

# **The State as a Work of Art**

*The Cultural Origins of the Constitution*

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CHAPTER FIVE

## Being Alone in the Age of the Social Contract

The most widely circulating, and most imitated, declaration of rights published during the American Revolution was not the Declaration of Independence but a Committee Draft of a Declaration of Rights, prepared principally by George Mason and framed for the Virginia Provincial Convention in late May 1776. The first article declared:

That all men are born equally free and independent, and have certain inherent natural rights, of which they cannot, by any compact, deprive or divest their posterity; among which are, the enjoyment of life and liberty, with the means of acquiring and possessing property, and pursuing and obtaining happiness and safety.

It was a bold statement, but the Virginia Convention had not endorsed it. Nevertheless, it was not uncommon for bold but unendorsed statements from Virginia to circulate in colonial newspapers and to become enacted in other areas on the assumption that they had been adopted in Virginia. A decade earlier, in the spring of 1765, a divided Virginia House of Burgesses rejected several draft resolves against the Stamp Act, but newspapers outside of Virginia printed the rejected resolves in such a way as to suggest that they had been adopted. Believing that they were simply following Virginia's lead, other colonial legislatures enacted those rejected resolutions, asserting in particular that their inhabitants could ig-

more parliamentary laws. The mechanisms of communication in late colonial America produced a confidence game by which, through the sheer fact of printing and circulation, unenacted resolutions could sometimes assume the appearance of authenticity and legitimacy and extreme positions could come to look acceptable.<sup>1</sup> This was the case with the draft of the Virginia Declaration of Rights, a document that seemed by its very language to overturn slavery.

Though the draft of the Virginia Declaration circulated in newspapers across the colonies and though its proposed first article was adopted by other states (and in the case of the Vermont Constitution of 1777, was followed by an explicit article abolishing slavery for males over twenty-one years of age and females over eighteen), the expansive language of the first article did not ultimately survive the editing process. The Virginia Convention modified the language of the final text, rendering the first line as follows:

That all men are *by nature* equally free and independent, and have certain inherent natural rights, of which, *when they enter into a state of society*, they cannot, by any compact, deprive or divest their posterity.

The culture of slavery made a mess of the talk of natural rights, even when (as in the case of this revision) lawmakers tried to find a constitutional accommodation between the practice of slavery in Virginia and the expressed commitment to universal equality. According to the logic of the revised text, African-American slaves, though perhaps “by nature equally free and independent,” had not entered into “a state of society” with white Virginians and thus could “deprive or divest their posterity” of “inherent natural rights” even without “any compact.” But if the Virginia Convention could settle on language that allowed for both cultural practice and natural rights, the revision still highlighted a series of problems: Were slaves best thought of as “by nature equally free and independent”—that is, as having once possessed the rights to life, liberty, property, and happiness that the Virginia Convention endorsed—or had they never truly been individuals? Was it better to imagine slaves as a class or group of people outside of society, or to think of each individual slave as a distinct and isolated case of lawful capture? And if slaves were truly independent of society, if they were in a sense presocial beings, then why did that condition cancel out rather than guarantee their natural rights? Natural rights were not, after all, the products of society

or of government; they were holdovers from a presocial and prepolitical state. That is what made rights natural.

Being alone presented special problems for an age obsessed by the social contract, by the public sphere, and by sociability itself. Consider, for instance, the way in which publicity and privacy confronted each other on the pages of Josiah Meigs’s *New-Haven Gazette*. On October 4, 1787, an essayist writing under the pseudonym “Social Compact” offered readers wholehearted endorsement of the proposed Federal Constitution. “Social Compact” may have been an unusually abstract pseudonym for an individual, but the choice of the name and the theme of the essay exemplified the ways in which readers and writers in the age of the American Revolution routinely conflated written constitutions and social compacts, as if society was not itself a distinct mediator between government and the mythical “state of nature” described by political philosophers.<sup>2</sup> Ten months later, Meigs’s paper reported the narrow ratification of the Constitution by the New York Convention, the crucial cementing vote in the document’s adoption as a national “social compact.” In the same issue Meigs printed a short literary sketch entitled “The Hermit’s Soliloquy,” a text contemporary readers might have regarded as an “unsocial” or (employing a word emerging at this moment) an “antisocial” compact. Here is the pledge the hermit made to himself:

Under the brow of this little hill I have built my little hut: Here I live in lonely silence, secluded from every human eye. The awful stillness of the wilderness gives me opportunity to ruminate upon the follies and vices of my fellow mortals, with whom I formerly lived—To-day I will contemplate the human heart in the hermitage and in the social circle; I will draw up a judgment concerning its operations in those two different situations. To-day I will live justly; to-day virtue shall be my theme—And though I have nothing but roots and bark to eat, yet I will not complain; for what is vicious man, that he should be supported by infinite benevolence! I intend to spend one hour every day in correcting my faults, in regulating my passions and desires. I have no person with whom I can converse, yet I receive pleasure from speaking loud. Sociability is far from me, but truth I will embrace; gratitude to the Source of all existence shall fill my heart.<sup>3</sup>

Taking readers inside the hermit’s hut, this short text showcased the public penetration of private space, modeling for its audience the conflict between the hermit’s fantasies of privacy on the one hand and cor-

responding fantasies of the violation and public appropriation of that privacy on the other.<sup>4</sup> Original readers, in groups or individually, perhaps discovered an extreme example of moral reform embedded in the hermit's joy in exchanging sociability for postsocial privation. This was, after all, a voluntary analogue to the Philadelphia physician Benjamin Rush's prescription of forced solitude as a "mechanical means of promoting virtue" for the chronically vicious in 1786 and as a substitute for capital punishment in 1787: "the life of a hermit," as Rush described it, was "a life of passive virtue."<sup>5</sup> On the other hand, readers may have simply laughed at the hermit's Franklinian hour-a-day scheme for self-improvement, confident that virtue was meaningless outside of its active exercise in a social context. But whatever they made of the hermit, readers would almost certainly have recognized the hermit's retreat as the antithesis of the social compact itself.

Privacy, as recent accounts of the term in eighteenth-century Britain make clear, underwent a shift in this period from a classical conception of seclusion and withdrawal to a more recognizably modern notion of independence and intimacy.<sup>6</sup> We do not, of course, lack accounts of privacy in early America. Since the mid-1960s, legal scholars have engaged Supreme Court rulings on the right to privacy through historical meditations on legal protections for privacy in early America, but such studies often figure privacy as a transhistorical category, something that is either protected or ignored but is everywhere the same.<sup>7</sup> More persuasively, since the 1970s early Americanists have charted categorical revaluations of privacy by describing new ideas about gender and sexuality that emerged by the end of the eighteenth century. Historians and literary scholars have crucially dissected and deconstructed a "private/public dichotomy," especially but by no means exclusively as it was embedded in early republican notions that white married women should find a public role within a private sphere.<sup>8</sup> The stunning analysis of the public sphere that has followed Jürgen Habermas constitutes some of the strongest work in early American cultural and intellectual history in the last two decades; it is certainly worth noting, however, that those historians and literary scholars who have found Habermas useful have not taken up his claims for the categorical construction of privacy in conjunction with the rise of publicity to the same extent as those scholars of eighteenth-century France who, following the French translation of Habermas's book in 1978, made analysis of the history of "private life" a major component of their studies of the public sphere.<sup>9</sup> We still lack a larger

conceptual and cultural history of privacy in early America to place beside and in dialogue with our new appreciation of publicity.

A larger cultural history of privacy in the "constitutional era" would consider the politics of the cultural preoccupation with solitude. Renunciations of the "social circle" and the appeal of being alone in such texts as "The Hermit's Soliloquy" constitute cultural reflections of and on revolutionary-era political issues: the compatibility of individual liberty and collective authority, the conflict between independence and union, the location of rights in a prepolitical state of nature or as products of a social compact, the relationship between private life and public sphere. While I try to remain true to fluctuating tensions between "self" and "society," two terms radically revised in the late eighteenth century, and to the period's simultaneous widening and constricting understanding of the word "politics," I also want to elucidate connections between two strands of historiography not often braided: the history of popular culture and the history of political thought.<sup>10</sup> Placing the problems of solitude at the center of public discussions of state formation forces us to reexamine central tensions of the revolutionary decades. What emerges, at least in my discussion here, is less a unified account of the "age of the social contract" (or the "constitutional era") than an argument against the possibility of such synthesis for a period marked by a fascination with both sociability and solitude, by narratives of entering into and exiting from civil society, by an excitement about written constitutions and an anxiety about textualizing rights, by competing concepts of the state as the product of individuals and of individuals as products of the state, and by a celebration of public deliberation tempered by a suspicion that individuals made better decisions when they did so alone and in private. Cultural historians have recently come to appreciate the force of what one Boston novelist in 1789 called "the power of sympathy," but we have not yet come to terms with what Joseph Story, later Associate Justice on the Supreme Court but at the time law student and would-be poet, referred to in 1799 as "the power of solitude."<sup>11</sup>

