revolution into the perspective of recent historiographical controversy. The controversy rages over whether or not America really did experience a post-Revolutionary crisis. Hamilton obviously believed that she did, but a number of prominent historians have recently contended that there was in fact no crisis, that some politicians at the time were merely using the public's belief in and fear of a crisis to gain acceptance for a more centralist political order, that the economy was not in a critical condition, but was in fact working quite well, even in the absence of a strong, central government controlling it, that the talk of the glory of revolution was not dangerous but an understandable and proper way of thinking and reacting in a victorious, post-Revolutionary America.

Chapter Five outlines where Hamilton's views clash with these interpretations, and attempts to show that the historians who have accused Hamilton and his cohorts of exaggerating the post-war dislocations have often replaced evidence with speculation.

Finally, as this thesis advances a definition of Hamilton's theory of one revolution, so its conclusion will attempt to survey what significance the idea of *one* revolution has had for subsequent developments in American history. Has America, born in revolution, come to distrust revolutionary behavior, much as Hamilton did in the post-Revolutionary era? Did Hamilton realize that the best way to glorify the Revolution was to ensure that there would be no cheap imitations or repetitions? In speculating on how Hamilton would appreciate his country's modern view of revolution in general, and *the* Revolution in particular, one is led to the tentative conclusion that America, in quite a surprising way, has turned out exactly as Alexander Hamilton hoped it would.

Chapter One

HAMILTON'S REVOLUTIONARY WRITINGS,

1774-1775

Once more I insist upon it, that Great-Britain can never force us to submission, by blocking up our ports; and that the consequences of such a procedure to herself, Ireland and the West-Indies, would be too fatal to admit of it. If she is determined to enslave us, it must be by force of arms; and to attempt this, I again assert, would be nothing less than *the grossest infatuation, madness itself*.¹

George Bancroft once wrote that when the American Revolution began, "kings sat still in awe, and nations turned to watch the issue."² With due regard for the long history of the dispute, well may one ask, what, in the outbreak of the Revolutionary War, was so surprising, so compelling, so demanding of the world's attention? What, in the nature of the conflict, or more pointedly, its timing, put even royal observers at attention? And what would logically be the effect of so significant an event on the development of later American political ideology?

Alexander Hamilton's "Revolutionary" pamphlets, published December 15, 1774 and March 1, 1775 respectively, provide answers to some of these questions. These pamphlets mark a starting point for this

¹Alexander Hamilton, "The Farmer Refuted," February 23, 1775, reproduced in *The Papers of Alexander Hamilton*, ed. Harold C. Syrett, 26 vols. (New York, 1961-1979), I, 155. (Hereafter, Hamilton's *Papers* will be cited as *HP*.)

²*History of the United States of America from the Discovery of the Continent: the Author's Last Revision* (New York, 1890), III, 482.

thesis because they reveal something of the *impact* that the coming of the Revolution must have had on both Hamilton and his contemporaries. Some interesting reactions to the prospect of revolutionary war are provided in these pamphlets. Hamilton's opinion of revolution--on the verge of its becoming a reality--exposes little of his formal political philosophy, but reflects something of the emotions and attitudes on which his subsequent views and opinions would eventually be based. Even if Hamilton did not become a significant figure in the Revolution, it need not be assumed that the Revolution did not have a significant effect on him.

Nor is a case study of Hamilton's early views of the Revolutionary dispute merely of isolated importance. How many other American statesmen, who either began or furthered their careers in the American Revolution (e.g. John Adams, Thomas Jefferson, John Dickinson, John Marshall), allowed their Revolutionary experience to shape later political policy? The ideological effects of the Revolution are as important as its ideological origins; Edmund S. Morgan has suggested that "we need not only to examine the Revolution in the light of the ideas but also to re-examine the ideas in the light of the Revolution."³

The only trouble with using Hamilton as a source of commentary on the American Revolution is that his views on it are hard to track down. During the years following these first pamphlets, 1776-1780, he produced no contemporary tracts, no organized opinions on the conflict in which he was directly involved. Hamilton's post-1780 political writings seldom look back on the Revolution, and never provide a full

³"The American Revolution: Revisions in Need of Revising," *William and Mary Quarterly*, XIV (1957), 7-8.

statement of his views on or a justification for the conflict. He never took time to offer an apologia for or to defend at length the Revolutionary War. Hamilton was too busy fighting or serving as one of several aides de camp copying the correspondence of General Washington, and then building his own legal and political career to take time out to reflect on the Revolution. Aaron Burr's bullet deprived Hamilton of his September years, and the opportunity to produce a definitive view on revolution in general and on the American Revolution in particular.

What we are left with then are two not insignificant, but before-the-fact accounts of the American Revolutionary conflict, written by Hamilton some months before Lexington and Concord. The *timing* of these comments on what he was still able to call "the Dispute between Great-Britain and the colonies"⁴ was of crucial importance to him, and is also crucial in any attempt to uncover his known views of the Revolution. The Revolution was in fact two conflicts--a long-ranging protest over policy between 1763 and 1774, and a military struggle from 1775-1781. Hamilton's comments come at the turning point between these two phases. In the often-quoted words of John Adams:

What do we mean by the Revolution? The war? That was no part of the Revolution; it was only an effect and consequence of it. The Revolution was in the minds of the people, and this was effected, from 1760 to 1775 in the course of fifteen years before a drop of blood was shed at Lexington.

The Revolution was effected before the war commenced. The Revolution was in the minds and hearts of the people; a change in their religious sentiments, of their duties and obligations... This radical change in the principles, opinions, sentiments and affections of the people was the real American Revolution.⁵

⁴"The Farmer Refuted," *HP*, I, 82.

⁵"Adams to Thomas Jefferson," Quincy, Mass., August 24, 1815, *The Adams-Jefferson Letters*, ed. Lester J. Cappon (continued)

If Adams' version is correct, then Hamilton's first pamphlets, written at the end of the ideological conflict, and before the outbreak of war, must be recognized as the product of a definite and significant stage of transition in American history. The timing of these pamphlets requires that they be interpreted carefully, for Hamilton's opinion of the Revolution obviously depends on *which* Revolution he was referring to.

Hamilton was such an enthusiastic advocate of the pre-1775 Revolutionary movement because he never believed it would become a revolutionary war. The pamphlets show that Hamilton was an admirer of the peaceful and orderly way in which British Americans had, on the whole, expressed their grievances. Furthermore, they indicate that the violent reaction of Britain to the last of the American positions was either a surprise to patriots like Hamilton, or something which patriots like Hamilton cleverly wished to portray as surprising, and hence uncalled for.

* * * * *

Hamilton arrived in the American colonies late on the pre-Revolutionary scene. Not yet twenty,⁶ he enrolled in King's College

⁵(continued) (Chapel Hill, 1959), II, 455; see also "Adams to Hezekiah Niles, 1818," John Adams' *Works*, ed. C. F. Adams, 10 vols. (Boston, 1856), X, 282. The popularity of these quotes with American historians is evidenced by the fact that they are found in numerous textbooks, not to mention Bernard Bailyn, *The Ideological Origins of the American Revolution* (Cambridge, 1967), 160, and Clinton Rossiter, *The First American Revolution* (New York, 1956), iii; see also, E. S. Morgan, *The Challenge of the American Revolution* (New York, 1976), 197, and H. B. Parkes, *The American Experience* (New York, 1959), 90.

⁶Richard B. Morris notes that "the probate records of 1768 established the year of Hamilton's birth as 1755, not 1757, as he would have had his acquaintances in America believe;" see "Hamilton's Glory Road," in *Seven Who Shaped Our Destiny* (New York, 1973), 224.

(Columbia University) in New York, in the autumn of 1773. The controversy over Britain's right to tax the colonies had by then been raging for at least a decade. However, there was one important development in the dispute that Hamilton was about to witness. Virginia had suggested that a Continental Congress representing all the colonies be convened in September, 1774. When this Congress met, it adopted a radical solution to the colonies' problems, deciding that a Continental "Association" be set up to embargo all imports from Britain as of December, 1774. Many Americans thought that this move by the Congress was too drastic. Farmers in particular worried that a stoppage of trade with Britain would mean the closing of a major market to them.

The Episcopal rector in Westchester County, New York, Samuel Seabury, became the spokesman for the worried and discontented among these farmers. Seabury had long been a supporter of the Church of England against the dissenting laity in America, and had carried this support of Britain over into the political dispute. There is no longer any doubt that he was in fact the author of four important pamphlets, signed "A. W. Farmer" (A Westchester Farmer), and printed in James Rivington's *New York Gazetteer*, criticizing the American Congress for its decision to cut all colonial commercial ties with the mother country.⁷ Seabury published his "Free Thoughts of the Proceedings of the Grand Continental Congress" on November 24, 1774, "The Congress Canvassed" on December 22nd of the same year, "A View of the Controversy" between the 5th and 12th of January, 1775, and finally "An Alarm to the Legislature

⁷Charles H. Vance, an authority on the Loyalist minister, and editor of his Loyalist writings, places Seabury in the context of the Orthodox versus the Dissenting churches in America. See his Introductory Essay in *Letters of a Westchester Farmer* (New York, 1970), 5-17, 19.

of the Province of New York" on January 19, 1775.⁸ It was the challenge presented in the first and third of these pamphlets which drew Alexander Hamilton into the final stages of the peacetime polemics preceding the American Revolutionary War.

Hamilton's first pamphlet, entitled, appropriately enough, "A Full Vindication of the Measures of Congress," was published less than a month after Seabury's first pamphlet.⁹ Hamilton's second pamphlet, "The Farmer Refuted," was written in direct response to "The Farmer's" third.¹⁰ The exchange would undoubtedly have continued had it not been for the outbreak of war. On April 20, 1775, the *Gazeteer* announced that it would soon publish "The Republican Dissected, or the Anatomy of an American Whig," written by A. W. Farmer in answer to "The Farmer Refuted." Three days later, news of the clash at Lexington and Concord reached New York; as a result, the pamphlet was not published, and Seabury, whose Loyalist inclinations had gradually become known, sought safety in flight.¹¹

The content of Hamilton's pamphlets is of great significance to this discussion, and can be briefly summarized. Since only a few short months separated the first two pamphlets, and since both are expressions of the same general argument, they will be discussed as a unit. They contained, *inter alia*, three sorts of arguments, the first criticizing the British Parliament, the second defending the actions of the

⁸*Ibid.*, 20, 26, 29, 30.

⁹"A Full Vindication of the Measures of Congress," *HP*, 46-80.

¹⁰"The Farmer Refuted," *HP*, 84-166.

¹¹The manuscript of "The Republican Dissected" has never been found. Some details of Seabury's enforced exile are provided by Vance, 33-40.

American Congress, and the third assuring the farmers and townspeople that they had nothing to fear from the proposed embargo. All three types of argument were predictable patriot ploys, but Hamilton throughout laid particular stress on the need to protect the American colonies through the establishment of a national American government.

Pursuing the first theme, Hamilton claimed that the dispute between Great Britain and the American colonies was not over a three pence pound duty on tea, but over the principle of "whether the inhabitants of Great Britain have a right to dispose of the lives and properties of the inhabitants of America or not," and he argued that such "pretensions of Parliament are contradictory to the law of nature, subversive of the British constitution, and destructive of the faith of the most solemn compacts."¹² Sounding not only like his Revolutionary contemporaries John Adams,¹³ John Dickinson,¹⁴ and Thomas Jefferson,¹⁵ but also like some members of the Opposition in the British Parliament itself,¹⁶ Hamilton contended that Parliament had no authority to tax Americans because they had never given it such authority. In Hamilton's words, ". . . the origin of all civil government must be a voluntary

¹²"A Full Vindication . . .," *HP*, I, 46-47.

¹³John Adams, "Novanglus, or a History of the Dispute with America, written in 1774," John Adams' *Works*, IV, 48.

¹⁴John Dickinson, "Letters to the Inhabitants of the British Colonies in America, May, 1774," *The Political Writings of John Dickinson*, ed. Paul L. Ford (New York, 1970), 481-85.

¹⁵Thomas Jefferson, "A Summary View, July, 1774," *The Papers of Thomas Jefferson*, ed. J. P. Boyd, 19 vols. (Princeton, 1950-), I, 130-131.

¹⁶See Michael Kammen's *A Rope of Sand* (New York, 1968), 282-311, for a summary of Edmund Burke and his supporters' questioning of Parliament's right to tax the colonies without the Americans' consent.

compact between the rulers and the ruled; and (the rulers) must be liable to such limitations, as are necessary for the security of the absolute rights of the latter."¹⁷

Throughout the pamphlets, Hamilton shifted easily from this notion of government by consent to his second theme--the legality and legitimacy of the American Congress. What was necessary for establishing law throughout America, Hamilton argued, was a "union of councils," needed to "ascertain the boundaries of our rights; and to give weight and dignity to our measures. . . . A Congress was accordingly proposed and *universally* agreed to."¹⁸ Seabury and the Loyalists, according to this view, were evidently not a part of this universe.

These arguments over which was the rightful body to govern Americans were predictable, but they were not the most striking feature of the pamphlets. It is the third theme of these works--that the measures of Congress were in fact safe and would never lead to war--that is the most interesting. Hamilton, writing close to the outbreak of war, played prognosticator and guessed wrong by assuring the people of the colonies that the new trade laws would not mean war with Britain.¹⁹ He assured the farmers of New York that despite Seabury's warnings regarding the 1774 non-importation and exportation laws, the Congressional measures would in fact penalize no Americans, for they were at once just and harmless.²⁰ To an Anglophile like Hamilton, not even as

¹⁷"The Farmer Refuted," *HP*, I, 88.

¹⁸*Ibid.*, I, 136.

¹⁹This third theme dominates large sections of both pamphlets: see "A Full Vindication . . .," *HP*, I, 54-56, 58-61, 62-66, 74; "The Farmer Refuted," *HP*, I, 124, 135-36, 142, 144-50, 153-61, 164-65.

²⁰"A Full Vindication . . .," *HP*, I, 46.

late as the winter of 1775 did revolutionary war seem likely, and it certainly did not seem desirable:

Contests for liberty have ever been the most bloody, implacable and obstinate. . . . [The conquest of America] could not be accomplished without an inconceivable expense of blood and treasure. . . . We cannot therefore suspect Great-Britain to be capable of such frantic extravagance as to hazard these dreadful consequences . . .²¹

Thus convinced that too much was at stake, Hamilton held the correct premise, but drew from it the wrong conclusion.

A number of other points presented in these pamphlets seem to follow from this belief that the decisions made by the American Congress had been safe ones, and deserved support as such. Hamilton argued that part of the problem was lack of faith among Americans in their Congress. To him, one of the gravest dangers of the dispute--perhaps the gravest--was not that it would pit Briton against American, but that it would pit American against American in political debate. Hamilton took care to defend his pamphlets against the charge that they were mere party propaganda, claiming them to be "perfectly disengaged from party of every kind,"²² and he assured his readers that his opinions had not been influenced by prejudice or ambition.²³ This does not mean of course that there was no basis for such charges, but Hamilton pointed out that he was not defending any particular American cause or party; he was defending American law *per se*. In fact, Hamilton wondered how his "zealous attachment to the general measures of America" could "be denominated the effect of party spirit."²⁴

²¹*Ibid.*, I, 54-55.

²²"The Farmer Refuted," *HP*, I, 84.

²³*Ibid.*, I, 82.

²⁴*Ibid.*, I, 84.

Party spirit, obviously a derogatory expression in the 1770s, was more likely to be found in the Farmer's writings, according to Hamilton. He charged: "You, Sir, and your adherents may be justly deemed a faction, because you compose a small voice inimical to the common voice of your country."²⁵ To Hamilton "party spirit" was synonymous with disorder and instability.²⁶ His first pamphlets thus reflect his awareness of and concern over the irreconcilable political groupings which seemed to be in the process of forming within the colonies in the mid-1770s. This internal division, which Hamilton already recognized as Whigs versus Tories, would of course soon become Patriots versus Loyalists. The groups would remain the same; only a clash of American militia and British regulars in April, 1775 would change their names.

Hamilton took pains to elaborate on how the embargo was no rash decision on the part of Congress, but their only alternative, given the past failures of petition and remonstrance. The embargo may have seemed a dangerous move to a Tory merchant, for example, but any less resolute move had little chance of success. All the colonies' grievances from the time of the Stamp Act onward had been expressed through petitions, demonstrations, addresses, and the pleas of ambassadors, claimed Hamilton, ". . . but what proves, to a demonstration, that our former petitions were unsuccessful is, that the grand object they aimed at was never obtained. This was an exemption from Parliamentary taxation."²⁷

²⁵*Ibid.*

²⁶*Ibid.*, I, 82-85; see also Richard B. Morris, *Alexander Hamilton and the Founding of the Nation* (New York, 1957), viii.

²⁷"The Farmer Refuted," *HP*, I, 138-39.

In arguing that the embargo was the only course left to follow because the more conservative procedures had failed, Hamilton's preference for those less drastic procedures was clearly implied.

However, Hamilton also implied that the embargo was not the least dangerous move imaginable. And this once again drew him back into discussing the possibility of war. In fact, he closed his lengthy second pamphlet with an astonishingly accurate prediction of what revolutionary war with Britain would entail. He calculated that if the unfortunate consequence of war were arrived at, the experience of the British troops would be balanced by the American's greater knowledge of the colonial terrain. In Hamilton's view, the Americans' cause would also be aided by their ability to fight a special type of war, using geography to their advantage. Hamilton's predictions grew even more uncanny: both sides would be handicapped by the lack of military leadership, and it was not unforeseeable that France and/or Spain could be convinced to join the American side.²⁸ All of this he was able to foresee before hostilities had even commenced! But the overriding point in this rather astounding prophecy was his prediction that such a war would never take place, because it would be too great a drain on Britain's economic and military might.

Hamilton felt that war with the colonies would make Britain vulnerable to her ever-present European foes; she would lose many men in the effort; the cost of financing the war would be great; she would lose all her colonial trade during the war and some of it after the war, no matter what the outcome. For if the Americans won, they would no longer be forced to trade with her exclusively, and if the British won,

²⁸*Ibid.*, I, 157-60.

they would only do so by destroying much of the "industry" in the colonies with whom they expected to resume trade.²⁹ Hamilton concluded that, either way, Britain would lose. With an uncharacteristic touch of humour, he even dispensed with the idea that Canada could carry on Britain's trade with the West Indies:

The Canadians have been indolent, and have not improved their country as they ought to have done. . . . Ten or fifteen years' diligence, I grant, might enable Canada to perform what is now expected of her, but, in the mean time, the West-Indians might have the satisfaction of starving.³⁰

Hamilton reasoned that, from Britain's standpoint, war ought to have been out of the question. All she had to do to keep her full colonial trade was to restore civil government in Massachusetts and recognize the American Congress, or at least in some way waive her incessant attempts to tax the colonies without their approval. Any of these moves seemed to Hamilton more likely to bring good results than the alternative of war. In Hamilton's words, Britain's forcing a war would be "madness itself,"³¹ "frantic extravagance,"³² and "un-natural" [sic].³³

If Hamilton was playing sophist here--assuring that war was unlikely, when in fact he suspected it was impending--he was risking

²⁹To show that Britain was dependent on trade with the American colonies, Hamilton quoted opinions from Postlethwait, Wyndham Beawes, and William Blackstone, *Ibid.*, I, 142-45.

³⁰"A Full Vindication . . .," *HP*, I, 61-62.

³¹"The Farmer Refuted," *HP*, I, 155.

³²*Ibid.*, I, 161.

³³Hamilton used this word twice in "The Farmer Refuted," once to describe such a war as an "un-natural contest bringing difficulties and distress," *HP*, I, 146, and again, claiming to "lament this unnatural quarrel," *HP*, I, 164.

his credibility as well. New Yorkers' memories were not so short as to forget in the space of a few months who it was who had tried to convince them that war was so improbable as not to be worth their worry. It is more likely that Hamilton really did not see war on the horizon. It is therefore not unreasonable to assume, based on his unpleasant description of a possible revolutionary war, that his support for the American position in the dispute was, to a degree, conditioned on his belief that war would not be the result. Obviously, Hamilton continued to support the Revolution when it turned into war, but he strangely stopped writing about the justice of the American cause just at a time when pamphleteering by other patriots, Thomas Paine to name one, picked up momentum. Hamilton's public writing was very limited until the close of the war,³⁴ and thus the two pamphlets he has left are a series of comments on the Revolution that never really issue a revolutionary call to arms. Based on the content of these pamphlets, as just presented, an analysis of Hamilton's earliest political thought could shed interesting light on certain assumptions about American Revolutionary theory.

* * * * *

Little attempt has been made by American historians to place "A Full Vindication . . ." and "The Farmer Refuted" in the context of the American Revolutionary ethos. Although almost no biography or monograph

³⁴Other works do appear by Hamilton, but none are more than a few pages in length. For example, his "Remarks on the Quebec Bill, Parts I and II," published in early June, 1775, were short criticisms of the British decision to grant legal recognition to the Roman Catholic religion in Quebec, *HP*, I, 165-168, 169-175; Hamilton's work is thereafter not seen in the papers until late 1778, when as Publius, he denounced Congressional delegate Samuel Chase for using his public position for private profit, *HP*, I, 562-3, 568-70, 580-82.

on Hamilton's life and work fails to mention the pamphlets, almost all these books fail to use the pamphlets as a basis for an analysis of his revolutionary thought.³⁵ This is unfortunate since the questions they raise concerning the development of Hamilton's political ideas are important ones. As the longest writings of Hamilton's early career next to *The Federalist*, they deserve attention for the hints they give as to the type of political thinker their author was.

However, it is not possible to place individual American politicians in a specific school of political thought. As Robert G. McCloskey has claimed, too many scholars have tried to ". . . transmute able statesmen and learned judges into something else."³⁶ Thus to try to determine Hamilton's philosophical roots one must really have a look at his sources, and beyond that, ascertain the coincidental similarity between his writings and far better structured political theories.

The list of sources used by Hamilton in his Revolutionary

³⁵Broadus Mitchell's 372-page book, *Alexander Hamilton: The Revolutionary Years* (New York, 1970), covers Hamilton's Revolutionary pamphlets in exactly three sentences; see page five. Other authors have mentioned the pamphlets as convincing evidence of their author's childhood genius: Vance, 25-33; Bower Aly, *The Rhetoric of Alexander Hamilton* (New York, 1965), 52-53; James Thomas Flexner, *The Young Hamilton: A Biography* (New York, 1978), 64-76; John C. Miller, *Alexander Hamilton: Portrait in Paradox* (New York, 1959), 15. Gilbert Lycan surveys in two pages some of the indications the pamphlets give of Hamilton's views of diplomacy--*Alexander Hamilton and American Foreign Policy* (Norman, Okla., 1970), 45-46. The eleven Hamilton scholars in *Hamilton: A Portrait*, ed. Jacob E. Cooke (New York, 1967), pay almost no attention to Hamilton's first pamphlets. The best study of the pamphlets is Gerald Stourzh's Chapter I of *Alexander Hamilton and the Idea of Republican Government* (Stanford, 1970), where Hamilton is compared to Blackstone in his use of natural law to defend the Americans' right to contest Parliament.

³⁶"American Political Thought and the Study of Politics," *American Political Science Review*, 51, 1957, 115. McCloskey noted wryly that students of American political thought have often attempted "to deal with political philosophy in a field where there are no political philosophers."

pamphlets is not long. Although benefitting from a solid classical education in King's College, Hamilton derived most of his early economic ideas and information from one book--*The Universal Dictionary of Trade and Commerce*, edited by Malachy Postlethwayt³⁷--and his early political ideas derive from David Hume³⁸ and William Blackstone.³⁹ These three sources are confirmed by Hamilton's own footnotes in the pamphlets. We can assume from other evidence that Hamilton indirectly used Plutarch, above all other classical writers, and the works of Thomas Chandler and Edward Bancroft on the Revolutionary dispute itself.⁴⁰ Hamilton's

³⁷Hamilton's early papers are strewn with references to Postlethwayt. His *Dictionary* was a two-volume encyclopedia of economic, financial and commercial information. Population, trading patterns and money systems were listed, and Hamilton copied many of these facts into his Artillery Co. Pay Book in the early years of the war. Hamilton acknowledged Postlethwayt only once in "The Farmer Refuted," *HP*, I, 142, but it is safe to assume that whenever Hamilton spoke of Britain's economic dependence on her colonies, much of the information came from this source. E. P. Panagopoulos claims that "Postlethwayt's *Dictionary* constitutes the most important document yet discovered showing the background and immediate sources of [Hamilton's] principal writings;" see "Hamilton's Notes in His Pay Book of the New York State Artillery Company," *American Historical Review*, *VXII* (1957), 313.

³⁸According to Allan Nevins in *The Gateway to History* (New York, 1938), 17, "Alexander Hamilton's library included not only Greek and Roman historians, but well-thumbed sets of Gibbon, Hume and Robertson." Clinton Rossiter mentions Hume's influence on both Hamilton and John Dickinson in *The Political Thought of the American Revolution* (New York, 1953), 67, and in his *Alexander Hamilton and the Constitution* (New York, 1964), 120-22, he claimed it to be almost certain that "Hume introduced Hamilton to a half-dozen or more of his fundamental assumptions about men and politics," but Rossiter fails to list these after mentioning the connection. Hamilton quoted Hume twice in "The Farmer Refuted," *HP*, I, 94-95, 100.

³⁹Stourzh, 12-18, has written of Blackstone's influence on Hamilton; Blackstone is quoted five times in "The Farmer Refuted," *HP*, I, 87, 88, 106, 108, 144.

⁴⁰Notes from Plutarch fill the half of Hamilton's "Pay Book" that is not filled with Postlethwayt - Panagopoulos, 316.

The latest volume, *XXVI*, to Hamilton's *Papers* (New York, 1979), includes on page 354 a letter just recently discovered which (continued)

specific references to the revolutionary ideas of Hume and Blackstone are most relevant to the pamphlets' overall themes.

Quoting Hume's idea that the "provinces" are most oppressed by free governments, Hamilton drove home the point of Britain's distance from her daughter colonies. He argued that the distance was not merely physical, and Britain's salutary neglect, along with her lack of involvement in American colonial politics had almost forced Americans into forming a government for their own protection.⁴¹ This sort of argument is a bit unusual in revolutionary rhetoric; a government charged with being disinterested in its colonies cannot easily be charged with tyrannizing them from a distance. It is surprising that Hamilton used Hume at all in a revolutionary pamphlet. Hume was famous for his scepticism concerning revolutionaries' motives,⁴² and described the results of their work as "convulsions," "the tyranny of a faction subdivided into new factions,"⁴³ "the greatest of all ills,"⁴⁴ "the violence of enemies," "the zeal of partisans,"⁴⁵ and "the most terrible

⁴⁰(continued) Hamilton wrote to a prominent American patriot in 1774 apologizing for having lost possession of some Revolutionary pamphlets which had been loaned to him, including Thomas B. Chandler, "A Friendly Address" (New York, 1774), and Edward Bancroft, "Remarks on the Review of the Controversy" (London, 1769). Hamilton probably drew from these pamphlets when he summarized in "The Farmer Refuted" the history of the dispute between America and Great Britain, *HP*, I, 109-12; however, he never acknowledged them.

⁴¹"The Farmer Refuted," *HP*, I, 100.

⁴²See David Hume, "Of the Original Contract," originally published in *Moral and Political Essays*, 1748, and reprinted in *Social Contract* (London, 1947), 211, 219, 221-22.

⁴³*Essays Moral, Political and Literary*, originally published 1751 (reprinted London, 1963), 53.

⁴⁴*Political Essays*, originally published 1752 (reprinted New York, 1953), 15.

⁴⁵*Essays Moral, Political and Literary*, 51.

event" imaginable.⁴⁶ Yet Hamilton, even in a "Revolutionary" pamphlet, was able to echo Hume's words by describing revolutionary war as "the most bloody, implacable and obstinate" of conflicts,⁴⁷ and the most "treacherously" and "pusillanimously" waged battles.⁴⁸

Hamilton quoted Blackstone's claim that "the principal aim of society is to protect individuals" in the enjoyment of absolute rights.⁴⁹ Arguing that for this reason the legislature is given power, Blackstone's *Commentaries* basically espoused the doctrine of legislative supremacy.⁵⁰ Hamilton in some passages approached this doctrine, contending that

in every civil society there must be a supreme power, to which all the members of that society are subject; for otherwise, there could be no supremacy, or subordination, that is, no government at all.⁵¹

It is clear from these passages that Hamilton's pamphlets were not an unbroken attack on oppressive government; instead, they reveal their author's preoccupation with and attraction to the notion of effective and powerful government.

Then what sort of revolutionary thinker was the young Hamilton? He is perhaps noteworthy as one American Revolutionary who was not highly indebted to John Locke. Hamilton never quoted Locke, and when he argued for government by consent of the governed, he did so with

⁴⁶*Social Contract*, 217.

