

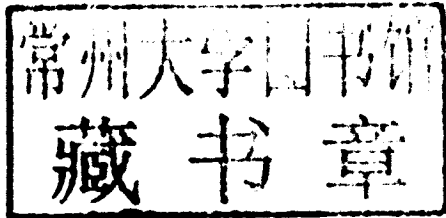
THEODORE
ROOSEVELT
and the
AMERICAN
POLITICAL
TRADITION



JEAN M. YARBROUGH

THEODORE ROOSEVELT AND THE AMERICAN POLITICAL TRADITION

Jean M. Yarbrough



University Press of Kansas

© 2012 by the University Press of Kansas

All rights reserved

Published by the University Press of Kansas (Lawrence, Kansas 66045), which was organized by the Kansas Board of Regents and is operated and funded by Emporia State University, Fort Hays State University, Kansas State University, Pittsburg State University, the University of Kansas, and Wichita State University

Library of Congress Cataloging-in-Publication Data

Yarbrough, Jean M.

Theodore Roosevelt and the American political tradition / Jean M. Yarbrough.

p. cm. — (American political thought)

Includes bibliographical references and index.

ISBN 978-0-7006-1886-6 (cloth : alk. paper)

1. Roosevelt, Theodore, 1858–1919—Political and social views. 2. United States—Politics and government—1901–1909. 3. Executive power—United States—History—20th century. 4. Republicanism—United States—History—20th century. 5. Political culture—United States. I. Title.

E757.Y37 2012

973.91'1092—dc23

[B]

2012019762

British Library Cataloguing in Publication Data is available.

Printed in the United States of America

10 9 8 7 6 5 4 3 2 1

The paper used in this publication is recycled and contains 30 percent postconsumer waste. It is acid free and meets the minimum requirements of the American National Standard for Permanence of Paper for Printed Library Materials Z39.48-1992.

THEODORE ROOSEVELT
AND THE AMERICAN
POLITICAL TRADITION

For Dick

Read The Federalist—it is one of the greatest—I hardly know whether it would not be right to say that it is on the whole the greatest book dealing with applied politics there has ever been.

Theodore Roosevelt, Address to the Liberal Club of Buffalo, September 1895

Now, and here, let me guard a little against being misunderstood. I do not mean to say that we are bound to follow implicitly in whatever our fathers did. To do so, would be to discard all the lights of current experience—to reject all progress—all improvement. What I do say is, that if we would supplant the opinions and policy of our fathers in any case, we should do so on evidence so conclusive, and argument so clear, that even their great authority, fairly considered and weighed, cannot stand; and most surely not in a case whereof we ourselves declare they understood the question better than we.

Abraham Lincoln, Address at Cooper Institute,
February 1860

Acknowledgments

During the twelve years that I have been at work on this book, I have accumulated many debts that I am—at long last—delighted to acknowledge. Bowdoin College made it possible for me to take three full years off during my sabbatical leaves by generously funding additional semesters. I am especially grateful to Charles R. Beitz, now at Princeton, who, when he was dean of faculty affairs, supported my application for a William R. Kenan Research Fellowship. Among other things, the grant enabled me to spend time in Cambridge, making good use of the Theodore Roosevelt Collection and the Harvard College Archives. Craig McEwen, who served as acting dean during my second sabbatical, oversaw a second grant and supported my project in important ways at a difficult time. Cristle Collins Judd, the present dean of faculty affairs, came up with a creative solution that made possible my most recent sabbatical and the completion of this book. The Earhart Foundation provided additional funding during my sabbaticals in 1999 and again in 2005, and I am grateful for their generous support. Once again, it is a pleasure to acknowledge the National Endowment for the Humanities, which provided support for this project in 2006 under its “We the People” initiative.

I am happy to join the legions of Roosevelt scholars who are indebted to Wallace Finley Dailey, curator of the Roosevelt Collection, at Harvard College. Mr. Dailey provided me with materials relating to Roosevelt’s legal education and when, near the end of my research, technology failed, sent me photocopies of hard-to-find Roosevelt essays. I am also grateful to Tim Driscoll, senior reference archivist at Harvard, and to Robin Carlaw and Barbara Maloney in the Harvard Archives, all of whom responded to queries about Roosevelt’s undergraduate years. Adrienne Fischer, librarian at the Harvard Club of New York, allowed me to examine the Harvard College catalogs from 1875 to 1880. Susan Sarna, museum specialist at Sagamore Hill, helpfully provided a copy of the probate list of Roosevelt’s library and answered questions about these holdings.