### The Power of Solitude

What exactly was powerful about solitude? Discussions of solitude and retirement in the revolutionary period represented fantasy narratives of self-liberation from the public sphere, even as they addressed that public

sphere and even as the public sphere enabled a meaningful distinction to arise between solitude and privacy. Texts that claim to catch postsocial individuals talking to themselves are of course by nature audience-oriented, directed toward a reading public (increasingly made up of solitary readers) curious and anxious about privacy. The print culture of late eighteenth-century America was populated by countless overheard hermits, romantic figures at the edge of the American Enlightenment variously imagined as communicating with themselves, with nature, and—far less often—with God.<sup>12</sup> Some overheard hermits addressed members of this public directly. “The Hermitess; Or, Fair Secluder,” a short piece of fiction that shared a page of the *Massachusetts Magazine* with a misogynist account of the “Isle of Matrimony” and appearing just months after Judith Sargent Murray’s seminal essay “On the Equality of the Sexes,” described how one woman’s meditative communion with the silence of nature was broken by overhearing another woman’s soliloquy: “May the volatile and young, who dance in giddy circles of gaiety, learn from hence,” the hermitess counseled, “that happiness is not the lot of mortals.”<sup>13</sup> Postrevolutionary hermits tell stories of the failures of sociability, of societies so overdetermined by social distinctions that (if we adopt economic historian Albert O. Hirschman’s terms) only “exit” could enable “voice.”<sup>14</sup> The pleasures of solitude announced by such texts tested prevailing pieties about the natural sociability of human beings; successful accounts of seclusion in a “state of nature” seemed to trump claims for the necessity of the social compact itself. For “true liberty,” as the most popular contemporary theorist put it, “was discovered only in solitude,” where “man . . . enters into the state of nature.”<sup>15</sup> Indeed, these texts that show individuals voluntarily exiting from society stand as counterpoints for the social contract’s narrative of individuals voluntarily leaving the “state of nature” for the protections of civil governments. Accounts of seclusion and withdrawal from public life may have represented classical articulations of “privacy,” but stories of individuals who became individuals by privatizing themselves were also pointed meditations on contemporary politics.<sup>16</sup>

In one sense, private withdrawal made thought about public things possible. Narratives about individuals who choose to leave society had a social function, of course, and one way to account for the prevalence of hermits in the print culture of late eighteenth-century America is to consider them as exemplary figures of the public sphere. In a series of monthly essays written by “The Hermit” and published in Philadelphia

in the *American Magazine and Monthly Chronicle for the British Colonies* in 1758 and 1759, the editor Rev. William Smith suggested that the character of the solitary recluse offered the perfect analogue for the anonymous proprietors of the magazine.<sup>17</sup> The authority of “The Hermit” and of the magazine proprietors (a word that in the proprietary government of Pennsylvania carried political overtones; Smith was a loyal supporter of the Proprietary party over the democratic assembly) rested in their ability to offer advice to the public that could not be traced directly back to any particular source. It also suggested that the model for socially critical writing should not be someone engaged in the busy world like “The Spectator” (or any of the other essayists in the *American Magazine* based loosely on that character: “The Planter,” “The Watchman,” “The Prattler,” and—in the midst of the French and Indian War—“The Antigallican”) but someone removed from society, someone who had engaged in a “*Secession* from this world of vanity and strife.”<sup>18</sup> Like the eponymous character of John Dickinson’s *Letters from a Farmer in Pennsylvania to the Inhabitants of the British Colonies* (1767), who announced that he had been formerly “engaged in the busy scenes of life” but was “now convinced, that a man may be as happy without bustle, as with it,” and who directed his remarks to those readers “whose employments in life may have prevented . . . attending to the consideration of some points that are of great and public importance,” Smith’s “Hermit” in his romantic solitude could reflect on society (and even at times stand in for society) from the vantage point of someone who stood apart from it.<sup>19</sup> For that reason, the title page of a poem entitled *Liberty* (1769) similarly claimed that the text, which itself praised “social ties,” had been “Lately Found in a Bundle of Papers, said to be Written by a Hermit in New-Jersey.” And readers of *A Pretty Story Written in the Year of Our Lord 2774* (1774), a patriot satire penned by one of Smith’s former students, were encouraged to imagine (if not to believe) that the text had been “discovered in a Hermit’s Cave.”<sup>20</sup>

Retirees differed from hermits in obvious and crucial ways. Retirement, a specific kind of social privacy, was the pose of so many who, imitating the classical retreat suggested by the British poet John Pomfret’s *The Choice* (1700), proposed to remove themselves to a rural “private Seat” populated by classic books, a few friends, and an occasional female companion. For the speaker in Pomfret’s poem, retirement did not constitute a total renunciation of “society” (a word that appears favorably in describing the limited company of male friends) but a refinement

of it, one that would isolate him from “Intrigues of State.”<sup>21</sup> The trope of retirement from public life and especially state intrigue held special appeal for American politicians and their constituents in the period. For those whose wealth ensured a certain form of privacy already and who could afford to mimic the trappings of poverty, eighteenth-century landscape gardeners could outfit estates with rustic hermit huts. Jefferson hoped to have one constructed at Monticello, the name he adopted for his own estate after flirting with but ultimately rejecting “The Hermitage,” a name that would imply a single occupant and further erase the slave labor that rendered a particular kind of solitude possible.<sup>22</sup> The cultural valorization of Washington’s multiple retirements from and returns to public life fastened to a long-standing deferential ethic of elite private leisure and public service; it also reinforced the radical critique of professional politics that made rotation in office, amateur legislators, and term limits so appealing. Retirement even fascinated persons who had barely engaged in public life. In *Philosophic Solitude; or the Choice of a Rural Life* (1747), twenty-three-year-old William Livingston (who forty years later would be governor of New Jersey and a delegate to the Constitutional Convention) followed Pomfret, producing an eclogue in which the speaker wishes to “live retir’d, contented, and serene, / For-got, unknown, unenvied, and unseen.” But he is quick to point out that he is not a hermit: “Yet not I’d chuse, / Nor wish to live from all the world recluse.” Instead, “social converse” would distinguish this from “a real hermitage.”<sup>23</sup> A self-styled necessity may have governed such retreats, but the focus on explicit consent—on “choice” as a key word for both Pomfret and Livingston—united these forms of isolation.

In contrast, Philip Freneau’s writings expressed the pleasures of the self-governing individual separated from all society, and suggested the cultural reevaluation of hermitage, isolation, and privacy. His poem “Retirement,” written in 1772 and first published in 1786, described the possession of a “hermit’s house”—a “cottage I could call my own” occupied only by the speaker and separated from “domes of care” by a “wall with ivy overgrown”—as the site of more “real happiness” than being “a monarch crown’d,” though clearly being a monarch and being alone were compatible rather than contradictory pleasures.<sup>24</sup> Growing out of the same equation of solitude with self-government, Freneau’s short closet drama “The Hermit of Saba” staged the fatal encounter between the Hermit, the shipwrecked sole occupant of the Dutch West Indian island of Saba who treasures the island for the commodity of “contemplation”

it affords, and a group of three mercenary mariners who see the island in terms of more concrete commodities—lemons, oranges, coconuts, cedar, lambs, goats, and gold. Freneau’s text emptied the island of its inhabitants (which in 1775 had a population of 300 free whites and 130 black slaves) as part of an attempt to critique mercenary forms of colonization. Finding it impossible to “be happy in so dull a scene” without some material payoff, the colonizing European mariners murder the Hermit (who, though himself a European immigrant, comes to think of himself as a natural or naturalized inhabitant of Saba) because they mistake his boast that the island has made him rich as a claim of material wealth. Written in 1776 and published in 1788, Freneau’s text grafted an appreciation of solitude and privacy onto the larger political and anticolonial meanings of American independence.<sup>25</sup>

And yet, for all its seeming blessings, political writers in the era of the American Revolution frequently described solitude as unnatural, an insupportable condition that rendered governments necessary and emptied the choice between solitude and state of any real meaning. American writers who self-consciously couched their arguments in a Lockean mold described the social compact as a double bind, one that rendered government a conscious product of the conglomeration of individual acts of consent but one that was ultimately less of a real choice than it might at first appear. “In solitude men would perish,” the lawyer James Otis argued in *The Rights of the British Colonies Asserted and Proved* (1764), a pamphlet directed against Parliament’s attempts to raise revenue from the colonies by taxing sugar, “and yet they cannot live [in society] without contests.” These contests—jealousies and petty fights over life, liberty, and property—constituted the occasion for government. Indeed, Otis argued, “if life, liberty and property could be enjoyed in as great perfection in *solitude*, as in *society*, there would be no need of government.” But the men Otis described did not really have a choice: man was “a weak, imperfect being,” and “the valuable ends of life cannot be obtained without the union and assistance of many. Hence ’tis clear that men cannot live apart or independent of each other.” Human beings are born into society, and God “has not left it to men in general to choose, whether they will be members of society or not, but at the hazard of their senses if not of their lives.” What Otis seemed to offer was a paradox at the heart of his contractualism: individuals in society could choose to live alone, but individuals outside of society had no real choice but to be social.

[I]t is left to every man as he comes of age to chuse *what society* he will continue to belong to. Nay if one has a mind to turn *Hermit*, and after he has been born, nursed, and brought up in the arms of society, and acquired the habits and passions of social life, is willing to run the risque of starving alone, which is generally most unavoidable in a state of hermitage, who shall hinder him? I know of no human law, founded on the law of *nature*, to restrain him from separating himself from the species, if he can find it in his heart to leave them; unless it should be said, it is against the great law of *self-preservation*.

“The few *Hermits* and *Misanthropes* that have ever existed,” Otis concluded, “show that those states are *unnatural*.”<sup>26</sup> The link Otis made between solitude and suicide—that solitude constituted a form of suicide, and that suicide was unnatural—served to make the social contract all the more natural and inevitable. Hermits, the simultaneous embodiment of pre- and postsociality, presented special problems then for the narrative of civil government.<sup>27</sup>

Similar attacks on the putative independence of individuals only intensified in the 1770s. Revolutionaries who argued for independence from Britain frequently denied that independence was a natural state for individuals. The opening pages of Thomas Paine’s *Common Sense*, published in Philadelphia in 1776, described the origin of government in the mental incapacity for solitude and the insufficiency of the self, an account of prepolitical life that resonated with Adam Smith’s discussion of the division of labor published the same year. Paine argued that “the strength of one man is so unequal to his wants, and his mind so unfitted for perpetual solitude, that he is soon obliged to seek assistance and relief of another, who in his turn requires the same.” While “four or five united would be able to raise a tolerable dwelling in the midst of a wilderness, . . . *one* man might labour out the common period of life without accomplishing any thing; when he had felled his timber he could not remove it, nor erect it after it was removed; hunger in the mean time would urge him from his work, and every different want call him a different way.” This would ultimately “reduce him to a state in which he might rather be said to perish than to die.”<sup>28</sup> In a world in which it was impossible for a solitary individual to regulate or even prioritize his desires (and these narratives, even when seemingly gender-neutral, treat exclusively of men), choosing to be alone was the same thing as choosing death. Such a view of the prepolitical life of individuals helps us understand why, despite the heavy use of familial rhetoric in *Common Sense*,

Paine contended that individuals provided bad models for and metaphors of government, but it also helps explain why a term like “union” almost always had positive valences while a term like “independence” (for individuals and for states) could often seem equivalent to anarchy.