⁴⁷"A Full Vindication . . .," *HP*, I, 54.

⁴⁸"The Farmer Refuted," *HP*, I, 142.

⁴⁹*Ibid.*, I, 88.

⁵⁰*The Sovereignty of the Law: Selections from Blackstone's Commentaries*, ed. Gareth Jones (Toronto, 1973), 27, 65-66, 35-39.

⁵¹"The Farmer Refuted," *HP*, I, 98.

Blackstone's backing more than anyone.⁵² Hamilton drew heavily from Hume, a noted opponent of Locke on social contract theory, and although Hamilton claimed to be in agreement with Locke and not Hobbes on the topic of natural law,⁵³ his natural law arguments are, upon close examination, strikingly Hobbesian.

What distinguishes Hobbes' theory of natural law from Locke's is not that the former is a more irreligious outlook, as Hamilton charged in his second pamphlet;⁵⁴ but rather that Hobbes and Locke had differing views on the state of nature. To Hobbes, the state of nature was much like the state of war,⁵⁵ and as such was not an enviable condition.⁵⁶ Hobbes recommended "a common power to keep [men] in awe," and at peace.⁵⁷ Locke was less pessimistic about ungoverned society, calling the state of nature one of "perfect freedom"⁵⁸ and "perfect equality."⁵⁹ The system of government that Locke therefore supported is one rather famous for its restraints on government.⁶⁰ Hamilton, on the other hand, recommended few specific restraints on government *per se*; he wished Parliament to be restrained completely, of course, but at

⁵²Stourzh, see footnote 35, presents a good summary of how Hamilton used Blackstone to justify the American cause, 9-34.

⁵³"The Farmer Refuted," *HP*, I, 86-87.

⁵⁴*Ibid.*

⁵⁵*Leviathan*, originally published in 1651 (New York, 1958 edition), 106.

⁵⁶*Ibid.*, 107.

⁵⁷*Ibid.*, 106.

⁵⁸"Of Civil Government," *Works of John Locke* (London, 1812), V, 339-40.

⁵⁹*Ibid.*, 342.

⁶⁰*Ibid.*, 419.

the same time argued that the American government be strengthened, supported and allowed to act on its embargo plans. In terms of the size of government that Hamilton wished to see in America, even in 1774, suffice it to say that Hamilton's ideal was a government well equipped to reach the Hobbesian objective of ensuring peace through a show of strength.

Hamilton could have been paraphrasing Hobbes when he claimed that "self-preservation is the first principle of our nature."⁶¹ And even at this early stage in his career Hamilton spoke of the greater safety America would have with a strong central rather than strong regional government, claiming that "the safety of the whole depends upon the mutual protection of every part."⁶² Protection of American rights, lives and territory was one major theme of Hamilton's Revolutionary pamphlets, and Hamilton claimed that only with a strong government would America be able to protect herself, both at home and abroad.⁶³ Although it is perhaps too simplistic to conclude that Hamilton was "the American Hobbes,"⁶⁴ at least in his assumptions that Britain would and America should set peace above other governmental objectives,⁶⁵ Hamilton's Revolutionary writings were Hobbesian. Drawing from a number of theorists who praised strong government, Hamilton defended the American

⁶¹"A Full Vindication . . .," *HP*, I, 52.

⁶²"The Farmer Refuted," *HP*, I, 135-36, 161.

⁶³*Ibid.*, 136..

⁶⁴Rossiter, in *Alexander Hamilton . . .*, for instance, claimed that too many Jeffersonians have attempted to "put Hamilton in his place by labelling him 'The American Hobbes,'" 182.

⁶⁵Hamilton reasoned that Britain would not risk war unless she "lost all sense of her own interest," "The Farmer Refuted," *HP*, I, 160.

Congress as the strongest government the colonies were likely to get at that point in time.

There are numerous other passages in Hamilton's pamphlets which of course can be used to show other themes, including a superficial similarity to John Locke's defense of a people's right to revolt against oppressive government. Yet it is hardly surprising that Hamilton and Locke agreed on this: what statesman or philosopher would contest the injustice of tyranny? However, this similarity should not be made the basis for an analysis of American Revolutionary philosophy.⁶⁶ To claim that Hamilton was Lockean totally ignores the context of these few passages of revolutionary rhetoric. It is more important to note that Hamilton's pamphlets have an overall, albeit coincidental similarity to some of the basic ideas of Thomas Hobbes, a more limited but direct link to Hume and Blackstone, and at the same time, it is worthwhile to point out that Hamilton was a Revolutionary whose support for the American cause was based on circumstance as much as on abstract theory, and on the history of the dispute at least as much as on any philosophy of revolution.

In fact, Hamilton seems rather uncomfortable with the idea of a natural right to revolt. It led him all too easily into contradiction. On the one hand he criticized the "Farmer" for daring to judge Congress ("Shall any individual oppose his private sentiment to the united

⁶⁶The extent of Locke's influence on Revolutionary writers has been the subject of considerable debate. Rossiter, in *Political Thought . . .*, claimed that Locke has always been considered the supreme, if not exclusive source of Revolutionary ideas, 68; Bernard Wishy has suggested that Locke's influence on the Revolution has been exaggerated, "John Locke and the Spirit of '76," *Political Science Quarterly*, LIII (1958), 413-425; and Garry Wills in *Inventing America* (New York, 1978), 93-149, claimed Jefferson learned more from Newton than he did from Locke.

counsel of men, in whom America has reposed so high a confidence?");⁶⁷ on the other he solicited his readers' opinion of Congress's actions ("All I ask is that you will judge for yourselves").⁶⁸ Hamilton was clearly asking his readers to judge. He merely wished that Congress be judged more favorably than as judged by Samuel Seabury.

The pamphlets' best-known passage is:

The sacred rights of mankind are not to be rummaged for, among old parchments, or musty records. They are written, as with a sunbeam, in the whole volume of human nature, by the hand of the divinity itself; and can never be erased or obscured by mortal power. . . .⁶⁹

Yet Hamilton, throughout the remainder of the pamphlets, qualifies what natural rights allow and do not allow, much as if they were codified, and the pamphlets make very specific references to aspects of the unwritten British Constitution.⁷⁰ On the whole the "Farmer" had good reason to charge Hamilton with not being clear on the issue of natural law. Seabury stated in his rebuttal to "A Full Vindication . . .," "I wish you had explicitly declared to the public your ideas of the *natural rights of mankind*."⁷¹

Further, Hamilton's support for the right to revolt led him onto particularly unsteady ground in his arguments about the probability and desirability of war. If impending war were out of the question, why give an elaborate description of what it would be like? And if

⁶⁷"A Full Vindication . . .," *HP*, I, 48.

⁶⁸*Ibid.*, I, 77.

⁶⁹"The Farmer Refuted," *HP*, II, 122.

⁷⁰"A Full Vindication . . .," *HP*, I, 47; "The Farmer Refuted," *HP*, I, 91, 109.

⁷¹Seabury's "A View of the Controversy," Vance, 109.

revolutionary war was the worst possible alternative, why put Britain into a position where she must either start one, or give in to the demands of colonies?

When confronted with this corpus of writings, how can these inconsistencies be explained? It is probable that Hamilton was not really at ease with many of the stands taken in these pamphlets. And it is also probable that all Hamilton's minor inconsistencies were in some way related to the one larger one which dominated his early career. The revolutionary who challenges one government must at the same time defend an alternative, and must use public opinion in both causes, natural law when convenient, and assurances about military intervention which double as threats. Revolution always lends itself to contradiction, for it is not easy to justify risking temporary anarchy in the hope of future stability. Considering Hamilton's belief, only germinating in 1774, that a strong, vigorous government was needed to ensure individual liberty, national integrity and defense, the tearing down of the authority of the British Parliament in America stood as the single exception, the "one Revolution" around which his subsequent career and political ideas would be shaped.

Chapter Two

HAMILTON'S ROLE IN THE REVOLUTIONARY WAR, 1775-1782

An extreme jealousy of power is the attendant on all popular revolutions, and has seldom been without its evils.¹

Despite Hamilton's assurances that war would not break out, skirmishes beginning in early 1775 culminated in the misnamed battle of Bunker Hill fought on Breed's Hill in the summer of that same year. The effect this had on the young Hamilton is difficult to assess, for he has left a record of his reactions only to those events which either directly affected or interested him. However, when pieced together, the comments available reveal his preoccupation with internal dangers facing the American union, and provide an interesting picture of an individual trying to formulate a cohesive political outlook in a period of turmoil and martial stress.

Hamilton's first comment on the war, as recorded in his collected papers, was not a reaction to some famous battle or war conference; it

¹Alexander Hamilton, "The Continentalist, No. I," July 12, 1781, *The Papers of Alexander Hamilton*, 26 vols. (New York, 1961-1979), II, 650. Hamilton's *Papers* dealing with developments and details of the Revolutionary war, even when placed in chronological order, do not provide an easily readable narrative of Hamilton's wartime exploits and duties. As source material for Hamilton's activities and views on this time, the *Papers* (hereafter in this chapter denoted *HP*) are thin in spots. For example, there are almost 300 pages of Hamilton's writings preserved from the year 1780, *HP*, II, 252-527; yet there remain only eight of Hamilton's letters from the year 1776, *HP*, I, 180-194.

is found in a letter written in November 1775 to John Jay. The purpose of the letter was to criticize Isaac Sears and the New York Sons of Liberty. Sears and his mob of radical Patriots had attacked a Tory publisher's printing shop. The Sons of Liberty had done this sort of thing before, and succeeded in closing down several Tory newspapers in Boston in 1768.² However, this time their attack was directed at Rivington's New York *Gazetteer*, which had been severely criticized by the Liberty Boys for publishing the Farmer's pamphlets.³ Hamilton used Rivington's paper only to rebut Seabury, and although he had no sympathy with propaganda in the Tory press, Hamilton nonetheless wrote as follows:

Though I am fully sensible how dangerous and pernicious Rivington's press has been, and how detestable the character of the man is in every respect, yet I cannot help disapproving and condemning this step.

In times of such commotion as the present while the passions of men are worked up to an uncommon pitch there is great danger of fatal extremes. The same state of the passions which fits the multitude, who have not a sufficient stock of reason and knowledge to guide them, for opposition to tyranny and oppression, very naturally leads them to a contempt and disregard of all authority. The due medium is hardly to be found among the more intelligent, it is almost impossible among the unthinking populace. When the minds of these are loosened from their establishments and courses, they seem to grow giddy and are apt more or less to run into anarchy. These principles, too true in themselves, are confirmed to me both by reading and my own experience. . . . Irregularities are to be expected, but they are nevertheless dangerous and ought to be checked, by every prudent and moderate mean. From these general maxims, I disapprove of the irruption in question, as serving to cherish a spirit of disorder at a season when men are too prone to it of themselves.⁴

²Bruce Lancaster and J. H. Plumb, *The American Heritage Book of the Revolution* (New York, 1958), 68.

³Clarence H. Vance, "Introduction," *Letters of a Westchester Farmer* (New York, 1970), 29, 34.

⁴To John Jay, New York, November 26, 1775, *HP*, I, 176-77.

A number of themes in this passage are worth examining. Hamilton lashes out at the "unthinking populace" who are most dangerous when diverted from their attachment to "ancient establishments and courses." These phrases could mean one thing when studied by themselves, yet when studied in their proper context, the letter makes it clear that these phrases were part of an overall plea for order. As with his charges against the Farmer's "party spirit," Hamilton is once again questioning the value of political dispute, wondering if the enthusiasm for such a spirit was worth the danger it engendered. An external war had already begun, but Hamilton's hope was that at least the internal war between Patriots and Loyalists would be conducted with moderation and reason.

In the only biography devoted to his Revolutionary years, Hamilton's part in the external war has been described as significant, if not to the Revolutionary cause, then at least as a seed bed for the formulation of his own political beliefs.⁵ While serving as a captain of artillery at the beginning of the war and a commander of light infantry at Yorktown, Hamilton was effective. In the role he played between these two phases, as Washington's aide-de-camp, courier and emissary, Hamilton was at the very nerve centre of the war. His part in the final military victory was not so great as his knowledge of how perilously close the army came to defeat. This was the side of the struggle Hamilton knew best. Few were more aware of the needs of the army, of the inability of Congress to meet these needs, of the precarious positions the American forces found themselves in, and of the hardships the soldiers endured.

⁵Broadus Mitchell, *Alexander Hamilton: The Revolutionary Years* (New York, 1970), vi-viii, 53-55.

The first years of the war, however, provided Hamilton with little opportunity to comment on the larger issues and the larger decisions of the struggle. Of the papers that have been found dating from 1776, for example, Hamilton's only important letter was written with regard to his duties as Captain in command of a New York Provincial Company of Artillery. In this letter Hamilton asked the New York Provincial Congress for enough money for his soldiers to bring them on par with other companies, and thus into "proper order and dicipline [sic]."⁶ The remainder of the year was a critical one in terms of the war, but Hamilton's part in it was a minor one. When the British landed in New York in the fall of 1776, he was involved in the battle of Long Island, where Washington foolishly divided his forces, deploying half on Manhattan and half on Brooklyn Heights. Richard B. Morris claims that when his company moved over to Brooklyn, Hamilton sent an anonymous note to Washington explaining the untenable position of the army there, subject to being cut off from the rest of the American army by the British navy.⁷ Since the note was anonymous, Washington was unable to credit anyone for it, but he eventually realized that neither Long Island nor Manhattan could be held, and by ordering a stealthy retreat from all of New York City, he was able to avert disaster. There were several inconclusive clashes as Washington's army withdrew from the city, leaving it to be occupied by enemy forces.

It was not until early in 1777 that Hamilton's artillery corps distinguished itself, and in doing so caught the attention of Washington,

⁶Hamilton to New York Provincial Congress, New York, May, 1776, *HP*, I, 184.

⁷Richard B. Morris, *Alexander Hamilton and the Founding of a Nation* (New York, 1957), 28.

who throughout the winter campaign found himself being forced to handle petty details that should have been taken on by a field clerk.⁸ Thus at Princeton on January 3, 1777, Hamilton won not only a battle but promotion to the rank of Lieutenant-Colonel on General Washington's staff. The battle at Princeton was the follow-up to Washington's counterattack on Trenton after the retreat from New York. At both Trenton and Princeton, Washington's army regained the much-needed prestige and confidence they had lost in New York, but it was only in the latter confrontation that Hamilton's company figured prominently. He directed a round of artillery fire at the college building held by the stranded British troops. The artillery fire made the surrender of Nassau Hall inevitable, and Hamilton was given much of the credit for the minor victory.⁹ He then retreated with the American army to its winter encampment at Morristown, and on March 1, 1777, was appointed aid to Washington.

With the appointment, Hamilton grew more prolific, not only as letter-writer for the commander-in-chief, but also as delegated informant for the New York Committee of Correspondence. It became Hamilton's job to keep the group aware of the condition and plans of the American army. In a letter written to the Committee in April, Hamilton predicted that the British would next try to take Philadelphia, since it was "a common and well-grounded rule in war, to strike first and principally at the capital towns and cities in order to [effect] the

⁸Lancaster, 156.

⁹*Ibid.*, 181.

conquest of a country."¹⁰ Hamilton's prediction would be proven correct before the end of the year.

Meanwhile, he left another account, depicting aspects of the war that were far from heroic. In a letter which Harold Syrett claims was written to John Jay¹¹ and which Richard B. Morris claims was written to Robert Livingston,¹² Hamilton wrote:

The enemy yesterday perpetrated a most barbarous butchery upon a Lieutenant Martin of ours . . . his dead body was found most horribly mangled. He had not a single bullet wound, but was hacked to pieces with the sword. . . . It is evident, that the most wanton and unnecessary cruelty must have been used towards him.¹³

Although it is uncertain just how exceptional this sort of scene was, the quote reveals Hamilton's disgust at the cruelty which is given a free hand in wartime situations. He was implying here that war ought to be conducted with *some* set of humane guidelines, and that in the absence of civil law there should at least be the observance of moral law.

During this same summer, Hamilton wrote a perceptive letter, revealing his analysis of the nature and direction the war was taking. Defending the American army from charges of cowardice and weakness, based on Washington's refusal to fight a large-scale battle, he countered that the

¹⁰Hamilton to the New York Committee of Correspondence, Morristown, New Jersey, April 5, 1777, *HP*, I, 220.

¹¹*HP*, I, 264; the letter was written June 2, 1777, from Middle Brook Camp, New Jersey.

¹²Morris, 30.

¹³Hamilton to John Jay, Middle Brook Camp, New Jersey, June 2, 1777, *HP*, I, 263.

. . . liberties of America are an infinite stake. We should not play a desperate game for it or put it upon the issue of a single cast of the die. The loss of one general engagement may effectually ruin us, and it would certainly be folly to hazard it.
 . . .¹⁴

He was acutely aware of the tenuous position in which the outnumbered American army found itself, and paradoxically, the difficulty the British force faced in trapping it. America was a country that could support armies that were difficult to find, let alone defeat.

As the summer of 1777 drew to a close, the focus of attention shifted to the northern campaigns. General Gates and the northern portion of the American army were engaged in a struggle with that part of the British army commanded by General Burgoyne. By October, Gates finished what amounted to a stunning and significant campaign. The American triumph at Saratoga gained new international respect for the American war effort. But in Hamilton's eyes (and in Washington's, for the outlooks of the two at this time were often indistinguishable), Saratoga also caused a problem. It showed that Gates was conducting the war with far greater success in the North than Washington was having in the South. Hamilton was dispatched to order Gates to send troops to help Washington in the South. Gates refused at first, but Hamilton finally delivered a "positive order" and Gates reluctantly acquiesced.¹⁵ Hamilton then wrote of his disgust at challenges to command in times of crisis.¹⁶ In war, divisions and disputes among commanders represented dangerous developments, and Hamilton was even drawn to speak of "the

¹⁴Hamilton to Robert Livingston, Middle Brook, June 28, 1777, *HP*, I, 275.

¹⁵Morris, 34.

¹⁶Hamilton to George Washington, New Windsor, November 10, 1777, *HP*, I, 359-60.

characteristic imbecility of a council of war,"¹⁷ likening it to "a gaggle of midwives."¹⁸ To transfer these beliefs from a military to a political setting would not be difficult, as he could maintain in future that one man or body should be ultimately in control, and an established chain of command always be in effect.

In January of 1778, Washington's army tried to regroup and reorganize in the bleak camp at Valley Forge. It was in such a setting that Hamilton's opinion on the restructuring of the army was solicited by Washington, and it was here that Hamilton expressed his belief that the army should be, above all, orderly. The draft of his recommendations for a new military constitution included the suggestion that every soldier who disobeys an order, or who absents himself from his regiment, be tried and punished.¹⁹ His recommendations for improving the discipline of the army took up seven pages, and were rather harsh. For example, he suggested that every officer ten days late from furlough be tried by court-martial.²⁰ It may have been wishful thinking to expect this sort of plan to have a positive effect on an army already plagued by desertions, but it showed Hamilton's stricter side, and logically carried forward his thoughts on an unchallenged chain of command. After all, if he believed Washington's orders ought not to be challenged at the top of the ranks, it would follow from this that they ought not to be questioned at the bottom.

¹⁷Morris, 43.

¹⁸*Ibid.*

¹⁹Hamilton to George Washington, Valley Forge, January 29, 1778, *HP*, I, 414-421.

²⁰*Ibid.*, 415.

Hamilton's actual taste of battle during this period was limited, since he was mainly confined to secretarial duties at Washington's headquarters. Nonetheless, on a few occasions, his life was in jeopardy. Perhaps the most dangerous encounter occurred when, along with a small group of soldiers, he attempted to destroy a flour mill which lay on the route of the approaching enemy. While Hamilton and his men were completing this task, the British came upon the mill; with four dragoons he jumped into a boat on the bank of a nearby river. According to one account, "the enemy's front section emptied their carbines and pistols at the distance of ten or twelve paces."²¹ One man was killed and another wounded, but Hamilton escaped unhurt. He found himself, in July of 1778, in the midst of the famous battle of Monmouth Court House, where Washington's personal presence supposedly turned what could have been a British rout into a near American victory. Hamilton's troops were in the middle of the fighting. John Laurens, a friend, fighting next to him, suffered a slight contusion and had his horse killed. Hamilton's horse was wounded. He commented that "if the rest escaped injury, it is only to be ascribed to better fortune, not more prudence in keeping out of the way."²²

As the war progressed with victories like Monmouth over an external foe, Hamilton realized that the real crisis in the structure of the American political society was an internal one. The problems of operating the American war machine had grown immense. Troops had become more and more difficult to find. Along with John Laurens, Hamilton

²¹Henry Lee, "Memoirs of the War in the Southern Department of the United States" (Philadelphia, 1812), I, 19-21; *HP*, I, 326-27.

²²Hamilton to Elias Boudinot, July 5, 1778, New Brunswick, New Jersey, *HP*, I, 511.

propounded a scheme for the use of Negro troops, claiming that they would make excellent soldiers.²³ The Articles of Confederation, a constitution for the American Congress, drafted in late 1777 but not ratified until 1781, did not give Congress the power to demand that the states supply their own quotas of troops for the army.²⁴ Thus the American states supplied the American army at their convenience, and Washington's calls for support in the form of men and arms often went unanswered.²⁵ The money with which to finance the army was difficult to raise. Paper money had been issued at the outset of the war because Congress had no alternative means of attaining public funds, but it was slowly realized that this currency could not be supported by the always-empty Congressional treasury. In order to promote confidence in the government, the war effort, the economy and most important, paper money itself, laws were passed declaring paper money legal tender, threatening imprisonment to merchants and debtors who did not accept paper money at full face value, outlining serious punishments for counterfeiters, and establishing maximum prices.²⁶ Yet all of this was to no avail. The paper money became devalued to 1/40th its original worth. This occurred on March 18, 1780,²⁷ and put the army and the Congress on even more unstable ground. Some form of taxation was now necessary to fund

²³Hamilton to John Jay, Middle Brook, New Jersey, March 14, 1779, *HP*, II, 18-19.

²⁴Richard B. Morris, *The American Revolution Reconsidered* (New York, 1967), 129-31.

²⁵See Washington's letters in Hamilton's hand from February, 1778, *HP*, I, 429-435.

²⁶R. V. Harlow, "Aspects of Revolutionary Finance," *American Historical Review*, XXXV (1929), 47-61.

²⁷*Ibid.*, 50-55.

government operations, but Congress was not given sufficient taxation power under the new constitution. The army was once again dependent on the whims of the individual states. Hamilton could not help but be aware of these developments, as he had written numerous letters for Washington in which he had pleaded for aid from the various states.²⁸

In the latter stages of the war, Hamilton did not content himself with merely writing down Washington's views on these matters; he wrote several letters on his own criticizing Congress in a manner which the Commander-in-Chief of the army could not really have done without risking charges of military interference in civil government.²⁹ Hamilton's foremost early expression of concern over the political and economic failings of America came just months after the devaluation of the paper currency. In a letter to James Duane from Liberty Pole, New Jersey, on September 3, 1780, Hamilton delivered his soon-to-be-characteristic attack on the Articles of Confederation, the name given to the first American Constitution.³⁰ Hamilton began the letter by reciting for Duane "the defects of our present system, and the changes necessary to save us from ruin," in light of the fact that

a little time hence, some of the states will be powerful empires, and we are so remote from other nations that we shall have all the leisure and opportunity we can wish to cut each other's throats.³¹

²⁸See *HP*, particularly I, 432-33, where Washington makes various requests for shoes, artillery, clothing and other army supplies.

²⁹"Washington himself, while often disputing Congressional measures in practice, seems always to have accepted his subordination to that body in principle," Lancaster, 138.

³⁰Hamilton's criticism of the Articles has been well treated by Clinton Rossiter in *Alexander Hamilton and the Constitution* (New York, 1964), 38-39.

³¹Hamilton to James Juane, Liberty Pole, New Jersey, Sept. 3, 1780, *HP*, II, 401, 403.

In the remainder of the letter, Hamilton set out the weaknesses in the American system of government, almost point by point. "The fundamental defect is a want of power in Congress," he claimed, and the fundamental danger this brought was that the army was dependent on the states individually, rather than on Congress.³² Hamilton noted that the Congress was appointed "with full power to preserve the republic from harm," but had so completely failed to carry out its mandate that the Confederation was "fit for neither war nor peace."³³ He criticized the Congress for having no executive, no real power of the purse, no reserves in the treasury, and no means of providing for the army, which due to Congressional neglect had become a mob, "without clothing, without pay, without provision, without morals, without discipline."³⁴ He lamented the fact that the particular states would never be sufficiently impressed with the necessities of the army. To correct these faults, he suggested that Congress call a convention to draft a more centralist, vigorous constitution.³⁵

How much this letter was an expression of Hamilton's political beliefs, and how much it represented a mere reiteration of Washington's fears, can never be determined exactly. The internal and external dangers Hamilton described in this letter were clearly related. It is significant to note that Hamilton's first political platform grew out of a period of military crisis. But because the crisis was caused as much

³²*Ibid.*, II, 401.

³³*Ibid.*, II, 401-02.

³⁴*Ibid.*, II, 406.

³⁵*Ibid.*, II, 407.

by internal mismanagement of the war as by the advances of enemy forces, the suggestions Hamilton made in 1780 were to become the basis for the political debate that would take centre stage after 1783 with the arrival of peace.

The surfacing of Hamilton's political ideas was accelerated by his resignation from Washington's staff on April 30, 1781. His ideas had been generally aligned with Washington's before the parting, and thus no major difference in military or political opinion can account for the split. The incident that prompted Hamilton's resignation was a minor one. He later confessed that he had regarded his position on Washington's staff as stifling; he was totally the instrument of the commander-in-chief. Yet there was never any question in Hamilton's mind about leaving the Revolutionary army, or deserting the cause of constitutional reform.³⁶ Indeed, the end to Hamilton's career as aide-de-camp spelled the opening of two new careers, one as political lobbyist, and the other as a commander of American light infantry.

The torch Hamilton lit in the letter to Duane the previous fall was rekindled in the months following his exit from Washington's headquarters. In the first four installments of a six-part series of pamphlets entitled "The Continentalist," he made his views on constitutional reform known to all those who happened to read the late July and early August issues of the *New York Packet*.

The message of "Continentalist No. 1" was expressed in terms of political generalizations based on historical examples. Hamilton spoke of several lessons of history, such as revolution leading to anarchy in

³⁶Hamilton to Phillip Schuyler, New Windsor, February 18, 1781, *HP*, II, 565.

the confusion over replacing the former regime, and an ambitious rivalry between provinces being best cured by an increase in the power of the central government.³⁷ This pamphlet, like Hamilton's "revolutionary" pamphlets, was written in a polemical but intellectual vein, but the theme this time was danger in weak, decentralized government in and after times of revolution.

In "Continentalist No. 2," Hamilton took a clever approach. He began the pamphlet by addressing himself to the popular spirit just awakened by the Revolution, calling any tyrant who tried to subvert the constitution of a unitary state an ominous threat.³⁸ But after arousing his readers' interest with this claim, Hamilton quickly qualified his position by claiming that there was nothing to fear from the American government, for it was not ruling a single state, but thirteen different ones. And this, Hamilton noted was a problem all its own. In his opinion, the American government was *too* weak and the state governments *too* strong. In his words, the individual state governments had "more empire over the minds of their subjects than the general one, because their agency [was] more direct, more uniform, and more apparent."³⁹ He offered as examples the Greeks and the Germans, who in the past had owed loyalty to their local governments, not their entire country.⁴⁰ Hamilton did not want to see the American states as a weak confederation,

³⁷"The Continentalist No. 1," Fishkill, New York, July 12, 1781, *HP*, II, 654-55.

³⁸"The Continentalist No. 2," Fishkill, New York, July 19, 1781, *HP*, II, 650.

³⁹*Ibid.*, II, 656.

⁴⁰*Ibid.*

for in his opinion, the inevitable consequences would be internal division and civil war.⁴¹ He had begun by arguing that tyrants are a threat; the lack of a powerful government is as great a threat, he concluded.

As for the third "Continentalist," most of it was a military report to the general public, in which he speculated on how various powers or events might affect the nearly independent status of America. Hamilton noted that America was in a strong position militarily in terms of available troops, civilian support and supplies, but the British could not be removed from American territory. He concluded that either the people were not behind the war effort, or the war effort was being mismanaged.⁴² But in Hamilton's view the people were behind the war, so the structure of the war government was therefore to blame. Indeed, Congress was to blame, because it had not given itself the power needed to force cooperation from the states. To Hamilton, the conduct of the war was the best evidence at hand to support the contention that the Confederation was too weak.⁴³ If the states would not cooperate in times of common desperation, he wondered how one could expect them to obey Congress in times of peace.⁴⁴

The fourth "Continentalist" was an intricate economic exposition and Hamilton's obvious mastery of the nuances of public credit made his eventual appointment as Secretary of the Treasury predictable.