Over the last decade, numerous Bowdoin students have served as research assistants, among them Jamie Quinn (’06), Brandon Mazer (’08), Dustin Brooks (’08), Christina Curtin, (’12), and Judah Isseroff (’13). I must single

out for special mention Taylor Washburn ('04), who, while a law student at Columbia, did research on Roosevelt's time there, and Eric Penley ('05), who tracked down unpublished letters between TR and John W. Burgess in the Library of Congress while working in Washington, D.C. To the students in my Advanced Seminars on *The Idea of Progress* and *Tocqueville*, a collective thanks. As always, I am grateful for the support of Virginia Hopcroft and Carmen Greenlee, research librarians at Bowdoin College. It is impossible to recount all the ways in which Lynne Atkinson, our indispensable government department coordinator, assisted me on this project, from unsnarling the copier, to supervising the student assistants and preparing the index. On the home front, Pam Geroux has for many years made life run more smoothly, and I thank her. My dear friend, Linda B. Bell, of Stonington, Connecticut, applied her creative talents to this project as only she could do.

My colleague and friend, Paul Franco, read the Introduction and Epilogue, as well as Chapters 1 and 6, making substantive suggestions and serving as my able guide on all things Hegelian. I have also benefited from the advice of Jeff Selinger, who offered feedback on Chapter 5, and alerted me to the most recent work in his subfield of American Political Development. On a lighter note, my dear friend and colleague William C. Watterson never failed to delight me with amusing bits of TR memorabilia.

Colleagues at other institutions also have been generous with their time and advice. Jeremy Rabkin, at the George Mason School of Law, provided assistance on legal questions as well as offering detailed comments (on very short notice) on Chapters 3 and 5. James R. Stoner of Louisiana State University also responded to my legal queries and provided helpful comments on Chapter 1, as did Michael Zuckert at Notre Dame. Marc Landy at Boston College offered feedback—and constructive criticism—on Chapter 5. On innumerable occasions, Michael Uhlmann, of Claremont Graduate University, walked me through the labyrinthine workings of the administrative state. Over the years, James W. Ceaser at the University of Virginia extended numerous invitations to lecture on Roosevelt. On two visits to Charlottesville, Sid Milkis proved, as always, a lively sparring partner. Special thanks also to the Fellows at the Program on Constitutionalism and Democracy at the University of Virginia, especially Keegan Callanan (Bowdoin '03), Matt Sitman, and Daniel Doneson, for their intellectual stimulation and hospitality during my visits. The Jack Miller Center for Teaching American Founding Principles and History, which Jim Ceaser heads with Bill McClay, provided me with additional opportunities to discuss my work with graduate students and junior scholars in Charlottesville, Chicago, and Pasadena. I am grateful also to Robbie George at the James Madison Program in American Ideals

and Institutions at Princeton University for inviting me to deliver an earlier version of Chapter 2 on Roosevelt as historian. Bradley C. S. Watson, at St. Vincent's College, and Mark Blitz, at Claremont McKenna College, invited me to deliver talks on parts of this manuscript. Thanks, also, to Charles Kesler, for opportunities to review the latest books on TR and the progressives in the *Claremont Review of Books*.

John Milton Cooper, Jr. generously read the entire manuscript and offered sage advice on every chapter. Some years back, Bill McClay, at the University of Tennessee at Chattanooga, promised he would help me with this book, and I can only say that he has more than delivered on that promise. He has read and commented on countless iterations of every chapter, and it would be an understatement to say that my book is better because of him. More than a colleague, Bill has shown himself to be the best kind of friend.

Throughout this long gestation period, Fred Woodward, director of the University Press of Kansas, never lost confidence in me, and I thank him for his constancy. Thanks also to Larisa Martin, Martha Whitt, and Susan Schott, Fred's able staff, as well as two reviewers for the press who provided careful and detailed comments on the manuscript.

It is, finally, a pleasure to acknowledge the debts closest to home. Many years ago, my parents, Mary and Ralph Yarbrough, presented me with a twenty-dollar "Liberty" gold coin, designed by Augustus Saint-Gaudens during Roosevelt's presidency, and it has served as a talisman during my labors. I regret that my father did not live to see the publication of this book. My older son, James Yarbrough Stern, helped track down unpublished letters in the Library of Congress while working in Washington, D.C., last year, offered assistance on legal fine points, and helped me make several of my arguments clearer. After years of my reading (and criticizing) his papers, my younger son, John Francis Sutherlin Stern, returned the favor with interest. During this last year, while himself a busy graduate student, he read portions of the manuscript, providing valuable editorial advice that I was by turns pleased and humbled to accept. But my greatest debt is to my husband and colleague, Richard E. Morgan, who, for more than a decade, whiskey in hand, has listened nightly to dramatic readings of these chapters. With unflinching good humor and superb judgment, he has showered me with love and support. I could not ask for more.

