George Washington and American Constitutionalism

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The year 1781 ended well for Washington and for the revolutionary cause. Nathanael Greene's southern campaign had been enormously successful and had restored American morale in the Carolinas. Washington's own reputation had been restored by the successful Franco-American operation in Virginia. Finally, after six frustrating years Washington could lay claim to the personal military honor he had longed for—the defeat of a sizable British army on the battlefield. Moreover, Yorktown had vindicated Washington's grand strategy for the war. He had argued long and hard, and not always successfully, that the war could be concluded only by defeating British forces in the field—a goal he believed was attainable only by the use of professional (Continental) troops under his consolidated command. Washington had insisted that if his strategy were followed and the British army, or important elements of it, were defeated, Britain would quickly sue for peace. Indeed, with the ignominious surrender of Cornwallis and his army peace rumors swept the country.

We can only speculate about Washington's thoughts upon receiving Cornwallis's surrender proposal. Perhaps he imagined a quick end to a war that only a few months earlier had seemed incapable of resolution. Perhaps he anticipated a return to the life of the country gentleman at Mount Vernon—a retirement that surely would carry with it the reputation and public honors that he had so ardently pursued. Perhaps he looked forward to a quiet life as a revered public figure in a nation governed wisely and justly by the noblest of republican principles. Perhaps. But Washington remained curiously subdued amid the groundswell of enthusiasm over the news from Yorktown. Cornwallis's surrender was "an interesting event that may be productive of much good if properly improved." But he would go no further.

Although Yorktown signaled the end of the military crisis, Washing-
ton remained wary, noting that the British still retained a potent military presence on the continent. But Cornwallis’s capture had embarrassed the British command structure and had emboldened parliamentary factions that wanted peace with the Americans. Washington and Congress were informed by Guy Carleton, the new British commander-in-chief in North America, that no further offensives would be initiated, and although Washington still suspected British mischief, the war was effectively over.

For others, Yorktown would come to symbolize the final triumph of American dedication and patriotic ardor. For Washington it meant only the onset of the “great crisis.” Most of Washington’s energies for the previous six years had been focused on winning the military war for independence. He had conducted himself in a manner befitting a republican general dedicated to preserving republican institutions. But important as his conduct was to his self-image, it had little effect on the development of American political practices during the war. The states were busily writing, revising, and implementing new constitutions without any particular help from Washington. Only a few months earlier Congress had at last ratified a constitution for the United States, the Articles of Confederation, again without the benefit of Washington’s opinions.

As peace negotiations neared their conclusion in 1783 the exhausted Washington wrote to his brother about his wish to unburden himself of all further public responsibilities: “This event will put a period not only to my Military Service, but also to my public life; as the remainder of my natural one shall be spent in that kind of repose which a man enjoys that is free from the load of public cares.” While he probably anticipated basking in a postwar aura of fame and adulation, he also seems genuinely to have wanted to bring his public life to a close. But his impending resignation from the army served only to elevate his awareness of things political—and he did not like what he saw.

Washington’s letters throughout the early and middle 1780s resonate with a dark pessimism about the future of the republican experiment. Whenever he acted as a representative of the American cause, as in his addresses to his troops and his letters to foreigners, he felt obliged to present a uniformly optimistic picture. In his farewell address to the Continental Army he enthused that “the enlarged prospects of happiness, opened by the confirmation of our independence and sovereignty,
almost exceeds the power of description.” But his private correspondence reveals an assessment of America’s prospects decidedly less sanguine. Events were bringing “our politics . . . to the brink of a precipice; a step or two farther must plunge us into a Sea of Troubles.” Similar expressions of foreboding appear persistently in Washington’s personal letters. To the trusted Henry Knox he wrote: “Our affairs, generally, seem really, to be approaching some awful crisis.” Washington must have recalled the ideals of the Fairfax Resolves—sister states standing together for self-government and the restoration of constitutional principles—and wondered whether the “awful crisis” of the confederation period was not every bit as threatening as that presented by the corrupt ministries of 1774.

In short, the Revolution was not working out as Washington had expected. As a farmer, he well understood the notion of the “false spring,” in which premature warmth brings crops and trees to bloom only to have them withered by an unexpected blast of cold. The republic, or at least his conception of a republic, seemed to be under assault from the frigid blasts of self-interest, localism, class-based politics, and licentiousness. If the promised fruits of republicanism were to be harvested Washington would have to invest more of his energies in its care and nurture. Thus, rather than quiet retirement, Washington found himself expanding his extensive network of correspondents: governors and former governors, congressmen and former congressmen, officers and aides from his army days, men of influence at every level, even sympathetic Europeans. Old friends such as George Mason and Patrick Henry tried out their thoughts on Washington, but so too did new correspondents such as James Madison, Alexander Hamilton, and Gouverneur Morris, each an ally from the nationalist movement earlier in the decade.

This whirlwind of letter writing compelled Washington to reflect more carefully on the lessons of his experiences. As a result his constitutional vision emerged from this “critical period” more coherent than ever before. As that vision coalesced he became increasingly critical of the existing constitutional order. Sentiments and values that had previously been expressed in rather general terms were now translated into a specific policy agenda. Finally, Washington attempted to actively influence political developments during the confederation period, using his vast network of associates to play the role of an eminence grise,
preferring to distance himself from any active involvement in political events but offering aid and comfort to those who shared his constitutional agenda.

Five letters, or sets of letters, from this period serve as the clearest exposition of Washington's reaction to the "crisis of the 1780s" and his emerging constitutional agenda on the eve of the Philadelphia Convention. First, his 1783 Circular Letter to the States provides us with his most thorough assessment of political difficulties in the union and offers, albeit still in rather general terms, some of his suggestions for constitutional reform. Second, his letters on behalf of the Potomac Canal illustrate two key components of his constitutional vision: his support for western expansion and its importance for establishing a national constitutional order and his conception of the nexus between commercialism, interest, and republican government. Third, in his correspondence with his nephew, Bushrod Washington, the older Washington explains the importance of constitutional government and the dangers of factionalism and populistic democracy. Fourth, his letters regarding Shays's Rebellion and other "difficulties," while revealing little new in Washington's politics, explain his increased willingness to consider actions more forceful and dramatic than mere letter writing and evidence a growing confidence in his own vision. Finally, his correspondence with Madison, Mason, Knox, Edmund Randolph, and others from late in 1786 until his decision in 1787 to serve as a delegate in Philadelphia suggests that he was prepared to be more than a neutral bystander at the convention. Indeed, as with the Fairfax Resolves more than a decade earlier, we will later see that Washington's contributions to the final authorship of an important constitutional document, in this case the Virginia Plan that set the tone for the Philadelphia Convention, were more substantial than previously thought.