⁴¹*Ibid.*, II, 654.

⁴²"The Continentalist No. 3," Fishkill, New York, August 9, 1781, *HP*, II, 662.

⁴³*Ibid.*, II, 664.

⁴⁴*Ibid.*, II, 660.

But once again the message of constitutional imbalance was the eventual and unavoidable conclusion. He argued that because the Congress was heavily in debt, because it could not fund the war effort, and because it had been forced to devalue the American currency, it, and not the states, required the powers to regulate trade and assess tax.⁴⁵

It is not stretching a point to view the first four "Continentalist Papers" as constituting a warning against a second, internal revolution, written well before the first, external revolution was over. They present a picture of America as an unstable nation, and indicate that Hamilton had moulded his conservative revolutionary ideas of 1775 into the new political nationalism of the 1780s.

In between the publication of these four essays and the final two of the series in 1782, Hamilton was badgering Washington for a military assignment, and a unit to command. That request was granted in the Yorktown campaign of October, 1781--the campaign that was to virtually ensure American victory. The British troops under General Cornwallis had been trapped on a peninsula on Cheseapeake Bay by the American and French armies and the French navy. In the siege of Yorktown, Hamilton personally led a group of light infantry in the capture of one of the British army's outer defense posts. His men, with the help of a unit led by John Laurens, advanced on the British flank, and overtook the defenders in a matter of minutes. After the battle, Hamilton wrote to the Marquis de Lafayette, who held a command in the overall siege, relating that "the killed and wounded of the enemy did not exceed

⁴⁵"The Continentalist No. IV," Fishkill, New York, August 30, 1781, *HP*, II, 670-72.

eight."⁴⁶ Hamilton explained that as commander, he was "incapable of imitating examples of barbarity, and forgetting recent provocations," he told the soldiery to spare "every man who ceased to fight."⁴⁷

With the capture of Cornwallis's army, the Revolutionary war was over. Developments would soon force a peace favorable to the Americans. Hamilton thus was able to turn his full attention to the remaining internal dangers facing the government, and toward this end he wrote the final two installments of "The Continentalist."

The fifth "Continentalist" was dated April 18, 1782. It was an analysis of American trading patterns and ended with the claim that the only fair arbiter in interstate commerce would be a Federal Congress, and that unless Americans substituted for their regional jealousies an overall continental perspective, they would never be "a great or happy people, if a people at all."⁴⁸

In "The Continentalist No. VI," written in early July of 1782, Hamilton synthesized many previous arguments with some new evidence. The essay began with a bleak description of a future America without Congress-controlled trade: the federal government would be weak in war, weak in policing, weak in social improvement projects; there would be hostility from the people who prefer trade taxation to assessment taxes; there would be a stifling of local industry, outmaneuvered by Europe in a free market. Hamilton claimed that to prevent this bleak future the

⁴⁶Hamilton to Marquis de Lafayette, Yorktown, Virginia, October 15, 1781, *HP*, II, 681.

⁴⁷*Ibid.*

⁴⁸"The Continentalist No. V," Fishkill, New York, April 18, 1782, *HP*, III, 82.

American Congress needed money for defense, a navy, a judicial system, and generally for a government that could command the respect of the people.⁴⁹ This essay revealed details of his plan for big government, and laid the basis for a political platform soon to be adopted by a group of reformers who would be called "Federalists." This group's preference for a strong central government would of course be challenged by the "Anti-Federalists" in the internal political battles following the war.

The importance of these final essays in the "Continentalist" series has to do with their timing. They show that to Hamilton, even though the war was virtually over, the crisis accompanying it was not. Indeed, in Hamilton's eyes, it had just begun, for as the states' common enemy disappeared, so did their common bond.

In some ways Hamilton's ideas remained remarkably consistent throughout the Revolutionary years. In his beliefs that Americans needed to eliminate internal bickering from the political front, to strengthen the army and bring it into proper order, and to both fight a defensive war and build a defensive American political system, Hamilton never wavered. Yet it is difficult to interpret his overall role in the Revolutionary War, because he in fact played many roles. "The Continentalists" are a summary of the lessons he learned while serving as artillery commander, aide-de-camp, and light infantry leader. Although the defensive nature of the six-pamphlet series is easy to highlight, Hamilton's critique of American government in this period is actually an attack on Congress for not acting like a national government, or

⁴⁹*Ibid.*, III, 99-104.

giving itself the constitutional power to do so. The "Continentalist" defense of the concept of a strong Congress was an indirect defense of a strong America, for Hamilton essentially equated the two. At this stage in his career there is little distinction between his nationalism and his centralism.

One point that has been made by historians concerning Hamilton's association of country and Congress is that it was related to Washington's. Just who influenced whom in this famous political partnership has been a matter of some contention, and the arguments have often hinged on the wartime relationship of General and aide-de-camp. Both Richard B. Morris and James Thomas Flexner believe that although Hamilton was to influence Washington in the 1790s, the relationship was reversed in the 1770s.⁵⁰ However, Hamilton's letter to James Duane in 1780 was the first serious call for a constitutional convention to revise the Articles, and it also contained Hamilton's first hint that "the national debt could become a national blessing."⁵¹ The constitutional convention and the repayment of the war debt were projects which were Hamilton's own; Washington would eventually support them both, but it is unlikely that he personally inspired Hamilton to devise them. It should be remembered that Hamilton had upon leaving Washington's staff confessed that he had resented a position so completely dependent on the Commander-in-Chief.⁵² Thus it is not unlikely that Hamilton's new

⁵⁰Morris, "Hamilton's Glory Road," *Seven Who Shaped Our Destiny* (New York, 1973), 240; Flexner, *George Washington and the New Nation, 1783-93* (Boston, 1969), 165, 233-38.

⁵¹Hamilton to James Duane, Liberty Pole, New Jersey, Sept. 3, 1780, *HP*, II, 404-406, 410-411.

⁵²Hamilton to Phillip Schuyler, New Windsor, New York, Feb. 18, 1781, *HP*, II, 566-67.

political platform, as expressed in the "Continentalists" and his letter to Duane, was, at least according to Hamilton's intention, something which he could be identified with on his own.

The emergence of Hamilton's original political ideas was based on his acute awareness of the fact that the Revolution had changed American attitudes. As Bernard Bailyn has noted, the Revolution made Americans for the first time regard their differences from the Empire and the rest of the world as strengths, not weaknesses, as virtues not vices.⁵³ Hamilton, like many people before the war, regarded the dispute as tragic. Perhaps what frightened him so much was that after the war, the tragedy inherent in such a conflict had been wiped from people's minds. Everywhere there was praise and exuberance over not only the military victory, but for the triumph of provincial revolutionaries over centralist tyrants. Thirteen rebellious colonies had successfully challenged the authority of London; Hamilton must have wondered if their next target would not logically be Philadelphia. His "Continentalists" warned that a jealousy of power follows all popular revolutions, and this jealousy, he reasoned, could be the most dangerous manifestation of the American Revolution.

⁵³Bernard Bailyn, *The Ideological Origins of the American Revolution* (Cambridge, Mass., 1967), 19-21.

Chapter Three

THE CRITICAL PERIOD

1783-1787

The years immediately following the Revolutionary War are the logical focus of this thesis, for it was during these years (1783-1787) that Hamilton's fears of disunion were greatest. However, before his political ideas as they evolved during this period can be interpreted, some of the events, issues and contemporary opinions of the time should be delineated to provide a background.

The years 1783 to 1787 were called "The critical period in American History" by John Fiske, a nineteenth-century American historian.¹ Whether or not Fiske's description of the period as "critical" is accurate has become a question of recurring historical debate, and is not a question this essay will attempt to answer here. What this chapter will attempt to do is give a presentation of the period's events, separate from any overall judgment of their meaning and significance. For although interpreted and discovered in very different ways and at different times, the dry facts of the critical period's

¹John Fiske, *The Critical Period of American History* (Boston, 1888). In calling the period "critical" Fiske began one of the major controversies in American history, for his description of the period has not gone unchallenged. Other historians, especially Merrill Jensen, Charles Beard and E. James Ferguson, have seen these years as not-so-critical, and in fact have asserted that the post-war years were a period of stability and accomplishment. In Chapter Five, the views of this latter group of historians will be compared and contrasted with the case study of Hamilton, who held a very definite view of crisis.

history are constant. Marc Bloch has noted that although the knowledge of the past may be continually changing, "the past is, by definition, a datum which nothing in the future will change."² Therefore, in hope of presenting the facts of the critical period objectively, they will be summarized here without reference to either the pro-Fiske or anti-Fiske interpretation.

A starting point in attempting to understand the post-war years is an investigation of the new nation's mechanism of government. The Articles of Confederation, America's first constitution, were adopted in 1777, ratified in 1781, and abandoned in 1789. Thus the "Critical" period was enclosed in the Confederation period, the short time during which the Articles were in effect. They had an undoubted impact on political developments in the 1780s, for although they allowed the Continental Congress to act in some instances, they prevented that Congress from acting effectively in many others.

Discussing first what they did allow, one notes that the Articles expected Congress to ensure that the rights and immunities of individuals from any one state were recognized by all the other states.³ They empowered Congress to represent all the states in negotiations with foreign countries involving matters of peace, war, treaties and the sending and receiving of ambassadors.⁴ Congress was entrusted with the regulation of specie value and setting of standards for weights and measures.⁵ Congress was also given control over the army and the navy,

²Marc Bloch, *The Historian's Craft* (New York, 1953), 58.

³U.S., *The Articles of Confederation and Perpetual Union*, Article 4.

⁴*Ibid.*, Article 6, Article 9.

⁵*Ibid.*, Article 9; see also John Dickinson's draft (continued)

and charged with adjudicating inter-state disputes.⁶ In all these ways the absolute sovereignty of the states was to some extent curtailed. The Continental Congress, a body first convened in 1774 to deal with specific revolutionary problems, was bound by the Articles of Confederation to assemble each November and remain in session for at least six months, to establish a "committee of the states" to carry on its functions during the summers, and to exercise all the powers outlined above, and a number of lesser ones as well.

There were problems, however. Most of these powers were conditional, even nominal. Congress was expected to exercise control over the army, but was only empowered to *request* that the states supply the army with men.⁷ A related difficulty was that Congress could not enforce uniformity among various state militias.⁸ Congress was supposed to adjudicate disputes between the states, but there was no "Supreme Court" to overrule state laws. Congress was never given the power to use the army to force compliance of states who disobeyed Congress. (Both Madison and Washington felt Congress should have been given this power *in writing*, so as to intimidate the states; thus, it would not have to use the power *in fact*).⁹

⁵(continued) of the Articles in the Continental Congress's *Journals*, 5:546-554, July 12, 1776, Article XVIII.

⁶U.S., *The Articles of Confederation and Perpetual Union*, Articles 6, 7, and 9.

⁷*Ibid.*, Article 8.

⁸*Ibid.*

⁹Fiske, 100; Madison's "Proposed Amendment of the Articles of Confederation," March 12, 1781, *The Papers of James Madison*, ed. W. T. Hutchinson and W.M.E. Radjal (Chicago, 1963), III, 17-18, read "by the [13th] Article a general and implied power is vested in the (continued)

Congress was thus responsible for waging war without any guarantee of an army to do the fighting. As well, Congress was given no direction by an executive with special powers to act quickly in times of emergency. There was a president of the Continental Congress, but he had no more power than any other delegate.

Congress was charged with establishing a value for coinage but was never given an explicit power of taxation. The value of the federal currency was dependent on the opulence of the federal treasury, and the federal treasury was never opulent in this period because Congress could never support it with a systematic tax. A five percent tax on imports was requested by Congress in 1781, but this required the separate approval of all thirteen states, as it was considered an amendment to the Articles. Rhode Island regarded the tax as the first step toward a Congress capable of "governing tyrannically,"¹⁰ and squelched the impost measure in the fall of 1782. New York crippled a later version with numerous amendments.

⁹(continued) United States in Congress assembled to enforce and carry into effect all the Articles of the said Confederation against any of the States which shall refuse or neglect to abide by such determinations, or shall otherwise violate any of the said Articles; but no determinate and particular provision is made for that purpose," and therefore Madison suggested that the Congress be fully authorized to employ the forces of the United States "as well by sea as by land to compel such [disobedient] state or states to fulfill their federal engagements."

Washington was convinced of the irresponsibility of the state legislatures, and agreed with the position expressed by Madison. See Fiske, 100; James Thomas Flexner, *George Washington and the New Nation, 1783-1793* (Boston, 1969), 94; Washington added that "there is more wickedness than ignorance in the conduct of the states"--To Henry Lee, Mount Vernon, April 5, 1786, *Writings of George Washington*, ed. John C. Fitzpatrick (Washington, 1938), 28, 401-02.

¹⁰Edmund Cody Burnett, *The Continental Congress* (New York, 1941), 532.

Thus the amendment procedure, requiring the unanimous consent of the states, became a real obstacle to levying impost duties, and to the accumulation of federal revenues.

In John Fiske's opinion, the Articles accorded power to the Congress inadequate "to the purpose of an effective confederation."¹¹ Even Merrill Jensen, Fiske's main opponent in the historiographical debate, agreed that the Articles ". . . left ultimate power in the hands of the states. The central government was given specific and sharply circumscribed powers."¹² Since both sides of the critical period debate agree on this point, it can be assumed that there was a meagre constitutional allotment of effective power to the Continental Congress, a body which Alexander Hamilton had publicly criticized at the close of the war, but a body which he nevertheless was to join in the winter of 1782-83.

Congress, as the states' official, recognized national government, had the power to change the constitution it had created. However, it did not have the desire early in the 1780s. Even simple measures of Congressional business required the approval of nine of the thirteen states, as represented by the delegates in the Continental Congress itself. This two-thirds majority requirement was a stumbling block for much of the federal legislation proposed during the Confederation period, which if passed would have increased Congressional power by precedent. Thus, even in attempts by Congress to increase its own power, support from nine states' Congressional delegates was hard to

¹¹Fiske, 97.

¹²Merrill Jensen, *The New Nation: A History of the United States during the Confederation, 1781-89* (New York, 1950), 25.

come by! To illustrate his reaction to this problem, Hamilton called the Congress of 1782-83 a government comprised of two types of men, those in favor of and those opposed to constitutional reform. It was an accurate description for the two groups which would soon come to be known to history as Federalists and Antifederalists. Recent research has verified that the delegates to the 1782-83 Continental Congress from the New England and Southern states were generally opposed to the nationalist tendencies of the middle-states' delegates.¹³

Thus, at the dawn of peace with Great-Britain, the American federal government was neither capable of, nor interested in doing much more than bargaining for peace. However, in that one endeavor, its representatives fared quite well. In Britain, Lord North fell from power with the loss of the Revolutionary War. The news of Yorktown was played up by his opponents, and they forced his resignation after a vote of non-confidence in March, 1782. The Ministries that followed were set up by Rockingham, Shelburne and Fox, all Parliamentarians who, despite differing attitudes towards America, essentially wished to put a quick end to the embarrassing questions connected with the Revolution.¹⁴ These conditions allowed Benjamin Franklin, John Adams and John Jay to conclude a peace for America by the fall of 1783.

Richard B. Morris's comprehensive study of the peace negotiations, heavily based on the American peacemakers' papers and European diplomatic files, provides a detailed description of some of the intrigue involved in the highly complicated peace process. The American

¹³Joseph L. Davis, *Sectionalism in American Politics, 1774-1887* (Madison, 1977), 4.

¹⁴Jensen, 12-13.

commissioners had been handcuffed by instructions of their own Congress and ordered to rely entirely upon the advice of French Foreign Minister Vergennes in treaty talks with Britain. However, John Jay in particular, suspected that Vergennes, although undoubtedly in favor of the independence of France's most recent ally, did not want to see an independent America whose strength east of the Mississippi threatened the territorial ambitions of France's most important ally, Spain. According to Morris, "the secret documents now available to historians prove that Jay was correct in his appraisal of the situation."¹⁵ Thus, a separate peace treaty between the "thirteen American states" and Britain was drafted without the aid of the court of France, yet Franklin assured Vergennes that nothing had been agreed to "contrary to the interests of France."¹⁶ Morris concluded that "one should not minimize the dexterous performance of the Americans who secured peace while maintaining the semblance of retaining the alliance at the same time."¹⁷

However, their efforts were more than just minimized when news of the preliminary separate peace reached Congress in March, 1783 (the news of the actual signing arrived in September of the same year). Hamilton, among others, spoke out in Congress against the separate peace and secret manner in which the commissioners had conducted their negotiations.¹⁸ However, even the pro-French faction in Congress could

¹⁵Richard B. Morris, *The Peace-Makers* (New York, 1965), 309.

¹⁶Benjamin Franklin to Vergennes, December 17, 1782, *The Revolutionary Diplomatic Correspondence of the United States*, ed. Francis Wharton, 6 vols. (Washington, 1889), VI, 143.

¹⁷Morris, 385.

¹⁸Madison's Reports of the Debates, March 12-15, 1783, *The Revolutionary Diplomatic . . .*, VI, 281-84.

not help but privately express astonishment at how favorably to America the peace had been drafted.¹⁹ In the treaty, Britain agreed to recognize American independence, to withdraw her troops from their posts in North America, to grant America access to the valuable Newfoundland fisheries, and to permit free navigation of the Mississippi River.²⁰ In return, Congress was supposed to "earnestly recommend" to the states that all confiscated Loyalist property be returned, and that no future confiscations be made.²¹ The articles concerning the Loyalists would become particularly significant to Hamilton in the law practice he would establish in New York in the mid-1780s, for Congress, unable as usual to force the states to comply with federal laws, could not force New York to compensate the Loyalists, whom Hamilton was to defend in court. Indeed, New York even passed a Trespass Act in 1784, providing that Loyalists compensate patriots for forcing the latter out of their homes when the British occupied New York City.²²

These clear violations of the Treaty on America's part were matched by similarly clear violations by Britain. She kept her soldiers posted on the American Northwestern frontier. Thus Americans did not

¹⁹For example, Hamilton, who had just denounced Jay on the floor of Congress for ignoring the French negotiators, wrote to him that the peace "exceeds in the goodness of its terms the expectations of the most sanguine," and "does the highest honor to those who made it," *The Papers of Alexander Hamilton*, ed. H. C. Syrett (New York, 1961) (hereafter denoted as *HP*), III, 416. Most historians have seen the treaty as being very fair to American interests: Morris, 438-51; Fiske, 25-33 and Jensen, 6-18.

²⁰U.S., *The Definitive Treaty of Peace, Signed at Paris, Sept. 3, 1783*, Articles 1, 2, 3, and 8.

²¹*Ibid.*, Articles 5 and 6.

²²Mary O'Connor English, *New York in Transition, 1783-86* (Ph.D. Fordham University, 1971), 101-106.

gain the free hand in westward expansion that was promised in the treaty. However, she probably would not have gained it at any rate. Treaties concluded following the British-American one saw Spain regain Florida, at a time when she already possessed the trans-Mississippi, Louisiana, and exercised a strong influence in the territory north of Florida through her alliance with the Indians.²³ Further, the fall of the Shelburne ministry before the treaty was finalized, caused a free trade clause to be struck from the agreement. Critics of the Shelburne peace, hoping to see the spirit of the Navigation Acts restored, insisted that American ships (which meant New England ships) would not be allowed to carry trade goods to the British West Indies.²⁴ In the end, the coming of peace had promised a much more secure and prosperous America than it had delivered.

To make matters worse, the nation seemed very insecure internally. In March, the same month that news of the peace treaty reached Congress, trouble that had been brewing in the army for some time reached the boiling point in what would become known to history as the Newburgh affair. Lack of funds in the national treasury had kept the American army underpaid throughout the war. The discontent this caused was eased somewhat in 1780 when the officers were promised half-pay for life. This bought Congress some time, but as peace approached, Washington wrote in October 1782 that with soldiers having not "one farthing of money to carry them home . . . I cannot avoid apprehending that a train

²³Morris, 220-221, 409; Jensen, 170-74.

²⁴Great Britain, Laws, Statutes, etc., *Acts of the Privy Council*, Colonial Series, V, 530.

of Evils will follow."²⁵ Almost on Washington's cue, when the news of peace arrived in America, the officers' prospects of heading home essentially unpaid prompted an angry anonymous address distributed to officers stationed at Newburgh on March 11, 1783. Washington, after he discovered what had happened, arrived on the scene, calmed the officers down, and convinced them to go home peacefully.²⁶ But the process of sending them home was a long and involved one, and one camp of soldiers that had not broken up until the summer of 1783, provoked some of Hamilton's most incensed rhetoric. This group of soldiers surrounded Hamilton and the other members of Congress in the government building in Philadelphia on June 21, 1783, and issued a threatening demand that the army be paid what it was due. Congress ignored the demand that day, but reconvened that night and agreed to move the Congressional meeting-place to Princeton, New Jersey, where the delegates could be safe.²⁷

²⁵Washington to the Secretary at War, Oct. 2, 1782, *The Writings of George Washington*, ed. John C. Fitzpatrick (Washington, 1938), XXV, 226; see also the reaction of the Continental Congress to Washington's warnings--Elias Boudinot to Washington, March 17, 1783: "There is not a man among [the soldiers] who would envy us our station, was he to be one week in Congress," *Letters to Members of the Continental Congress*; ed. E. C. Burnett (Washington, 1934), VII, 85.

²⁶For his swift and tactful action in this delicate situation, Washington received written praise from many of the members of Congress, including Hamilton, March 17, 1783 and Theodore Bland, March 22, 1783, *Letters of the Members . . .*, VII, 85; 92. Despite their relief over the temporary resolution of the crisis, some members of the Congress, Hamilton included, could not claim that they had never used the situation of the army to the benefit of the nationalist faction. Richard D. Kohn has noted how the anti-nationalists were well aware of how Hamilton intended to use the Army claims to force national funds on the states; "Inside History of the Newburgh Conspiracy," *William and Mary Quarterly*, 3rd series, XXVII (1970), 192-96.

²⁷The President of the Congress sent two letters to Washington describing the situation and the reaction of Congress. Both were sent on June 21, 1783, one at 4 o'clock and one at 11 o'clock. *Letters to the Members . . .*, VII, 193-94.

No more threats came from the soldiers, but as the next chapter will show, Hamilton was disgusted at the humiliating way in which the American government had been treated by its own army.

The Congress was quite often pushed about in the Confederation years, both literally and figuratively. The seat of government was moved from Princeton in 1783, to Baltimore, Maryland, and then to Albany, New York, all within the next year. Congress was not only pushed from location to location at this time, but its ambassadors, searching for loans, were redirected from one European government to another. Since Congress did not have the power to tax, European governments were reluctant to grant it loans. Congress had been given the power to negotiate for foreign loans but it never had been given power to ensure repayment. The always-empty treasury forced John Adams to all but beg Holland for a loan in 1784; however, the Dutch government was simply not interested.²⁸ Adams felt the weakness of Congress once again in 1785 when he failed to negotiate a free-trade treaty with Britain.²⁹ Navigation acts restricting Anglo-American trade to British ships were hurting American shipbuilders, but Adams had no reprisal power because not enough of the American states were interested in New England's regional concerns.³⁰

Despite these drawbacks, 1784 and 1785 were years of measured accomplishment and success in at least one aspect of federal policy.

²⁸Fiske, 156; Jensen, 206; Francis Dana to the Mass. Assembly, noted Adams' Dilemma, June 11, 1784, *Letters to the Members . . .*, VII, 548.

²⁹Fiske, 142; Jensen, 174; Pierce Long to John Langdon, Oct. 14, 1785, disclosed Adams' failure to conclude a commercial treaty, *Letters of the Members . . .*, VIII, 234.

³⁰Frederick W. Marks III, *Independence on Trial: Foreign Affairs and the Making of the Constitution* (Baton Rouge, 1973), 67-70.

The Confederation's great achievement--federal control over western lands--was largely brought about. The states during the 1780s gradually relinquished their separate claims on the West, and Britain was expected to live up to her treaty commitment to withdraw from the Northwest forts. In 1784, Thomas Jefferson drafted a Congressional ordinance outlining the procedure by which western territorial governments would evolve into states.³¹ The essentials of the plan were worked out in the 1785 ordinance, but it was not until the Northwest Ordinance of 1787 that the plan was finalized. Thus, in the midst of the so-called crisis, it was made possible for the western states to be incorporated into the American nation on a basis of equality with the original thirteen.

This highlight cannot be ignored, but neither can the least impressive development in Confederation history--that which came to New England in the summer of 1786 in the form of a full-fledged rebellion. Daniel Shays, a former revolutionary officer, led debtors and farmers in an armed insurrection in the heart of Massachusetts in mid-1786. The background to this rebellion was widespread economic distress.³² After the collapse of paper currency at the end of the Revolution, America returned to specie. When a depression hit the country in 1785-86, a severe deflation ensued. People who had borrowed money during inflationary times had to pay back their debts in money worth much more than it was when the loans were made. Many debtors were simply unable to pay creditors the sums due. Seven state legislatures issued

³¹Report of Committee to establish a Land Office, April 30, 1784, *The Papers of Thomas Jefferson*, ed. Julian P. Boyd (Princeton, 1953), VII, 140.

³²J. P. Warren, "The Confederation and Shay's Rebellion," *American Historical Review*

paper money, but this never happened in Massachusetts, and the debtors there could not find enough of the scarce specie to pay both their debts and heavy state taxes.³³ When the courts began foreclosing on farms and imprisoning large numbers of debtors, armed mobs took over the courts. Shays organized a revolutionary militia and marched on the arsenal at Springfield. It was a Massachusetts state army that marched into the area and finally restored order.³⁴

How great an effect this rebellion had in accelerating the movement for a stronger federal Constitution can never be positively determined, and historians are not even close to agreement on this issue.³⁵ However, the series of meetings and conventions comprising the chain of events that eventually led to the scrapping of the Articles had already begun by the time of Shays' Rebellion. Each of these conventions ended by calling for more reforming power for the next one. James Madison and a navigation committee in early 1786 ended their discussions calling for a convention to establish "a uniform system of commercial regulations."³⁶ This convention assembled at Annapolis in September

³³Jonathan Smith, "The Depression of 1785 and Daniel Shays' Rebellion," *William and Mary Quarterly*, 3rd series, V, 1948, 85-86; Richard B. Morris, "Insurrection in Massachusetts," *America in Crisis*, ed. Daniel Aaron (New York, 1952), 38-39; Curtis P. Nettles, *The Emergence of a National Economy, 1775-1815* (New York, 1962), 86-87.

³⁴Warren, 57.

³⁵For example, Warren claimed that "the insurrection gave a strong impulse towards the assembling of the Federal Convention," 43, but Robert A. Feer in "Shays' Rebellion and the Constitution: A Study in Causation," *New England Quarterly*, XLII (1969), argued that the rebellion did not hasten the delegates to Philadelphia; in fact the new Constitution would have been drafted even if Shays' Rebellion had never occurred, 392-93.

³⁶Who exactly wrote the "Resolution for appointing Commissioners to take under their consideration the Trade of the United (continued)

1786, just after the difficulties in Massachusetts had begun. But long before many delegates had arrived, Hamilton drafted a resolution calling for a new convention to do whatever was needed to "render the constitution of the Federal Government adequate to exigencies of the Union."³⁷

It was the convention this resolution called into being in the spring of 1787 that drafted what has come to be called the American Constitution, a constitution that gives many more powers to the federal government than the Articles gave, the most important of which is the power of taxation. The attempt of the Continental Congress to gain revenue through the regulation of trade had been discouraged in 1785, when only the northern delegates seemed sympathetic,³⁸ and the attempt was defeated outright in February, 1787, when New York refused to approve yet another version of the Congressional impost on imports.³⁹ New York refused because she had her own system of tariffs, which were so exacting that they caused other problems, such as New Jersey threatening not to pay her quota due to the Continental Congress treasury because she had to pay these special New York trade taxes.⁴⁰

³⁶(continued) States," which was put before the Virginia House of Delegates, Jan. 21, 1786, is a matter of some dispute. Madison claimed authorship for himself in 1804, but at the time the Resolution was drafted, attributed it to John Tyler. Julian P. Boyd contends that Tyler was the author; see James Madison to Thomas Jefferson, with Enclosure, Richmond, Jan. 22, 1786, *Papers of Jefferson*, ed. Boyd, IX, 206-08.

³⁷Address of the Annapolis Convention, September 14, 1786, *HP*, III, 689.

³⁸Davis, 5.

³⁹It will be shown in the next chapter that Hamilton expended a great deal of energy unsuccessfully defending this impost measure in New York, *HP*, IV, 72-92.

⁴⁰Jensen, 338-39.