Jean M. Yarbrough
Brunswick, Maine
January 12, 2012

Contents

Acknowledgments xi

Introduction 1

1. The Education of Theodore Roosevelt 10
 - Evolutionary Biology and Social Darwinism 13
 - The Hegelian Moment in American Politics 19
 - Fair Harvard 24
 - Decisions 33
 - A Legal Education and More 36
 - John W. Burgess and the German Connection 38
 - When Theory Meets Practice 46
2. History Lessons: Roosevelt's America 50
 - Biography and "Autobiography": *Thomas Hart Benton and Gouverneur Morris* 53
 - The Winning of the West* 67
 - Race 74
 - The Founding 77
 - Progress of Liberty vs. Progress of Growth and Expansion 82
3. Republican Reformer 84
 - Rubbing Up Against the Machine 85
 - Geography and the American Character 88
 - Battling Political Corruption in All Its Forms 91
 - Immigration and the Limits of Assimilation 94
 - Responsible Government 97
 - Civil Service Reform 99
 - Police Commissioner and the Election of 1896 104
 - The Manly Virtues and War 108
 - Reform and the Founders 118

4. Introduction to Executive Power	122
The Executive in Action	125
Governing in Prose: A New Rhetoric	130
The Literary Governor: <i>Oliver Cromwell</i> and the "Master Spirit"	133
5. Executive Power and Republican Government	138
The Anthracite Coal Strike and the "Stewardship"	
Theory of Executive Power	140
Inherent Powers and Constitutional Limitations	148
The Antitrust Approach to Controlling Corporate Power	150
The Toils of Railroad Regulation	155
The Bureau of Corporations and the New Regulatory Order	163
The Conservation Movement and the Growth of National Power	169
"Stewardship" in Foreign Affairs	178
The Balance Tips	187
6. Progressive Crusader	194
European Tour	195
The Croly Connection	205
The New Nationalism	211
The New Nationalism and Popular Rule	220
The Man in the Arena	227
Direct Democracy and Character	233
The Conservation of Human Resources	237
The Road to Armageddon	239
Bull Moose	242
Progressives in the Wilderness	249
Epilogue: The "Heirs" of Theodore Roosevelt	257
Notes	273
Index	333

Introduction

There he is, with George Washington, Thomas Jefferson, and Abraham Lincoln, atop Mount Rushmore, their colossal faces chiseled into the South Dakota granite, looking out on America. For Theodore Roosevelt, the only one of the four presidents to have lived in the Dakota Territory and whose histories sang the glories of westward expansion and Manifest Destiny, the site seems especially fitting. The monument, the cornerstone of which was dedicated in 1927 by President Calvin Coolidge, was the work of Gutzon Borglum, an Idaho-born artist working in the tradition of heroic nationalism. Borglum, the son of Danish immigrants, had already sculpted a giant marble bust of Lincoln that Roosevelt displayed while in the White House and won the competition to create a statue of General Philip Sheridan for the nation's capital. For Mount Rushmore, the artist chose to memorialize those presidents who had founded, unified, and preserved the American republic, while extending its territorial reach. Borglum, who knew and admired Roosevelt, selected TR because he thought that the Panama Canal fulfilled the dream of Manifest Destiny and made the United States into a world power. Along with the four sculptures, the artist envisioned a Hall of Records, containing the most important documents of the republic so that thousands of years hence posterity would understand what "manner of men" the Americans were and why they had carved these gigantic faces on Mount Rushmore.

Borglum's decision to include Roosevelt provoked criticism and controversy, with many complaining that not enough time had elapsed to allow the country to place Roosevelt's presidency in historical perspective.¹ But today, it seems fair to say that, of the four, Roosevelt has become, as he once observed of Lincoln, "the most real of the dead presidents."² During the decade or more that I have been at work on this book, I have been amazed at how familiar Americans are with TR, though mostly what they know are the highlights of his action-packed, adventure-filled life—Rough Rider, trust-buster, big-game hunter, explorer, Bull Moose—episodes gleaned from an endless stream of crisp, fast-paced biographies. With so colorful a subject, it is not surprising that his biographers have tended to