The attack on personal independence continued well after political independence. In a lecture on the social contract delivered at the University of Pennsylvania in 1790 and again in 1791, the Federalist lawyer and framer James Wilson claimed that “the most exquisite punishment, which human nature could suffer, would be, in total solitude, to languish out a lengthened life,” a comment that helps make sense of the calls for solitary confinement of prisoners as a substitute for capital punishment that were beginning to be made, by Benjamin Rush among others, in the period. Wilson proposed a series of thought experiments: Could someone “reduced suddenly to solitude” procure even the simple necessities of life? Daniel Defoe’s widely read *Robinson Crusoe* (1719) might be cited as proof that a lone individual could survive, but Wilson was quick to remind his listeners that the foundation of Crusoe’s subsistence were “the productions of society” he saved from his shipwreck. Besides, Crusoe’s story was pure romance, one that failed to fully acknowledge that “sour discontentment, sullen melancholy, listless langour” rather than productivity are the natural outcome of being alone. A “solitary life must be continually harassed by dangers and fears,” Wilson concluded.<sup>29</sup> The most obvious problem with these narratives of the social contract was that they confused presocial beings with postsocial beings, deriving their arguments about the state of nature from those individuals who left rather than those who entered society, but there were other problems as well: Otis, Paine, and Wilson found it hard to imagine independence as a “natural” state for human beings, a failure of imagination that seemed to deny that consent was a precondition for governments or that private rights were as natural for individuals as the natural rights theorists maintained.

### Individualisms

How can we reconcile such accounts of the terrors of solitude and the impossibility of independence with the declarations of rights that self-consciously reminded their readers that (in the words of the Pennsylvania Declaration of Rights of August 1776) “all men are born equally

free and independent, and have certain natural inherent and inalienable rights, amongst which are the enjoying and defending life and liberty, acquiring, possessing and protecting property, and pursuing and obtaining happiness and safety"?<sup>30</sup> In a 1774 pamphlet James Wilson had argued, citing Jean Jacques Burlamaqui, that governments are founded in the consent of the governed, and that such consent was given "with a view to ensure and to increase the happiness of the governed, above what they could enjoy in an independent and unconnected state of nature."<sup>31</sup> But the solitary figures that Otis, Paine, and Wilson described in their accounts of the origin of government could hardly be thought of as enjoying anything close to "happiness," as that inalienable presocial right was discovered and articulated throughout the late 1770s. Given the way in which the condition of independence was understood ("sour discontentment, sullen melancholy, listless langour"), such declarations obviously walked a narrow line between construing such rights as importations from a solitary state or as creations of a social one. This was what Wilson himself feared when he faulted William Blackstone for referring to "natural rights" as "civil liberties": "If this view of things be just, then, under civil society, man is not only made *for*, but made *by* the government."<sup>32</sup> Like the more familiar debate between Burke and Paine, Wilson's engagement with Blackstone indicates the degree to which the naturalness of "natural rights" could remain an open question and a source of anxiety.

But slavery presented a still larger problem, one that fundamentally altered the way in which the social contract and natural rights could be understood. The 1777 Vermont Constitution stood alone among revolutionary rights declarations in following out the logic of the claim that "all men are born equally free and independent" by outlawing slavery for males over age twenty-one and females over eighteen.<sup>33</sup> Other states, such as Virginia, dealt with the reality of slavery by tempering the radical nature of such claims and by insisting that slaves existed outside of society. This was perhaps one reason why early nineteenth-century black autobiographies sometimes explicitly described fugitive slaves as hermits, figures whose hidden presence upset the social claims of presocial equality.<sup>34</sup> Slaves functioned in the 1770s as perverted markers of social independence, persons whose existence outside of society canceled out rather than guaranteed their natural rights. But in another sense, slaves were exemplary of the way in which (despite Wilson's warnings) rights in practice might have come to be understood less as natural holdovers

from a presocial state than as artificial products created by (rather than merely confirmed by) governments.

Perhaps for this very reason—the anxiety that rights were products of government rather than of nature—the age of the written constitution and the printed enumeration of rights was also an age deeply divided about textualizing rights. Rights did not derive from texts, a young Alexander Hamilton observed in February 1775, and were "not to be rummaged for, among old parchments, or musty records," but they were nonetheless textual: they had been "written, as with a sun beam, in the whole *volume* of human nature, by the hand of the divinity itself."<sup>35</sup> Ten years earlier, Otis complained that political writers too often described rights as "rising out" of textual foundations like the Magna Charta rather than stemming from human nature or from God.<sup>36</sup> In *The Rights of Man* (1791), Paine simultaneously celebrated the writtenness of the American constitutions while chiding Burke for caring so much about "musty records and mouldy parchments."<sup>37</sup> The Mohawk Joseph Brant, in an article published in the *American Museum* in 1789, noted "among us, we have no law but that written on the heart of every rational creature by the immediate finger of the great Spirit of the universe himself."<sup>38</sup> The paucity and simplicity of law was one of the chief attributes of Thomas More's early sixteenth-century *Utopia*, and the fantasy of a citizenry that governed itself with few or even no written laws remained a popular theme in utopian writing.<sup>39</sup> In "Equality—A Political Romance," a utopian narrative serialized in a Philadelphia Deist newspaper in 1802, a native informant of "Lithconia" observed that the "laws are not contained in huge volumes—they are written in the hearts of the Lithconians."<sup>40</sup> Practical legislators may have laughed at such ideas, but the didacticism of the earliest state declarations of rights registered the dilemma between the claim that the rights being enumerated were transparent and derived from nature—that they were, in a sense, written on the heart—and the acknowledgment that the people needed to be taught to read them.<sup>41</sup> And the desire to keep written law to a minimum haunted them as well. Madison himself worried about "a luxuriance of legislation." The "short period of independency has filled as many pages as the century which preceded it," he bemoaned in 1787: "Every year, almost every session adds a new volume."<sup>42</sup> In 1787 and 1788, Anti-Federalists treated with skepticism the Federalist claim that the enumeration of rights in a national constitution might actually increase governmental power; nevertheless, such claims reflected not simply the exigencies of



ratification or novel theories about sovereignty but a deeper dialectic between declaration and silence that structured political practice in the revolutionary period.<sup>43</sup>

Close examination of a small drawing made by John Trumbull suggests the ways in which nature functioned as a site of refuge for those burdened by the sheer volume and artifice of declared law. In Lebanon, Connecticut, on April 19, 1782, Trumbull made a small pen and wash sketch for a now unlocated painting he executed in London two years later (fig. 15). The drawing, a rare single-figure nonportrait subject by an artist who would become known for grand-style multifigure contemporary history paintings, depicts a barefoot, bearded man in flowing robes seated on a cliff; the man looks off toward a source of illuminating light in the top left-hand corner of the image while he crushes underfoot a book labeled “HOBBS.” Inscribed with the title *And look thro’ Nature, up to Nature’s God*, a line from Pope’s popular *Essay on Man* (1733), the drawing seemingly stages the rejection of the materialism of Hobbes for the recognition in nature of the mediated presence of God. But the language of “Nature” and “Nature’s God” in the title also linked the 1782 drawing to the language of the Declaration of Independence. As he recounted in his 1841 *Autobiography*, Trumbull had renounced a career in the law for a career as a painter at approximately the same time he produced the drawing. Whereas art elevated its beholders and appealed to what was good in human beings, the law—as Trumbull explained to his father in a recollected dialogue—“was rendered necessary by the vices of mankind.” (“You appear to forget, sir, that *Connecticut is not Athens*” was the reply of Trumbull’s father, then governor of Connecticut.)<sup>44</sup> We can read the drawing in terms of Trumbull’s own life choice, but given the date of composition (the seventh anniversary of the battles of Lexington and Concord) and the cultural status of Hobbes in the Revolution, the image’s thematization of a shift from one source of authority to another and the explicit rejection of writing in favor of nature deserve closer scrutiny.

There is indeed something almost ridiculous about representing a lone individual in a natural setting reading and rejecting Hobbes, whose own depiction of the lives of lone individuals had led the Third Earl of Shaftesbury in 1711 to describe the Hobbesian state of nature as the best advertisement for society. In one of the most widely circulated treatises combining aesthetics and politics in pre- and postrevolutionary America, Shaftesbury’s character “Theocles” joked that the only reason to adopt



FIGURE 15. John Trumbull, *And Look Thro’ Nature, up to Nature’s God*, 1782. Courtesy of the Charles Munn Collection, Fordham University Library, Bronx, New York.

the claim that “this imaginary *State of Nature*” is “a *State of WAR*” was to discourage individuals from preferring the practices of extreme solitude to the institutions of sociability: “To speak well of it, is to render it inviting, and tempt Men to turn Hermites.”<sup>45</sup> If “HOBBS” signified any single book for Trumbull’s contemporaries, it was without doubt *Leviathan*. If his philosophy could be summed up in a single line (as the phrase “solitary, poore, nasty, brutish, and short” might for us), it was the contention that the state of nature was a state of war, a commonplace cited with disapproval in sermons, moral tracts, and political pamphlets of all stripes.<sup>46</sup> Alexander Hamilton’s *Farmer Refuted* (1775) tarred its opponent by exposing him as a disciple of Hobbes’s politics; of the principles of government laid down in Paine’s *Common Sense*, a Loyalist opponent noted, “Even Hobbes would blush to own the author for a disciple.”<sup>47</sup> A copy of *Leviathan* occupied a prominent and symbolic place as a Tory prop in a description of “a small cabinet of books, for the use of the studious and contemplative” in Mercy Otis Warren’s closet satire *The Group* (1775).<sup>48</sup> Produced on a day marked for the commemoration of the beginning of the military phase of the American Revolution, Trumbull’s drawing almost certainly would have carried political meanings for early viewers.