The Oracle of Newburgh

By 1783 peace with Britain was assured. Had he seen his republican duties as merely military Washington might have been expected to retire to Virginia secure in the knowledge that his own reputation was now unassailable. But political events in Congress and in the states troubled him deeply. A few years earlier he had supported the nationalist
faction in their drive to strengthen the efficiency and energy of Congress. But the collapse of Robert Morris's finance plan and anticipation of the expected removal of British troops from the United States encouraged the states to quickly retrieve many of their old privileges. National affairs appeared to Washington to be slipping once again into the black ooze of state-based politics—a politics of self-interest, fear, and parochialism. Supporters of state power recounted the now-standard republican liturgy about the importance of liberty and locally controlled government. But Washington's experience had convinced him that however alluring this small-scale republicanism was in theory, in practice it could only bring about the collapse of the great American republican experiment.

His impending retirement offered Washington a unique opportunity to influence the course of national politics. He had injected himself into that sphere only sporadically during the war, usually limiting his political activity to letters encouraging his supporters to keep up the good fight. But his unrivaled status as the first genuine national hero combined with his position as a disinterested observer to give him great political leverage. It was not a moment he was prepared to let pass. So in June of 1783, after several weeks of careful thought and writing, Washington submitted his last, his longest, and his most provocative Circular Letter to the States from his headquarters in Newburgh, New York. It marked the retiring general not only as a man with a clear political vision, but as a man who, despite his protestations to the contrary, was likely to play a prominent role in shaping the postwar political order.

The letter began inauspiciously enough. The announcement of his impending retirement was followed by warm congratulations to all who had participated in the success of the Revolution. But Washington soon abandoned this conventional valedictory and signaled the real purpose of his message.

The Citizens of America . . . are . . . possessed of absolute freedom and Independency; They are, from this period, to be considered as Actors on a most conspicuous Theatre, which seems to be peculiarly designated by Providence for the display of human greatness and felicity . . . Heaven has crowned all its other blessings, by giv-
ing a fairer opportunity for political happiness, than any other Nation has ever been favored with. 8

Two further themes then emerged. First, there was no shortage of political liberty in America. American freedom was not the object of some hoped-for future; it was already the envy of the world. Second, this expansive liberty, in combination with the bounties of education, commerce, and experience in self-government, offered Americans an opportunity to demonstrate that constitutional government under republican principles was truly attainable. Washington then shifted his tone. Liberty alone would not be enough to bring about the republican millennium. Critical choices had to be made, choices that would determine whether America "will be respectable and prosperous, or contemptible and miserable as a Nation."

Clearly for Washington, one critical choice preceded and shaped all others: Should the United States be a nation among nations, or merely a loose confederation for mutual convenience and support? Many of the republican thinkers of the day, including the Country ideologues so influential in Washington's early career, opted for the latter arrangement. To them, liberty was inversely related to the power of central governments. The more distant the rulers were from the ruled (or, to use republican terminology, the more distant representatives were from their constituent citizens), the less sensitive the rulers would be to the rights and liberties of the ruled. The corruption of republican principles was inevitable without a vigilant citizenry willing to exercise a jealous regard for their personal liberties. Distant, centralized regimes made such vigilance all the more difficult and, thus, only accelerated the degenerative process.

Washington was aware of these feelings (he had, after all, shared many of those sentiments before his wartime service); yet he was convinced by his revolutionary experiences that these feelings were, at best, misguided and, at worst, dangerously wrong. The "present crisis" could be avoided if, and only if, a "national character" could be established. Without saying so directly, Washington's remarks implied that those who insisted that liberty and virtue could only be maintained in small-scale republics, like the existing thirteen states, were operating in a world bounded by libraries, philosophical societies, and the after-dinner talk of comfortable gentlemen. That world bore no re-
semblance to the one that Washington had come to know. In his view independence had been won only through the concerted efforts of a national union exemplified by Congress and the Continental Army. Now, independence could be preserved in an uncertain world only by resorting to the same agency—a strong national union. His indictment of postwar politics was pointed: "This may be the ill-fated moment for relaxing the powers of the Union, annihilating the cement of the Confederation, and exposing us to become the sport of European politics, which may play one State against another to prevent their growing importance, and to serve their own interested purposes."

Washington's paradoxical, yet remarkably prescient, position was that the rights and liberties of the government and people of Virginia or New York or Rhode Island could only be preserved in the context of a strong national union. His diagnosis was that the very parochialism and spirit of liberty that many thought essential to the preservation of those freedoms was actually a lethal virus within the American body politic. The separate states, no matter how rich or well governed, were no match for the predatory actions of an unrepublican Europe. He explained this worldview in grim terms: "Without an entire conformity to the Spirit of the Union, we cannot exist as an Independent Power. . . . It is only in our united Character as an Empire, that our Independence is acknowledged, that our power can be regarded, or our Credit supported among Foreign Nations." No amount of republican feeling or love of liberty could compensate for the lack of an effective national government. If the states continued to behave as thirteen local republics, he warned, they would soon find themselves "in a state of Nature." Citizens would soon discover that their passion for liberty had degenerated into little more than self-indulgent licentiousness. This, not the adoption of a strong national government, was the path to tyranny and arbitrary power. No temporary association for limited purposes would suffice. The Confederation was just such an association; but even though it was carefully constituted and drew, on occasion, the service of some of the best men in America, it was simply not up to the task. The union had to be made more permanent if independence were to be assured and republican liberty preserved.