In light of all this, perhaps the federal convention that met in Philadelphia in May, 1787 was the only alternative left for Americans who wished to see their federal government financially secure. The nationalists put everything into this great effort, including their trump card, George Washington, whose selection as a delegate to the Convention caused a sudden change in popular sentiment in favor of the work it would be required to do.⁴¹ The make-up of the Convention essentially worked to the nationalists' favor. The delegates were people who wanted change; those who did not tended to stay away. The final irony was that the Convention saw sectionalism at last play into the hands of nationalism, as the various regions opposed to a strong central government were unable to unite in defense of the Articles.⁴² And thus in 1787 in Philadelphia the forces were finally gathered to put an end to America's first system of national government, and the era associated with it.

The foregoing comprises a brief survey of some of the *events* of the "critical" period, 1783-87. What has not been provided is a survey of the *attitudes* of Americans during this period, or an analysis of the general understanding of the time, at the time. Contemporary Americans' views of this period are important, for they provide a framework into which Hamilton's ideas on the Confederation period can be placed. A survey of Americans' opinions on the state of their nation in the mid-1780s reveals that there was both optimism and pessimism concerning the country's ability to survive. There were some people who saw a second revolution on the horizon, and there were others who considered such an

⁴¹Fiske, 221.

⁴²Davis, 6.

occurrence very improbable. Thus Hamilton was neither alone nor unopposed in seeing his country's battle for independence from 1775 to 1782 as no more crucial than its battle for stability from 1783 to 1787.

To deal first with the forecasts of doom, it should be noted that there were as many reasons for a pessimistic outlook as there were Americans who saw the Confederation period as a time of crisis. To some, the events of the 1780s seemed to point toward "a crisis of the most delicate nature taking place," leading toward "some [greater] crisis, some future revolution."⁴³ David Ramsay, who in 1789 was to write the first history of the American Revolution, claimed that the right to revolt was "the cornerstone of American republics," but added that "this principle, though just in itself, is not favorable to the tranquility of present establishments." A similar view was that the Revolution had "introduced so much anarchy that it would take half a century to eradicate the licentiousness of the people. The pulling down of government tends to produce a settled and habitual contempt of authority. . . ."⁴⁴ According to another view, the problem lay not in the possibility of the Revolution repeating itself but with the Revolution not being completed, finished, or fulfilled. "Have we fought for this?" was the question which typified this view. "Was it with these expectations that we launched into a sea of troubles . . .?"⁴⁵ Perhaps the Revolution had given Americans of the Confederation period "too high

⁴³Providence *Gazette*, Oct. 6, 1787, quoted in Gordon S. Wood, *The Creation of the American Republic, 1776-1787* (Williamsburg, 1969), 393.

⁴⁴Ramsay, *History of the American Revolution* (2nd ed., London, 1793), II, 323; Ramsay to Benjamin Rush, July 11, 1783; quoted in Wood, 397.

⁴⁵Philadelphia *Pa. Packet*, Oct. 14, 1786; quoted in Wood, 396.

expectations from the world."⁴⁶ Still others believed that their countrymen were unable to unite in the Confederation period, even though they had had a common experience, a common victory in the Revolution. "Parties are the dangerous diseases of Civil freedom; They are only the first stage of anarchy,"⁴⁷ it was asserted. Another view of the time was that Americans of the 1780s did "not exhibit the virtue that is necessary to support a republican government."⁴⁸ That is, Americans in the Confederation period were too selfish and greedy, according to some commentators. They were far from equal, and it was felt that "if equality is the soul of a republic, then we have no soul."⁴⁹ The blame for the malaise was also laid on too much democracy. "A popular assembly not governed by fundamental laws, . . . will commit more excess than an arbitrary monarch."⁵⁰ The great diversity between the various parts of the American union was also seen as a serious problem. Claimed James Wilson of the thirteen separate states, "their soil, their climates, their productions, their dimensions, their numbers are different."⁵¹ Yet another major cause for concern was republicanism

⁴⁶Charles Backus, *A Sermon Preached at Long Meadow, April 17th . . .* (Springfield, 1788), 7.

⁴⁷Charles S. C. and *American Gazette*, Feb. 4, 1779; quoted in Wood, 403.

⁴⁸Theodore Sedgwick, *A Memoir of the Life of William Livingston* (New York, 1833), 403.

⁴⁹Jeremy Belknap to Abenezer Hazard, March 3, 1784; quoted in Wood, 425.

⁵⁰Adreanus Burk, *An Address to the Freemen of the State of South Carolina . . .* (Philadelphia, 1783), 23.

⁵¹James Wilson, Speech delivered Nov. 26, 1787, to the Convention in Pennsylvania to consider the new Constitution, *The Works of James Wilson*, ed. Robert James McCloskey, 2 vols. (Cambridge, Mass., 1967), II, 760.

itself: "Republics, it was believed, in their very constitution, are shorter lived [sic] than other governments."⁵²

Thus conservatives, revolutionaries, nationalists, levellers, aristocrats and republicans could all see some value in a stronger Congress. The list did not stop there. Creditors wanted a Congress capable of ensuring that debtors would pay them back; merchants wanted a stronger Congress to get better deals in commercial treaties with foreign countries; artisans and small manufacturers wanted guarantees of a high protective tariff; property holders wanted their property protected; frontiersmen wanted safety and security against the Spanish and Indians; cosmopolitan city-dwellers wanted a Congress that would help America gain recognition abroad as a strong, independent country.

It is therefore not surprising that a wide range of famous Americans became prominent centralists. If there was something that the reformers had in common, perhaps it was youth.⁵³ Many of them had started their careers in the Revolution, most notably Robert Morris, Henry Knox, James Madison and Hamilton. And there was one more point of similarity; the above four Federalists plus John Jay, James Wilson and Gouverneur Morris, all held positions of some prominence in the Continental Congress, and thus all were acutely aware of the difficulties that body experienced in trying to govern the nation.

⁵²Samuel MacClintock, 1784; quoted in Wood, 391.

⁵³Stanley Elkins and Eric L. McKittrick, "Founding Fathers: Young Men of the Revolution," *Political Science Quarterly*, LXXVI (1961), 202-03, claimed that the most famous Federalists--the Morrises, Jay, Wilson, Knox, Washington, Madison and Hamilton--were on average 10-12 years younger than the Antifederalists, who opposed their reforms. Michael Kammen in *A Season of Youth* (New York, 1978), has argued that the Revolution in general appealed to the young because it represented the coming of age of the young nation.

Whether or not these Federalists were mere political opportunists is a complicated question and cannot be discussed here. However, their opinion of the critical period is well known and involved the belief that popular fears of anarchy and economic ruin should be used to force the states into strengthening Congress. Gouverneur Morris claimed that the closing of the West Indies to American ships "does us more political good than it can possibly do commercial mischief."⁵⁴ John Jay agreed that "good will come out of evil, these discontents nourish federal ideas."⁵⁵ Robert Morris expressed the idea most directly: ". . . nothing less than an apprehension of common danger will induce the states to attend less to their separate and more to the general interest . . ."⁵⁶

However, not every prominent American statesman or commentator was hoping that popular fears of disunion and crisis would build a new American centralism. Some were trying to emphasize other Americans' confidence in their country's future. Benjamin Franklin is the most notable figure of this type. He wrote a pamphlet in 1786 entitled, "The Internal State of America," and the picture it drew was one of harmony, stability and prosperity in America.⁵⁷ Franklin's opinions, although not challenged here, must be regarded in the context of his ongoing battle with the British press. Franklin had claimed that

⁵⁴Gouverneur Morris to John Jay, Jan. 10, 1784, *The Correspondence and Public Papers of John Jay*, ed. Henry P. Johnston (New York, 1971), III, 104.

⁵⁵John Jay to the Marquis de Lafayette, July 15, 1785, *Ibid.*

⁵⁶Robert Morris to John Adams, Dec. 30, 1785; quoted in Jensen, 256.

⁵⁷Verner W. Crane, "Franklin's 'The Internal State of America'," *William and Mary Quarterly*, 3rd series, XV (1950), 216-20.

stories of American distresses, discontents and confusions "exist only in the wishes of our enemies," particularly in the "lying English newspapers."⁵⁸

Thomas Jefferson joined him in arguing that America's internal condition should not be regarded as unusually critical. Viewing the European governments from his diplomatic post in Paris, he noted that "with all the defects of our constitutions, whether general or particular, the comparison of our governments with those of Europe is like a comparison between heaven and hell."⁵⁹ Nor was this opinion unique to Jefferson. An American pamphleteer, signing his work only "A.B." claimed that

whoever has traveled through the various parts of Europe, and observed how small is the proportion of people in affluence or easy circumstances there . . . and views here the happy mediocrity that so generally prevails throughout these states . . . will see abundant reason to bless divine providence for the evident and great difference in our favor.⁶⁰

Other American statesmen noted that population increases, which marked the American Confederation period, were not normally indicative of either a stagnating economy nor an unstable nation. Charles Thomson, secretary to the Continental Congress, observed that "population is increasing . . . new settlements forming . . . with a rapidity beyond conception."⁶¹ Robert R. Livingston of New York had seen his state's population increase by 40,000 during the years 1775-1787, and he was

⁵⁸Benjamin Franklin to M. LeVeillard, March 6, *The Works of Benjamin Franklin*, ed. John Bigelow, 12 vols. (New York, 1904), XI, 239.

⁵⁹Thomas Jefferson to Joseph Jones, Aug. 14, 1787, *Jefferson Papers*, ed. Boyd, XI, 43.

⁶⁰*Pennsylvania Gazette*, May 17, 1786.

⁶¹Charles Thomson to Thomas Jefferson, April 6, 1786, *New York Historical Society Collections* (1878), 205-06.

convinced that this was evidence enough of prosperity and a happy people.⁶²

Inevitably connected to this sort of analysis was the belief that rebellion and disunion were not in store for America under the Articles, for amidst all this growth, what could justify such an extreme protest? In other words, America could be seen as relatively secure. "In reality," said one South Carolinian, "though there never was a period in which calamity was so much talked of, I do not believe there ever was a period in which it was so little experienced by the people of this State. If we are undone, we are the most splendidly ruined of any nation in the universe."⁶³ David Humphreys wrote to Jefferson in 1786 that although "many people appear to be uneasy and to prognosticate revolutions, they hardly know how or why."⁶⁴

What was the real nature of the "crisis" of the Confederation period? Was it merely that some Americans *perceived* evils and weaknesses where none existed? Or was the nation about to face some undefinable and perilously unforeseeable test? These questions are largely unanswerable without interpreting history from either a Federalist or Antifederalist slant. The nature of that historiographical debate will be examined in a later chapter, and answers to the above questions will be attempted there.

Suffice it to say here that paranoia, justifiable or not, did take root in some American minds in the post-revolutionary period, and

⁶²Jensen, 251.

⁶³Charleston, South Carolina *Gazette and Public Advertiser*, May 18-21, 1785; as quoted in Wood, 395.

⁶⁴Humphreys to Jefferson, June 5, 1786, *Jefferson Papers*, ed. Boyd, IX, 609.

these fears seemed to be an *after-effect* of the Revolutionary experience. Some of the statesmen who most feared a second revolution did so because they had lived through the first. They witnessed party divisions in the Confederation period which had developed out of the Revolution, economic problems which came from Revolutionary financial policies, systems of state government which reflected an excess of democracy developed during the Revolution, and the contempt of authority fostered by the upheaval. Astute or not (and there were Americans who claimed they were not), these were the avowed perceptions of crisis.

Something else should be realized about the Critical Period. No one before 1786 was certain that a new constitution was going to be formulated in 1787, and ratified in 1789. In this sense, the Critical Period was, to the people who lived through it, more a period of drift, of gradual readjustment, and of post-revolutionary developments than a period of constructive political reform. The Confederation period is seen as the years leading up to the adoption of the American Constitution only by historians who have read history backwards. To contemporaries, these were years whose greatest importance came not in what they were to lead to, but in what they had followed from. Therefore, discussion of revolution, and *the* Revolution, abounded. It was not entirely out of place for Jefferson to assert that "a little rebellion . . . is a medicine necessary for the sound health of government,"⁶⁵ or, in an opposing vein, for John Adams to declare that "one revolution is quite enough for the life of a man."⁶⁶ And thus it will

⁶⁵Jefferson to James Madison, Jan. 30, 1787, *Jefferson's Papers*, ed. Boyd, XI, 93.

⁶⁶Adams to Conde de Arcanda, Spring, 1783, *Diary and Autobiography of John Adams*, ed. L. H. Butterfield, 4 vols. (Cambridge, Mass., 1961), III, 138.

not be surprising to find talk of revolution prominent in the Confederation period political writing of Alexander Hamilton.

Chapter Four

THE FORMULATION OF HAMILTON'S POLITICAL IDEAS IN THE CRITICAL PERIOD

In general I regard the present moment probably the dawn of peace as peculiarly critical.¹

For someone entering the post-war years, looking forward to retiring from public life, Alexander Hamilton went on to have one of the most politically active "retirements" of the decade. In a letter written to Lafayette in 1782, Hamilton expressed his intention "to throw away a few months more in public life and then retire a simple citizen and good *paterfamilias*. . . . You are condemned to run in the race of ambition all your life. . . . I am already tired of the career and dare to leave it."² A few months earlier, a friend of Hamilton's had pointed out that a fortune could never be gained through a career in politics, and that Hamilton's best move would be to forget about the Continental Congress and concentrate on establishing a law practice.³ Nonetheless, in 1782 we find Hamilton on the verge of escalating, not discontinuing, his involvement in political affairs. In his case, "retirement" was a

¹Hamilton to George Clinton, Philadelphia, Feb. 24, 1783, *The Papers of Alexander Hamilton*, ed. H. C. Syrett (New York, 1961), 273. Hamilton's *Papers* will hereafter in this chapter be cited as *HP*.

²Hamilton to Marquis de Lafayette, Albany, Nov. 3, 1782, *HP*, III, 192.

³James McHenry to Hamilton, Baltimore, August 11, 1782, *HP*, III, 128.

possibility that he had considered for some time. His involvement in political affairs in the critical period is therefore all the more revealing. What, during this time, continued to draw him back into the political arena? The answers that stress his ambition or ego-centrism, often tend to ignore the consistent expressions of his political ideas in the 1780s. Hamilton's fundamental political theory, examined at the conclusion of this chapter, is suggested as at least one force driving him on to the centre stage of American politics.

Hamilton's role in American politics from 1782 to 1787 can be briefly summarized. In 1782, Hamilton began to study law, to collect New York's taxes for Robert Morris and the Continental treasury, to assess New York's political and economic systems, to involve himself in the formulation and drafting of an official call for a new constitution, and to work as an officially elected delegate to the Continental Congress. Hamilton joined Congress for the 1782-83 session, where he unsuccessfully labored in favor of the Congressional impost, where he both praised and criticized aspects of the peace treaty with Britain, where he played a minor role in the Newburgh affair alluded to in the last chapter,⁴ and where he drafted another resolution calling for a constitutional convention. Even when Hamilton left Congress and returned to supposed private affairs in New York, he could not avoid dealing with issues and people of national political importance. He continued his correspondence with Washington, James Duane, Robert Livingston, John Jay, George Clinton, James Madison, Gouverneur Morris, and Lafayette. Hamilton's law practice became the focus for the

⁴See Chapter Three, pp. 58-59.

Whig-Loyalist-post-Revolutionary debate in at least one case, where he defended a Loyalist against the harsh measures of the Whig-dominated state Legislature. The concerns that Hamilton expressed during this time were generalized and publicized in two pamphlets written in 1784. Both constitute significant expressions of his Confederation-period political thinking. In 1786, Hamilton was centrally involved in the Annapolis Convention, and before playing a minor role in the follow-up Constitutional Convention in Philadelphia in 1787, he re-entered state politics in New York. In the New York Legislature in 1787, he campaigned for a new constitution with the same sort of arguments soon to be made famous in *The Federalist Papers*.

This thesis does not cover Hamilton's role as a delegate to the Constitutional Convention or his career under the name "Publius," author of *The Federalist Papers* and defender of the new Constitution, partly because these phases of Hamilton's career have been given full attention in other works, and also because it is the argument here that the major features of Hamilton's political outlook were already formed prior to the Convention in 1787. That is, his political ideas seem to follow from one another and from his experiences prior to 1787. In this chapter it will be argued that Hamilton's fears of American disunion were particularly pronounced during the post-war years. Although his duties and interests varied greatly over the years 1782-1787, his general opinion of the political climate of the country remained consistently unfavourable. It will be concluded that most of the positions Hamilton is known for, such as his centralist political theory put forward in *The Federalist Papers*, grew directly out of his fears of another revolution in the 1780s.

* * * * *

Before Hamilton's role in "the Critical Period" can be recounted in detail, his reputation should be examined. The name Hamilton was invariably linked with Yorktown. He was connected with the army, regarded as sympathetic to its grievances, and a spokesman for its cause. The soldiers considered him zealous in their support.⁵ This image was not permanently tarnished, even after he denounced the army's action in surrounding and threatening Congress in 1783, for Hamilton as always acknowledged the validity of their underlying complaints. He was well aware of his reputation as a war hero as revealed in a letter to Washington in late 1783, in which he asked if he could keep his military rank during his civilian career, stating that he would like to "appear in the character I have supported in the Revolution."⁶

Another posture which Hamilton brought into the critical period was his stand as a "Continentalist." In this guise, Hamilton had appeared before the readers of New York newspapers. The reforms he had supported in early 1781 and 1782 in his "Continentalists" pamphlet series were on record. More important, in his private correspondence with Robert and Gouverneur Morris, Jay, and even Clinton, Hamilton was to repeat the theme he had struck in "The Continentalist": the need for Congressional control of taxation, commerce, the army, the navy, and the states. Hamilton's opinion of America's system of government was

⁵Washington wrote to Hamilton from Newburgh on April 16, 1783, that the army considered Hamilton "a friend, zealous to serve them and one who has espoused their interest in Congress upon every proper occasion," *HP*, III, 330.

⁶Hamilton to George Washington, Albany, Sept. 30, 1783, *HP*, III, 461.

already formulated before the close of the Revolutionary War. In this sense, he brought into the critical period a firmly-established platform of political reforms to go along with his reputation as a Revolutionary figure and war hero.

Thus when Hamilton began his work as Continental tax collector for New York state, a position offered him by Robert Morris on May 2, 1782, and held until a successor was named in November of the same year, it is not surprising that Hamilton used the position, at least in part, to expound arguments he had already developed. Indeed Hamilton was able to draw new evidence for his "Continentalist" position from his new post. That is, Hamilton's work as tax collector was not easily done. It was hindered by the Articles of Confederation which limited Congressional involvement in state taxing.

The Articles' failure to provide Congress with a direct tax on either wealth or commerce, meant that the Continental treasury was filled only when the states felt capable of filling it. In Hamilton's opinion, with the "universal reluctance of these states to do what is right, I cannot help viewing our situation as critical." Hamilton concluded his correspondence with Robert Morris, calling for "those solid arrangements of finance, on which our safety depends."⁷ Hamilton's equation of economic stability and national security here is very interesting: he was already convinced that Americans could be held together by their common economic needs and goals.

He had become firmly of the opinion that taxation by the states was simply not efficient. He discovered that in New York, the supervisors, collectors and assessors were all elected, and as he put it,

⁷To Robert Morris, Albany, July 13, 1782, *HP*, III, 108.

felt "little disposition to risk displeasure of those who elect." It would be far better, Hamilton noted, for tax collectors to derive their wages from Congress, and consequently be interested in supporting it.⁸

An important political "plum" Hamilton obtained through his role as tax collector was a trip to Poughkeepsie, New York, in late July, 1782, where the New York Legislature was having a resolution drafted which called for a "Convention of the States to Revise and Amend the Articles of Confederation."⁹ Robert Morris had given Hamilton permission to talk to the New York Legislature on behalf of the Treasury. But Hamilton took the opportunity to become at least indirectly involved in the larger matter before the House. The 'Resolution' was a project close to Hamilton's heart, but not all authorities recognized him as its author. J. T. Flexner, in his biography of Hamilton's early life, points out that since Phillip Schuyler was a member of the Legislature and on the 'Resolution' committee, he was more than likely the man behind the pen.¹⁰ However, Harold C. Syrett, editor of the *Hamilton Papers*, claims that it is "generally assumed Hamilton must have been the author of the Resolution."¹¹ The debate is academic; it matters little whether it was Schuyler or Hamilton who drafted the Resolution, for both undoubtedly agreed on its content.

⁸To Robert Morris, Albany, Aug. 13, 1782, *HP*, III, 136; Hamilton used this same argument later in the Continental Congress, when the subject of taxation was raised, Continental Congress Remarks on the Collection of Funds by Officers of the United States, Philadelphia, Jan. 28, 1783, *HP*, III, 246.

⁹"Resolution of the New York Legislature Calling for a Convention . . .," Poughkeepsie, July 20, 1782, *HP*, III, 110.

¹⁰James Thomas Flexner, *The Young Hamilton* (Boston, 1978), 382.

¹¹Editorial comments, *HP*, III, 110.

It was resolved that the system in operation tended towards "a subversion of public credit, and consequences highly dangerous to the safety and independence of these states."¹² Sounding similar to Hamilton's "Continentalist" papers, the Resolution continued, claiming that "the radical source of most of our embarrassments is the want of sufficient power in Congress."¹³ After listing the specific powers Congress required, the Resolution concluded by calling for a Conference of the Whole, including representations from all the states, to revise and amend the Articles along the lines suggested.¹⁴ The Resolution was passed unanimously by the New York Assembly on July 21.

How can this Resolution be explained, especially if it is taken into consideration that in 1787, just five years later, New York was the only state preventing Congress from enlarging its power via the impost tax on imports? Hamilton attempted an explanation showing why the 1782 Resolution, calling for a stronger central government, came from New York. Because New York was "the immediate theatre of war," Hamilton contended that New Yorkers' "apprehensions of danger and an opinion that they are obliged to do more than their neighbors make them very willing to part with power in favour of the Federal government."¹⁵

Thus Hamilton had his state's general support for constitutional reform when he left his post as New York tax collector and began his tenure as delegate to the Continental Congress in November 1782. His

¹²"Resolution of the New York Legislature Calling for a Convention . . .," Poughkeepsie, New York, July 20, 1782, *HP*, III, 111.

¹³*Ibid.*, 112.

¹⁴*Ibid.*, 113.

¹⁵Hamilton to Robert Morris, Albany, Aug. 13, 1782, *HP*, III, 137.

writings to other members of Congress account for much of his Confederation period political commentary. It was a busy time in Congress, one which witnessed a struggle for the control of what became Vermont, Rhode Island's final rejection of the Congressional impost plan, the signing of the peace treaty, and the "mutiny" of mid-July which forced Congress from its home in Philadelphia. Hamilton wrote reports to Governor Clinton on the work he was doing as a New York delegate, and letters to Washington during the crisis in the army in March and July. The commotion that Hamilton witnessed in Congress was described in all this correspondence. He rarely failed to include his own opinion on these developments and the effect they had on America's political system, post-Revolutionary mentalities, and reform movements.

Hamilton was in Congress to witness the crisis over what is today Vermont. The people in that region had proclaimed their independence from New York State in January, 1777; but New York still claimed jurisdiction over the territory. Congress attempted to settle the dispute, but before it could, three New Yorkers living in that territory tried to assert New York's authority. The officials in Vermont drove these people from their homes and confiscated their estates. Witnessing his "Continentalist" warnings coming all too true, Hamilton was the seconder of a motion of censure which was passed without amendment, deeming Vermont's actions unlawful, "highly derogatory to the authority of the United States and dangerous to the Confederacy."¹⁶ In a letter to George Clinton, Hamilton added, with respect to the Vermont issue: "I must doubt the perseverance of Congress, if military coercion should

¹⁶Continental Congress Motion on Vermont, Philadelphia, Dec. 5, 1782, *HP*, III, 204-5.

become necessary."¹⁷

Also in Congress, Hamilton tried various approaches to increasing the central government's economic power. He even favored a measure leaving the states responsible for raising a certain amount of money by negotiations among themselves. He reasoned that once the states discovered how difficult this was on their own, the advocates of federal funds for discharging the public debts would multiply.¹⁸ When this idea failed to gain support, Hamilton shifted his attack to a subject he had more experience with. He charged that taxation by Congress instead of by the States would be more simple, more certain, and more economical.¹⁹

Hamilton's most concerted efforts at augmenting Congressional power came in his work on behalf of the impost amendment. Rhode Island had informed Congress of her dissatisfaction with the measure; Hamilton teamed up with a young Virginia nationalist by the name of James Madison on a Congressional committee formed to convince the Rhode Island Assembly that the impost would be of benefit to that state. The committee argued that taxes on land or wealth are "more prejudicial to trade than duties on imports;"²⁰ it also chastized Rhode Island for endangering the collective safety of the union: "There can be little

¹⁷To George Clinton, Philadelphia, January 12, 1783, *HP*, III, 241.

¹⁸Continental Congress Remarks on the Redemption of the Continental Currency, Philadelphia, Nov. 26, 1782, *HP*, III, 199.

¹⁹Continental Congress Remarks on Raising Funds for the United States, Philadelphia, January 27, 1783, *HP*, III, 245.

²⁰Continental Congress Report on a letter from the Speaker of the Rhode Island Assembly, Philadelphia, December 16, 1782, *HP*, III, 221.

confidence in a security under the constant revisal of thirteen different deliberatives."²¹ How familiar this sort of argument would be, coming from the pens of Hamilton and Madison five years later in *The Federalist Papers*!

Before Hamilton's and Madison's arguments reached Rhode Island, Virginia vetoed the impost amendment. Hamilton was drawn to lament in Congress that the real objections to the impost that Rhode Island and Virginia held were not the complaints these states publicly expressed. Both states had based their objections on constitutional grounds. Hamilton pointed out that in fact Rhode Island did not want the impost to interfere with her advantage as a major port, capable of levying her own taxes on incoming merchandise, and Virginia, with very few debts, did not want her portion of the money from the impost spent on other States.²² Hamilton claimed it was in vain to remove the objections to the impost publicly assigned by the States, for the true reasons would never be publicly admitted, nor diverted by the satisfaction of their false complaints.²³

Hamilton was thus provoked to some of the disillusionment he was feeling as a member of a government "in a situation of responsibility, disproportioned [sic] to its power."²⁴ Hamilton lamented that "the conduct of war is entrusted to Congress" but it is not given the means

²¹*Ibid.*, 217.

²²Continental Congress Motion and Remarks Against Limiting the Duration of the Proposed Impost, Philadelphia, Feb. 19, 1783, *HP*, III, 261.

²³*Ibid.*

²⁴Continental Congress Report on a letter from the Speaker of the Rhode Island Assembly, Philadelphia, Dec. 16, 1782, *HP*, III, 222.

to satisfy the trust, and thus the issue has left the "national character suffering and the national safety at the mercy of events."²⁵

Not only was Hamilton witnessing at first hand a Congress unable to control the American States, he was watching a government unable to control its own representatives. John Jay, John Adams and Benjamin Franklin had been commissioned to contract peace with Britain, but the Congress was somewhat surprised to discover in March, 1783, that they had purposefully neglected to include America's ally, France, in the peace negotiations. Hamilton was outraged, and before Congress he called the treaty a betrayal of an ally whose aid had been essential to the establishment of American independence. He wondered how America could ever be respected in international affairs if its only reputation was for dishonesty.²⁶ He even introduced a motion that the treaty be reviewed by a Congressional committee.²⁷

The most bleak and foreboding opinions Hamilton was to express while in Congress--the sort of comments which beg analysis of his critical period and "one revolution" views--were still to come. Just before news of peace reached the Congress, the ongoing struggle with the unhappy army reached the critical stage. Hamilton had resumed his correspondence with Washington. (The two had not written each other since after Yorktown.)²⁸ But in mid-February, 1783, Hamilton had exclaimed to his former superior that

²⁵*Ibid.*

²⁶Continental Congress Remarks on the Provisional Peace Treaty, Philadelphia, March 19, 1783, *HP*, III, 295.

²⁷Continental Congress Motion on the Provisional Peace Treaty, Philadelphia, March 19, 1783, *HP*, III, 297.