Trumbull’s trampled book, whichever work of Hobbes it referenced, might also be thought of as an emblem of the dissatisfaction with the elevation of writing itself in the period, and here we might turn to Trumbull’s best-known painting: his image of the founding of the United States as a legal and textual act in *The Declaration of Independence* (1787–1820) (fig. 16). This composition is an afterthought to the visual record of the Revolution as a series of military acts that Trumbull began to paint in 1786 and hoped to market as engravings in both the United States and Great Britain. The painting presents the legality of the Declaration in a particularly curious way: it depicts the Committee of Five (John Adams, Benjamin Franklin, Thomas Jefferson, Robert R. Livingston, and Roger Sherman) submitting the Declaration for review and signatures as a scene of treaty-making between that committee and the president of the Continental Congress, the foregrounded figures replicating the formal groupings in Benjamin West’s famous *Penn’s Treaty with the Indians* (1771–72), a painting Trumbull knew from his time in London as a studio assistant for West.

In general, and even in *The Declaration of Independence* in particular, Trumbull seems to reject the interpretation of state papers as sources

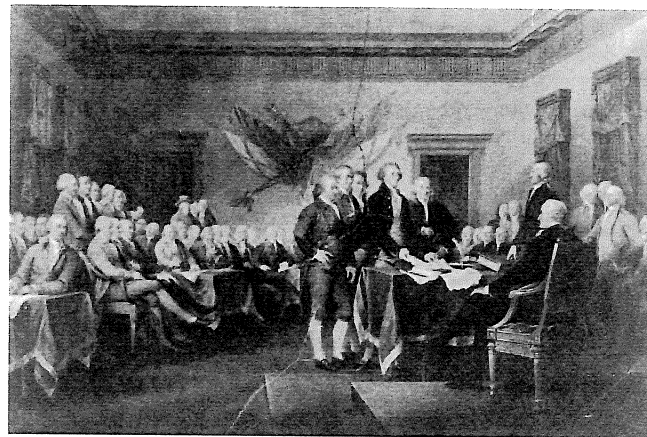


FIGURE 16. Asher B. Durand, 1823 engraving of John Trumbull’s *The Declaration of Independence*. Prints and Photographs Division, Library of Congress (LC-USZ62-41413).

of or safeguards for rights—the manuscript papers Jefferson holds are just a few of the many papers on Hancock’s messy desk, a desk dominated by the presence of revealed religion in the form of a large folio Bible. The Bible counterbalances and legitimates the as yet undeclared Declaration, but notably even in this civil setting the flags, drums, and banners (military trophies captured from the British) that figure in other paintings in the series occupy the center of the painting. If the painting succeeds in representing a source of and a protection for rights, it does not do so by elevating the status of the paper Declaration but by placing the committee in charge of drafting the Declaration and the document itself between the religious and military symbols, in between the materialized source of natural rights in the revealed word of God and the “Appeal to Heaven” through warfare that constituted the Lockean final court of appeal for subjects of tyranny.<sup>49</sup> Trumbull’s solution to a problem of representing ideology (the question of how to represent natural rights pictorially) would not suit everyone: paintings derived from Trumbull’s *Declaration* by Quaker artist Edward Hicks in the 1840s shifted the locus of authority by dramatically enlarging the size of the Bible and removing the military symbols altogether.

But how should or could rights be represented visually? Popular revolutionary iconography often differed radically from revolutionary ide-

ology when it concerned the source and basis of rights. John Dickinson never appealed to or even mentioned Magna Charta in his citation-heavy *Letters from a Farmer in Pennsylvania* (1768), one of the most important and widely read pre-revolutionary pamphlets, but a contemporary engraving underwritten by one of Dickinson's publishers and designed as a supplement to a Philadelphia newspaper depicts the Pennsylvania Farmer in a book-lined study resting his right elbow on a folio-size book labeled "MAGNA CHARTA" (fig. 17).<sup>50</sup> In contrast to an abstract concept of natural or inalienable rights, documents or other textual authorities were easy to render graphically and hence to canonize in popular understandings of the meaning of the Revolution. The fact that no late eighteenth-century American artist chose to depict the framing of the Constitution of the United States in the Federal Convention, as Trumbull and others had done for the Declaration, testifies to the poststratification insistence that the document was a national social compact and did not derive any special meaning from the individuals who framed it or the conditions under which it was framed.<sup>51</sup> It may also speak to a lack of clarity about just what happened in a social compact.

The cornerstone of the social compact theory of state formation as it was elaborated on both sides of the ratification debates centered on externalized justice and the centralization of sovereignty brought about by the voluntary surrender of a portion of an individual's natural rights, but partisans of the document and their opponents described the terms of that surrender in radically different ways. Federalists, following the lead of the official letter from George Washington (as president of the Federal Convention) to the president of the Continental Congress that was appended to almost every printing of the proposed Constitution in 1787 and 1788, and that may have functioned as a constitutional supplement of sorts for early readers and ratifiers, tended to draw analogies between the proposed voluntary "sacrifice" of rights by states (routinely gendered as female entities) under the Federal Constitution and by individuals exiting a state of nature: "It is obviously impracticable in the foederal government of these States, to secure all rights of independent sovereignty to each, and yet provide for the interest and safety of all—Individuals entering into society, must give up a share of liberty to preserve the rest. The magnitude of the sacrifice must depend as well on situation and circumstance, as on the object to be obtained."<sup>52</sup> Washington's letter, with its call for forms of unequal state "sacrifice," departed from those accounts of the social compact that stressed that everyone surrender the



THE PATRIOTIC AMERICAN FARMER.  
J-N D-K-NS—N ESQ<sup>r</sup> BARRISTER AT LAW:  
*Who with Attic Eloquence and Roman Spirit hath asserted  
The Liberties of the BRITISH Colonies in America.*

*'Tis nobly done, to stem Taxation's Rage,  
And raise, the thoughts of a degenerate Age,  
For Happiness and Joy, from Freedom's Spring;  
But Life in Bondage, is a worthless Thing.*

*Printed for & sold by R. B. Bell, Bookbinder*

FIGURE 17. James Smither, "The Patriotic American Farmer" (John Dickinson), 1768. Courtesy of The Library Company of Philadelphia.

same amount of natural liberty in order to obtain security. Federalists like David Ramsay of South Carolina held that “relinquishments of natural rights, are not real sacrifices: each person, county or state, gains more than it loses, for it only gives up a right of injuring others, and obtains in return aid and strength to secure itself in the peaceable enjoyment of all remaining rights.”<sup>53</sup> Anti-Federalists rarely employed the language of “sacrifice,” choosing instead to think of the social compact as a moment when men (and always, even when seemingly gender-neutral, the language suggests only men) reserve more than they “contribute,” “part with,” or “yield up a part of their natural liberty,” and that such reservations should be the focus of a Federal Bill of Rights.<sup>54</sup>

The dialectic between private and public liberty as well as the period-wide anxiety about independence and solitude that characterizes the political thought of the American Revolution made “the closet”—the imaginary space of private theoretical speculation on the one hand and the real domestic space of private religious devotion on the other—a site of special attention. In general, the essays of *The Federalist* are typical in their distaste for decisions made behind closed doors, even as they evade the Anti-Federalist charge that the Constitution was itself produced in this way. In *Federalist* no. 69, Hamilton compared the “publicity” of the mode of appointment of the president, by an electoral college that had been described as secretive by Anti-Federalists, with the “privacy in the mode of appointment [of office holders] by the Governor of New-York, closeted in a secret apartment with at most four, and frequently with only two persons.” Such closeting reeked of the same charges of conspiracy often leveled at the Federal Convention, and in defending the product of the Convention’s deliberations, Madison asked, “Would it be wonderful if under the pressure of all these difficulties, the Convention should [not] have been forced into some deviations from that artificial structure and regular symmetry, which an abstract view of the subject might lead an ingenious theorist to bestow on a Constitution planned in his closet or in his imagination?” Practical politicians like Madison, Jefferson, and Gouverneur Morris ridiculed so-called “closet politicians” because the hermetic quality of constitutional schemes drawn up “in the closet” failed to embody collective decision-making and because “closet politicians” believed that governments created people more than people created governments.<sup>55</sup>

But it was also hard to square the disparaging view of the lone individual legislating for others from his closet with an emerging sense in Madison’s own political thought that individuals sometimes made better

and more socially motivated decisions about minority rights when they did so alone and in the privacy of their closets. In his “Vices of the Political System” memorandum of spring 1787 and again to Jefferson in a letter of October 24, 1787, Madison remarked that character-based mechanisms for protecting minority rights rarely worked: “The conduct of every popular Assembly, acting on oath, the strongest of religious ties, shews that individuals join without remorse in acts agst. which their consciences would revolt, if proposed separately in their closets.” The problem then was to get people to act in public the way they would act if alone, dissociated from and unaware of their political group identities. In his letter to Jefferson, Madison expressed doubts about the ability of the Constitution to protect minority rights because the proposed text specifically excluded the institutional mechanism he most desired: the power of the national government to “negative” or veto state laws. The argument of *Federalist* no. 10, a text in which “Publius” sought to locate the very protection for minority rights in space and in the multiplicity of interests that Madison himself believed to be institutionally absent from the document, might be thought of as the extension of the logic of such a closeting strategy—the sheer scale of a republic can keep majorities from recognizing their size, forcing groups to behave more like private individuals in their closets than public actors infatuated with and aware of their own collective strength.<sup>56</sup> Rights carried into society by solitary individuals, in other words, might paradoxically best be protected by solitary individuals exiting from society.