If the constitutional superstructure of American politics was insufficient to support a permanent union, then what did Washington propose? First of all, he offered a series of specific reforms intended to cre-
ate "an indissoluble Union of the States under one Federal Head." Most of these reforms were more a matter of firm adherence to preexisting constitutional principles than a call for radical change. For example, he called on the states to immediately delegate greater legislative "prerogatives" to Congress. Yet from the context of his remarks it is clear that he meant that the states should respect the existing powers of Congress under the Confederation. Congress had ample legislative powers. What it lacked was a commitment from the states to refrain from using the banner of liberty as a mask for preserving local prerogatives instead of the genuine interests of all Americans. Washington further maintained that it was in the states' own interest that "there should be lodged somewhere, a Supreme power to regulate and govern the general concerns" of the republic, making clear at the same time that Congress was the logical place to entrust that "Supreme power." He also insisted that legislative authority would come to naught without adequate enforcement of national laws. Washington proposed no change in the executive arrangements of the Confederation, but he tried to impress on the states the importance of accepting the responsibilities of partnership in a real union: "There must be a faithfull and pointed compliance on the part of every State, with the late proposals and demands of Congress, or the most fatal consequences will ensue." Without diligent compliance by every state, no amount of congressional legislation could carry the day.

None of this was particularly new. Washington had remonstrated against state malfeasance and nonfeasance for much of the war. What particularly irked the retiring general was that, much to his amazement, cooperation among the states seemed to be declining to levels even lower than he had witnessed during the war. He was so distressed by this lack of cooperation that he suggested that anyone who opposed the union or proposed measures to dissipate its strength be treated as a traitor to the patriotic cause. He did not pursue this most extreme measure any further, but it is an indication that he was not about to concede any ground to the proponents of states' rights. He wrote, as much in frustration as in anger, that unless the states showed a greater willingness to be governed by the provisions of the national Congress, "it will be a subject of much regret, that so much blood and treasure have been lavished for no purpose, that so many sufferings have been encountered without a compensation, and that so many sacrifices have
been made in vain."

Long before Webster and Lincoln, Washington was committed to the notion that "united we stand, divided we fall."

Washington then encouraged the states to join with Congress in supporting two particular measures that would assure the honor of "the national character." He had endorsed each proposal on numerous occasions during the war. But by reiterating them now, Washington was trying to impress on the states that these policies were not just militarily expedient (the war, after all, was now over) but were essential to the creation of a national character grounded in public virtue.

Washington first called on the states to show their "Sacred regard to Public Justice." Public justice in this instance meant the payment of revolutionary debts, especially those owed to the officers and soldiers of the army. Washington's arguments read like the brief of an unseasoned lawyer. No consistent principle animated his advocacy; he moved back and forth between practical, constitutional, and moral arguments without rooting his claims exclusively in any of the three. But the overall effect was compelling.

His two practical arguments were rather simple. First, free government in America (and he most probably meant here, republican government) could only endure if citizens trusted their government. If Congress's word to creditors could not be trusted, could any national government in the future, however revised, hope to attract the loyalty and patriotism necessary for long-term stability? Important things must be done right, at the start, or republican government would find its reservoir of public confidence perilously low.

Second, in private life honorable men were obliged to fulfill their contracts even when the performance of those contracts was inconvenient or painful. Washington believed that public governments should be held to that same standard. Property rights in general would be jeopardized if governments could blithely ignore them when they wished. Thus, he argued that national forfeiture should be seen as having the same effect on the trustworthiness of government as private bankruptcy on the trustworthiness of individuals. Who would be willing to invest in useful, but potentially risky, national projects under those circumstances?

His constitutional argument was equally straightforward. The debts had been incurred in the common defense of the nation. They had been legally authorized by Congress under its constitutional authority.
Therefore, the states were obliged to take whatever measures were necessary, including the laying of taxes, to retire the debts. But even here, his appeal included references to private honor and public virtue—claims that were more moral than constitutional: "Let us then as a Nation be just, let us fulfill the public Contracts, which Congress had undoubtedly a right to make for the purpose of carrying on the war, with the same good faith we suppose ourselves bound to perform our private engagements."

He had long held that a contract, any contract, was a sacred bond, a moral pact, between the parties. Failure to fully live up to one's contractual obligations was dishonorable, and we should recall that dishonor was counted among the gravest of sins in a society constructed along republican principles. His respect for contracts was also a sign of his deeply rooted social conservatism. Human nature, particularly as evidenced in the lower classes, was something not to be trusted. The law, though, by example and by coercion could be made to encourage appropriate behavior. Reflecting several years earlier on the business dealings of the unfortunate Jacky Custis, he had remarked: "I see so many instances of the rascallity of Mankind, that I am . . . convinced that the only way to make men honest, is to prevent their being otherwise, by tying them firmly to the accomplishment of their contracts."

Washington was not prepared to accept the notion that an American empire could be constructed on such "rascallity" in government. Republican governments should be paragons of public virtue, not slaves to the baser instincts of human behavior. Not satisfied with an appeal to public virtue, Washington also questioned the private virtue of those opposed to honoring the public debt. (Indeed, it again illustrates Washington's repeated appeals to private virtues, such as honor, frugality, and liberality, as the standards by which to measure public virtues. The two were, for him, virtually undifferentiated.) Where his most precious principles were involved George Washington was quite capable of shaming his opponents in the most florid terms:

Where is the man to be found, who wishes to remain indebted, for the defense of his own person and property, to the exertions, the bravery, and the blood of others, without making one generous effort to repay the debt of honor and of gratitude? In what part of the Continent shall we find any Man, or body of Men, who would not
blush to stand up and propose measures, purposely calculated to rob the Soldier of his Stipend, and the Public Creditor of his due?"

The picture he painted of the plight of disabled veterans was especially poignant and was intended to make opponents of full funding squirm uncomfortably: "Nothing could be a more melancholy and distressing sight, than to behold those who have shed their blood or lost their limbs in the service of their Country, without a shelter, without a friend, and without the means of obtaining any of the necessaries or comforts of Life; compelled to beg their daily bread from door to door!" How could a national character be built on such a foundation of dishonor? We might be inclined to say that it was a bit of a cheat for Washington to place the claims of all creditors, most of whom were neither homeless, friendless, penniless, or limbless, on a moral par with the sacrifices of disabled war veterans. But Washington was not being hypocritical. He genuinely believed that all public debts were equally valid and that republican governments could have no part in faithlessness.

His next specific policy recommendation was even more quixotic. Noting that the "defence of the republic" required a "proper Peace Establishment," Washington recommended that "the Militia of the Union" be "placed upon a regular and respectable footing." He must have known the response this proposal would generate, therefore he did not press the far more centralist notion of a professional Continental Army that he had advocated earlier in the war. This time he only recommended that there be a common organization among all the state militia (no doubt intended to alleviate many of the disputes over rank and command that Washington had faced during the war) and that all militia be armed and supplied in a standardized way. Presumably, these policies would emanate from Congress.