²⁸See *HP*, II, 672, II, 253.

the state of our finances was perhaps never more critical . . . there has scarcely been a period of the revolution which called more for wisdom and decision in Congress . . . a few months may open an embarrassing scene. This will be the case whether we have peace or a continuance of war.²⁹

In this first letter Hamilton referred to the financial crisis because he asked Washington to back the army's demands in a political power play and threaten Congress. How Hamilton and other nationalists would have benefitted by this move is obvious; the army's demands and the cause of economic reform would have gained simultaneous credibility. But although Hamilton urged Washington to move in secrecy, and even closed his letter asking it to be kept confidential, Hamilton was hardly supporting the actual military overthrow of the Congress to which he was a delegate. He cautioned Washington that although a "useful turn may be given" to the army's complaints, "the difficulty will be to keep a *complaining and suffering* army within the bounds of moderation."³⁰

In a letter to George Clinton written the next day, Hamilton elaborated:

I hope the conclusion of the war may not be the prelude to civil commotions of a more dangerous tendency. It is to be suspected the Army will not disband, till solid arrangements are made for doing it justice; and I fear these arrangements will not be made. . . . It is the first wish of my heart that the Union may last; but feeble as the links are, what prudent man would rely upon it?³¹

In his next letter to Washington, Hamilton noted: "As to any combination of *Force* it would only be productive of the horrors of a civil war, might end in the ruin of the country and would certainly end in

²⁹Hamilton to George Washington, Philadelphia, February 13, 1783, *HP*, III, 253.

³⁰*Ibid.*

³¹To George Clinton, Philadelphia, Feb. 14, 1783, *HP*, III, 256.

the ruin of the army."³² In yet another letter to Washington, this one near the end of March, Hamilton warned that "the seeds of disunion are much more numerous than those of union," and that a successful rebellion by the army could not be successful without reversing "our revolution."³³ It is impossible to overemphasize Hamilton's wording here. Under the very shadow of the peace treaty bringing the Revolution to a close, he was warning that a second, internal rebellion would negate the achievements of the struggle for Independence.

The struggle with the discontented army provided Hamilton with an active role when the band of soldiers surrounded Congress in mid-July. Hamilton regarded this development as exactly what he and Washington had previously feared--a rebellion in the army. Hamilton called for "effectual measures to be taken for suppressing the present revolt and maintaining the dignity and authority of the United States."³⁴ He introduced the motion that Congress be moved to Princeton or Trenton.³⁵ Hamilton's role in this entire matter was obviously central; his writings are clearly strained in fear and anticipation of a major challenge to national government in America.

In a letter written to John Dickinson (then Governor of Pennsylvania), criticizing the Governor's failure to call out the militia to protect the Congress, Hamilton returned to his predominant

³²To George Washington, Philadelphia, March 17, 1783, *HP*, III, 293.

³³Hamilton to George Washington, Philadelphia, March 25, 1783, *HP*, III, 306.

³⁴Continental Congress Resolutions on Measure to be Taken in Consequence of the Pennsylvania Mutiny, Philadelphia, June 21, 1782, *HP*, III, 401.

³⁵*Ibid.*

theme--the instability of post-revolutionary governments. He claimed that "in every new government, especially of the popular kind, the great danger is that public authority will not be sufficiently respected," and he added that "this was not an insurrection of the whole people. . . . It was a handful of mutinous soldiers. . . ." ³⁶ Thus because of the one justifiable revolution on everyone's mind, Hamilton wanted to emphasize the distinction between justifiable rebellion and unjustifiable anarchy.

What were Hamilton's reflections on his term in Congress? These were perhaps best revealed in the last resolution he hoped to submit to the body. At Princeton, in July of 1783, Hamilton wrote a comprehensive analysis of the operating difficulties of the government body from which he was about to retire. It was a story told before, and one which would be told again. There was a want of power in Congress, but this time Hamilton specifically pointed out the absence of a separate executive power. There was no federal judiciary, no taxation power, no power to provide collective defense. These weaknesses had brought about, in Hamilton's opinion, critical and alarming situations, and it was therefore essential to the security of the American states that a convention be called to amend the Articles of Confederation. But the Resolution itself only led to another frustration. At the bottom of the document, Hamilton scribbled: "abandoned for want of support." ³⁷

This unsubmitted Resolution may have been Hamilton's over-reaction to the mutiny. He was, after all, not as used to Congress

³⁶Hamilton to John Dickinson, Albany, Sept. 25-30, 1783, *HP*, III, 451-3.

³⁷Continental Congress Unsubmitted Resolution Calling for a Convention to Amend the Articles of Confederation, Princeton, New Jersey, July, 1783, *HP*, III, 420-25.

facing annihilation as many of the delegates who had attended throughout the Revolutionary War. On the other hand, the fate of his Resolution only served to further convince Hamilton of what he had stated months before: ". . . there are two classes of men . . . in Congress, of very different views--one attached to state, the other to Continental politics."³⁸ There was very little Hamilton could do in the fall of 1783 other than leave Congress, and wait until the Continentalists or nationalists had increased in number and influence.

Hamilton's departure from public life was apparently a retirement, for he did not seek political office on either the state or federal level for the next three years. But he was hardly admitting the defeat of his platform for political reform. He was merely shifting the battle station to New York City, and adopting the cover of his law practice.

* * * * *

Of all the famous members of the New York Bar in the 1780s, Alexander Hamilton was regarded as the most successful lawyer among them.³⁹ At least this is the claim made by Hamilton's biographers, but they are undoubtedly contradicted in this by the biographers of other famous members of the New York Bar. Who was successful is at any rate not as important as who was involved with the leading issues of the day, and whose practice was representative of its era. Hamilton's legal

³⁸Hamilton to George Washington, Philadelphia, April 8, 1783, *HP*, III, 318.

³⁹See Chancellor James Kent's appraisal of Hamilton as a lawyer--"among all his brethren, Colonel Hamilton was indisputably pre-eminent," quoted in Brodus Mitchell, *Alexander Hamilton: Youth to Maturity* (New York, 1957), 335; see also John C. Miller, *Alexander Hamilton, Portrait in Paradox* (New York, 1959), 101-03; and Holmes Alexander, *To Covet Honor* (Belmont, 1977), 150.

career took on added significance in these respects.

What was to be done with or to the Loyalists was the talk of New York in the fall of 1783 as the British army prepared to leave the city. Hamilton took a very unpopular stand on the Loyalist issue, not the first nor the last such stand of his career. He opposed the position of most New Yorkers, both citizens and politicians, which was that the state should disregard the Loyalist restitution clause of the Peace Treaty.⁴⁰ The Whig politicians and patriot radicals believed that the Loyalists should be shown no mercy, and to support this position they pointed to both federal and state legislation, such as the 1779 Continental Congress's Confiscation Act, declaring that the Loyalists' property in all the states was forfeit, and an act before the New York Legislature in late 1783,⁴¹ which would have categorized Loyalists as aliens. In the case of the Confiscation Act, it could only be applied in New York after the end of the British occupation. Many Loyalists, of course, left with the British; and many others left shortly thereafter when they realized what sort of treatment was in store for them from a New York Patriot government. With regard to the Loyalists, Hamilton noted, "we have already lost too large a number of valuable citizens."⁴² The Tories in the process of leaving were in many cases wealthy merchants or lawyers, and in Hamilton's eyes, the "state would feel for twenty years at least, the effect of the popular frenzy."⁴³

⁴⁰Julius Goebel, ed., *The Law Practice of Alexander Hamilton* (New York, 1969), 1, 249.

⁴¹Mitchell, 329-39.

⁴²To James Duane, New York, August 5, 1783, *HP*, III, 430.

⁴³To Robert R. Livingston, Albany, August 13, 1783, *HP*, III, 431.

When New York took its next step against the Loyalists, approving a Trespass Act (allowing Patriots who had been displaced during the war to sue the Loyalist occupants for damages), Hamilton became directly involved.⁴⁴ The British had taken possession of Elizabeth Rutgers' brewery after she had fled from New York with Washington's army. Under the Trespass Act, she was entitled to damages if the Loyalist who had occupied her brewery could be found. Benjamin Waddington was found. Hamilton undertook Waddington's defense, despite (or perhaps because of) the torrent of popular ill will against him, and the vast amount of popular sentiment for Rutgers.

Hamilton entered a demurrer, on Waddington's behalf, admitting Waddington's guilt with respect to the charges, but denying the validity of those charges.⁴⁵ According to Hamilton, the Trespass Act was clearly a breach of the peace treaty with Britain, and since a national treaty formed part of the supreme law of the land, no state could abridge its intent.⁴⁶

At the trial Hamilton delivered a brilliant oration, and the courtroom, packed with interested parties, was subjected to his criticism of the New York State Legislature's attempt to purge the Loyalists. The judge, who coincidentally was James Duane, Hamilton's friend and correspondent, included in his opinion *obiter dicta* statements in complete agreement with Hamilton's stand, and drew attention away from

⁴⁴Hamilton wrote to Egbert Bensen from New York on Feb. 18, 1784, "I am engaged in several causes depending on the Trespass Act on the side of the defendants," *HP*, III, 511.

⁴⁵See Nathan Schachner, *Alexander Hamilton* (New York, 1946), 176-77.

⁴⁶Miller, 105-107.

the fact that he was in the process of *convicting* Waddington on a technicality.⁴⁷ The masses were appeased with Rutgers' victory, but those in political and legal circles noted the important precedent that had been set on the larger issues. Alexander Hamilton, in advocating judicial review of a legislative Act, had advocated that national law take precedence over state statutes where the two were in conflict.

This celebrated decision in the case of Rutgers vs. Waddington established Hamilton's reputation in New York. He picked up business not only from Loyalists, but also from other minorities and oppressed occupational groups impressed by his defense of the Loyalists. City merchants and up-country landlords also brought their business to him.⁴⁸ At the same time, Hamilton permanently alienated Governor Clinton with the attack on his government's Trespass Act. Clinton's followers, a large group of state politicians, were to criticize Hamilton's centralism, and charge him with being the mouthpiece of the monied classes.

Hamilton's legal stand was hardened in the year 1784. There was no changing his image as defender of civil (particularly property) rights; there was no way he could contradict his position that Congress's laws took precedence over New York's. He had also written two significant pamphlets on the Loyalist issue, and in doing so, publicly revealed more reasons for his arguments against overly regional

⁴⁷*Ibid.* This was the same legal argument John Marshall would undoubtedly have followed in the similar case *Martin vs. Hunter's Lessee*, which attempted to settle the controversy over the Fairfax heirs' land claims in post-war Virginia. Indeed, in *John Marshall and Alexander Hamilton* (New York, 1964), Samuel J. Konefsky claimed that most of Marshall's positions were founded on a Hamiltonian perspective on American government.

⁴⁸Alexander, 150.

and popular governments. These pamphlets entitled "Letters from Phonicon," demand attention, not merely because they are Hamilton's only major pamphlets from the immediate post-war period, but also because they provide an analysis of, and the political justification for the causes Hamilton supported during his law practice. They also foreshadow his later position that minorities can be protected against unfair state laws by a vigorous federal constitution.

The "Letters from Phonicon" charged that the anti-Loyalist state laws violated both the letter and spirit of the peace treaty. Hamilton asked his readers to think back to the first time they had learned the terms of the treaty and recall their reaction, "before they had time to contrive and substitute an artificial for the natural and obvious sense of the words."⁴⁹

Hamilton contended that there could be no doubt that the original meaning of the Treaty was to secure the Loyalists from every possible future deprivation and injury attempted on account of their having been British supporters or patriots trapped behind British lines. The meaning of the words was obvious: Americans, Hamilton advised, should not torture their "imaginations to pervert them to a different sense."⁵⁰ Thus the Phonicon Letters were first and foremost a nationalist defense of a federal treaty against state violations. In biting analogy, Hamilton likened America's breaking the treaty by prosecuting the Loyalists, to a General who, having promised to protect all captured

⁴⁹"The Second Letter from Phonicon," Printed in New York by Samuel Loudon, April, 1784, *HP*, III, 539; Hamilton's "First Letter from Phonicon" was also printed by Loudon in New York and was dated January 1-27, 1784, *HP*, III, 483.

⁵⁰"Second Letter," *HP*, III, 547.

prisoners, strangled them all to death after he had them in his power!⁵¹

There was, however, more than mere American honor at stake. Hamilton was also commenting on New York politics in a time of transition. The Whigs, favoring popular government, had taken over the State Legislature during the Revolution; the Tories were trying to regain their lost power, and a group of Moderates--Hamilton, Jay, Schuyler, Livingston, and Duane--were essentially arguing that both groups were too extreme, and that only if the street violence and anti-Loyalist Legislation could be eliminated, could both majority rule and minority rights be protected.⁵²

As Phonicon, Hamilton was essentially criticizing the lack of control with which the Whig-Tory political battle was being fought. If the Whigs were representative of the Revolutionary generation, Hamilton was not impressed with their concern over individual rights. At one point, he claimed that he had "too deep a share in the common exertions in this Revolution, to be willing to see its fruits blasted by the violence of rash or unprincipled men, without at least protesting against their designs."⁵³ And the bottom line of Hamilton's argument, as always, was that the consequences of uncontrolled political rivalry would be grave; the harsh treatment of the Loyalists would arm one portion of the community against another and "enact a civil war."⁵⁴

⁵¹*Ibid.*, III, 556.

⁵²See May O'Connor English's description of these factions in "New York in Transition, 1783-86" (Ph.D. dissertation, Fordham University, 1971), 106-08.

⁵³"First Letter . . .," *HP*, III, 483.

⁵⁴"Second Letter . . .," *HP*, III, 556.

In his Revolutionary polemics, Hamilton had defended the natural right of *all* Americans to their own government and to the protection of their laws. As Phonicon, Hamilton emphasized the need for the federal government to protect minority rights, because only federal legislation could act as a check against unfair state laws. The Federal Constitution, weak as it was, was still a source of appeal. Hamilton claimed that confiscating property could be done only with due process of law, that is, with a fair trial by one's peers, or else the thirteenth Article of Confederation would be violated,⁵⁵ and he lamented over a state legislature that would place men "out of the protection of the law."⁵⁶ The reasons why Hamilton had defended the concept of a strong Congress in "The Farmer Refuted" were finally made clear in his "Letters from Phonicon."

The Phonicon Letters were written in a somewhat more legalistic style than Hamilton's earlier pamphlets. Full of references to articles and clauses in constitutions and treaties, replete with quotes from Grotius on Natural Law and Coke on the Magna Carta, and with phrases like *uti possidetis* and *imperium in imperio*, Hamilton's 1784 pamphlets exposed the legal training of their author. In style as well as the nature of their argument, the Phonicon pamphlets were public papers representative of Hamilton's private law practice.

Surprisingly, it was the Phonicon arguments, not the ones expressed during his term in Congress, that brought about a major change in attitudes toward Hamilton. The centralism he espoused in 1782 and 1783 had never alienated Governor Clinton. In fact, Clinton's replies

⁵⁵"First Letter . . .," *HP*, III, 485.

⁵⁶"Second Letter . . .," *HP*, III, 556.

to Hamilton's letters from that earlier period indicate that he was in agreement with most of Hamilton's political beliefs. Surprisingly, it was in Hamilton's law practice that he made his public enemies during the critical period. But although Clinton was suspicious of Hamilton by 1786, he did not act very wisely on his suspicions. According to Clinton Rossiter, it was Governor Clinton's party that sent Hamilton and another nationalist, Egbert Benson, to the Annapolis Convention, seriously believing that their sole undertaking there would be to take economic reprisals against Britain.⁵⁷ If the New York Governor had been keeping a closer eye on the evolution of Hamilton's political pragmatism, he may have thought twice about allowing Hamilton to represent New York in any national convention.

During his term in Congress, Hamilton had never believed that any partial revision of the Articles would be sufficient. He once claimed to "dislike every plan that made but partial provision for the public debts."⁵⁸ At one point (in fact, in a letter to Clinton), Hamilton had argued that a mere façade of government should never be supported when its reform is essential.⁵⁹ Even more interesting was Hamilton's statement in Congress on April 1, 1783. Backed by Madison, Hamilton disapproved of "partial conventions, not as absolute violations of the Confederacy, but as ultimately leading to them."⁶⁰

⁵⁷Clinton Rossiter, *Alexander Hamilton and the Constitution* (New York, 1964), 43; Rossiter gave no primary source to support this interpretation.

⁵⁸Continental Congress Remarks on Plans for Paying the Public Debt, Philadelphia, Jan. 29, 1783, *HP*, III, 247.

⁵⁹To George Clinton, Philadelphia, Feb. 24, 1783, *HP*, III, 272.

⁶⁰Continental Congress Remarks on the Calling of States Conventions, Philadelphia, April 1, 1783, *HP*, III, 314.

It is hardly surprising, therefore, that when Hamilton and Madison met in one such partial convention at Annapolis in September, 1786, they never even attempted to carry out the mandates of the various states. Instead, Hamilton was named to draft a resolution calling for a better attended convention, with one purpose, decided upon ahead of time.

The wording of the call for that follow-up convention was to play a very important part in determining the actions it would take. At Annapolis, Hamilton wanted to sound the trumpet and call for an entirely new constitution. Madison convinced him not to risk alienating moderates with an address colored by calls for radical reform. The four-page document which was eventually submitted to Congress has been interpreted as being polite and inoffensive,⁶¹ and thus effective in convincing a reluctant Congress that there was nothing to fear in another attempt at constitutional reform. However, if one looks at the Annapolis and then the Congressional call for the Constitutional Convention, it can be seen that it was not the bland language of the Annapolis address Congress adopted. All that was ignored. It was Hamilton's only unrestrained sentence (calling for commissioners to convene "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"⁶²) that Congress latched on to (and called for a Convention to "render the federal constitution adequate to the exigencies of

⁶¹Alexander, 154; Rossiter, 42; Mitchell, 365-66; Miller, 136; Flexner, 436.

⁶²Address of the Annapolis Convention, Annapolis, Sept. 14, 1786, *HP*, III, 689.

government and the preservation of the union"⁶³).

Hamilton's role in the Confederation period did not end at Annapolis. History would record that the Constitutional Convention Hamilton had envisioned ever since 1780 would indirectly be born out of his Annapolis Address. Although a number of Hamilton's greatest contributions to the new Constitution were yet to be made (specifically, his arguments for its ratification in the New York Legislature and his famous *Federalist Papers*, defending its merits and advantages), clearly one stage in Hamilton's political career came to an end at Annapolis, for the convention he had so consistently wanted was finally scheduled to take place.

Hamilton's part, or lack of it, in the formulation of the American Constitution at the Convention in Philadelphia and his important role in its ratification, are both well known. Less well known, but more representative of his early political thought were two lengthy speeches he gave as a member of the New York Legislature in the winter of 1787, months before he left for Philadelphia. Hamilton's *Federalist Papers* have deservedly been given considerable attention as profound expressions of political ideology, but it has not been sufficiently emphasized that the ideology they expressed was not Hamilton's own! In the *Federalist Papers*, Hamilton was defending a document which he had played a very small part in actually formulating. Thus, by comparison, Hamilton's speeches made before the Constitutional Convention are more representative of his political thoughts than polemics written afterward. Further, these speeches became the

⁶³W. C. Ford and others, eds., *Journals of the Continental Congress, 1774-1789* (Washington, 1904-1937), XXXII, 71-74.

springboard for Hamilton's re-entry into active politics, and they gave the reasons for his return.

The first speech, delivered to the New York Assembly on January 19th was in criticism of Clinton's refusal of Congress's request to call a special session of the state government. New York was the only state considering rejecting the latest version of the impost amendment. Congress wanted New York to give the impost special attention, but Clinton felt Congress should not develop the power of calling state governments into session.

Hamilton made two significant arguments in this speech. First of all, to Clinton's claim that calling a special session would have set a dangerous precedent, Hamilton answered that so would failing to call one.⁶⁴ That is, what if the reason for the next special session was a martial emergency, and some Governor wanted to follow New York's example and refuse Congress's request? Secondly, Hamilton argued that the Governors' power was already too great. No one in the nation, he pointed out, had as much power as the state Governors.⁶⁵ With this argument, Hamilton deftly hurled the threat of tyranny back in the faces of the Antifederalists.

Almost one month later Hamilton delivered his second speech, one hour and twenty minutes in length to the Assembly, advocating Congressional control and regulation of the proposed impost tax. Hamilton's arguments would not change New York's decision regarding the impost (i.e. that New York be given control over the means of collecting the

⁶⁴New York Assembly, First Speech on the Address of Legislature to Governor George Clinton's Message, New York, January 19, 1787, *HP*, IV, 6.

⁶⁵*Ibid.*, IV, 11.

tax. In Hamilton's opinion this defeated the whole idea of the impost). Though delivered in favor of a lost cause, Hamilton's speech was a summation of his views on the stability of the American political system during the Confederation. As long as the states "will carry the people along with them," Hamilton noted, "the confederacy will be in continual danger of dissolution." This, Hamilton concluded, "is the real rock upon which the happiness of this country is likely to split."⁶⁶

Thus, these speeches to the New York Assembly came right to the point. Reluctant to criticize revolutionary activity in a nation that had just gained independence because of it, Hamilton nevertheless could describe the states' challenges to Congress in no other way. In this context, Hamilton provided a fitting conclusion to the development of his independent political thought during the critical period:

Power must be granted or civil Society cannot exist. . . . The United States for instance has the power of war and peace: it cannot be disputed that conjectures might occur in which that power might be turned against the rights of the citizen. But where can we better place it? In short, where else can we place it? . . . Let us not endeavor, still more to weaken and degrade the federal government by heaping fresh marks of contempt on its authority. Perhaps the time is not far remote, when we . . . may wish we had cherished the union with as much zeal as we now discover apprehension, of its encroachments.⁶⁷

* * * * *

Hamilton's role in the critical period was a politically active one. Yet throughout the period, he expressed the desire for a simple retirement.⁶⁸ His inability to extricate himself from political matters

⁶⁶New York Assembly, Remarks on an Act Granting to Congress Certain Imposts and Duties, New York, February 15, 1787, *HP*, IV, 83.

⁶⁷New York Assembly, "First Speech . . .," *HP*, III, 684.

⁶⁸See footnote 1, page 1; as well, see Hamilton to Elizabeth Hamilton, Annapolis, Sept. 8, 1786, *HP*, III, 684.

seems difficult to explain, and has provoked a number of conflicting interpretations of his motives.

Some of Hamilton's biographers have stressed his ambition.⁶⁹ His marriage into wealth, his correspondence with the political elite, and his argument for a strong central government in which he was soon to play a grand role, all seem suspicious. Others have stressed his genius.⁷⁰ Hamilton's sheer literary prowess was difficult to stifle. His powerful writing and rhetoric, and his aptitude for political analysis could hardly fail to be recognized. Such a mind as Hamilton's would never have been taxed to its fullest potential outside of politics. Still others have stressed his vision.⁷¹ In his mid-twenties

⁶⁹Following John Adams' lead (Adams had described Hamilton as being "in a delirium of ambition: . . . blown up with vanity by the Tories, . . . his eye fixed on the highest station in America, and [hating] every man young, or old who stood in his way;" see Page Smith's *John Adams* (New York, 1962), II, 1085) the following authors have stressed Hamilton's ambition: Claude Bowers, *Jefferson and Hamilton: The Struggle for Democracy in America* (Boston, 1929), 69-70; Jonathan Daniels, *Ordeal of Ambition: Jefferson, Hamilton, Burr* (New York, 1970), 19-31; James Thomas Flexner, *The Young Hamilton* (Boston, 1978).

⁷⁰Richard Wheeler Crosby, "Alexander Hamilton's Political Principles: Natural Rights, Democracy and the Good Regime" (Ph.D. dissertation, Cornell University, 1970); Cecilia M. Kenyon, "Alexander Hamilton: Rousseau on the Right," *Political Science Quarterly*, LXXIII (1958), 161; Adrienne Koch, "Philosopher Statesmen on the Republic," *Sewanee Review*, LV (1947), 380; E. P. Panagopoulos, "Hamilton's Notes in His Pay Book of the New York State Artillery Company," *American Historical Review*, LXII (2) (1957), 310-25.

⁷¹Louis M. Hacker, *Alexander Hamilton in the American Tradition* (New York, 1957), 148; John A. Kraut, "Alexander Hamilton's Place on the Founding of the Nation," *Proceedings of the American Philosophical Society*, II (1952), 124-28; John D. Livingston, "Alexander Hamilton and the American Tradition," *Midwestern Journal of Political Science*, I (1957), 209-224; John C. Miller, 231; Broadus Mitchell, *Heritage from Hamilton* (New York, 1957), 93; Lynn Hudson Parsons, "Federalism, the British Empire and Alexander Hamilton," *New York Historical Society Quarterly*, II (1968), 62-80; Clinton Rossiter, *Alexander Hamilton and the Constitution* (New York, 1964), 9-10, 22, 182; Gerald Stourzh, *Alexander Hamilton and the Idea of Republican Government* (Stanford, 1970), 201-05.

he had put forward an analysis of his country's constitutional difficulties, which was accepted, acted upon, and which helped pave the way for the development of a strong, united, commercial nation.

However, no one has placed emphasis on Hamilton's paranoia. It is not just that he saw a crisis developing during the period, it is that he took every possible opportunity to convince others that the crisis was real, and had to be eliminated immediately. During the 1780s, Hamilton saw crises everywhere, and always.

Of Hamilton's many biographers, none seem to have realized that their subject's paranoia, his fear of some internal rebellion or disunion, was the basis for so many original ideas which have come to be more commonly associated with Hamilton, which have become in fact "Hamiltonian"--ideas such as his monarchism, his nationalism, and his desire for a strong central government. All these political ideas have their origin in one larger theory--Hamilton's theory that one revolution was all America could afford.

Four of Hamilton's most basic political beliefs can be linked to his overall anti-revolutionary outlook. The starting point should perhaps be to examine the origins of Hamilton's curious defense of centralism in America's most famous commentary on federalism. *The Federalist Papers* were improperly named, for authors Hamilton, James Madison and John Jay were of course taking the federal system of government for granted and arguing for a greater degree of power for the central government within it. The reason for the title was not just to disguise the power of the central government created by the American Constitution of 1787, but to indicate that this power was not as dangerous in a federal political system as in other forms of government.

Hamilton had used this exact same argument much earlier in his career, in 1781.⁷² In his view, the very existence of state governments ensured that the danger from the central government was limited, but the same assurance could not be given regarding danger from the state governments!

Hamilton foresaw internal divisions leading to revolution against the overriding authority, and thus he advocated a federal system of government allowing for a strong centre of power--a system which, without risking tyranny, would guarantee stability. Put into different words, Hamilton believed in a federal over a unitary political system, because it channeled potential revolutionary zeal into recognized local governments, which should be controlled and checked by the central one.

Although this thesis outlines Hamilton's political thought, one particular "economic" idea should be mentioned because it was so close to being a political position that viewed from even a slightly different angle, it became a political maxim. As early as 1779, Hamilton argued that the interests of the monied men of the nation should be tied to those of the national government.⁷³ The idea was not solely economic, but suggested a political alliance of statesmen and entrepreneurs. The nature of the proposed alliance varied slightly from the Revolutionary to the Confederation to the Federalist period. During the war, the tragedy of trying to use an empty treasury to finance a costly war led Hamilton to claim that it must be made "the immediate interest of the monied men to co-operate with the government in its support."⁷⁴ That

⁷²See especially "The Continentalist. No. II," July 19, 1781, *HP*, II, 654-657.

⁷³To Robert Morris or Phillip Schuyler, December, 1779, *HP*, II, 234-39, 244.

⁷⁴*Ibid.*, II, 244.

support could come in a number of ways. Hamilton saw it primarily in the form of a National Bank, which Robert Morris had first suggested. Hamilton seconded the idea, claiming that only a true American bank could make the monied men take an interest in supporting the unstable American currency.⁷⁵ And if there was no choice but to devalue the currency, the Bank could be held "responsible for the redemption of all the paper" emitted.⁷⁶ By April 1781, Hamilton had extended his logic into what would become famous rhetoric. He claimed that a national debt could be a national blessing, a powerful cement to the union, and a reason for keeping up taxation, which could provide capital to spur industry.⁷⁷ In 1782, Hamilton even submitted a report which read that the failure to pay back the war debt would show "the deepest ingratitude and cruelty to a large number of meritorious individuals who in the most critical periods of the war . . . adventured their fortunes in support of our independence."⁷⁸ Thus the rationale for paying back the war debt was in this instance the belief that the United States owed it to its supporters to favor them in return. And the reasons for this mutual backing rested on the wartime arguments concerning the stability of the government. Without credit, and credible supporters, a government was unable to defend itself. Hamilton seemed to reason that wealthy governments were stable governments, and by giving the rich a stake in the

⁷⁵To James Duane, Liberty Pole, New Jersey, Sept. 3, 1780, *HP*, II, 415-74.

⁷⁶To Robert Morris, April 30, 1781, *HP*, II, 627.

⁷⁷*Ibid.*, II, 635.

⁷⁸The document was the "Continental Congress Report on a Letter from the Speaker of the Rhode Island Assembly," Philadelphia, Dec. 16, 1782, *HP*, III, 220.

government, one more potential source of revolutionary discontent would be eliminated.