### Popular Hermits

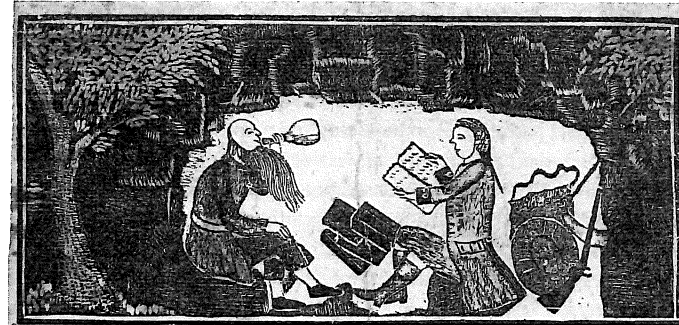
In 1786 and 1787 advocates for revised and expanded federal powers loudly proclaimed that the people of the United States had been thrown into a “state of nature” by the weaknesses of the Articles of Confederation. In those same years, a pair of popular texts about an old hermit began to circulate in New England. Passing from Madisonian political thought to the still largely under-studied world of late eighteenth-century American popular literature allows us to consider the ways in which the culture of solitude and privacy reflected on and participated in larger political discussions.

Short of noting the frequency and kind of editions, it is impossible to say how popular these texts were or how or by whom they were read. The first text, most often entitled *A Wonderful Discovery of a Hermit*,

emerged in a number of locations and appeared in formats that spoke to different kinds of readers: single-sheet broadsides with accompanying woodcuts printed in Boston and vended by rural peddlers brought the story to areas beyond the centers of print capital; small, badly printed chapbooks emerging from Springfield and Worcester, Massachusetts, from Hartford and Norwich, Connecticut, from Portsmouth, New Hampshire, and Providence, Rhode Island, most likely found ready readers among children; printings in Massachusetts almanacs put the text in the hands of provincial adults for at least a year.

Reflecting new interests in the western frontier and published in the aftermath of the Land Ordinance of 1785, the story these New England readers encountered concerns two gentlemen adventurers from Virginia who “agreed to travel into the western parts of this vast country to explore the regions which belong to these United States, which are yet unknown to us.” Accompanied by two slaves, this state-sanctioned exploratory company travels westward for over two months “without seeing the least appearance, or even track of any human being.” They eventually stumble over a lone inhabitant of the American interior, not exactly the typical unauthorized squatter imagined by Congress but an “Old Hermit” who enjoys a simple but happy life in a cave.<sup>57</sup> It doesn’t take much to convince the Hermit to tell his story. He is quite old: by his own estimates he was born in 1558 in London, 227 years before the Virginians “discovered” him. His father was a lowly mechanic who valued learning and provided that his son should be educated, but soon after his education, the young boy fell in love with a nobleman’s daughter. The results were predictable: the nobleman refused the match and confined his daughter; the daughter died of lovesickness; and the dejected young boy set sail for Italy. There was a storm, he was blown off course, and (Crusoe-like) he landed on the shore of North America and migrated inland to the cave in which he was found 210 years later. The Hermit doesn’t eat meat (and consequently all animals are friendly to him), and he attributes his long life and “good constitution” to the blessing of heaven and simple food. The Virginia gentlemen inform the Old Hermit about the “present state of the nation,” which in 1785 is called “America.” They urge the Hermit to leave the cave and return to civilization, but the Hermit politely declines. He believes he could not live in society again.<sup>58</sup>

The sequel, *An Account of the Wonderful Old Hermit’s Death and Burial*, was partly a satire on the popularity of the first story and partly a commentary on the fatal effects of publicity on privacy (fig. 18). It



### An Account of the Wonderful Old Hermit's Death, and Burial.

SOMETIME in June, 1786, Doct<sup>r</sup> SAMUEL BRAKEN, a gentleman eminent both for Physic and Surgery, and a man indefatigable in the search of Curiosities, hearing of the wonderful Account of the HERMIT, set out with a full determination to go and find him. The Doct<sup>r</sup> furnished himself with the best Intelligence Capt. Buckland could possibly give him, and took with him two Attendants well armed, and as much Provisions as was necessary for such a Journey, and being favoured with good weather they soon came to the Allegany Mountains.—Here the Doct<sup>r</sup> discovered a certain Root never known nor heard of before, which proves a remedy for all diseases.—After a great deal of trouble they found the Hermit, but it was entirely by accident that they happened to find him; for the Country was very wild, covered with shrubs as thick as possible, and the trees grew large beyond description.—One day the Doct<sup>r</sup> discovered with his Spy-Glass, a very high Hill, at a considerable distance; and thought he would go and take an Observation from the top of that Hill.—When he arrived there he soon found the Old Hermit's path, just as Capt. Buckland had directed.—They followed the path down the valley, and soon came to the Hermit's Cave.—Nothing was seen of the Hermit for some time, and they supposed that he was asleep in his Cave, and so they ventured into his old Habitation, at length, whilst they were listening at the mouth of the Cave, they discovered the Hermit at a little distance, coming with a handful of Roots which he had been gathering for food.—He walked in a slow and grave manner, and when he saw them he came and embraced them.—but did not seem to be so much surpris'd to see them as when he was first discover'd by Capt. Buckland, &c.—He invited them in in a very friendly manner into his Cave, and was overjoyed to see them. The Cave was very curious, which appeared to be dug out of a solid white Flint rock; but as particular description has been given of it before, it will be needless to say any thing farther concerning it.—The Hermit made

particular enquiry after Capt. Buckland and Mr. Fielding, and said that he received great satisfaction from a visit which they had made him, and added, that they were the first human beings that he had seen from the time he first landed on this shore, which was about 200 years.—Doct<sup>r</sup> Brake tarried there several days, and in that time became very intimate with the Hermit, and found several things which were not discovered before.—Two Books in particular, which he brought with him from England, one in Poetry the other in Prose.—The Hermit appeared to have had a good education, when he was young, and discovered a surprizing greatness of mind.—His eyes were good, but his teeth were very poor, he had but little hair on his head, but his beard was very long.—He could not articulate his words very distinctly, but his language was better than any spoken in England at the time he left it, which makes it appear evident that he was an extraordinary genius when he was young.—He showed Doct<sup>r</sup> Brake his Books, Writings, &c. he had a large Pile of em in one corner of his Cave, some were done out barks of trees, and some on skins made into a kind of Parchment.—The Doct<sup>r</sup> obtained liberty to take a copy of the Hermit's Composition.—One contained principally Moral Sentiments, and the following Sentences were found written in one of them: "Young Men and young Women beware of seducing appearances which may forward you, and recollect what others have suffered from the power of baseless desire.—It is said to be a wild dress.—Eager passions and violent desires were not made for Man.—Pitied upon that course of life which is both, and habit will render it the most delightful!"

After a while the Doct<sup>r</sup> determined to try the old fellow with a little rum, and see what the effect would be; but it was with great difficulty that he could persuade him to drink: The Doct<sup>r</sup> told him that it was an excellent cordial that tended to strengthen the constitution, till at last the poor innocent Hermit was persuaded to drink a little of that jerrid ban, which hath sent thousands out of the world.—He

drank about three quarters of a gill of that poison liquor, and in a quarter of an hour there was a sensible alteration in his looks and countenance.—and in half an hour he appeared wild and almost mad, and attempted to tell a kind of a low story,—and in about an hour he was entirely senseless, and remained in that shocking situation until twelve o'clock at night, and then died.

Poor Old Man! he lived about 200 years in his Cave, enjoying all the happiness of a retired life, and might have lived 200 years more, had he not drank that horrid draught! Cur'd liquor! Thousands have fell a sacrifice to his bewitching power!—Among the Hermit's writings was found his WILL, which appeared to have been made soon after he was first discover'd.—He had given his Cave to Capt. Buckland and Mr. Fielding, as also all his Writings: His curious Cane he willed to one of Capt. Buckland's Servants, which was all the Hermit was possessed of, excepting a few old Skins which had served to cloath him, those he gave to the other Servant, as a reward for his kindness in finding a lodging to him before they departed.

Doct<sup>r</sup> Brake was much affected at the sudden death of the Hermit, more especially in the manner in which he was brought to his untimely death.—but the Doct<sup>r</sup> said that he felt no remorse of conscience, as he really supposed that a little of that cordial would serve to raise his spirits and make him more cheerful with his new visitors. The next day the Doct<sup>r</sup> and his Attendants employ'd themselves about burying the Old Gentleman in as decent a manner as possible in his Cave, which was done with great secrecy and good order.—The Doct<sup>r</sup> carried one of his Attendants to his Cave, which he was desirous to possess the Hermit, and his Beard is carefully preserved as a very great curiosity, it being at least twelve inches long.

N. B. Doct<sup>r</sup> Brake mentions that this good Old Man made it his constant custom to devote himself to Prayer every Day, and there is no doubt of his final and everlasting happiness.—Those who do not credit the above may apply to Dr. Brake for better information.

FIGURE 18. *An Account of the Wonderful Old Hermit's Death and Burial*, 1787. Courtesy of the American Antiquarian Society, Worcester, Massachusetts.

circulated far less widely than the first, and seems to have been printed only as a broadside and only in Boston and Worcester in 1787 and 1788. It concerns a Dr. Samuel Brake, a physician whose curiosity is piqued by the narrative of the Virginia gentlemen and who decides in June 1786 to retrace their path. Dr. Brake quickly rediscovers the Hermit, and we learn new details: the Hermit has written a book of moral philosophy that warns young men and women about the dangers of seducing appearances. Dr. Brake does not try to get the Old Hermit to return to civilization, but he does try to convince the Hermit to break his simple diet with a glass of rum, "an excellent cordial that tended to strengthen the constitution." Under pressure from the doctor, the Hermit accepts the drink, but the rum proves poisonous rather than preservative and the Hermit dies. Brake turns from executioner to executor after he discovers a will written by the Old Hermit, in which the Hermit gives most of his goods—his books and his cave—to the Virginia gentlemen who discovered him a year earlier, reserving his cane and a few old skins for the slaves.<sup>59</sup> While the narrator of the sequel goes out of his way to attribute the Hermit's death to "cursed liquor" ("Thousands have fell a sacrifice to its bewitching power!"), one thing seems obvious: the Old Hermit was doomed by his own publicity.