Even this watered down proposal was ignored. Many other Americans had their political attitudes shaped by the war; and what they had learned was often quite different from what Washington had learned. The mutinies of 1781, the march of the Pennsylvania Line on Philadelphia, the numerous instances of looting and foraging, and the putative officers' revolt at Newburgh had reinforced many Americans' traditional antipathy toward centralized military establishments. They
trusted Washington; but one did not have to be a state particularist to share their apprehensions about a nationally directed militia.

All of these proposals were part of a larger indictment of the great obstacle to union—the jealousies of individual states. He knew that the union would stand or fall on "the system of Policy the States shall adopt at this moment." It was the states that stood accused—accused of denying important powers to Congress, failing to keep good faith with the nation's creditors, promoting liberty to the point of licentiousness, placing themselves "in opposition to the aggregate Wisdom of the Continent." The states had to be made to see that their collective interest was best represented in Congress and that failure to support Congress was an assault on the national union that protected and nourished them all. Thus Washington continued to envision a republic on a national scale that would protect the liberties of the people and promote the common good far more effectively than could the states individually.

His proposed remedies combined constitutional reforms, specific policy recommendations, and a plea for a changed political climate. In this sense Washington's experiences during the war had compelled him to see politics as a deeper, more complex phenomenon than the simpler politics of deference in which he had been raised. Perhaps most significantly, the Circular Letter revealed that Washington had grasped the distinction between a constitution and constitutionalism. A structurally flawed constitution was not the only problem. The crisis of the 1780s was equally attributable to a lack of commitment by the states (or, to be more precise, certain self-interested factions within the states) to the principles of constitutionalism. Constitutions were not self-enforcing. Constitutions, especially republican constitutions, required "the prevalence of that pacific and friendly disposition, among the People of the United States, which will induce them to forget their local prejudices and policies, to make those mutual concessions which are requisite to the general prosperity, and in some instances, to sacrifice their individual advantages to the interest of the Community." Washington's Circular Letter suggested that the climate for constitutionalism at the national level was still imperfectly formed. Until Americans could be convinced of the advantages of a national constitution, a process made more difficult by the actions of the small-scale re-
publicans, the great promises of the Revolution would remain unfulfilled.

The West—Keystone of a Continental Empire

In the fall of 1784, the retired general embarked on the last of his many trips westward. The ostensible purpose of the journey was to tend to his trans-Allegheny lands. But the real reason for the expedition was to explore several possible routes for a canal-and-road system that would connect the Potomac River with the Ohio River and the vast riches of the West.

A Potomac canal had long fascinated Washington. As early as 1754 he had written after a journey up the Potomac that the waterway offered the "more convenient least expensive and I may further say by much the most expeditious way to the [western] Country." As a Virginia legislator, he worked with fellow enthusiasts in Maryland to bring the two states together to construct a canal on the Potomac. There were "immense advantages which Maryland and Virginia might derive by making Potomack the Channel of Commerce between Great Britain and that immense Territory Tract of Country which is unfolding to our view." The Ohio lands were a great prize. Other states were already exploring canals and turnpikes to bring commerce to and from the West through their borders and to their own seaports, so there was more than a little urgency to Washington’s cause. Finally, in 1772 Washington successfully sponsored legislation in the Virginia House of Burgesses to join with Maryland in improving navigation on the river.

The war deferred any further consideration of this grand plan, yet his interest in the West remained prominent in his thoughts. This is evidenced by a letter to James Duane written not long after Washington’s retirement in which he laid out an extensive plan for the settlement of the western territories. As we shall see, the development of the western lands was an essential element of his vision of large-scale republicanism for postwar America. Yet he was silent about any such projects in the Circular Letter, arguably his most comprehensive prescription for constitutional nationalism. There was, however, good reason for its omission. Washington was well aware that his support for the Potomac Canal and for westward expansion would not be perceived as disinter-
ested by actors in other states. Those perceptions would be well founded and Washington knew it, admitting that he was "not so disinterested in this matter" as he would have liked. He owned about fifty-eight thousand acres of land in the Ohio Basin. If a sure and certain means of transportation were established between the Ohio and the Atlantic to supplant the longer, more perilous journey down the Mississippi, then the value of these lands would appreciate considerably. Washington would be able to command top dollar in rents as well as being able to attract the "right kind" of tenants. In addition, if the Potomac became the principal route from West to East then Alexandria would surely become one of the leading commercial centers in the nation—an outcome that could not but have improved his own economic interests. Thus, had Washington suggested that Congress be given the power to take a more prominent part in westward expansion and to legislate the sorts of internal improvements that the Potomac Canal represented he would have undermined the rest of his message. An important source of Washington's influence in political affairs was his image as a disinterested figure, as one who stood to gain little personally by his political efforts. Washington wisely recognized that on matters related to the West he was rightly seen as self-interested and as an advocate for the parochial interests of Virginia. (Other states, after all, had their own plans for the territories.)

Although he refrained from mentioning such matters in the Circular Letter, Washington did not concede that there was any conflict between his personal interests and the common national interest. In fact, he insisted that much of his enthusiasm for the project was because it was a vital ingredient in his vision for a republic drawn on a "large scale." Once again, a portion of his argument was couched in the language of national security. The United States was still a small nation, clinging ever so tenuously to a narrow strip of land along the Atlantic seaboard. Enemies, real and imagined, were everywhere. While many of his fellow Americans saw the principal military threat as coming from Britain and the continent, Washington was convinced that the western frontier presented even more danger—and not from Europeans or Indians, but from people who were nominally Americans! These western settlers lived lives fraught with physical danger and economic hardship. Washington grasped the political implications of this precarious existence. These settlers stood "upon a pivot; the touch of a feather,
would turn them any way."

With British interests to the north and Spanish and French interests to the south and west, western immigrants would look to whichever benefactor could make their lives less dangerous or more prosperous. If passage to New Orleans or Montreal were made easier than passage to the ports of the American states, then these frontier dwellers would soon convert those economic attachments to political loyalties and be drawn into the orbit of Spain or Britain. In short, the United States needed to cement the West firmly into the union for its own protection or the frontier would rapidly become no more attached to the United States than "the Country of California."