A third fundamental of Hamilton's early political science was his belief that the executive powers in a government should be construed liberally. The background to this sort of belief was, predictably, the Revolutionary War, where Hamilton had been made quite cognizant of the lack of harmony between the political and military leaders of the government. As early as September 1777, Washington wrote to Hamilton describing the distressed situation in the army in the light of Congress's lack of aid.⁷⁹ Four months later, Hamilton wrote how he was disgusted at Congress's ignorance of Washington's objection when they appointed Thomas Conway Inspector-General;⁸⁰ Hamilton called the American government's conduct with respect to the army "especially feeble."⁸¹ George Clinton agreed with his assessment when he wrote to Hamilton in March, 1778, to argue that the Board of War, communicating directly with the executive powers of the different states was a highly inefficient way of requisitioning soldiers, supplies and funds.⁸² Holding the position that he did, Hamilton's experience in the War for Independence led to an understandable fear of more than one man in a position of command.

In later years, he went on to put this feeling in clear language. He claimed that Congress could not act like an executive; it moved too

⁷⁹From George Washington, Potts Grove, Pennsylvania, Sept. 21, 1777, *HP*, I, 330.

⁸⁰To George Clinton, Valley Forge, Feb. 13, 1778, *HP*, I, 425-27.

⁸¹*Ibid.*, I, 425.

⁸²From George Clinton, Poughkeepsie, March 5, 1778, *HP*, I, 456.

slowly.⁸³ When he was listing the defects of Confederation in the Resolution he hoped he could submit to the Continental Congress in July, 1783, the second item on his list was that the legislative and executive powers were held in a single body.⁸⁴ In the same draft, Hamilton expressed his disapproval of the states' controlling their own militia, without one overriding commander.⁸⁵

Hamilton's belief in one executive was clearly linked to his fear of insurrection, for one strong executive figure, capable of acting quickly and decisively, was obviously a deterrent to revolutionary threats. The "extraordinary emergencies" requiring executive decision on "extraordinary expedients" of which Hamilton spoke as early as 1775, were clearly and simply revolutionary and wartime situations.⁸⁶

A fourth major political stand was Hamilton's expression of concern over the role of an army in a "free" government. He seemed to distrust the permanence of standing armies,⁸⁷ yet felt that the protection of the state was a prime concern of any government. An army which was well harnessed by the political leaders was a great asset, but there is little question that Hamilton feared an unhappy, uncontrolled or undisciplined army.

⁸³To James Duane, Sept. 3, 1780, *HP*, II, 405.

⁸⁴"Continental Congress Unsubmitted Resolution . . .," *HP*, III, 420.

⁸⁵*Ibid.*, III, 422.

⁸⁶"The Farmer Refuted," Jan. 19, 1775, *HP*, I, 136.

⁸⁷Standing armies were regarded as indicative of an unhappy union. Hamilton claimed that only wars between the states would necessitate standing armies, and these armies would be a source of real danger to American liberties, New York Assembly, Remarks . . ., *HP*, IV, 92.

An unhappy army would not be a mere collection of malcontents, but a collection of *armed* malcontents. When Hamilton warned that "the Army is a dangerous instrument to play with,"⁸⁸ he was not presenting a shallow argument. Since Hamilton had defined civil disobedience as anarchy, one can hardly imagine what he thought of martial disobedience. On at least two occasions he spoke out against it in quite forceful terms.⁸⁹ And in doing so, he was stating nothing more than a political belief posited on a fear of revolution.

Thus, if Hamilton's basic political beliefs are examined, it can be seen that each pushed the American government into a heavily-armoured structure, protected against possible insurrections, and likely to be free from serious revolutionary threats. With each of these beliefs, one can ask why Hamilton held it. And with each, one can answer that it gave stability to the American government, in the hope of ensuring that the only revolution in America's history was in the past.

It could be argued that there was nothing special about Hamilton's forecasts of revolution during the Confederation period. Not only did numerous contemporaries suggest impending doom, but Hamilton himself made similar forecasts during every stage of his political life. For example, late in his career he told Gouverneur Morris that the Constitution could never provide the country with stable government. But to discredit all of Hamilton's warnings on the grounds of *incurable*

⁸⁸From George Washington, Newburgh, April 4, 1783, *HP*, III, 316.

⁸⁹Hamilton had complained to George Clinton as early as December 22, 1777, that Revolutionary officers were seizing the property of inhabitants of New York State, and with respect to the Philadelphia mutiny, Hamilton wrote a curt letter to John Dickinson, claiming that "the licentiousness of an army is dreaded by any government," *HP*, I, 368 and III, 451.

paranoia oversimplifies the matter. There were varying degrees to Hamilton's pessimism. His fears of disunion or a second revolution are constantly and consistently expressed during the Confederation years, and expressed with a uniform degree of conviction, usually based on the same or similar reasons. Certainly Hamilton was not completely satisfied with the structure of American government, even in the immediate post-Confederation period. He still had complaints, for he had claimed that no man's ideas were further than his own from the ideology behind the Constitution. But his ideas were in line with the *direction* the Constitution was going in terms of distance from the Articles.⁹⁰

Hamilton's perception of crisis came from one fundamental belief--that weak, decentralized, popular governments invite disaster in revolutionary or post-revolutionary times. Hamilton believed it to be to America's political, economic and ideological advantage not to allow for a poor imitation of the Revolution through internal disputes and divisions. The accepted politics, economics and philosophy of the Confederation period were all dangerous. Politically, Hamilton saw a jealousy of power dominating state politics, with each region jealous of the power of the central government and of all the other states. Hamilton lamented the inability of state politicians to see that inequality of power was inevitable in a Confederation, and to protest it was to encourage dissolution of the union.⁹¹ Viewing the nation's economy, Hamilton observed with alarm that the foreign and domestic

⁹⁰"No man's ideas were more remote from the plan than his were known to be, but is it possible to deliberate between anarchy and convulsion on one side and the chance of good to be expected from the plan on the other?" Hamilton (as reported by Madison) to the Convention, Sept. 17, 1787, *HP*, III, 253.

⁹¹To George Clinton, Feb. 24, 1783, *HP*, III, 269.

debts were unpaid, and the consequence was that America's wealthy did not regard the American Congress as a good investment. He also saw that the system of taxation was not working.⁹² Congress could not gain the compliance of the states on an impost which would have funded the federal treasury. And, finally, a philosophy of revolution was a bankrupt ideological foundation for America, in Hamilton's opinion. To him, the tendency to rebel for all liberal causes was based on "an over-scrupulous jealousy of danger to the rights of the people;" demagoguery was the product of uncontrolled revolutionary rhetoric, and demagoguery in turn led to despotism.⁹³

Hamilton considered the Confederation period as critical as the Revolutionary war itself. On Alexander Hamilton's political thought in the critical period, there can be little else concluded *but* that Hamilton saw "the dawn of peace as peculiarly critical."⁹⁴ Crisis, or at least the perception of crisis, strongly influenced Hamilton's ideas and actions in the 1780s, and colored the political views with which he has been associated to this day.

⁹²Continental Congress Remarks on Raising Funds for United States, Philadelphia, January 27, 1783, *HP*, III, 245.

⁹³"The Federalist No. 1," New York, Oct. 27, 1787, *HP*, IV, 304.

⁹⁴To George Clinton, Philadelphia, Feb. 24, 1783, *HP*, III, 273.

Chapter Five

THE HISTORIOGRAPHY OF THE CONFEDERATION PERIOD

It would be interesting to speculate on the reasons for Hamilton's meteoric rise to power in the 1770s and 1780s, from an unknown college student to the nation's first Secretary of the Treasury, and the real force behind the first truly national American government. However, it is as interesting and more important to test the validity of the political opinions which Hamilton forwarded in this period of his career, for Hamilton's credibility hinges upon whether or not his assessment of the Confederation period as critical was correct. Were Hamilton's opinions coincidental with the views of the American people, or was the critical period only "critical" to Hamilton and a few other prominent nationalists, who perhaps wanted to continue their political careers on a grander, more central stage? Does Hamilton's sort of position seem valid or contrived from the perspective of the twentieth century? If it can be shown that Hamilton's dreams (and nightmares) of the 1780s have stood the test of time--with the benefit of more recent evidence and subsequent investigation--Alexander Hamilton becomes less of an isolated careerist, and more of a statesman truly representative of his time.

The historiography of the Confederation Period is the vehicle used here for examining some of Hamilton's early political ideas in the context of modern scholarship. This historiography not only reveals

whether Hamilton's views have been verified by historians of "the critical period," but it also gives a broader view of the controversies in which Hamilton was involved. The secondary source materials available on the 1770s, although colored with modern political bias, have nonetheless potentially provided general explanations of the issues and events of the decade, and have gone so far as to judge the opinions of prominent contemporaries like Hamilton, on the basis of information from the period that has come to light over the past two centuries.

In Chapter Three, the outline of the years 1783 to 1787 was presented, along with contemporary opinion on the state of the young nation--viewpoints both critical and confident. It will be shown in this chapter that historians generally have been unable to agree on the nature and extent of the crisis that supposedly enveloped the thirteen newly-born United States. The same set of facts has been seen in different ways by different historians. Not all twentieth-century American historians have been convinced of the so-called constitutional crisis of the American 1780s. Although the lines dividing the outlooks are not hard and fast, and although many historians have studied only specialized aspects of the Confederation period (and have not attempted an analysis of the period as a whole), it is nonetheless fair to conclude that one of the most significant disagreements between historians of the Confederation period is over the existence of a crisis in Congressional authority. The existence or non-existence of this crisis then will be the theme around which the historiography of the Confederation period, as it relates to Alexander Hamilton, will be presented.

* * * * *

The book which has been consistently used as the focal point for debate among Confederation period historians is John Fiske's *The Critical Period of American History*, which was written in 1888 as a monograph depicting the first growing pains of the American nation. Fiske claimed that the performance of the American government in the post-war years was abominable, the Articles of Confederation were inadequate as a constitution and the Founding Fathers who were aware of all this, were justified in fearing disunion.¹ Claiming not to have coined the phrase, "critical period,"² Fiske nevertheless set about to write the most comprehensive history of that period, dating it between the signing of peace with Britain in 1783 and the adoption of the Constitution in 1788. In Fiske's words:

That period was preëminently the turning point in the development of political society in the western hemisphere. Though small in their mere dimensions, the events here summarized were in remarkable degree germinal events, fraught with more tremendous alternatives of future welfare or misery for mankind than it is easy for the imagination to grasp.³

With a similar flair for overstatement, Fiske gave his rendition of the peace settlement of 1783 ("... the baffling of the sinister designs of France"⁴), and followed this with a lengthy exposition on the faults

¹John Fiske, *The Critical Period of American History* (Boston, 1888), 92-97, 101-103.

²Fiske gave credit to Mr. Trescot's "Diplomatic History of the Administration of Washington and Adams," for first introducing the phrase to American History, although Fiske claimed that the title for his own book was inspired by Thomas Paine's stopping the publication of "The Crisis," on hearing the news of the treaty of 1783. Paine had claimed that "the times that tried men's souls are over," but Fiske argued that those times were far from over in 1783, *Ibid.*, v-vi.

³*Ibid.*

⁴*Ibid.*, 34-35.

and defects of the Articles, chronicling the difficulties that came from virtually every clause. Fiske described the greatest problem as the federal government's lack of power in enforcing federal laws. Fiske noted that "there was no federal executive or judiciary worthy of the name, [and] the federal government operated only upon states, and not upon individuals."⁵ When state law conflicted with federal (as with New York's Trespass Act of 1784 versus the Congressional Peace Treaty of 1783), there was no means of deciding which law should prevail. Fiske praised Hamilton for the latter's role as "a most courageous and powerful defender of the central government!"⁶ in his defense of Waddington against the New York Trespass Act. Fiske claimed Hamilton's defense was significant because of its "implicit assertion of the rights of the United States as against the legislature of a single state."⁷ Fiske clearly regarded Hamilton's efforts as sincere and laudable, but more important, he agreed with his assessment of the crisis. The problem with Fiske's work is that his agreement with the Founding Fathers is perhaps too obvious. His style impressed upon his critics that historical objectivity may have been sacrificed in the author's attempt to drive home his critical-period argument. However, despite obvious faults in documentation and qualification of argument, there is something about the kernel of Fiske's contention which has stood the test of time. In analyzing the Constitutional defects the lack of Congressional commerce power led to (such as the virtual commercial wars the

⁵*Ibid.*, 99.

⁶*Ibid.*, 129; for discussion of Hamilton's law practice, see Chapter IV, 20-25.

⁷*Ibid.*

several states made upon one another⁸), Fiske was actually building a modest argument. In emphasizing the post-war instability, he was putting forward a simple but sound argument based on the most obvious (and perhaps most important) developments of the 1780s. Although his book has been criticized on many points and from many different angles, its general argument, forwarded nearly a century ago, has been supported time and again in recent works of American history.⁹

It has been challenged however, and by historians with whom students of American history most quickly associate the New Nation period. To give only a few examples of the most famous historians who have disagreed with Fiske, Merrill Jensen has described his interpretation as being "of no value either as history or example," and Charles Beard claimed that Fiske wrote his book "without fear and without research."¹⁰

The most direct challenge to Fiske's and Hamilton's view of the 1780s has been to expose the post-war economic crisis as a fabrication. Thus, in 1913 Charles Beard wrote the most celebrated implication in American history. By showing that the new Constitution received support from a certain economic class, he implied that perhaps the American

⁸See all of Chapter IV, "Drifting Toward Anarchy," where Fiske recounts the serious commercial disputes of almost all the states, 184-189.

⁹See Richard B. Morris, "The Confederation Period and the American Historian," *William and Mary Quarterly*, 3rd series, XIII (1965), 139-156; Broadus Mitchell, *Heritage from Hamilton* (New York, 1957), 3-32; John P. Roche, "The Founding Fathers: A Reform Caucus in Action," *American Political Science Review*, LV (1961), 799-805.

¹⁰Both these statements, Jensen's and that alleged to have been made by Beard, are presented in Jensen's introduction to his book, *The New Nation* (Madison, 1950), xii.

Constitution was not written in the best interests of the whole American people.¹¹ Beard's early work¹² quickly became the centre of attention in a major controversy which has dominated this century's American historiography. It has essentially been a controversy over definition, i.e. what did Beard mean by "support" and "class." His arguments have been both criticized and supported so well as so often by so many different authors that to criticize Beard's entire thesis once again would be pointless.¹³ It is enough to note here that Beard attempted to expose a group of people with propertied interests, who used the idea of an economic crisis to bring about a political reform to their liking. To Beard, Hamilton was "the colossal genius of the new system" for "it was he who saw most keenly the precise character of the social groups which would have to be rallied to the new government."¹⁴ It was

¹¹An *Economic Interpretation of the Constitution of the United States* (New York, 1913). That Beard did not write the first history questioning the Founders' motives is recorded by Staughton Lynd in "Abraham Yates' History of the Movement for the United States Constitution," *William and Mary Quarterly*, 3rd series, XX (1963), 223-245. Lynd noted that "125 years before Charles Beard . . . Abraham Yates (1724-96) of New York asserted in his manuscript narrative that the Federalists had turned a *convention* into a *conspiracy*, and under the epithet *Federal*, have destroyed the Confederation." Lynd noted that Yates' "history" in fact had most of the themes of anti-federalist propaganda.

¹²More than one historian has pointed out how Beard, acting as his own critic late in life, all but rejected his 1913 thesis. See Leonard W. Levy in the introduction to his *Essays on the Making of the Constitution* (Toronto, 1969), 4; Richard B. Morris, "The Confederation Period and the American Historian," 149; and Richard Hofstadter, "Beard and the Constitution: The History of an Idea," *American Quarterly*, II (1950), 212-213.

¹³Eight of nine authors presented along with Beard in Levy's *Essays* . . . , make direct responses to Beard's *An Economic Interpretation* . . . ; three make either an attack or defense of Beard's thesis the very reason for their article.

¹⁴*An Economic Interpretation* . . . , 100-101.

Hamilton who recognized the need the central government would have for creditors, merchants and land speculators, and Beard even claimed that it was Hamilton who was principally responsible for consolidating these groups in a position of support for a central government with control over commerce, taxation, and western lands.¹⁵ Although Beard never charged Hamilton with operating according to vested personal interests ("that he died a poor man is conclusive evidence of the fact"¹⁶), Beard did claim that "thousands of small farmers and debtors and laboring mechanics were opposed to his policies," although they were not well enough organized in the 1780s to formally oppose the financial interests Hamilton had already wooed in support of the central government.¹⁷

Thus Beard's treatment of Hamilton is representative of his overall argument that the Constitution was not created either by or for the whole people. However, since Beard admitted that there was no organized opposition to the plan for centralized control of the American economy at the time the Constitution was formulated and ratified, he could hardly claim that the debtors and farmers were in favor of some other type of reform. And thus his implication that Hamilton did not have the long-term interests of the entire American nation at heart is flawed by his failure to specify what the alternatives were.

The best-known, most respected and qualified supporter of the Beard thesis in this century has been Merrill Jensen. He has made the most thorough examination of the political climate of Revolutionary and post-Revolutionary America. His books, *The Articles of Confederation*

¹⁵*Ibid.*, 101-05.

¹⁶*Ibid.*, 114.

¹⁷*Ibid.*, 103.

(1940) and *The New Nation* (1950), are two of the most important works on the political alignments of the Confederation period.¹⁸ It is impossible to do justice to Jensen's work in two or three paragraphs, but the most fundamental and at the same time most controversial idea he presents should be mentioned. Jensen believed that an internal revolution took place in the American colonies in the very first years of the external Revolution against Britain.¹⁹ This internal struggle was between the oligarchic elite that controlled the colonies before 1776 and the new, radical democrats who swept into power in states like Pennsylvania at the outbreak of hostilities with Britain. It is Jensen's hypothesis that the Articles of Confederation represented a victory for the new democrats, while the Constitution of 1787 represented that same faction's eventual defeat in what amounted to a counter-revolution. In Jensen's words, Hamilton in 1780 proposed a "constitutional revolution"²⁰ by means of a constitutional convention which would subvert the Articles of Confederation.²¹ According to Jensen, this proposal of Hamilton's "showed that the nationalists had learned much from radical tactics."²² Jensen's constitutional arguments are connected to the belief that the Confederation period was not particularly critical, for the crisis was but the counter-revolutionaries' ploy. He implied that the majority of the people did not desire

¹⁸*The Articles of Confederation: An Interpretation of the Social-Constitutional History of the American Revolution, 1774-1781* (Madison, 1940); *The New Nation: A History of the United States during the Confederation* (Madison, 1950).

¹⁹Jensen's *Articles*. . . , Introduction to the 3rd edition (Wisconsin, 1966), xv.

²⁰Jensen's *The New Nation*, Introduction, vi.

²¹*Ibid.*, 50-51.

²²*Ibid.*, 50.

a stronger central government, for they were satisfied with the arrangement under the Articles.²³ Jensen believed that Americans had to ask serious questions of themselves and their nation in the 1780s, but "such questions or others like them have been asked after every great war in history."²⁴ Jensen's position can best be described as in disagreement with John Fiske's on the question of the workability of the Articles of Confederation: Jensen reminded his readers that "the movement to strengthen the Articles failed on the verge of success; the movement to call a convention succeeded on the verge of failure."²⁵ In general, Jensen believed that "the critical period" idea was the result of an uncritical acceptance of the arguments of the victorious party in a long, political battle, and of a failure to face the fact that partisan propaganda is not history but only historical evidence.²⁶

The weakness in Jensen's argument is his labelling of American political figures as revolutionaries or counter-revolutionaries. In 1956, Richard B. Morris pointed out that the Revolution was not the radical democrats' exclusive project: it was "as much the war of the conservatives, probably a good deal more so."²⁷ Probably indeed. For while the 'radical democrat' Thomas Jefferson was fleeing from the approaching British army, and being censured by the Virginia Legislature

²³See S. M. Elkins and E. McKittrick's treatment of Jensen's *The New Nation* in "Founding Fathers: Young Men of Revolution," *Political Science Quarterly*, LXXVI (1961), 93.

²⁴*The New Nation*, 422-423.

²⁵*Ibid.*, 428.

²⁶*Ibid.*, 422.

²⁷"The Confederation Period . . .," 152.

for apparent cowardice, the young 'Tory' Alexander Hamilton was well on the way to skirmishes at Valley Forge, Monmouth, and Yorktown. In fact, most of the prominent "counter-revolutionaries" launched their careers during the American Revolution. The fact that these people met with Anti-federalist opposition, proving that there were irreconcilable groups with different ideas about how government should be operated, is actually evidence that considerable political tension existed in the 1780s. Thus Jensen's argument comes back at him: the sort of conspiracy he saw at work in the 1780s could hardly have been the product of a period marked by its stability.

The difficult task of connecting Beard's thesis to hard evidence that the economy under the Articles was as good as it could have been, was executed in 1951 by E. James Ferguson. He stated that through 1786, the several states had assumed both the main routes for payment of the war debt and substantial portions of the debt itself.²⁸ Ferguson contended that the debt was accumulated *after* the war, by direct contravention of the Articles of Confederation, which provided for the states to assume the war debt, which they would have done completely, were it not for the Federal Convention of 1787 and the resulting economic program launched by Hamilton. Ferguson's conclusion, predictably enough, was that federal taxation was not the necessity that

²⁸The debt basically consisted of "paper money, certificates and certain items due to the continental army," Ferguson noted in "State Assumption of the Federal Debt during the Confederation," *Mississippi Valley Historical Review*, XXXVIII (1951), 404. Ferguson then noted that the paper money debt was written off through depreciation, the states were accepting certificates as tax payment, and the states were also made responsible for arrears in army pay. Thus he concluded that "none of army pay ever became part of the public debt," 408.

Hamilton and others claimed it to be, as far as the war debt was concerned.

Why then, was there support for the federal taxing power? And why was there enough support to bring it to pass under the 1787 constitution? Ferguson essentially used Beardian arguments to answer these questions, i.e. it was in the interest of certain economic groups to have taxes administered and property rights ensured by federal laws. Thus Ferguson connected political motives with economic issues, and in a later work concluded that "popular opposition" to federal assumption of the war debt "was not effective because most of the country's leaders agreed that funding on something like Hamilton's terms was necessary."²⁹ What Ferguson did not attempt to survey in his articles was the reason why all these political figures supported economic reform in the Confederation period. Obviously, there were advantages in a federal taxation power beyond the assured repayment of the war debt. What they were Ferguson never mentioned, and thus by failure to advance any other motivation, a conspiracy is implied. But Hamilton's motives were open for all to see. He gave numerous speeches in the Continental Congress on the many advantages of a federal taxation power, and his "Continentalist" essays laid out advantages if more powers were lodged with the central government.³⁰ Hamilton openly admitted that reduction of the public debt was not merely an end in itself, but the means to the

²⁹Ferguson, "The Public Debt and the Power of the Purse," *Essays*, ed. Levy, 173.

³⁰Hamilton claimed that central taxation was more simple, more certain and more economical than state taxation, "Continental Congress Debate on Taxation," January 27, 1783, *HP*, III, 245.

revamping and security of American federalism.³¹

Other histories, not solely devoted to the state of the Confederation period or the origins of the constitutions, mention almost in passing that the economic conditions of post-Revolutionary America were, or ought to have been stable. Joseph Charles charged that the economic reform movement intended to subvert the new Revolutionary governments.³² He asked the pointed question: did the 1780s economic reform movements lead to the unity and harmony that supporters said it would, or did it split the country into a two-party system that has existed throughout American history? Charles believed in the latter hypothesis. He felt that the funding and assumption plans that increased the national debt gave the monied classes greater opportunity to speculate, and a greater opportunity to acquire wealth. He concluded that these were the real goals of the 1780s economic reforms, not an actual improvement in the American economy.³³ It might be suggested, however, that Charles confused the results of the economic program with its intentions. In the mid-1780s, Hamilton and others put down on paper lists of grievances concerning the handling of the American economy, and these reform plans can as easily be seen as hopes to weld the monied interest and the government in the interest of security and defense, as plots to secure paths for the patronage of the wealthy.

Other studies have attempted to support the idea that government under the Articles was, after all, not so bad. H. A. Johnson went a

³¹*Ibid.*, 246-247.

³²Joseph Charles, *The Origins of the American Party System* (New York, 1961), 11.

³³*Ibid.*, 30.

fair way toward destroying the notion that the Articles allowed for no governmental executive. He pointed to the single heads of various ministries--the Secretary of the Continental Congress, Charles Thompson, the Superintendent of Finance, Robert Morris, the Foreign Affairs specialist, James Lovell, and the Secretary of War, Henry Ward. All, according to Johnson, helped lay the foundations of a cabinet in the Confederation period, long before the Constitution of 1787 was brought into effect.³⁴ However, parts of Johnson's article do not seem directed towards proving the Continental Congress to be a stable government. At one point, Johnson mentions that these virtual ministers picked up their various powers during a time when the federal government was seldom in session.³⁵ He admitted that the recurring lack of a quorum was a very serious problem for the Confederation government. It is difficult to disagree; a government without members seemed a critical problem to Hamilton as well.

Another historian, Robert A. Feer, has virtually argued that the reason why the members were never in session is that they were too busy privately plotting to overthrow the Articles. In a direct, intense, and very readable study, he claimed a political movement in the Confederation period had established its platform sometime before the winter of 1786.³⁶ Feer contended that Shays' Rebellion, which ended in February, 1787, was not as had been commonly supposed, a cause for calling the 1787 Constitutional Convention. Shays' Rebellion did not seem to

³⁴"Toward a Reappraisal of the Federal Government, 1783-89," *American Journal of Legal History*, VIII (1964), 318-20.

³⁵*Ibid.*, 316.

³⁶"Shays' Rebellion and the Constitution: A Study in Causation," *New England Quarterly*, XLII (1969), 390-391.

hasten the state delegations toward Philadelphia; only nine delegates mentioned Shays in the Convention itself (two using his name as a warning *against* excessive centralization!), and in the struggle for ratification, the Federalists tended to downplay the Shays story because it reminded people of the inefficiency of large governments, like Massachusetts.³⁷ Moreover, in and around these specific points of evidence was Feer's main charge: elite nationalists (he mentions Wilson, Madison, Hamilton, King and Washington) *had already decided* on a stronger centralism; they ignored Shays' Rebellion because they did not need to enhance an already agreed-upon position. Indeed, Feer's implication was that Shays was ignored in the Founders' arguments because internal rebellion was not the real fear at all.

However, Feer's article, like the conspiracy theory in general, has great difficulty in challenging the *sincerity* of the Founders' belief in a political crisis. Although they ignored Shays because he was a reminder of the problems of excessive centralization, the Rebellion nonetheless could have been a factor in their private decisions to reform the Articles quickly and completely. As well, the advocates of constitutional reform could have been so convinced by previous developments that Shays was simply neither surprising nor worth belaboring. Certainly Hamilton had as early as 1781 predicted what eventually happened in 1786. Hamilton was indeed convinced long before 1786 that post-revolutionary governments were unstable.

Recently, Morton Borden and Otis L. Graham have combined to produce an interesting book, entitled *Speculations on American History*.

³⁷*Ibid.*, 392-94.

In it, the authors claim that America's post-war economic and political problems could have been solved under the Articles if only they had not been discarded in favor of a new constitution. They noted that the war debts were in the process of reduction, and no complete economic breakdown was likely. They placed particular stress on the power of the Continental Congress to call an unlimited number of conventions to enact crucial legislation. It was concluded that all the Confederation really needed was time, for the 1790s, prosperous under the 1787 Constitution, would have been prosperous under the Articles as well. Borden and Graham summarized that the Confederation could scarcely be blamed for normal post-war economic dislocations.³⁸

Borden and Graham's book is an obvious attempt at provoking challenges to accepted traditions concerning their country's history. But it overstates the Articles' case. What good was the power to convene an unlimited number of Conventions if on crucial matters merely one state had the power to overrule the interests of the other twelve? Hamilton and Madison's disgust at first Rhode Island's, then New York's ability to block the united wishes of the other twelve states is understandable. As for the entire process of speculation, it is one thing to admit that the 1790s were more favorable to economic advancement than the 1780s. To claim that they would undoubtedly have been so under the Articles is a bit more than the historian can do without the ability to reenact rather than just rewrite the past.

In yet other ways, different aspects of the Confederation period have been seen as not-so-critical. To Bernard Bailyn, the Revolution

³⁸*Speculations on American History* (Toronto, 1977), 32-33.

led to the intellectual realization of "the inheritance of liberty," and *not* to the disruption of society.³⁹ A new awareness of individuals' rights characterized the Confederation period, making American attitudes more enlightened and cautious than ever before. Gordon S. Wood claimed that the Revolution was followed by a real increase in awareness of political corruption.⁴⁰ However, these supposed advances in Americans' conscious respect for American freedom does not prove the absence of a crisis. The newly-alert Americans might have considered themselves on guard for their freedom, but Hamilton cautioned them not to endanger their freedom with quarrels within the guard, and also to suggest that awareness of political corruption does not necessarily lead to elimination. Distrust of the motives of government is an essential element in the pursuit of liberty, but to Hamilton, there were times when distrust was justified and times when it was not. In his opinion, the people distrusting Congress had both mis-timed and mis-directed their distrust--they were fighting the Revolution after it was over.