It might be easy, probably too easy, to read these texts in the context of the contemporary ratification debates, stressing for instance a word like "constitution." The first text confirms that constitutions are preserved through republican simplicity and self-denial; the second demonstrates the dire consequences for healthy constitutions of tampering by even well-meaning experts. The rhetoric of the framers as physicians, working to preserve the body politic, was embraced by Federalists and mocked by Anti-Federalists. One Philadelphia Anti-Federalist sarcastically referred to the framers as "a number of skilled physicians" who "met together in Philadelphia last summer for the purpose of exploring and, if possible, removing the cause of this direful disease" (an excess of democracy) and who relied on the textbook of John Adams to prescribe "king, lords, and commons, or in the American language, President, Senate, and Representatives." It was a real shame, he joked, that Anti-Federalists "had the horrid audacity to think for themselves in regard to this new system of government" and "wickedly began to doubt concerning the perfection of this evangelical Constitution, which our political doctors have declared to be a panacea, which (by inspiration) they know will infallibly heal every distemper in the Confederation and finally ter-

minate in the salvation of America."<sup>60</sup> These popular texts, then, perhaps served as illustrative allegories of popular Anti-Federal slogans in New England about austerity and a constitutional cure worse than the disease. But even if this was the case, and there is little to support such a reading, the Old Hermit was also easily co-opted for Federalism: an image of "The venerable Hermit of the Western Country" appeared in a 1790 pictorial broadside printed in Albany for children that also celebrated the recent ratification of the Constitution by North Carolina.<sup>61</sup> Such readings inevitably sound flat, forced, and unidirectional: the relationship between culture and ideology is rarely one to one.

A more nuanced, multidirectional reading suggests that these texts mitigated fears about social contraction by offering radically alternative narratives about society and about individualism—that society was morally corrupting rather than morally enabling, that it was unjust and created artificial class and social distinctions that kept the sons of mechanics from marrying the daughters of noblemen and made slaves of some and gentlemen of others, that it led humans to eat animals instead of befriending them, that public interest could have fatal consequences for individual privacy. These popular texts were stories of individual rights on the one hand and "stories of peoplehood" on the other.<sup>62</sup> They give us glimpses of what a larger cultural understanding of the origins and meanings of government might look like, but they tell us too about popular understandings of succession, legitimacy, and private property. It is hard to think of a hermit drafting a will, and it would have been impossible in the period to think of the Hermit as the sole occupant and owner of the American West. These narratives provide, in some respects, for comfortable conquests of that land based on the fiction of prior English occupancy and legal title. And perhaps for this very reason, for the way in which he privatized the West, the Old Hermit achieved a certain celebrity in the popular culture of the early republic. An exhibition of wax statues in New York, the temporary home of the new government, in September 1789 featured a life-sized figure of "An Old Hermit" in the company of the president of the United States, members of the British royal family, and an "Indian Chief . . . holding a real scalp."<sup>63</sup> The history of successive western occupation narrated in the popular Old Hermit texts found political reinforcement and material form in such amusements, and it must have been tempting for visitors to read this fictive character with and against real political actors in a line of symbolic succession for the West, a constant presence that papered over the ruptures

of possession materialized in the bodies of the unsocial Indian, of the British monarchy, and finally of Washington.<sup>64</sup>

To read history or politics into, rather than out of, popular literature will inevitably produce unsatisfying results.<sup>65</sup> The cultural materials assembled here should be considered not simply as in dialogue with but as part of the history of political thought, fragments of a tense and never fully resolved divide in American culture between self and society, natural right and positive law, privacy and publicity. Cultural history, and especially the study of popular culture, can help us reshape our understandings of the “constitutional era,” but it requires us to see popular texts as contexts for the period as well as to see the period as the context for them: that is, to accommodate our own ingrained understanding of the figure-ground relations of literature and history to the multidirectional realities of historical experience.

## The Godless Constitution and the Sacred Rights of Man

Revolutionary politicians, always careful to mark the proper scope of constituted power, often described God as a being with unlimited legislative, executive, or judicial authority. The preamble to the Massachusetts Constitution of 1780, drafted by John Adams, acknowledged the goodness of “the great Legislator of the Universe” in allowing people to make a social compact. In one of the most important statements on the separation of church and state, his “Memorial and Remonstrance” of 1785, James Madison argued that all men were subjects first to “the Governour of the Universe” and only then members of civil society. And in the Declaration of Independence Thomas Jefferson had the representatives in Congress appeal to “the Supreme Judge of the World” for the rectitude of their intentions.<sup>1</sup> Of course, many others would have described God as holding all of these offices simultaneously. In an age committed to the separation of powers, God was one of two conspicuous examples of the legitimate unification of power. The other was an individual in the state of nature—or, more properly speaking, “the people” in whom all power had originally inhaled and whose voice was so often equated with the voice of God. These two entities were the authorizing poles of politics in the early United States, the direct and indirect sources of the powers of government and of the rights government was instituted to protect. It could be said (and often was) that both of these figures stood outside of normal politics.

108. See “Chronicle of the Year 1850,” *Columbian Magazine* 1 (1787): 6.
109. [James Madison], “The Foederalist” no. 42, January 23, 1788, in *DHRC*, 15:443.
110. See, for example, the 1782 petition reprinted as [Belinda], “Petition from an African Slave to the Legislature of Massachusetts,” *American Museum* 1 (June 1787), 538–40.
111. Thomas Jefferson to Henri Gregoire, February 25, 1809, in Merrill D. Peterson, ed., *Thomas Jefferson: Writings* (New York, 1984), 1202.
112. See Nell Irvin Painter, *Sojourner Truth: A Life, a Symbol* (New York, 1996), 164–78.
113. Bogin, “‘Liberty Further Extended,’” 94; Jacob Green, *A Sermon Delivered at Hanover, (in New-Jersey) April 22d, 1778* (Chatham, N.J., 1779), 13; Anthony Benezet, *Serious Considerations on Several Important Subjects* (Philadelphia, 1778), 28–29; Benezet, *Short Observations on Slavery* ([Philadelphia, 1781?]), 1–2; [David Cooper], *A Serious Address to the Rulers of America on the Inconsistency of their Conduct respecting Slavery* (Trenton, 1783), 12–13.
114. [Cooper], *Serious Address*, 13; “Justice,” “From the Freeman’s Journal [Philadelphia],” *New-Hampshire Gazette*, July 22, 1785; *Constitution of the Pennsylvania Society for Promoting the Abolition of Slavery* (Philadelphia, 1788), 19, 21. For the Maryland Society, see a report in the *Providence Gazette*, May 7, 1791; see also *The Constitution of the New-Jersey Society, for Promoting the Abolition of Slavery* (Burlington, N.J., 1793). For the 1783 Rhode Island law, see *Providence Gazette*, September 20, 1783.
115. James Dana, *The African Slave Trade* (New Haven, 1790), 28.
116. *Copy of a Letter from Benjamin Banneker to the Secretary of State, With his Answer* (Philadelphia, 1792), 7–8; for other printings, see *Baltimore Evening Post*, October 13, 1792; *Virginia Gazette*, October 31, 1792; and (as an example of Jefferson’s antislavery credentials) *Gazette of the United States*, November 17, 1796.
117. *Minutes . . . of the Eleventh American Convention for Promoting the Abolition of Slavery* (Philadelphia, 1806), 29; *Minutes . . . of the Twelfth American Convention for Promoting the Abolition of Slavery* (Philadelphia, 1809), 19.
118. Frederick Douglass, *Oration, Delivered . . . July 5th, 1852* (Rochester, 1852), in *The Frederick Douglass Papers, Series 1: Speeches, Debates, and Interviews, 1845–1891*, ed. John W. Blassingame (New Haven, 1979–), 2:359–88.

## Chapter Five

1. See Jack N. Rakove, *Declaring Rights: A Brief History with Documents* (Boston, 1998), 77; John E. Selby, *The Revolution in Virginia, 1775–1783* (Charlottesville, 1983), 102–3; and Pauline Maier, *American Scripture* (New York,