The Potomac Canal would join the West to the East in a great American empire. At first, commerce would be the bond. But commerce was only a means to a more important end. He hoped his plans for a canal would succeed

more on account of its political importance [my emphasis] than the commercial advantages which would result from it, altho' the latter is an immense object: for if this Country, which will settle faster than any other ever did (and chiefly by foreigners who can have no particular predilection for us), cannot by an easy communication be drawn this way, but are suffered to form commercial intercourses (which lead we know to others) with the Spaniards on their right and rear, or the British on their left, they will become a distinct people from us, have different views, different interests, and instead of adding strength to the Union, may in case of a rupture with either of those powers, be a formidable and dangerous neighbour."

Carefully supervised by Congress, westward expansion could be used to promote nationalism. Two kinds of settlers would be especially useful in making the West a bastion of nationalist fervor. Washington recommended, first of all, that Congress be given sole authority to distribute the western bounty lands promised to the former soldiers of the Continental Army. The frontier could not "be so advantageously settled by any other Class of men, as by the disbanded Officers and Soldiers of the Army." They would "connect our governments with the frontiers, extend our Settlements progressively, and plant a brave, a
hardy and respectable Race of People, as our advanced post . . . [and] would give security to our frontiers." Settlement by the army had political advantages as well. These were men who had already pledged their allegiance to the national government once. If they now received land from that same government it would cement their national loyalty even further. These "new Americans" would serve as an effective buffer against the expansion of state interests at the expense of the nation.

But soldiers alone would not provide sufficient numbers to fill the vast expanses of the frontier. Therefore, Washington continually urged Congress to invite the right sort of European settlers. Those who exhibited the appropriate republican virtues were especially desirable. These included the "oppressed and persecuted of all Nations and Religions" (presumably they would care a great deal about liberty), those of "moderate property," and those with a determination "to be sober, industrious, and virtuous members of society."

To make all of this work—the canal, westward expansion, provision for bounty lands, immigration policy—Washington believed that it was essential that Congress have plenary authority to administer the western lands. The states could not be permitted to have anything at all to do with the matter. For one thing, administration of the western lands for the common national interest would remove one source of perpetual jealousy among the states. More than once during the war disputes about which states had claim to which western lands had strained the comity of the union. Second, a system of national administration would establish some order in the settlement process. Washington believed in "progressive" settlement. Lands on the near frontier could be sold and settled immediately. But lands further west should only be opened up when the first tier of lands was sufficiently "filled up." If the states separately opened up all their western lands, or if they prevented Congress from placing any limits on the extent of settlement, it "would open a more extensive field for Land jobbers and Speculators. Weaken our frontiers, exclude law, good government, and taxation to a late period, and injure the union very essentially in many respects." Washington wanted "useful citizens" endowed with a sense of obligation to the national government. To that end he urged Congress to obtain title to all of these disputed lands and then sell them to individual settlers at a fixed, moderate price. [Free land would encourage idlers
and speculators. A fair price would attract hardworking farmers.) The revenues would enhance the national treasury; settlement would be directed westward in an orderly, progressive manner; and a growing body of citizen-farmers dedicated to republican principles and the value of a strong union would result.

Washington's views on commerce and trade were cut from the same cloth as his expansionist policies. Like many classical republicans he genuinely despised speculation and the "avidity... among our people to make money." He conceded to his friends that the "spirit of commerce," though capable of much energy and enterprise, was not without disadvantages, especially as a proper basis for a republican social order in which some sense of the common good and disinterestedness was essential. Yet he also recognized that "from Trade our Citizens will not be restrained, and therefore it behooves us to place it in the most convenient channels, under proper regulation, freed as much as possible, from those vices which luxury, the consequence of wealth and power, naturally introduce."

Like liberty, then, the spirit of commerce was a public virtue only if directed toward the common interest: "To promote industry and economy, and to encourage manufactures, is certainly consistent with that sound policy which ought to actuate every State"—and the suitable instrument to direct that policy was an energetic national government. But the jealousies among the states were a threat both to "that sound policy" and to the new nation's independence. Washington was especially fearful of the impact of Great Britain's trade policies on the union. He envisioned Britain's great mercantile behemoth using these internecine economic rivalries to pit one state against another, thus subverting the still-fragile American economic "union." Unless a central government with more expansive powers to regulate national commerce emerged, Britain would probably regain by the purse what it had surrendered on the battlefield—American dependence. Two years before the Philadelphia Convention, Washington wrote: "The resolutions... vesting Congress with powers to regulate the Commerce of the Union, have I hope been acceded to. If the States individually were to attempt this, an abortion, or a many headed Monster would be the issue. ... If we are afraid to trust one another under qualified powers there is an end of the Union."

Washington's plans for a great Potomac Canal were not, then, just
the idle tinkerings of a self-interested Virginia planter. They were part of a comprehensive vision for establishing a national republic linked by a shared interest in commercial activities and aspiring to republican principles. A canal to the West would encourage settlements in the American interior. These settlements, in turn, would serve as a protection for previously vulnerable borders. To assure the loyalty of these new Americans their economic connections to the old states would have to be promoted. For this, a strong national government with the power to regulate all forms of commerce, domestic or foreign, was necessary. Once granted these powers, the national government could encourage commerce among all the states, old as well as new, East as well as West. As these interstate commercial ties proliferated and prospered, loyalty to the national government would increase and the particular interests of the states would be rejected in favor of a new, more enlightened common interest.

This scheme may lack the sophistication and fiscal gymnastics of Hamilton's Report on Manufactures, but it reveals that Washington had already grasped the interconnectedness of political and economic policy and that each could be deliberately shaped to serve his vision of a national republic. Virtue was not innate even to a liberty-loving people. But if the people's interests could be tied to the success of large scale republicanism, then self-interest could yet be made to serve virtue's purposes.

The Case of the Naughty Nephew

In the fall of 1786 an interesting correspondence proceeded between Washington and his nephew, Bushrod Washington. The elder Washington had taken a paternal interest in the fortunes of the young man, at one point personally recommending him for study with one of the great American lawyers of the day, James Wilson. It seems clear that Bushrod shared his uncle's interest in public affairs as well as his conclusion that the nation was in the midst of a great political crisis. Their correspondence suggests that there was little that divided the two men on matters of ideology or policy. Thus, this particular exchange is especially noteworthy because the older Washington patiently, but firmly,
indicated that Bushrod was going in a direction that the general disapproved of.