This was the dilemma Hamilton and the Federalists faced. Although the Revolution was concluded well before 1787, its lessons of how individual protests could be successful had been too well remembered. Thad Tate claimed that the Revolution showed the people that they had one particular right--the right to accept or reject, through ratification and referendum, any fundamental constitutional change and the very right to revolt as propounded in the Declaration.⁴¹ In reaction to

³⁹*The Ideological Origins of the American Revolution* (Cambridge, 1967), 19.

⁴⁰*The Creation of the American Republic, 1776-1787* (Williamsburg, 1969), 4-5.

⁴¹"Social Contract in America," *William and Mary Quarterly*, 3rd series, XXII (1965), 375-391.

this, Hamilton's writings in the Confederation period essentially claim that a Constitution should not openly guarantee the right to revolt against it, for such a suggestion guarantees liberty only at the price of anarchy. If Hamilton believed that the Revolution proved that men always have the right to revolt, he believed it privately, for he certainly never stressed this belief in his post-Revolutionary writings. What Hamilton did learn from the Revolution and what he brought forward into the Confederation period was not so much a radical appreciation of liberty as a full appreciation of how worthless liberal rights were unless there was a government strong enough to police their infringement.

Although the foregoing has obviously been a selective presentation of some of the secondary source material available on the Confederation period, it is nevertheless clear that the idea of a critical period has generally been opposed by the idea of a conspiracy of the Founding Fathers, based either on economic or political motives. Hamilton's relevance to this historiographical controversy comes in the fact that he has been used to support both interpretations. As Robert E. Brown put it, "one can prove many things by Hamilton," not merely what Beard used him to prove.⁴² Brown wrote:

One can quote Hamilton, as Beard did, to show that society was divided into the rich and poor, the few and the many. . . . But he can also be quoted to show that the . . . three great objects of government were agriculture, commerce, and revenue; that the people of a state often had a community of interests, . . . Although he advocated a vigorous government, he wanted the House of Representatives laid on a broad foundation to protect the liberties of the people. And he believed the people favored a strong government.⁴³

⁴²*Charles Board and the Constitution* (Princeton, 1956), 121.

⁴³*Ibid.*

Brown might have added that although Hamilton has been used by both sides in the critical-period debate, if Hamilton's writings are taken at face value, they provide more apprehension of crisis than evidence of conspiracy.

Richard B. Morris has used Hamilton to note that both secondary (Fiske through Brown) and primary (the papers of Lee, Madison, Jefferson, Washington, and especially Hamilton) sources all indicate that at the very least, a critical period was *perceived* after the Revolution.⁴⁴ Morris pointed out that the Anti-federalists and the conspiracy theorists have been wrong in claiming that the Federalists were especially conservative.⁴⁵ Speaking of their attempt to establish a republican form of government in America, something never attempted before, Morris noted that "the Federalists, not the Anti-federalists, were the real radicals of the day."⁴⁵ Showing that thirty people who signed the Declaration of Independence endorsed the Constitution as well, Morris concluded that "the Revolutionary years (1776-1787), while forming no seamless web, provide far more evidence of continuity than discontinuity."⁴⁷

It is ironic that the Federalists feared nothing more than the sort of conspiracy they were consistently being charged with. Their belief in a crisis is not evidence of conspiracy. It is indicative of their common political outlook, and their shared hope for a stable American nation.

⁴⁴*The American Revolution Reconsidered* (New York, 1968), 127-162.

⁴⁵*Ibid.*, 161.

⁴⁶*Ibid.*

⁴⁷*Ibid.*, 131-32.

CONCLUSION

Echoing the theme of George Bancroft, whose words introduced the first chapter of this thesis, Hans Kohn has written that the American Revolution was "watched, expectantly or distrustfully, by the whole of western mankind."¹ That the world watched the Revolution in America is unquestioned and understandable, but historians and politicians have seldom been able to agree on what it was the world saw. Thomas Jefferson believed that "the flames kindled on the 4th of July 1776 have spread over too much of the globe to be extinguished by the feeble engines of despotism. On the contrary they will consume those engines, and all who work them."²

However, it is too simplistic to see the Revolution's universal message as a call issued to all oppressed people. Although the Revolution has been seen as representing "a desire for separation among peoples of close affinity,"³ this is not necessarily an accurate understanding of the message of many of the American Revolutionaries. Fisher Ames and Gouverneur Morris contended that the Revolution was a completed, unique event, which could not be used as an example to oppressed people elsewhere, or for subsequent rebellions at home.⁴ Furthermore, it is

¹Hans Kohn, *American Nationalism: An Interpretive Essay* (New York, 1957), 9.

²To John Adams, Sept. 12, 1821, *The Adams-Jefferson Letters*, ed. Lester J. Cappon (Chapel Hill, 1959), II, 575.

³Kohn, 14.

⁴John C. Rainbolt, "Americans' Initial View of their Revolution's Significance for Other Peoples, 1776-1788," *The Historian*, XXXV (1973), 418-33.

unfair to assume that American patriots stood behind any world-wide incentive for people to separate from their nearest political centre-of-authority, when many prominent Americans of the 1780s believed that their own central government should be supported rather than challenged, and strengthened so that it could never be overthrown.

Alexander Hamilton's early writings can be regarded as particularly useful in seeing the Revolution as anything but a mere separatist movement. His pamphlets never allow the American people to forget that American unity was one result of the colonies' conflict with Britain. The Revolution gave thirteen separate colonies a common cause and gave birth to a new united nation. Hamilton noted that very special circumstances led to both the sudden beginning and the surprising conclusion of the American Revolutionary War. It is not difficult to see that the same circumstances were not likely to arise elsewhere either in American or world history. To Hamilton, the Revolutionary conflict itself was chaotic, unnatural and unhappy; its only redeeming quality was that it promised an American Union which might prevent such turmoil in the future. Hamilton's view that the Revolution was at least indirectly a revolution for American union, a revolution for American nationalism, and indeed, a revolution to end American revolutions, should be taken into consideration by those who wish to use the American Revolution to justify revolution in a different time or different place.

Hamilton felt that the American Revolution was the only revolution the nation needed. Two questions might be considered in this conclusion: (1) Did Hamilton's hope for a revolution-free future for his country come true, and (2) was his belief in the need for greater internal security justified by subsequent developments within American

and world history? As it is fashionable with Hamilton to bring him back to life in the twentieth century so that he can actually see how his corporate and conglomerate paradise has materialized, much as he wished it would, so one could speculate on how Hamilton from the perspective of today would view his nation's history of, influence on and attitudes toward revolution.

There have been many minor incidents of revolutionary potential in American history (one notable one, the Whiskey Rebellion, in Hamilton's post-1787 career.)⁵ Yet the only prominent exception in America's largely revolution-free history is the Civil War. If he were here today Hamilton could point to the Civil War as a belated but sound vindication of his critical period fears of disunion. Indeed, many a historian has done this for him.⁶ Hamilton, of course, had wanted even

⁵Hamilton's role in the Whiskey Rebellion of 1794, like the part he played in the Constitutional Convention of 1787, in the writing of *The Federalist*, and in the defense of Jay's Treaty and the Alien and Sedition laws, are all aspects of Hamilton's later career which are outside the chronological scope of this thesis, but which provide further evidence for the arguments presented in it. However, the so-called Whiskey Insurrection of 1794, where a group of militant Pennsylvanians made a violent protest against the enforcement of one of Hamilton's excise laws, is at least worthy of indirect reference because it afforded Hamilton an opportunity to comment on an actual American rebellion. Hamilton argued that to quell the disorder, the national government should act with the greatest vigor, speed and show of strength possible. When armed insurgents challenge the execution of laws, Hamilton argued, the question becomes, "shall the nation rule or be ruled? Shall there be government or no government?" See the summary of Hamilton's reaction to the Rebellion by Richard B. Morris in *Alexander Hamilton and the Founding of the Nation* (New York, 1957), 485-488. Volumes XVI and XVII of *The Papers of Alexander Hamilton*, ed. H. C. Syrett (New York, 1961) provide a near documentary history of the entire Whiskey Rebellion.

⁶Lynn Hudson Parsons verifies that a number of authors seem to have pointed to the Civil War on Hamilton's behalf. He writes: "The anti-bellum era was almost devoid of any serious studies of Hamilton; the post-war age seemed at times almost dedicated to him," "The Hamiltonian Tradition in the United States, 1804-1912," (Ph.D. dissertation, John Hopkins University, 1967), 228.

a more centralized Constitution than the 1787 one; it is a highly speculative but arguable assumption that had the system he preferred been implemented in the 1780s, the commotions of the 1860s may never have occurred. It should be added that Hamilton's ideas were not only vindicated with the Civil War itself, but also by other countries' reactions to the Civil War. The Canadian Constitution, written as it was in the aftermath of the American war for unity, turned out to be quite Hamiltonian. Canada's system of Confederation was mapped out as strikingly similar to Hamilton's plan of government submitted to the Philadelphia Constitutional Convention in June of 1787, with residual powers given to the central government, the senators made members for life, a federal vote allowed over provincial laws, and many provincial officials appointed by the federal power.⁷ All of these features in Hamilton's 1787 plan were designed in part to establish a central government beyond the challenge of its regional arms, and the first-hand view Canadians had of the civil turmoil of the American 1860s undoubtedly attracted them to Hamilton's brand of centralism.

Although the Civil War was the only truly major American rebellion that drew comparisons with the American Revolution, significant revolutions in other countries have been compared with the American one, and the influence of the "spirit of 1776" has been investigated. Members of the Congress in 1818 denied the logic of any viable analogy between the American rebellion of 1776 and the Latin American struggle

⁷Lynn Hudson Parsons, "Federalism, the British Empire, and Alexander Hamilton," *New York Historical Society Quarterly Bulletin*, LII (1968), 68. Parsons argues in addition that the Australian and South African Constitutions of the post-Civil War era were Hamiltonian as well.

for freedom from Iberia in the early nineteenth century.⁸ American historians have been drawn toward the depiction of their country's Revolution as exceptionally civilized. Irving Kristol and Louis Hartz have utilized commentators like Alexis de Tocqueville to note the relatively gentle birth of the American nation. Kristol quoted de Tocqueville's analysis that the Revolution "contracted no alliance with the turbulent passions of anarchy, but its course was marked by a love of law and order."⁹ Kristol concluded the American Revolution was a true revolution, whereas in more violent revolutions, participants afterward "still look forward to the second coming of the authentic and unbetrayable revolution."¹⁰ Professor Hartz wrote a provocative article literally enclosed by the two parts of de Tocqueville's famous claim that "the great advantage of the American is that he has arrived at a state of democracy without having to endure a democratic revolution . . . and that he is born free without having to become so."¹¹ Michael Kammen has recently noted that "the conservative view of our Revolution as being unique, comparatively bloodless, completely and entirely fulfilled by 1789" has grown to the point where the American Revolution in national tradition has been de-revolutionized.¹² All these historians, and others, were essentially contrasting the ordered American Revolution

⁸Michael Kammen, *A Season of Youth: The American Revolution and the Historical Imagination* (New York, 1978), 46.

⁹Irving Kristol, "The American Revolution as a Successful Revolution," *The American Revolution: Three Views* (New York, 1975), 33.

¹⁰*Ibid.*, 35, 41.

¹¹Louis Hartz, "American Political Thought and the American Revolution," *The American Historical Review*, XLVI (1952), 321, 342.

¹²Kammen, 69, 73.

with the much more extreme Revolution in France just decades afterward.

In light of this, Hamilton can be venerated for both his foresight in fearing American civil war and his appreciation of the fact that as violent as the American Revolution was, it was tame in comparison to what revolution could be like. And at the same time, his hopes for just one revolution can be seen as justified on the basis of reasoning that next time America might not be so fortunate. Indeed, in the Civil War, it was not. Both the violence of the Civil War and the terror and excesss of foreign revolutions can be seen as vindicating Hamilton's fears of rebellion and his corresponding constitutional theory of the 1780s.

Yet, although there have been many developments in American history that have threatened the internal stability of the nation, the overall tradition begun with the Newburgh affair has carried through. In the words of Richard D. Kohn, "the Newburgh affair was significant for what did not happen."¹³ No *coup d'état* occurred and no precedent of military intervention in the government was set.

Overall, in answer to the second question outlined earlier, Hamilton could indeed be pleased with the limited amount of rebellion in American history. Perhaps he would be most pleased with the twentieth century attitudes of Americans toward rebellious activity. "Built in a history of discipline and rebellion,"¹⁴ America has come to distrust and fear rebellion. Perhaps de Tocqueville was once again

¹³Richard D. Kohn, "The Inside History of the Newburgh Conspiracy: America and the Coup d'Etat," *William and Mary Quarterly*, 3rd series, XVII (1970), 220.

¹⁴Jencks, "Is it all Dr. Spock's Fault," *The New York Times Magazine*, March 3, 1968, 27.

accurate in his assessment of the American situation:

Not only do men in democracies feel no natural inclinations for revolutions, but they are afraid of them. Any revolution is more or less a threat to property. Most inhabitants of a democracy have property. And not only have they got property, but they live in the conditions in which men attach most value to property.¹⁵

Michael Kammen furthered this understanding by pointing out that the 1876 centennial celebrations of the Revolution were much more a celebration of present prosperity than of past radicalism.¹⁶ Americans by that time had too much to lose by revolution to revere it. David Potter once observed that "the only revolutions with which the American people could feel completely satisfied were the ones that did not succeed," for only then could America extend her hospitality to revolutionaries who were no longer welcome at home.¹⁷ Clinton Rossiter has written that if "conservatism . . . is the worship of dead revolutionists," Americans are highly conservative.¹⁸ Louis Hartz contended that Americans like to think of revolution in their past, because they fear it in their present.¹⁹ A nation so apparently born in revolt, and so adamant in her celebration of her revolutionary origins, America seems to be acting on Hamilton's suggestion that she revere the past Revolution rather than inciting or encouraging present ones. Russell Baker wrote, as the Fourth of July approached, that

¹⁵*Democracy in America*, ed. J. P. Mayer (Anchor edition: Garden City, New York, 1969), 636.

¹⁶Kammen, 59.

¹⁷*People of Plenty: Economic Abundance and the American Character* (Chicago, 1954), 130.

¹⁸*The Political Thought of the American Revolution* (New York, 1963), 214.

¹⁹Hartz, 321.

. . . we are going to celebrate revolution again this week. It has become a curious rite, this annual 4th of July bow to bloody upheaval, for most of us are ill at ease with Washington, Adams and Jefferson, and only slightly less Tory than Lord North, and pay huge tax bills each year to suppress revolutionary movements around the earth . . . and Jefferson, with that business about periodically refreshing the tree of liberty with the blood of patriots--ah, Jefferson. If you were alive today, talking like that we would happily see you do hard time in Attica.²⁰

Baker, of course, did not mention Hamilton because he was not a truly famous Revolutionary. However, he could easily have left him out because Americans of today do indeed identify with *his* Revolutionary and post-Revolutionary views.

While one of Hamilton's greatest contributions to American society was his realization that, as Bernard Bailyn described it, "no reasonable social and political order could conceivably be built and maintained where authority was questioned before it was obeyed,"²¹ Hamilton's greatest satisfaction might come in his realization that the country he helped found has in many ways come to share his belief that there need only be one American revolution.

²⁰"Homage to George," *New York Times Magazine*, June 30, 1974.

²¹Bernard Bailyn, *The Ideological Origins of the American Revolution* (Cambridge, Mass., 1967), 319.

ANNOTATED BIBLIOGRAPHY

Published Primary Sources

The Papers of Alexander Hamilton, Vols. I-IV, covering February 1768 - May 1787, edited by Harold E. Syrett, with Jacob E. Cooke as associate editor, published in New York and London by Columbia University Press (1961 and 1962), formed the basis for this thesis. The letterpress edition of the *Papers* consists of twenty-six volumes in the completed series. Each volume has a short preface, a guide to editorial apparatus and an index, with Volume XXV including a list of errata in the previous volumes, a section on undated documents, and an appendix of documents which were discovered after the volume in which they should have appeared went to print. The final volume in the edition, yet to be printed, is a cumulative index and cross reference of material printed in the entire series. The first three volumes and that portion of the fourth used for this thesis contain letters written both to and from Hamilton, as well as notes, documents, and pamphlets attributed to him. Also brief but helpful editorial comments identifying correspondents, individuals discussed in the letters, and developments which the papers themselves do not explain, are included. A short description of these volumes will be given here, followed by an outline of the advantages and problems of working from them.

Volume I supposedly covers a full decade of Hamilton's early life, 1768-1778, but in fact the only papers that survive are one letter for each of the years 1768 and 1769, approximately thirty letters he wrote

or received as clerk for the trading firm of Beckman and Cruger in Christiansted, St. Croix, in 1771 and 1772, three pages of notes Hamilton wrote in 1773 (on the books of Genesis, Revelation, and Homer's *Iliad*), and from 1774, the pamphlet entitled "A Full Vindication of the Members of Congress." "The Farmer Refuted," "Remarks on the Quebec Bill," and two letters to John Jay represent all that remains from Hamilton's writings in the year 1775. From 1776 there are a few letters Hamilton wrote as artillery commander, and his accounts with the United States Government. The remainder of the volume, which is the vast majority of it, contains brief summaries of General Washington's letters in Hamilton's handwriting or countersigned by Hamilton, and a great number of letters Hamilton wrote or received on his own, many of them to or from Gouverneur Morris, Robert and William Livingston, Hugh Knox, George Clinton, Elias Boudinot, Marquis de Lafayette and the New York Committee on Correspondence. Biographers intent on the study of Hamilton's early years have been helped less by this volume than by general histories of St. Croix and the West Indies, and references made to Hamilton in letters and documents not actually written to or by him.

Volume II picks up Hamilton's personal and secretarial correspondence in early 1779 and takes it through the end of 1781. In this period Hamilton corresponded with a great number of Revolutionary figures, most frequently with James Duane, John Laurens, Major General Nathaneal Green, Colonel Timothy Pickering, and Elizabeth and Phillip Schuyler. This volume would be the key one for use in writing a history of Hamilton's early military career, for it is almost entirely concerned with the progress, development and strategies of the Revolutionary war. The first four "Continentalist" pamphlets appear toward the end of this

volume.

The third volume presents Hamilton's correspondence and papers from the heart of the Confederation period, 1782 through 1786. Hamilton's favorite correspondents in this period were Robert Morris, George Clinton, George Washington, and John Baker Church. A good quarter of this volume depicts Hamilton's term in the Continental Congress, through his reports and speeches written from 1782 to 1783, motions that he made, and committees with which he was involved. The final two installments in the "Continentalist" series and the "Letters from Phonicon" are the highlights in this volume. Volume IV begins with coverage of Hamilton's term in the New York Assembly and related correspondence from early 1787. Much of the remainder of the volume reproduces Hamilton's speeches in the Constitutional Convention and his "Federalist Papers."

The editorial work by Syrett and Cooke throughout the series has been commended (see E. James Ferguson's reviews of Volumes XVI and XVII of Hamilton's Papers, *Journal of American History*, LX (1973), 409-11, and James Thomas Flexner's "Bibliography" for *The Young Hamilton* (Boston: Little, Brown, 1978), 458-459, in which the Syrett edition is called "a model for documentary publication," with notes that are accurate, informative, and not inflated). Indeed, one reviewer noted that the aim of a series like this one, sponsored by the National Historical Publications Commission (NHPC), "in fact, is perfection." Syrett and his coeditors have had notable success in editing and completing publication.

Projects such as the Hamilton Papers have been the subject of considerable debate recently, with questions raised concerning the

feasibility, and indeed, desirability of reproducing every document to which the subject was a party. The editors in the case at hand were able to omit the material having to do with Hamilton's law practice during the mid-1780s, as those papers are presented separately in a series edited by Julius Goebel, Jr. and Joseph H. Smith, entitled *The Law Practice of Alexander Hamilton: Documents and Commentary*, published in New York and London by Columbia University Press (1964-). In an obvious way, the editors were also helped by Aaron Burr's bullet, which cut Hamilton's career short, and kept the amount of Hamilton's writings within manageable proportions.

The Syrett collection of Hamilton's Papers virtually makes obsolete the earlier edition by Henry Cabot Lodge, originally published by Haskell House, New York, in 1904, and since reprinted in 1971. A common criticism of NHPC collections is that they often have little to add to works already in print. It is important, however, to look into the case of Hamilton's writings between 1768 and 1787. The Syrett edition adds a full 1,000 pages of letters and pamphlets to those presented by Lodge, and much of the additional material is of value. For example, Lodge failed to include the "Letters from Phonicon," on which this thesis relies, and scholars have recently put considerable emphasis on many of the letters written *to* Hamilton by Washington and others in the 1780s, which the Lodge edition completely ignores. To present *all* available material from this decade is important, since as this thesis maintains, Hamilton's "Federalist Papers," published in many different editions, are really just an elaboration of ideas he had developed by the 1780s in private correspondence. Thus, the *Papers'* original contribution to the accumulation of material available on Hamilton

includes some of his most important writings, and reflects some of his major political ideas.

It is of considerable benefit that the Syrett edition was saved from microfilm format for readers inside as well as outside academia. The editorial comments, the detailed and accurate presentation of the text, and the care that has been taken in finding all the pertinent documents, are of particular benefit to the scholar. The opportunity to research primary material without having it crumble at one's fingertips has undoubtedly been observed before by a number of historians, as all recent monographs rely heavily on the *Papers*.

Aside from these largely technical advantages the major benefit in any collection of primary writings is the immediate touch the researcher has with his subject. The personal letters are best exploited in popular or psycho-histories, but even in investigations into political history, there is nothing like standing over a subject's shoulder, watching him compose a letter intended only for the recipient. Impressions develop when reading the correspondence of famous individuals; doubtless many private letters were written with one eye to history. Hamilton's *Papers* especially leave this impression because he chose his words carefully, and wrote with a style which at first seems unnecessarily decorative and complex. Hamilton's opponents in Congress accused him of making his reports so difficult to understand that potential critics would keep silent, because they would be afraid to admit their ignorance. Caught up in the period's heated party politics, Hamilton did of course leave occasional evidence of his partisan ploys, his ambitious plans, and his aptitude for slandering both friends and enemies, but these have been given as much emphasis as

they deserve in Hamilton's biographies. The greatest value of the *Papers* is not the weakness or smallness they expose in a famous subject. Whether it be in a call for constitutional reform or revolutionary restraint, their greatest value comes from the timelessness of Hamilton's writings.

* * * * *

A number of books can serve as concise or auxiliary guides to Hamilton's important writings. One work that is more a primary than a secondary source is *Alexander Hamilton and the Founding of the Nation*, edited by Richard B. Morris and published in New York by Dial Press (1957). Although the book presents only some of Hamilton's writings and usually just the most important passages from each, the brief editorial comments provide a fresh interpretation or understanding of Hamilton's letters and pamphlets. The book's greatest value is its readability, and the fact that it presents only documents that have direct bearing on Hamilton's career and political or economic programs. By filtering out writings of no apparent significance, Hamilton's basic ideas are presented in brief form and yet are not smothered in an actual history which does not allow the subject to speak for himself. Another book using this format is *Alexander Hamilton: A Biography in His Own Words*, edited by Mary Jo Kline and published in New York by *Newsweek* (1973). A short sampling of Hamilton's most important letters is provided by Broadus Mitchell in the final third of *Heritage from Hamilton*, published in New York by Columbia University Press (1957), pages 98-160. The major fault of all these abridged editions of Hamilton's writings is their unavoidable subjectivity in selecting what writings to print;

what is important and what is not depends on one's view of Hamilton's career and influence.

The papers of other American Founding Fathers are of considerable use in placing Hamilton in the context of contemporary political thought. However, the various series of the papers of prominent early Americans have vastly different standards of editorial work, since some were compiled over a century ago, while others are either in the midst of a very long process of publication or just beginning to be collected. Generally speaking, the more recent editions have more editorial comments, and an easier-to-follow, chronological arrangement of material.

Of the major multi-volume sets covering the Confederation period, the papers of Jefferson, Madison, Adams and Robert Morris are considerably better annotated than similar works on Franklin and Washington. The first volume of *The Papers of Thomas Jefferson*, edited by Julian P. Boyd, was printed by Princeton University Press in 1950 (Volume 19 of the series, published in 1974, is the latest volume and presents Jefferson's writing up to early 1791). *The Papers of James Madison*, edited by William T. Hutchinson and William M. E. Rachal, published by the University of Chicago Press, began publication in 1962 with Volume I, covering Madison's writings through 1779, and fortunately for this thesis, Volume VIII reached print in 1973, taking Madison through mid-1786. As might be expected, this edition is a vast improvement on *The Writings of James Madison*, edited by Gaillard Hunt and printed in New York by G. P. Putnam's Sons in 1900. *The Papers of Benjamin Franklin*, edited by Leonard W. Labaree, and published in New Haven by Yale University Press, beginning in 1959, have brought Franklin's writings up to the outbreak of the Revolutionary War, March, 1775, in Volume XXI,

published in 1978, and edited by William B. Willcox. The only printed primary source on Franklin in the Revolutionary and Confederation periods is *The Works of Benjamin Franklin*, edited by John Bigelow and published in twelve volumes by G. P. Putnam's Sons in New York (1904). However, one particularly interesting pamphlet of Franklin's from this period has been brought to light by Verner W. Crane and has been printed in "Franklin's 'The Internal State of America' (1786)," *William and Mary Quarterly*, Third Series, XV (1958), 214-227. A particularly well edited NHPC project is *The Papers of Robert Morris*, edited by E. James Ferguson and published by the University of Pittsburgh Press. Volume I, published in 1973, begins the series, and the fourth and latest volume, published in 1978, brings Morris's correspondence up to mid-1782. An edition of comparable value is *The Adams Family Correspondence*, edited by L. H. Butterfield and Marc Friedlaender and published in Cambridge, Mass. by the Belknap Press (1963-). Volume IV in the series was printed in 1973, bringing Adams' correspondence up to 1782. For the subsequent period of Adams' life, scholars must still rely on Charles Francis Adams' ten-volume edition of *The Works of John Adams*, published in Boston by Little, Brown and Company in 1856. The editorial style is outdated and the presentation of works is neither complete nor fully chronological. Of some use are *The Adams-Jefferson Letters*, edited by Lester J. Cappon in two volumes, published in Chapel Hill by the University of North Carolina Press (1959). The thirty-nine volumes of *The Writings of George Washington*, edited by John C. Fitzpatrick between 1931 and 1944 and published by the Government Printing Office in Washington, are relatively complete in that all of Washington's major writings are presented in chronological order; however, the series has

little editorial comment and includes no correspondence to Washington.

The following editions and articles were of some use in providing primary material for comparative study of Hamilton's early career: the unfinished one-volume series entitled *The Political Writings of John Dickinson, 1764-1774*, edited by Paul Leicester Ford and published in New York by Da Capo Press (1970), being a reprint of the edition published in Philadelphia by The Historical Society of Pennsylvania (1895); *The Life and Correspondence of Rufus King*, edited by Charles R. King and published in New York by Da Capo Press (1971), being a reprint of the publication by G. P. Putnam's Sons (1894-1900); Abraham Yates, "History of the Movement for the United States Constitution," edited by Staughton Lynd, and printed in *William and Mary Quarterly*, Third Series, XX (1963), 223-245; anonymous pamphlet entitled "Political Establishments of the United States, 1784," edited by Edmund S. Morgan and printed in *William and Mary Quarterly*, Third Series, XXIII (1966), 294-302; *The Diary and Letters of Gouverneur Morris*, edited by Anne Cary Morris and published by Da Capo Press in New York (1970), being a reprint of the edition published in New York by Charles Scribners' Sons (1888); until *The Papers of John Jay*, as edited by Richard B. Morris reach print, one must rely on *The Correspondence and Public Papers of John Jay*, edited by Henry P. Johnston, and published by Da Capo Press in New York (1971), being a reprint of the publication by G. P. Putnam's Sons in New York between 1890 and 1893.