- 1997). On the Stamp Act resolutions, see Gordon S. Wood, *The American Revolution* (New York, 2002), 29; and David D. Hall and Hugh Amory, “Afterword,” *The Colonial Book in the Atlantic World*, ed. Hall and Amory (Cambridge, England, 2000), 483–84.
2. “Social Compact,” “To the Printer,” *New-Haven Gazette and Connecticut Magazine* 2, no. 33 (October 4, 1787): 262; Thad W. Tate, “The Social Contract in America, 1774–1787: Revolutionary Theory as a Conservative Instrument,” *William and Mary Quarterly*, 3rd ser., 22, no. 3 (July 1965): 375–91; and see Christopher Grasso, *A Speaking Aristocracy: Transforming Public Discourse in Eighteenth-Century Connecticut* (Chapel Hill, 1999), and Christopher Collier, *All Politics Is Local: Family, Friends, and Provincial Interests in the Creation of the Constitution* (Hanover, N.H., 2003).
3. “The Hermit’s Soliloquy,” *New-Haven Gazette and Connecticut Magazine* 3, no. 31 (August 7, 1788): 7.
4. For “fantasies of publicity,” see Michael Warner, *The Letters of the Republic: Publication and the Public Sphere in Eighteenth-Century America* (Cambridge, Mass., 1990), 151–76. On practices of newspaper circulation, see Thomas C. Leonard, *News for All: America’s Coming of Age with the Press* (New York, 1995), 3–32.
5. Benjamin Rush, *An Oration . . . containing an Enquiry into the Influence of Physical Causes upon the Moral Faculty* (Philadelphia, 1786), 24; Rush, *An Enquiry into the Effects of Public Punishments* (Philadelphia, 1787), 12.
6. See Patricia Meyer Spacks, *Privacy: Concealing the Eighteenth-Century Self* (Chicago, 2003), and Thomas Laquer, *Solitary Sex: A Cultural History of Masturbation* (New York, 2003).
7. See David H. Flaherty, *Privacy in Colonial New England* (Charlottesville, 1972).
8. For gender and privacy (or privatization) in early America, see Nancy F. Cott, *The Bonds of Womanhood: “Women’s Sphere” in New England, 1780–1835* (New Haven, 1977); Linda Kerber, *Women of the Republic: Intellect and Ideology in Revolutionary America* (Chapel Hill, 1980); Laurel Thatcher Ulrich, *Good Wives: Image and Reality in the Lives of Women in Northern New England, 1650–1750* (New York, 1982); Cathy N. Davidson, *Revolution and the Word: The Rise of the Novel in America* (New York, 1986); Ruth H. Bloch, “The Gendered Meanings of Virtue in Revolutionary America,” *Signs: Journal of Women in Culture and Society* 11 (Fall 1987): 37–58; Jan Lewis, “The Republican Wife,” *William and Mary Quarterly*, 3rd ser., 44, no. 3 (October 1987): 689–721; Rosemary Zagarrri, “Morals, Manners, and the Republican Mother,” *American Quarterly* 44 (June 1992): 192–215; and, in the wake of the reception of Habermas though not always formulated in his terms, see Cornelia Hughes Dayton, *Women before the Bar: Gender, Law, and Society in Connecticut, 1639–1789* (Chapel Hill, 1995); Mary Beth Norton, *Founding Mothers and Fathers:*



*Gendered Power and the Forming of American Society* (New York, 1996); David S. Shields, *Civil Tongues and Polite Letters in British America* (Chapel Hill, 1997); Bruce Burgett, *Sentimental Bodies: Sex, Gender, and Citizenship in the Early Republic* (Princeton, 1998); Julie Ellison, *Cato's Tears and the Making of Anglo-American Emotion* (Chicago, 1999); Richard Godbeer, *Sexual Revolution in Early America* (Baltimore, 2002); Ruth Bloch, *Gender and Morality in Anglo-American Culture, 1650–1800* (Berkeley, 2003); and Elizabeth Maddox Dillon, *The Gender of Freedom: Fictions of Liberalism and the Literary Public Sphere* (Stanford, 2004).

9. Roger Chartier, ed., *A History of Private Life: Passions of the Renaissance*, trans. Arthur Goldhammer (1985; Cambridge, Mass., 1989); Joan Landes, *Women and the Public Sphere in the Age of the French Revolution* (Ithaca, 1988); Chartier, *The Cultural Origins of the French Revolution*, trans. Lydia G. Cochrane (Durham, 1991); Dena Goodman, "Public Sphere and Private Life: Toward a Synthesis of Current Historiographical Approaches to the Old Regime," *History and Theory* 31 (1992): 1–20.

10. On transformations of "self" and "society" in the eighteenth century, see Dror Wahrman, *The Making of the Modern Self: Identity and Culture in Eighteenth-Century England* (London, 2004), and Mary Poovey, "The Liberal Civil Subject and the Social in Eighteenth-Century British Moral Philosophy," *Public Culture* 14, no. 1 (Winter 2002): 125–45.

11. Story mentioned the project of "a poem of about fifteen hundred lines, on 'The Power of Solitude'" in a letter to Thomas Welsh on October 9, 1799, published a first version in 1802, and revised and expanded the poem for a second edition in 1804. See William W. Story, ed., *Life and Letters of Joseph Story*, 2 vols. (Boston, 1851), 1:83; and Joseph Story, *The Power of Solitude: A Poem in Two Parts*, 2nd ed. (Salem, 1804). An important intertext is Sarah Wentworth Morton's *The Virtues of Society* (Boston, 1799), which Story praised in his letter to Welsh. On sympathy, see Elizabeth Barnes, *States of Sympathy: Seduction and Democracy in the American Novel* (New York, 1997), and Julia A. Stern, *The Plight of Feeling: Sympathy and Dissent in the Early American Novel* (Chicago, 1997). On fascination with narratives of the "individual isolated in the pursuit of self-satisfactions that could not easily be publicly justified," see Jonathan Lamb, *Preserving the Self in the South Seas 1680–1740* (Chicago, 2001; quote at p. 4). For French and British interest in the consequences of isolation and the issue of presociality, see Julia V. Douthwaite, *The Wild Girl, Natural Man, and the Monster: Dangerous Experiments in the Age of Enlightenment* (Chicago, 2002), esp. 93–133.

12. Magazine articles about hermits increased from the 1780s to the 1790s, but literary magazines may not be the best place to look for popular fascination. American almanacs provide a better indication of popular interest in hermits, and with over twenty almanacs mentioning hermits or featuring stories about

hermits, the 1780s represent the high point of interest (and almanacs printed in late 1787 for the year 1788 represent the decade's high point).

13. Lavinia, "The Hermitess; Or, Fair Secluder," *Massachusetts Magazine* 2 (November 1790): 689.

14. On preferences for "exit" over "voice" in early America, see Albert O. Hirschman, "Exit and Voice in American Ideology and Practice," *Exit, Voice, and Loyalty: Responses to Decline in Firms, Organizations, and States* (Cambridge, Mass., 1970), 106–19; and see Hirschman, *Crossing Boundaries: Selected Writings* (New York, 1998), 93–110.

15. Johann Georg Zimmerman, *Solitude Considered, with Respect to Its Influence upon the Mind and the Heart*, trans. J. B. Mercier (Leipzig, 1784–85; New London, Conn., 1806), 216–17, cited in Alexander Nemerov, *The Body of Raphaelle Peale: Still Life and Selfhood, 1812–1824* (Berkeley, 2001), 26.

16. For changing meanings, see Raymond Williams, "Private," *Keywords: A Vocabulary of Culture and Society*, rev. ed. (New York, 1985), 242.

17. "The Hermit, no. II," *American Magazine* (Philadelphia) 1 (December 1758): 123–25.

18. "Theodore, or the Hermit, no. VIII," *American Magazine* (Philadelphia) 2 (October 1759): 623.

19. John Dickinson, *Letters from a Farmer in Pennsylvania to the Inhabitants of the British Colonies* (Philadelphia, 1767), in *Empire and Nation*, ed. Forrest McDonald (Englewood Cliffs, N.J., 1962), 3 (Letter I), 38 (Letter VII).

20. [Thomas Hopkinson], *Liberty, A Poem . . . said to be Written by a Hermit in New-Jersey* (Philadelphia, 1769), 5; [Francis Hopkinson], *A Pretty Story Written in . . . 2774* (Philadelphia, 1774), 3; and [Israel Dewey], *A Letter to the Rev. Samuel Hopkins . . . By a Lunar Hermit*, ([Newport], 1774).

21. John Pomfret, "The Choice," in *Eighteenth-Century English Literature*, ed. Geoffrey Tillotson, Paul Fussell, and Marshall Waingrow (San Diego, 1969), 790–92 (lines 5, 91, and 96).

22. Dell Upton, *Architecture in the United States* (New York, 1998), 31, citing Edwin Morris Betts, ed., *Thomas Jefferson's Garden Book, 1766–1824* (Philadelphia, 1944), 25–26.

23. William Livingston, *Philosophic Solitude; or the Choice of a Rural Life* (1747; Trenton, 1782), lines 87–92.

24. Philip Freneau, "Retirement," *The Poems of Philip Freneau, Written Chiefly during the Late War* (Philadelphia, 1786), 59.

25. Philip Freneau, "The Hermit of Saba," *The Miscellaneous Works of Philip Freneau* (Philadelphia, 1788), 34. For the population of Saba in 1775, see Lester J. Cappon, Barbara Bartz Petchenik, and John Hamilton Long, eds., *Atlas of Early American History: The Revolutionary Era, 1760–1790* (Princeton, 1976), 98.

26. James Otis, *The Rights of the British Colonies Asserted and Proved* (Boston, 1764), 10–11.

27. J. G. A. Pocock, *Barbarism and Religion*, vol. 2, *Narratives of Civil Government* (Cambridge, England, 1999).
28. Thomas Paine, *Common Sense*, ed. Isaac Kramnick (New York, 1988), 66; see also Jacob Duché, *The Duty of Standing Fast in our Spiritual and Temporal Liberties* (Philadelphia, 1775), 11–12.
29. James Wilson, “Lecture VII: Of Man, As a Member of Society,” in *The Works of James Wilson*, ed. Robert Green McCloskey, 2 vols. (Cambridge, Mass., 1967), 1:235.
30. Pennsylvania Convention, Declaration of Rights, 1776, in Jack N. Rakove, ed., *Declaring Rights*, 85.
31. Wilson, *Consideration on the Nature and Extent of the Legislative Authority of the British Parliament* (1774), in *Works*, 2:723.
32. Wilson, “Lecture XII: On the Natural Rights of Individuals,” in *Works*, 2:588–89.
33. Constitution of Vermont (1777), chap. 1, art. 1.
34. See, for example, [Robert Voorhis], *Life and Adventures of Robert, the Hermit of Massachusetts* (Providence, 1829).
35. Alexander Hamilton, *The Farmer Refuted* (New York, 1775), in *The Papers of Alexander Hamilton*, ed. Harold C. Syrett and Jacob E. Cooke, 27 vols. (New York, 1961–87), 1:122.
36. Otis, *Rights of the British Colonies*, 31.
37. Thomas Paine, *Rights of Man, Common Sense, and Other Political Writings*, ed. Mark Philp (New York, 1995), 95.
38. Joseph Brant, *American Museum* (Philadelphia) 6 (September 1789): 226–27, reprinted in Colin G. Calloway, ed., *The World Turned Upside Down: Indian Voices from Early America* (Boston, 1994), 179–80.
39. [Thomas More], *The Common-wealth of Utopia* (Philadelphia, 1753), 93–94 (bk. 2, chap. 7).
40. “Equality—A Political Romance” appeared in *The Temple of Reason* (Philadelphia) in 1802, and was republished in 1837. The Lithconians, the narrator noted, had “no less than ten infallible constitutions, all declared to be founded on the rights of man, in the short period of forty years” (n.p.).
41. For a similar tension in revolutionary France, see Lynn Hunt, *Politics, Culture, and Class in the French Revolution* (Berkeley, 1984), 72–73.
42. James Madison, “Vices of the Political System of the United States,” April 1787, in *PJM*, 9:353.
43. In his earliest commonplace book, Madison transcribed the maxim “The King’s and the People’s rights never agree better than by not being spoken of” from the *Memoirs* of Jean Francois Paul de Gondi, Cardinal de Retz; see *PJM*, 1:8.
44. John Trumbull, *Autobiography, Reminiscences and Letters of John Trumbull, from 1756 to 1841* (New York, 1841), 89.