Bushrod had written that he had lately been involved in organizing local (Virginia) Patriotic Societies. These societies of "sensible and respectable gentlemen" were established "to inquire into the state of public affairs; to consider in what the true happiness of the people consists, and what are the evils which . . . molest us; the means of attaining the former, and escaping the latter; to inquire into the conduct of those who represent us, and to give them our sentiments upon those laws, which ought to be or are already made." After a general statement of the societies' ends, most of which alluded to traditional republican values, Bushrod concluded with the news that there would soon be a meeting "to instruct our delegates what they ought to do, the next to inquire what they have done."39 Fully expecting a "well done" for his efforts, Bushrod eagerly asked what Washington thought of all this.

Much to his surprise (as evidenced by a subsequent letter in which he rather defensively attempted to clarify the society's role and his own part in it) Bushrod found himself being lectured by his uncle and told that if it was the older man's approbation that was wanted, it would not be forthcoming.40 Washington expressed his particular fears about two aspects of the Society, each of which tells us much about the depth and sophistication of Washington's ideas about republican government on the eve of the Constitutional Convention.

Washington noted first that "I have seen as much evil as good result from such Societies as you describe the Constitution of yours to be; they are a kind of imperium in imperio, and as often clog as facilitate public measures." Could Bushrod not see the danger in a segment of the community nominating itself to speak for the public interest, especially when representatives had been specially chosen to make that determination? Might not a few designing members of the society "direct the measures of it to private views of their own?"41 This was not the first time that Washington had railed against the "spirit of party" and its despised companion, factionalism, nor would it be the last.42 In his personal pantheon of political evils, parties and factionalism ranked with paper money and the machinations of European politics as the greatest threats to the adolescent American republic. In his view, factionalism could have no legitimate role in a republican form of government.
What accounts for Washington's deeply felt opposition to political parties? Why the antipathy toward factionalism? How could he have been so profoundly fearful of political elements that we today assume are intrinsic to liberal constitutions? The answer is twofold. First, the tenets of republican ideology as Washington received it and understood it viewed party spirit and factionalism as an evil so dire that it could tear asunder any republican constitution and undermine the quest for the good society. Second, Washington’s recent ordeal as commander-in-chief had given him a firsthand look at the effects of factionalism. He needed no fancily argued treatise to instruct him on how factionalism could obstruct great public achievements. He could see daily confirmation of what his ideology predisposed him to believe. For Washington, theory and experience once again validated each other.

Washington’s classical republicanism had as its central precept, its modus vivendi, the promotion of virtue and the identification and elevation of virtuous men. This virtue could only be attained by pursuing that which was truly in the public interest or common welfare. Fame was accorded to those men who sacrificed their self-interest in service to the commonwealth. But this vision implied that there was something called the public interest to which virtuous men could unanimously subscribe. The idea that there could be equally valid, but different, notions of the public interest was utter nonsense to Washington—a heresy upon good republican precepts. Harmony, not conflict; unity, not diversity, characterized his classical republican vision of society. Factions, because they represented interests of the particular rather than of the general, were an obstacle to virtue. Indeed, organizations like the Patriotic Society could be considered unpatriotic to the extent that they prevented the nation from achieving harmony and unity.

But Washington’s feelings did not derive from ideology alone. Experience had confirmed those sentiments. Here again, the most immediate, most relevant, most galvanizing experience had come from his service in the Continental Army. If he had any doubts about the undesirability of faction before 1775, the war quickly hardened his views. Successful prosecution of the war required one thing above all else—unity. Any wavering or hesitation in the commitment to the great national goal of independence only prolonged the military struggle and increased its cost in both economic and personal terms. In this
context it is no wonder that his wartime letters are filled with fears of factionalism and divisiveness among Americans.

One source of faction was obvious—the Loyalists (abetted in Washington's mind by those whose caution caused them to remain as uncommitted in the struggle as the contending armies would permit them). He was suspicious of their "diabolical acts and schemes" intended to "raise distrust, dissensions and divisions among us."\(^{43}\) Washington was reluctant to execute Loyalists or confiscate their property. He was too much the social conservative for that. But on several occasions he did attempt to relocate them, segregate them, and even compel them to identify themselves so that their ability to influence or subvert the revolutionary cause could be minimized.

A more troublesome source of faction, however, was not in the enemy camp, but in his own. It was during the war that Washington had developed his political antipathy toward the states. He suffered from their repeated interference with the prerogatives of Congress and of his own national command. They seemed to him capable of supporting the national interest only when it coincided with local needs. The problem was not with the confederalational structure *per se*. When Washington spoke about strengthening the federal union it was still in the context of a union of states. He was, after all, still a Virginian. (His efforts on behalf of the Potomac Canal project were understood by all as being particularly beneficial to his home state.) He did not believe in a unitary national government. But he was convinced that the political leaders in many of the states were utterly incapable of acting in the common national interest. Writing on the possibility of amendments to the Articles of Confederation that would strengthen the hand of Congress in national affairs, Washington commented acidly "that there is more wickedness than ignorance in the conduct of the States, or in other words, in the conduct of those who have too much influence in the government of them; and until the curtain is withdrawn, and the private views and selfish principles upon which these men act, are exposed to public notice, I have little hope of amendment without another convulsion."\(^{44}\)

To George Washington, Bushrod's Patriotic Societies appeared as one more source of disharmony in a union that he believed was disintegrating rapidly. Bushrod's rejoinder to Washington indicated that the purposes of the society were virtually identical to the general's. They, too,
were concerned with advancing the public interest, restoring republican virtues to an increasingly corrupt system, and promoting the national union. But Washington continued to hold back. There was something about the permanency of the society and its posturing as the spokesman for the public's interest that continued to trouble him. His hatred of factions was so strong that he found it difficult to endorse even an organization that embraced the Washingtonian vision!

The Patriotic Societies bothered Washington on another level. They maintained that representatives were "the servants of the electors." Moreover, on broad notions of the national interest and public good "the people are the best judges of . . . their own interests." Therefore, the societies proposed to instruct their elected representatives on issues of the day. Bushrod and his friends were arguing on behalf of a "delegate" theory of representation. A delegate's responsibility is to stand as a mirror to his constituents, reflecting their wants and interests as accurately as possible. In this sense, the representative merely re-presents the views of those who elected him.