Of the various collections of writings of more than one Founding Father, Edmund C. Burnett's edition of *The Letters of the Members of the Continental Congress* is most helpful. The series published in eight volumes in Washington by the Carnegie Institution (1921-1936) is well

arranged and well indexed, and allows one to trace Congressional "conspiracies" as they were supposedly happening. Occasional reference is made to *The Records of the Federal Convention of 1787*, edited in four volumes by Max Farrand and published in New Haven by Yale University Press (1911), *Notes of Debates in the Federal Convention of 1787, Reported by James Madison*, edited by Gaillard Brown and James Brown Scott and published by Oxford University Press in New York in 1920, and [Alexander Hamilton, James Madison and John Jay], *The Federalist: A Collection of Essays written in favor of the New Constitution, as agreed upon by the Federal Convention, Sept. 17, 1787*, edited by Roy P. Fairfield and published in New York in 1961, being selections from the two volumes originally published in 1788 in New York by J. and A. McLean. Of some value were *Pamphlets of the American Revolution*, edited by Bernard Bailyn and published in Cambridge, Massachusetts, by the Belknap Press (1965), and *Tracts of the American Revolution*, edited by Merrill Jensen and published by Bobbs-Merrill Co., in New York (1967).

References made to the political and legal theories of Hobbes, Hume, Blackstone, and Locke were based on the following editions of their writings: Thomas Hobbes' *Leviathan*, edited by Herbert W. Schneider, and published in New York by Bobbs-Merrill Co. (1958), based on Parts I and II of the original edition published in 1651 in London; *David Hume's Political Essays*, edited by Charles W. Hendel, and published in New York by Bobbs-Merrill Co. (1952); *David Hume's Essays: Moral, Political and Literary*, published in London in 1963 by Oxford University Press, being a reprint based on the edition originally published in 1741 and 1742; *The Social Contract: Essays by Locke, Hume and Rousseau*, with an introduction by Sir Ernest Barker, and published

in London by Oxford University Press (1960); *Blackstone's Commentaries*, edited by Sir George Tucker in 1803, and reprinted by Augustus M. Kelly in New York (1969); *The Sovereignty of the Law: Selections from Blackstone's Commentaries on the Laws of England*, edited by Gareth Jones, and published in Toronto by the University of Toronto Press (1973).

With regard to Hobbes, Hume, and Locke, it was their various theories on the state of nature and the social contract that were relevant to this thesis, and thus the famous chapters XIII-XVII and chapter XXIX were of most help from *Leviathan*, and particularly useful was *The Social Contract*, which placed Locke's "Second Treatise on Government," written in 1690, right next to Hume's "Of the Original Contract," written in 1748 as essentially a rebuttal to Locke. *The Sovereignty of the Law* helped pare down Blackstone's voluminous *Commentaries* to a readable size.

Secondary Sources

Selected Works on Alexander Hamilton:

Adair, Douglass and Harvey, Marvin. "Was Alexander Hamilton a Christian Statesman?" *William and Mary Quarterly*, Third Series, XII (April, 1955), 208-329.

Connects Hamilton's religious rebirth to the sudden, dramatic failures in his political career in the late 1790s.

Alexander, Holmes. *To Covet Honor: A Biography of Alexander Hamilton*. Belmont, Massachusetts: Western Lands, 1977.

A well-written book, not primarily intended for academic audiences. No new interpretations are attempted, according to the author, and footnotes are not included.

Aly, Bower. *The Rhetoric of Alexander Hamilton*. New York: Russell and Russell, 1941.

Attempts a thesis based on the style of Hamilton's political arguments but generally provides only biographical material.

Bowers, Claude. *Jefferson and Hamilton: The Struggle for Democracy in America*. Boston: Houghton Mifflin Company, 1925.

Famous exposition of the ideological conflict between Jefferson and Hamilton, although generally biased in favor of Jefferson.

Boyd, Julian P. *Alexander Hamilton's Secret Attempts to Control American Foreign Policy: With Supporting Documents*. Princeton, New Jersey: Princeton University Press, 1964.

A well grounded thesis exposing Hamilton's consistent attempts to link America's economy to Britain's in the 1790s.

Bramble, Max Edward. "Alexander Hamilton and Nineteenth Century American Historians: A Study of Selected Interpretations of Hamilton." Ph.D. dissertation, Michigan State University, 1968.

A survey of how historians regarded Hamilton in the century after his death, divided into sections on Richard Hildreth, Henry Stephens, the Adamses, William Graham Sumner and Henry Cabot Lodge. Of particular use as a study of Hamiltonian ideas in intellectual history.

Brooks, Robin. "Alexander Hamilton, Melancton Smith and Ratification of the Constitution in New York," *William and Mary Quarterly*, Third Series, XXIV (1967), 339-358.

Challenges the general understanding of Melancton Smith as a pawn influenced toward ratification by Hamilton's speeches made in the New York Convention in July, for Brooks maintains that Smith indicated concern for the Federalist cause in late June.

Cooke, Jacob E. "Introduction," *Alexander Hamilton: A Profile*. New York: Hill and Wong, 1967.

A short survey of the important Hamilton literature, particularly the books written in the twentieth century. Cooke's theme is that history's opinion of Hamilton has varied according to the aspect of Hamilton under study, and the time in which it was studied.

Crosby, Richard Wheeler. "Alexander Hamilton's Political Principles: Natural Rights, Democracy and the Good Regime." Ph.D. dissertation, Cornell University, 1970.

A provocative treatment of the interrelationship of Hamilton's basic political ideas. Claims Hamilton held Hobbesian premises (self-preservation is paramount), and notes that Hamilton was aware of the fact that "the habits of the Revolution were appropriate to a struggle for liberty but not to the establishment of liberty." The best discussion of Hamilton as a political theorist.

Daniels, Jonathan. *Ordeal of Ambition: Jefferson, Hamilton, Burr*. New York: Doubleday, 1970.

Daniels outlines the route Hamilton took to become the most powerful man in the first effective post-war American government, noting that when he began, Hamilton "had the Schuylers," but by 1780, the Schuylers had Hamilton. Written for a wide audience, without documentation.

Flexner, James Thomas. *The Young Hamilton: A Biography*. Boston: Little, Brown and Company, 1978.

The most fully-researched and comprehensive account of Hamilton's early years. Argues that Hamilton's later political ideas were based on childhood personality complexes, and claims that Hamilton was "by far the most psychologically troubled of the founding fathers." Provides a detailed biographical narrative on Hamilton's life, but only up to 1784.

Govan, Thomas P. "Alexander Hamilton and Julius Caesar: A Note on the Use of Historical Evidence," *William and Mary Quarterly*, Third Series, XXXII (1975), 475-480.

Argues that Dumas Malone, Julian P. Boyd, Douglass Adair and Thomas Jefferson were all wrong in thinking Hamilton an admirer of Julius Caesar, for there are no favorable references to Caesar in Hamilton's writings, yet there are many uncomplimentary comments, and one clear warning about the possibility of an American popular rebellion being led by a Caesar or a Cromwell, leading to a despotism ("The Federalist No. 21").

Govan, Thomas P. "The Rich, the Well-born, and Alexander Hamilton," *The Mississippi Valley Historical Review*, XXXVI (1950), 675-680.

Argues that Judge Robert Yates' version of Hamilton's June 18th speech in the 1787 Constitutional Convention is contradicted by other sources, and that it is likely that Hamilton never did claim (as Yates maintained) that the rich and the well-born are best disposed to maintain good government.

Hacker, Louis M. *Alexander Hamilton in the American Tradition*. New York: McGraw-Hill, 1957.

An exposition of Hamilton as a prominent American nationalist, a statesman working for a government that would provide for "the good of the whole community and the benefits occurring from enterprise." In comparing Jefferson and Hamilton, the book is clearly partisan in favour of Hamilton.

Kenyon, Cecilia M. "Alexander Hamilton: Rousseau of the Right," *Political Science Quarterly*, LXXIII (1958), 161-180.

Notes that Hamilton merely had a belief that individual commercial success would lead to the collective prosperity of the states, and was thus less realistic, sceptical and more naive than Jefferson.

Kline, Mary-Jo. *Alexander Hamilton: A Biography in His Own Words*. New York: Newsweek, 1973.

With easily half of the text being direct quotes from Hamilton's papers, the book traces Hamilton's life with a supplementary biographical narrative and illustrations.

Koch, Adrienne. "Hamilton and Power," *Yale Review*, XLVII (1958), 537-551.

Suggests that recent Hamilton biographers and supporters have gone too far, for Hamilton's simplistic understanding of power left no quarter to factions or minorities, and threatened individual rights.

Konefsky, Samuel J. *John Marshall and Alexander Hamilton: Architects of the American Constitution*. New York: Macmillan, 1964.

Both explores and challenges the obvious connection between Hamilton and Marshall as prominent nationalists, noting that they worked for similar goals, but in quite different spheres.

Krout, John A. "Alexander Hamilton's Place in the Founding of the Nation," *Proceedings of the American Philosophic Society*, CII (1958), 124-128.

Notes that Hamilton was ready-made for the myth-makers in American history, and claims he has been justly seen as one of America's legendary statesmen.

Livingston, John D. "Alexander Hamilton and the American Tradition," *Mid-West Journal of Political Science*, I (1957), 209-224.

Claims conservatives today pursue Hamilton's goals with Jefferson's rhetoric, by taking the latter's emphasis on equality and using it to emphasize equal opportunity in obtaining wealth and fortune.

Lovat-Fraser, J. A. "Alexander Hamilton as a Lawyer," *Juridical Review*, XXVIII (1916), 262-269.

Contends Hamilton believed that unbridled democracy leads to anarchy, and maintains that Hamilton was haunted "by the fear of an American revolution which would break up society, and confiscate property."

Lycan, Gilbert L. *Alexander Hamilton and American Foreign Policy: A Design for Greatness*. Norman: Oklahoma University Press, 1970.

Tying together biography and diplomatic history, the book is a defense of Hamilton's foreign policy involvement in the 1790s. Provides little more than a biographical sketch of Hamilton before 1789.

Malone, Dumas. "Hamilton on Balance," *Proceedings of the American Philosophical Society*, CII (1958), 132-135.

Suggests that Hamilton can be viewed objectively, and should not be continually placed at swords' points with Thomas Jefferson. Circumstance largely contributed to their rivalry, and Washington's collaboration with Hamilton.

Mason, Alpheus T. "The Federalist--A Split Personality," *American Historical Review*, LVII (1952), 625-643.

A discussion of the similarities (pessimistic view of human nature, lack of confidence in the Articles, belief in inequality of property) and differences (treatment of factions, the executive, the judiciary) between Hamilton's and Madison's contributions to "The Federalist."

Miller, John C. *Alexander Hamilton: Portrait in Paradox*. New York: Harper and Brothers, 1959.

A balanced treatment, neither too generous to nor overly critical of Hamilton. The major paradox exposed is how Hamilton's policies caused a reaction of state sectionalism, "the very eventuality he most dreaded."

Mitchell, Broadus. *Alexander Hamilton: A Concise Biography*. Oxford University Press, 1967.

A revision and summary version of Mitchell's two-volume biography (cited below). Without documentation.

Mitchell, Broadus. *Alexander Hamilton: The Revolutionary Years*. New York: Thomas Y. Crowell Company, 1970.

A detailed account of Hamilton's military adventures and duties during the Revolutionary War. Places more emphasis on Hamilton's wartime experience than his Revolutionary writings and pamphlets.

Mitchell, Broadus. *Alexander Hamilton: Youth to Maturity, 1755-1788*. New York: Macmillan, 1957; *Alexander Hamilton: The National Adventure, 1788-1804*. New York: Macmillan, 1962.

The most comprehensive, best researched and most detailed narrative biography of Hamilton. Trained as an economist, the author gives a sophisticated defense of Hamilton's economic programs. Critics have seen the work as pro-Hamilton to a fault, and as providing little analysis to complement the fact-ridden narrative.

Mitchell, Broadus. "If Hamilton Were Here Today: Some Unanswered Questions," *South Atlantic Quarterly*, LXII (1963), 288-296.

Poses interesting questions based on the substantial gaps in the surviving record of Hamilton's thoughts and actions. An account of what will probably never be known about Hamilton.

Mitchell, Broadus. "Jefferson and Hamilton Today," *Virginia Quarterly Review*, X (1934), 394-407.

Compares how Hamilton and Jefferson relate to the America of the 1930s. Claims developments in the American economy have come to justify Hamilton's visions.

Mitchell, Broadus. *Heritage from Hamilton*. New York: Columbia University Press, 1957.

In three short chapters on Hamilton as "Continentalist," "Finance Minister," and "Partly Leader," the work summarizes Hamilton's major roles in American public life.

Maramarco, Fred. "Hamilton and the Historians: The Economic Program in Retrospect," *Midcontinent American Studies Journal*, VIII (1967), 34-43.

A survey of historians who have seen Hamilton's economic program as aristocratic, mercantilist or nationalist. Concludes that the third view is most correct.

Morris, Richard B. "Alexander Hamilton and the Glory Road," *Seven Who Shaped Our Destiny: The Founding Fathers as Revolutionaries*. New York: Harper and Row, 1973.

A summary treatment of both Hamilton's career and his political writings, emphasizing how Hamilton spent his entire career defending the "noblest aspirations" of the Revolution.

Oliver, Frederick Scott. *Alexander Hamilton: An Essay on American Union*. London: Constable and Company, 1928.

This edition, which fostered a new wave of interest in Hamilton, pictured him as a nationalist, and one who remedied deficiencies in the 1787 Constitution with his economic programs.

Panagopoulos, E. P. "Hamilton's Notes in His Pay Book of the New York State Artillery Company," *American Historical Review*, LXII (1957), 310-325.

Suggests possible intellectual origins of Hamilton's political ideas (Postlethwayt, Plutarch) based on notes Hamilton had made in his artillery company Pay Book at the outset of the Revolutionary War.

Parrington, Vernon L. *Main Currents in American Thought*. New York: Harcourt, Brace and Company, 1927.

An often-cited work in Hamilton historiography for the image it gave of Hamilton as an administrator representing conservative interests, and as an undemocratic political realist who believed in the rule of the strong.

Parsons, Lynn Hudson. "Federalism, the British Empire and Alexander Hamilton," *New York Historical Society Quarterly*, LII (1968), 62-80.

Attempts a connection between Hamilton's ideas of the 1780s and the Canadian, Australian and South African constitutions spanning 1867 to 1910, and claims that Hamilton's basic belief that there need be no direct relation between the extent of centralization and the extent to which citizens' liberties are infringed, has been supported--if not adopted--by all these countries.

Parsons, Lynn Hudson. "The Hamiltonian Tradition in the United States, 1804-1912," Ph.D. dissertation, John Hopkin's University, 1967.

Surveys how Hamilton was regarded as a nationalist, a conservative and a capitalist during various times and by various people in the century after his death. Provides a thorough guide to sources on the time-period that is covered.

Rose, Stanley D. "Alexander Hamilton and the Historians," *Vanderbilt Law Review*, II (1958), 853-886.

A critical summary and review of ten books published on Hamilton in 1957 and 1958 (including the works by Morris, Aly, Mitchell, Hacker, and Schachner). Reads even today as a good working paper on Hamilton, outlining research that should be done and questions that should be answered.

Rossiter, Clinton. *Alexander Hamilton and the Constitution*. New York: Harcourt, Brace and World, 1964.

Readable, well-organized, and well-documented analysis of the foundations for and consequences of Hamilton's constitutional political thought. Provides a two-chapter summary analysis of Hamilton's political ideas. The only thorough examination of his judicial theory.

Schachner, Nathan. *Alexander Hamilton*. New York: A. S. Barnes and Company, 1946. Reprinted in 1957.

A lively popular history of Hamilton that stresses the major personal incidents and scandals in his career.

Stourzh, Gerald. *Alexander Hamilton and the Idea of Republican Government*. Stanford: Stanford University Press, 1970.

A study which ignores Hamilton's economic programs, and instead concentrates on his Revolutionary writings, his Republican principles and, in conclusion, his "Pursuit of Greatness." Links Hamilton's Revolutionary ideas to Blackstone. Attempts a synthesis of Hamilton's many political beliefs into a political theory that was complex and novel because of its Republican framework.

Vandenberg, Arthur H. *If Hamilton Were Here Today*. New York: 1923.

A defense of Hamiltonian politics from the perspective of a Republican in the 1920s.

Wright, Esmond. "Alexander Hamilton: Founding Father," *History Today*, VII (1957), 182-189.

Investigates why Hamilton has been relatively neglected by historians, and why he has become the focus of no legend. Suggests Hamilton's greatest problems stemmed from his personality.

Selected Works on the American Revolution and Revolutionary Theory:

Arendt, Hannah. *On Revolution*. New York: The Viking Press, 1963.

Defines revolution, on the basis of the American example, as calm, ordered, and political. Not every desperate, violent, and sociological rebellion, insurrection or *coup d'état* is a revolution, according to her analysis.

Bailyn, Bernard. *The Ideological Origins of the American Revolution*. Cambridge, Massachusetts: Harvard University Press, 1967.

Argues that the Revolution was above all an ideological and political struggle, not a social or economic one. What was involved was the realization "of the inheritance of liberty," bringing about new outlooks toward political society and new fears about whether or not a stable system could ever grow out of these new attitudes.

Bailyn, Bernard. "Political Experience and Enlightenment Ideas in Eighteenth Century America," *American Historical Review*, LXVII (1962), 339-351.

The American Revolution brought forth the enlightenment ideas that had developed naturally, and gradually, prior to it. Political ideas and political experience were no longer seen as separate.

Boorstin, Daniel J. *The Genius of American Politics*. Chicago: University of Chicago Press, 1953.

The American Revolution seen as a vindication of the British party and an "affirmation of faith in ancient British institutions." No political philosophy arose from it, because it was predicated on inherited political beliefs.

Dion, Lion. "Natural Law and Manifest Destiny in the Era of the American Revolution," *Canadian Journal of Economic and Political Science*, XXIII (1957), 227-247.

Contends that it was Americans' conception of natural law that gave them unity of purpose, and a sense of importance as defenders of European liberties.

Ferguson, E. James. "Business, Government and Congressional Investigation in the Revolution," *William and Mary Quarterly*, Third Series, XVI (1959), 293-318.

An interesting study on the lack of distinction between public and private enterprise in the Revolution; many key government suppliers used their position for personal profit, and indiscretions were common. The alliance of monied men and government was secured in the Revolutionary War.

Hacker, Louis M. "The First American Revolution," *Columbia University Quarterly*, XXVII (1935).

Suggests that the real American Revolution was the Americans' realization of their economic dependence on Britain in a colonial situation, and their resolve to change that status.

Harlow, R. V. "Aspects of Revolutionary Finance," *American Historical Review*, XXXV (1929), 46-66.

Detailed account of the state of the economy during the Revolutionary War, covering the types of taxation and fund-raising that were used and the laws passed to promote confidence in the currency.

Hartz, Louis B. "American Political Thought and the American Revolution," *American Political Science Review*, XLVI (1952), 321-42.

Suggests that the lack of a feudal past resulted in a Revolution which caused relatively little disorder in American society. Defends de Tocqueville's claim that Americans were "born free without having to become so."

Hawke, David F. "The American Revolution--Was it a Real One?" *American Book Collector*, XVII (1967), 27-32.

Unlike those works which saw the Revolution as a conservative defense of British traditions, Hawke claims that the Revolution caused a completely different outlook in Americans--a Republican view of politics and society.

Jensen, Merrill. "The American People and the American Revolution," *Journal of American History*, LVII (1970), 5-35.

Points out that large numbers of common people in mobs, mass meetings, newspapers and local political struggles supported democracy and rule of the people so fervently that spokesmen in the Constitutional Convention in 1787 were drawn to worry.

Kammen, Michael. *A Season of Youth: The American Revolution and the Historical Imagination*. New York: Alfred A. Knopf, 1978.

Argues that the American Revolution in national tradition has been trivialized and derevolutionized, and since the 1940s Americans have emphasized the glories of their Constitution more than their Revolution.

Kenyon, Cecelia M. "Republicanism and Radicalism in the American Revolution: An Old-Fashioned Interpretation," *William and Mary Quarterly*, Third Series, XIX (1962), 153-182.

Claims the Revolution was more radical than conservative, in that it fostered a new appreciation of republican government, modified John Locke's philosophy to fit the American situation, and led to the development of a new federal system of government in 1787.

Ketcham, Ralph. *From Colony to Country: The Revolution in American Thought, 1750-1820*. New York: Macmillan, 1974.

Outlines the "Revolution in Loyalty," as Americans lost respect for the British Parliament in the years prior to 1776. Based largely on primary material, the book summarizes reactions to the Revolution in the four decades that followed it.

Kristol, Irving, Martin Diamond, and Warren G. Nutter. *The American Revolution: Three Views*. New York: American Brands, Inc., 1975.

Irving Kristol builds Hannah Arendt's definition of revolution into a case for the unique nature of the American Revolution; Martin Nutter discusses the causes and effects of the philosophy of the American Revolution; Martin Diamond portrays the Revolution as a revolution of sober expectations, where an improvement in the economy was a major goal.

Main, Jackson Turner. "Government by the People: The American Revolution and the Democratization of Legislatures," *William and Mary Quarterly*, Third Series, XXIII (1966), 391-407.

On the basis of the legislative structures of three states, this work suggests the Revolution broke the elite's hold on the state governments and on the basis of contemporary newspaper opinion, suggests it also created a disposition in Americans to defend popular government.

Morgan, Edmund S. "The American Revolution: Revisions in Need of Revising," *William and Mary Quarterly*, XIV (1957), 3-15.

Reviews recent Whig histories of the Revolution and suggests that they do not sufficiently take into account that one major cause of the Revolution was the local institutions which gave patriot leaders their experience.

Morris, Richard B. "Class Struggle and the American Revolution," *William and Mary Quarterly*, Third Series, XIX (1962), 3-29.

Argues that class struggle was not a major factor in the Revolution, for members from all classes are found on both sides of the conflict.

Rossiter, Clinton. *The Political Thought of the American Revolution*. New York: Harcourt, Brace, and World, 1963.

Surveys the influence of Locke, Coke, Montesquieu, Burlamaqui, Blackstone, and Hume on the American Revolution, and points out the moral judgements made in the revolutionaries' political principles.

Stourzh, Gerald. "William Blackstone: Teacher of Revolution," *Jahrbuch fur Amerikastudien* (West Germany), XV (1970), 184-200.

As in *Alexander Hamilton and the Idea of Republican Government*, the author stresses Blackstone's writings as an impetus for the Revolution. Suggests that Locke is given credit for too much influence on the American Revolution, and Blackstone not enough.

Tate, Thad W. "The Social Contract in America, 1774-1787: Revolutionary Theory as a Conservative Instrument," *William and Mary Quarterly*, Third Series, XXII (1965), 375-391.

Claims that social contract theory had a specific, limited, and conservative use in the period during and after the American Revolution. It provided a justification for the setting up of government; it did not grant individuals the right to resist lawful government. As it was used to justify one revolutionary cause of action, it tended to discourage revolutionary thought thereafter.

Wood, Gordon S. *The Creation of the American Republic, 1776-1787*.
Williamsburg: University of North Carolina Press, 1969.

Argues that Americans revolted not against the English Constitution but on behalf of it, drawing support from the "opposition view of English politics" and the radical Whigs who thought representatives prone to abuse the trust put in them by the people. Examines the effect of this philosophy in the post-Revolutionary years.

Werner, James M. "David Hume and America," *Journal of the History of Ideas*, XXXIII (1972), 439-456.

Points out that Hume supported American independence in 1775, and suggests that many Americans drew many different political ideas from Hume's writings.

Selected Works on the Confederation Period and Constitutional Theory
(annotation not provided for works discussed in Chapter Five):

Adair, Douglass. "That Politics May be Reduced to a Science: David Hume, James Madison and the Tenth Federalist," *Huntington Library Quarterly*, XX (1957), 343-360.

Discusses Hume's influence on the American Founding Fathers, particularly his belief, adopted by Madison, that provinces and groups in various regions are best balanced in an overriding "extended federal" system.

Banks, Margaret A. "Drafting the American Constitution: Attitudes in the Philadelphia Convention toward the British System of Government," *American Journal of Legal History*, X (1966), 15-33.

Stresses the differences between the American and British constitutions, noting the absence of a House of Lords and the different separation of powers in America with the addition of a Supreme Court.

Beard, Charles A. *An Economic Interpretation of the Constitution of the United States*. New York: Macmillan, 1913.

Borden, Morton and Otis L. Graham, Jr. *Speculations on American History*. Toronto: D. C. Heath and Company, 1977.

Coleman, John M. "How Continental Was the Continental Congress," *History Today*, XVIII (1968), 540-550.

Coleman suggests that the American Continental Congress really did not want to bring the insurgent French-Canadians into the union.

Corwin, E. S. "The Progress of Constitutional Theory Between the Declaration of Independence and the Constitutional Convention," *American Historical Review*, XXX (1925), 511-524.

Claims that the results of the Constitutional Convention of 1787 were not just compromises of political theory, but reforms intended to eliminate weaknesses in the administration of justice under the former system.

Dunbar, Louise B. *A Study of "Monarchical" Tendencies in the United States, from 1776 to 1801*. Urbana: University of Illinois, 1922.

Concludes that although several "monarchical" plans of government are discussed by prominent Americans, including Hamilton, between 1776 and 1787, and during the convention of 1787, never do the people of the United States seem to be in favor of monarchical government.

Eidelberg, Paul. *The Philosophy of the American Constitution*. New York: The Free Press, 1968.

Claims that the Constitution is not the product of merely democratic, only oligarchic or solely aristocratic intentions, for all of these are evident at various points in the Constitution. Delegates voted according to issues, not philosophies; the rhetoric of the *Federalist* was the Constitution's only philosophy.

English, Mary O'Connor. "New York in Transition, 1783-86," Ph.D. dissertation, Fordham University, 1971.

Describes the re-establishment of municipal government and services in the years following British occupation. Although Whigs battled Tories for political control, a third faction formed as well, that tried to moderate the political strife.

Feer, Robert A. "Shays' Rebellion and the Constitution: A Study in Causation," *New England Quarterly*, XLII (1969), 388-410.

Ferguson, E. James. "State Assumption of Federal Debt during the Confederation," *Mississippi Valley Historical Review*, XXXVIII (1951).

Ferguson, E. James. "Nationalists of 1781-1783 and Economic Interpretation of the Constitution," *Journal of American History*, LVI (1969).

Fiske, John. *The Critical Period of American History, 1783-1789*. Boston and New York: Houghton, Mifflin and Company, 1916.

Jensen, Merrill. *The New Nation: A History of the United States during the Confederation, 1781-1789*. New York: Knopf, 1950.

Johnson, Herbert A. "Toward Reappraisal of the 'Federal' Government, 1783-1789," *American Journal of Legal History*, VIII (1964).

Kenyon, Cecilia M. "Men of Little Faith: Anti-Federalists on the Nature of Representative Government," *William and Mary Quarterly*, Third Series, XII (1955), 3-43.

Points out that the Anti-federalists were not democrats; they merely distrusted man's ability to use power wisely and they had little faith in representative government on a grand, nation-wide scale.

Kohn, Richard H. "The Inside History of the Newburgh Conspiracy," *William and Mary Quarterly*, Third Series, XXVII (1970), 187.

Lynd, Staughton. "Abraham Yates' History of the Movement for the United States Constitution," *William and Mary Quarterly*, Third Series, XX (1963).

McDonald, Forest. *We the People: The Economic Origins of the Constitution*. Chicago: University of Chicago Press, 1958.
Refutes the Beard thesis by arguing that those who wanted to strengthen the Union wanted a more powerful Congress to do it.

Morris, Richard B. "The Confederation Period and the American Historian," *William and Mary Quarterly*, Third Series, XIII (1956), 139-156.

Olson, Gary D. "The Soderstrom Incident: A Reflection Upon Federal-State Relations under the Articles of Confederation," *New York Historical Society Quarterly*, LV (1971), 108-118.

One weakness of the Continental Congress was its inability to convene regularly and often. This is shown in the Soderstrom incident, where a consul-to-be from Sweden at Boston travelled to Trenton in 1784 and could not find the American government in session to recognize him. When Massachusetts independently recognized him, a constitutional controversy ensued.

Roche, J. P. "The Founding Fathers: A Reform Caucus in Action," *American Political Science Review*, LV (1961), 799-811.

Claims the Founders were a democratic reform caucus, who believed that their reforms had to be debated by the people and ratified by the states to be brought into effect.

Sutherland, Arthur E. *Constitutionalism in America: Origin and Evolution of its Fundamental Ideas*. New York: Blaisdell, 1965.

Traces the relationship between British political ideas and the American Constitution, the most important being how the delegates in 1787 following the British Constitution left many issues open to question even in their written Constitution.

Ulmer, Sidney S. "Sub-Group Formation in the Constitutional Convention," *Midwest Journal of Political Science*, X (1966), 288-303.

Provides a quantitative analysis of the groups in the Constitutional Convention; suggests that these groupings cannot be explained by the Beard, Brown or McDonald theses.

Washburn, John L. "Two Meanings of the Term Constitution: A Comment on 'Constitutionalism in American Thought'," *Pennsylvania History*, XXXVI (1969), 419-423.

There were two types of social contract (one which formed society and one which created government) that Americans came to distinguish during the Revolution.