45. Anton Ashley Cooper, Third Earl of Shaftesbury, *Characteristicks of Men, Manners, Opinions, Times*, 3 vols. ([London], 1711), 1:162, 170, 158, 175; 2:319. For the latter’s availability in America, see Janice G. Schimmelman, “A Checklist of European Treatises on Art and Essays on Aesthetics Available in America through 1815,” *Proceedings of the American Antiquarian Society* 93 (1983): 154–61, 172. Among aesthetic treatises, only Edmund Burke’s *Sublime and Beautiful* (London, 1757) circulated more widely before 1815.
46. *Letters between Theophilus and Eugenio, on the moral pravity of man* (Philadelphia, 1747) cited Hobbes to the effect that “every man is born in a state of war” between reason and appetite rather than a true struggle between individuals (p. 2).
47. Hamilton, *Farmer Refuted* (New York, 1775), in *Papers of Hamilton*, 1:86–87; Charles Inglis, *The True Interest Of America Impartially Stated*, 2nd ed. (Philadelphia, 1776), vi.
48. [Mercy Otis Warren], *The Group* (Boston, 1775), 11.
49. On an “Appeal to Heaven,” see T. H. Breen, *The Lockean Moment: The Language of Rights on the Eve of the American Revolution* (Oxford, 2001).
50. James Smither (engraver), *The Patriotic American Farmer. J-n D-k-ns-n Esqr. Barrister at Law* ([Philadelphia], 1768).
51. For the lone contemporary illustration, see [John Norman?], *The Grand Convention*, woodcut from the title page of *Weatherwise’s Federal Almanack* (Boston, 1787), in Richard B. Bernstein and Kym S. Rice, *Are We to Be a Nation? The Making of the Constitution* (Cambridge, Mass., 1987), 154–55.
52. See George Washington to the President of Congress, “In Convention, September 17, 1787,” in *The Report of the Constitutional Convention* (Philadelphia, 1787), broadside.
53. [David Ramsay], “Civis, To the Citizens of South Carolina,” *Columbian Herald* (Charleston), February 4, 1788, in *DHRC*, 16:22.
54. “An Old Whig” IV, *Philadelphia Independent Gazetteer*, October 27, 1787, in *DHRC*, 13:500–501; “Vox Populi,” *Massachusetts Gazette*, November 6, 1787, in *DHRC*, 4:223.
55. *The Federalist*, ed. Jacob E. Cooke (Middletown, Conn., 1961), 469, 238. See also Diary of Gouverneur Morris, in *Life and Writings of Gouverneur Morris*, ed. Jared Sparks, 3 vols. (Boston, 1832), 1:311 (1789).
56. Madison, *PJM*, 9:356 and 10:213.
57. In the greatly enlarged 1787 French edition of *Letters from an American Farmer* (rarely examined today), J. Hector St. John de Crèvecoeur recounted the origin and establishment of an imaginary community of English, French, German, Irish, and Scottish settlers called “Socialburg” located in northwestern New York state; see *Lettres d’un cultivateur américain*, 3 vols. (Paris, 1787), 3:56–96. For squatters and the Land Ordinance, see Peter S. Onuf, *Statehood and Union: A History of the Northwest Ordinance* (Bloomington, Ind.,

1987), 21–43. Other popular stories also focused on the lone inhabitants of caves, especially the “Panther Narrative,” which first appeared as “A surprising account of the discovery of a lady who was taken by the Indians in the year 1777, and after making her escape, she retired to a lonely cave, where she lived nine years,” in *Bickerstaff’s Almanack, for the Year of Our Lord, 1788* (Norwich, Conn., [1787]), and was reprinted at least ten times before 1801.

58. *A wonderful Discovery of a HERMIT! Who lived upwards of 200 Years* (n.p., 1786).

59. *An Account of the Wonderful Old Hermit’s Death and Burial* ([Boston], 1787).

60. “John Humble,” “Address of the Lowborn,” *Independent Gazetteer* (Philadelphia), October 29, 1787, in *DHRC*, 2:205.

61. *The Picture Exhibition* (Albany, 1790), broadside. The image derives from a woodcut illustration of the Old Hermit printed in Springfield, Massachusetts, in 1786.

62. Thomas Spence claimed he coined the phrase “rights of man” a decade before Paine when “inspired by the independence of a hermit living in a cave by the sea, he inscribed on the cave wall, ‘Ye Landlords vile, who man’s peace marr/ Come levy rents here if you can/Your stewards and lawyers I defy;/And live with all the RIGHTS OF MAN’”; see Gregory Claeys, *Thomas Paine: Social and Political Thought* (Boston, 1989), 107 n. 10. I thank Alfred F. Young for this citation. For narratives of people-making, see Rogers M. Smith, *Stories of Peoplehood: The Politics and Morals of Political Membership* (Cambridge, England, 2003).

63. *Daily Advertiser* (New York), September 2, 1789.

64. The voice of an antislavery hermit chastised readers in the 1790s, warning that “there shall arise wars and revolts; the savages in the west, and the slaves in the south shall do unto you as you have done unto them.” The text probably appeared first in German in 1792 and went through at least twelve editions in English over the next decade; see *Remarkable Prophecy, of a Certain Hermit, Who . . . was discovered last Spring, by Doctor Peter Snyder* (n.p., [1793?]), 9.

65. On reading history out of (rather than into) literary texts, see Jacqueline Goldsby, *A Spectacular Secret: Lynching in American Life and Literature* (Chicago, 2006).

## Chapter Six

1. Massachusetts Constitution (1780), preamble; James Madison, “Memorial and Remonstrance against Religious Assessments,” June 20, 1785, in *PJM*, 8:297; Continental Congress, Declaration of Independence, July 4, 1776.

2. Thomas Wilson to Archibald Stuart, November 4, 1787, in *DHRC*, 8:145.

3. Virginia Declaration of Rights (1776), art. 16.

4. William Williams, *American Mercury* (Hartford), February 11, 1788, in *Debates on the Constitution*, ed. Bernard Bailyn, 2 vols. (New York, 1993), 2:193–94.

5. Rush to Adams, June 15, 1789, in Benjamin Rush, *Letters*, ed. L. H. Butterfield, 2 vols. (Princeton, 1951), 1:517.

6. Madison Resolution, June 8, 1789, in *Creating the Bill of Rights: The Documentary Records from the First Federal Congress*, ed. Helen E. Veit, Kenneth R. Bowling, and Charlene Bangs Bickford (Baltimore, 1991), 12. New Hampshire, Virginia, and New York had requested protections for religious freedom; only Virginia (following Article 16 of the state Declaration of Rights) mentioned “our Creator.”

7. See “Forum: God and the Enlightenment,” *American Historical Review* 108, no. 4 (October 2003): 1057–1104; Henry F. May, *The Enlightenment in America* (New York, 1976), 3–101; Robert A. Ferguson, “The American Enlightenment, 1750–1820,” in Sacvan Bercovitch, ed., *The Cambridge History of American Literature*, 8 vols. (Cambridge, England, 1994–2002), 1:390–425.

8. See Vernon Louis Parrington, *Main Currents in American Thought* (New York, 1930), and Robert A. Ferguson, “The Dialectic of Liberty,” *Reading the Early Republic* (Cambridge, Mass., 2004), 51–83. On the Great Awakening and the Revolution, see Alan Heimert, *Religion and the American Mind from the Great Awakening to the Revolution* (Cambridge, Mass., 1966), and Patricia U. Bonomi, *Under the Cope of Heaven: Religion, Society, and Politics in Colonial America* (New York, 1986).

9. Jon Butler, *Awash in a Sea of Faith: Christianizing the American People* (Cambridge, Mass., 1990). On the absence of God in the Constitution, see Susan Jacoby, *Freethinkers: A History of American Secularism* (New York, 2004); Gertrude Himmelfarb, *The Roads to Modernity: The British, French, and American Enlightenments* (New York, 2004), esp. 204–5; Frank Lambert, *The Founding Fathers and the Place of Religion in America* (Princeton, 2003), 246–53; and Isaac Kramnick and R. Laurence Moore, *The Godless Constitution: The Case against Religious Correctness* (New York, 1996).

10. I take the phrase from Ruth H. Bloch, “The Social and Political Base of Millennial Literature in Late Eighteenth-Century America,” *American Quarterly* 40 (September 1988): 393.

11. The decade aggregations conform to Mark Noll’s account of “evangelical decline” between 1760 and 1790; the peaks and depressions correspond with Ruth Bloch’s description of the rise and fall of millennialism in the revolutionary era and its revival in the 1790s. See Noll, *America’s God: From Edwards to Lincoln* (New York, 2003), 161, and Ruth Bloch, *Visionary Republic: Millennial Themes in American Thought, 1756–1800* (Cambridge, England, 1985).

12. On press and pulpit, see Frank Lambert, *Inventing the “Great Awakening”* (Princeton, 1999), 214 (table 6.1).

13. Readex Digital Collections, Early American Imprints, Series I, Evans