George Washington could not accept this definition of representative government. The genuine public interest could not be merely the reflection of the aggregated self-interests of thousands of constituents. This sang too much like the siren of democratic government, and Washington would have none of it. He still believed in government by a disinterested elite—men of property and independence, presumably with sufficient wisdom and experience to serve their constituents' true interests by acting for the common good. The structures of a republican form of government and the prospect of regular elections were devices sufficient to guarantee the responsibility of elected representatives. Washington was especially miffed at the short leashes (and the "instructions" of the Patriotic Societies would, of course, be yet another tether) that erstwhile republicans would place around the necks of delegates to Congress: "To me it appears much wiser and more politic, to choose able and honest representatives and leave them in all national questions to determine from the evidence of reason, and the facts which shall be adduced, when internal and external information is given to them in a collective state." Congress, then, should be a deliberative body with a corporate, rather than individual, responsibility to the people. This idea, he thought, still provided ample checks on the representatives by those who elected them.
Men, chosen as the Delegates in Congress . . . cannot officially be
dangerous; they depend upon the breath, nay, they are so much the
creatures of the people, under the present constitution, that they
can have no views (which could possibly be carried into execution)
nor any interests, distinct from those of their constituents. My po­
itical creed therefore is, to be wise in the choice of Delegates, sup­
port them like Gentlemen while they are our representatives, give
them competent powers for all federal purposes, support them in
the due exercise thereof, and lastly, to compel them to close atten­
dance in Congress during their delegation. 47

We don't know that Washington ever read Edmund Burke's discus­
sion of the role of parliamentary representatives. But Washington's
thoughts on representation, both with regard to the responsibility of
the individual legislator and to the function of the body as a whole,
were virtually identical to Burke's famous defense of the "trustee"
principle. 48 Ironically though, Bushrod Washington sensed far better
than his uncle the profound change that republican thought was under­
going on matters such as representation and consent of the governed. 49
George Washington was certainly not alone in clinging to this old re­
publican orthodoxy; but his views would soon be tested in the crucible
of the presidency. This would not be the last he would hear from orga­
nizations like the Patriotic Society.

From Massachusetts to Philadelphia

For a man whose roots were so undeniably Virginian, it is striking how
often Washington's career was shaped by events in that most un-Virgin­
ian of states, Massachusetts. 50 His early military career was frustrated
in part by the decisions of the colonial supremo in Boston, Lord Lou­
doun. His most significant early appearance on the stage of national
politics was as an advocate for the Fairfax Resolves—resolutions dedi­
cated to uniting all Americans against British high-handedness in Bos­
ton. His first great victory as American commander-in-chief was the
successful siege of British troops in Boston. Now, in the fall of 1786,
events in Massachusetts were once again to shape Washington's politi­
cal career.
Much of America was in an economic recession in 1786. As in most recessions its effects were borne more heavily by some Americans than others. In western Massachusetts economic hardship combined with long-standing political resentments to induce an armed rebellion against state authority led by former revolutionary officer, Daniel Shays. News of the insurrection caused Washington's barometer on national affairs to fall precipitously, triggering some of his most pessimistic reflections on the future prospects for republican government. The rebellion did not alter his political views. Indeed, as we shall see, Shays's Rebellion only confirmed his earlier jeremiads about impending disaster and his portents of "some awful crisis." But his correspondence concerning the events in Massachusetts is significant because it coincides with his deliberations about whether to step onto the public stage again as an active participant in national political affairs. Although he had been content until that winter of 1786–87 to play the part of Cincinnatus, maintaining an interest in politics but preferring to exercise his influence quietly and largely out of the public eye, his restiveness over the state of public affairs became so acute that he decided to accept Virginia's offer to be a delegate to the upcoming convention at Philadelphia—a course of action fraught with the risk of permanent damage to his hard-won public status.

The story of Shays's Rebellion has been better told elsewhere, but a brief review of the insurrection and, especially, its causes will help to place Washington's response into some context. The recession of 1786 had led to a decline in land values and agricultural prices for most American farmers. What made this hardship more painful in Massachusetts, though, were the policies of the state government. Dominated by the eastern cities whose welfare was tied more to trade and credit than was that of the interior, the General Court (Massachusetts's state legislature) enacted hard-money laws that required most debts to be paid in specie. In addition, the General Court imposed heavy taxes intended in part to redeem the war debts not only of the state, but also of Congress. The vigorous enforcement of these taxes and the perception that county courts were becoming exclusive instruments of the largely eastern creditor class exacerbated long-standing political divisions. Poverty and apathy had caused the western towns to be grossly underrepresented in the General Court. Thus, the hard-money policies of the legislature were seen by many westerners as a declaration of
war by the eastern mercantilists on virtuous, liberty-loving farmers. Local courts and the "eastern lawyers" that infested them were objects of particular derision.

The rebellion that emerged was largely unorganized. Mobs and threats of mobs sprang up in many towns, but little suggests that a concerted organization was behind them, certainly nothing as coordinated or as covert as the revolutionary Committees of Correspondence. A small band of ersatz "minutemen," led by Daniel Shays, began to drill in earnest, though for what purpose no one really knows. These spontaneous challenges to organized government evoked mortal fear among conservatives in the state who were sufficiently frightened by events to help the governor raise an army commanded by Benjamin Lincoln. This state "militia" scattered the rebellion in a series of minor skirmishes; and by early 1787 the whole thing was over.

The significance of the rebellion was not in what it was, but in what people thought it was. Washington, in particular, remained from start to finish singularly ignorant of the circumstances surrounding the rebellion: "For God's sake tell me what is the cause of these commotions."\(^{153}\) The one person who served as Washington's primary source of information on the "commotions," Henry Knox, exaggerated the whole episode from start to finish. At one point he informed Washington that the rebels were a dangerous army of upwards of twelve-thousand well-armed men—this at a time when Knox surely knew otherwise (Shays's "army" was actually yet to organize and would never number more than about two thousand). Knox also hinted that the rebels were "levelers," dedicated to an egalitarian redistribution of property and political power.

Washington remained baffled by the motives of the rebels. His letters asked again and again whether they had legitimate grievances. If they did, Washington wondered why the government did not rectify them. Perhaps the state did not have the resources to deal with the problem immediately, but surely it could at least tell the people what it intended to do. If, on the other hand, the disturbances were the result of an excess of liberty ("licentiousness"), then why did the state not use its power and authority to put an immediate stop to them? A third hypothesis was that the whole insurrection was the work of a British conspiracy. Initially, this explanation appealed most to Washington. After all, he had maintained for some time that the self-interest and paro-
chialism of the state governments would make them easy prey to manipulation by the British. But Knox’s letters convinced him that the rebellion was purely domestic.

All three explanations, though, were grounded in a common perception—the great American experiment in self-government was in grave peril.

What, gracious God, is man! that there should be such inconsistency and perfidiousness in his conduct? It is but the other day, that we were shedding our blood to obtain the Constitutions under which we now live: Constitutions of our own choice and making; and now we are unsheathing the sword to overturn them. The thing is so unaccountable, that I hardly know how to realize it, or to persuade myself that I am not under the illusion of a dream.

Still, such a profound despair about American affairs was nothing new for Washington. In spite of all of his hopes for self-government in America, Washington retained a deep, occasionally even fatalistic, pessimism about achieving the republican dream. From 1780 on, it is almost impossible to find a period in his letters when he is not decrying the onset of some great crisis that threatens the very foundations of the constitutional order. Sometimes the villain is the perfidy of the British, sometimes the self-interestedness of the state governments, sometimes the lack of virtue in the American people, and sometimes the lassitude of Congress; but in every case the diagnosis is the same—republican self-government, like the virtuous citizenry that it requires, is so fragile that it demands constant nurturing, or else the noble experiment would fail not only in America, but in the Old World, too.

Thus, the significance of Shays’s Rebellion is not that it transformed George Washington into a nationalist, or a conservative, or a republican, or an advocate of energy in government. He was all of those things before 1786. What changed was his determination to play a part in “saving” the experiment. When the rebellion was in its early stages his response was the same rather equivocal position he had maintained since the close of the war: the Articles of Confederation, as the embodiment of the federal constitutional system, should be supported fully by all of the member states, but amendments for its improvement should be considered. He was as yet unclear as to what the insurgents were up to.
If they were interested in constitutional reform, then perhaps they could yet be dealt with. But if they intended to harm the good order of the community, then "employ the force of government against them at once." Under no circumstances should a constitution established by the people be made hostage to the demands of an armed mob; nothing could make republican government "more contemptible" in the eyes of the world. "Let the reins of government then be braced and held with a steady hand, and every violation of the Constitution be reprehended: if defective, let it be amended, but not suffered to be trampled upon whilst it has an existence."

When Washington learned that the rebellion had been dispersed he was greatly relieved and congratulated his Massachusetts friends on the success of the supporters of the state's constitutional government. But before the episode was closed he had already received notice of a call to a new convention in Philadelphia charged with the authority to consider amendments to the constitution (the Articles of Confederation). He also knew that there was an active campaign to sponsor him as a delegate to the convention. For several months he debated with himself and with his closest Virginia friends whether to go to Philadelphia. In the end he accepted the charge. But the acceptance came months after the rebellion had ended. How then could the rebellion have had any influence on his decision?

The key to answering that question can be found in the republican idea of decay. Republican constitutions were usually founded in a spirit of unity and common purpose. Constitution making was a human undertaking of extraordinary moment; the disinterestedness that was needed for such an effort required a degree of public virtue found only on rare occasions. Once a constitution was established, the more normal forces generated by self-interest would begin chipping away at its finely balanced properties. Eventually, the constitution would either become the captive of a particular faction within the society who would use the power of government self-interestedly to suppress the liberties of the people or, even worse, would make government so ineffectual and lacking in respect that anarchy would ensue.

Any constitution, but especially one grounded in the spirit of republicanism, faced the prospect of decay. Only regular renewal—a resort to first principles—could preserve the constitution. But if public virtue were to descend too far down the slippery slope of corruption, factional-
ism, and self-interest, then it would be best to simply have done with it. At a time when the outcome of Shays's Rebellion was still in doubt, Washington confided to Henry Lee that "Influence is no Government. Let us have one by which our lives, liberties and properties will be secured; or let us know the worst at once." The rebellion was symptomatic of a failure of constitutional nerve that was rapidly spreading throughout the union. Conflict was nothing new to American politics, but in the six months before the Philadelphia Convention Washington seems to have come to the conclusion that social and political gangrene was poisoning the constitutional tissue faster than it could be excised: "Fire, where there is inflammable matter, very rarely stops."

Even as Shays's Rebellion was disintegrating, new conflagrations were flaring up. Washington's neighboring state of Maryland was being torn asunder over the issue of paper money, and he saw the frightening visage of the paper-money juncto in almost every state. Virginia had so far rejected most of these inflationary measures, but Washington lacked confidence that even his own state could long remain immune to the cancer of public disorder that seemed to metastasize with every letter he received.

We know now that this crisis was greatly exaggerated. Washington's correspondents were not a cross section of America in 1786. Many of them were social conservatives, former Revolutionary War generals and political allies, fellow nationalists, and men of property—men who held many political values in common with Washington. He relied on these correspondents as his eyes on national affairs. They kept Washington remarkably well informed on the events of the day, but they also shaded his perception of those events with their own biases. In a few cases, Henry Knox's accounts of Shays's Rebellion being the most extreme example, they even resorted to outright fabrication. Given his pessimistic nature and his tendency to view bad political news as the product of unseen conspiracies, it is no wonder that Washington had come to the conclusion that these events signaled the final crisis of the constitution. The rapidly spreading decay had to be reversed or the constitution would be irrevocably lost, and with it would go Washington's hopes for the "noble experiment."

Shays's Rebellion did not alter George Washington's political sentiments one iota. It confirmed many of his worst fears, but it did not create those fears. It did not, as some have supposed, convince him to
abandon his support for the Articles. But the rebellion, taken together with a constant fusillade of news in the winter of 1786–87 about internal and external threats to the constitution, did convince Washington that some sort of drastic remedial action was necessary if republican self-government in America was to be preserved. It was in this context that he finally agreed, reluctantly, to accept appointment as a delegate to the convention in Philadelphia.

Republican hagiography demanded that its heroes always be willing to defend the republic against corruption and decay. As much to confirm his own virtue as to attain any specific reforms, Washington determined to end his public "retirement." To his old friend Lafayette he wrote that he had decided to attend a convention called by Congress "to revise and correct the defects" of the Articles. "What may be the result of this meeting is hardly within the scan of human wisdom to predict. It is considered however as the last essay to support the present form [my emphasis]."59 If the effort failed, he would "know the worst at once."