shy away from his political thought. When, on those rare occasions they do wade into his ideas, they either mangle them or retail the standard progressive narrative. Without actually discussing the theories underlying his policies, they assure readers that his actions were necessary to rein in the “robber barons.” They fail to take the full measure of the New Nationalism and *a fortiori* the Bull Moose campaign. Withal, they accept at face value Roosevelt’s insistence that he remained at heart a “conservative,” who sought to avert all-out class warfare by adapting American institutions to a changed political environment. But, for biographers, ideas clearly take a backseat to Roosevelt, the man of action. For different reasons, academic historians also have not regarded Roosevelt’s thought as worthy of serious consideration. Richard Hofstadter set the tone in 1948 with *The American Political Tradition and the Men Who Made It*. In his chapter, “The Conservative as Progressive,” Hofstadter conceded an “occasional insight,” but dismissed Roosevelt’s collected writings as “a bundle of philistine conventionalities, the intellectual fiber of a muscular and combative Polonius.”³ For Hofstadter, a man of the left, Roosevelt’s belated embrace of progressive ideals smacked too much of opportunism and compromise to be taken seriously. TR had no positive impulses; he did not “bleed” for exploited workers, but merely sought to avoid mob violence. There could be no more damning assessment than to brand Roosevelt’s politics “conservative,” his thought superficial. The charges stuck.

The publication of Roosevelt’s *Letters* helped to restore TR’s reputation as a forceful president after it had fallen into disrepute following the domestic and wartime successes of TR’s distant cousin, Franklin.⁴ Nevertheless, in his introduction to Volume 5 of the series, the principal editor, Elting E. Morison, wondered whether the Rough Rider would be “cast into oblivion” as his age faded from historical memory. Roosevelt’s presidency, Morison concluded, “did not contribute any of the massive formulations, either of intellect or spirit, that appear in the national heritage.” In part, this was because TR was by temperament a “conservative,” and conservatives lacked “a body of principled theory” that might serve as a guide to political action. In contrast to liberals, Roosevelt offered no “very cheerful or reassuring notions about the meaning of life itself.”⁵

Despite these shortcomings, the associate editor of his *Letters*, John Morton Blum, made his own reputation by attempting to rehabilitate TR’s in *The Republican Roosevelt*. But he did so by shifting the focus toward his use of power to maintain stability and order. Assessing his political career, Blum concluded that Roosevelt developed no new ideas after the age of forty, that is, before he became president. Along with Morison (and Hofstadter, up to

a point), Blum argued that Roosevelt was essentially a “conservative,” who concerned himself very little with “happiness.” Indeed, by the end of his study he complained that Roosevelt had, among other sins, allowed his “viable conservatism” to degenerate “to a creed akin to fascism” (ignoring that fascism started out on the left as national socialism). Yet there he was in the preface to the second edition in 1962, conceding that his original characterization of Roosevelt as a “conservative” was “arbitrary,” and agreeing with Eric F. Goldman and George E. Mowry that Roosevelt was a “progressive,” in fact, “the most compelling” progressive of his day. This was not a recipe for intellectual clarity.⁶

By contrast, Mowry’s two books were models of clear thinking: Roosevelt was a progressive, and progressivism was good. Mowry did not so much argue this point as assert it.⁷ Nor did he have to make an argument, for as David M. Kennedy has perceptively noted, “most American academic historians have thought of themselves as the political heirs of the Progressive tradition.” Now, of course, historians can (and do) work themselves up into a lather debating whether progressivism ever existed, or if so, what it meant and who belongs to it, but Kennedy’s broad point is that “academic historical writing” has “been largely monopolized by liberals,” or those on the left.⁸ That said, I have learned much from Kathleen Dalton, Martin J. Sklar, and John Milton Cooper, Jr., although I should quickly add that I have used their research to advance an argument they would not endorse. Dalton argued convincingly that Roosevelt continued to press for radical economic reforms after World War I broke out and he returned to the Republican fold. Sklar’s detailed examination of the regulatory policies Roosevelt supported, beginning in 1907 and continuing after he stepped down from the presidency, laid bare just how “statist” Roosevelt’s proposed policies actually were. Cooper’s insightful comparisons of the “warrior” and the “priest” offer a useful starting point for understanding the differences between Woodrow Wilson and TR.⁹

Nevertheless, it is time to revisit the historiography of the progressive era and to hold it up to critical scrutiny. As a guild, academic historians have prided themselves on their openness to revisionist interpretations, yet the one subject that they have not been willing to reconsider is the progressive narrative itself. Most of the studies of this period, and of Roosevelt, start from the assumption that the political arrangements put in place at the time of the founding were inadequate to solve the problems of industrialization, urbanization, and mass immigration. Common law understandings and entrenched legal precedents, federalism, the separation of powers—to say nothing of the relatively unfettered operation of the markets—prevented

the United States from dealing effectively with the social and industrial problems it faced at the end of the nineteenth century. What America needed, as Herbert Croly argued in 1909, was not reform, but wholesale reconstruction. With few exceptions, this view has not been seriously challenged.¹⁰

The discipline of political science is somewhat less monolithic, with American Political Development and political theory providing competing frameworks of analysis, and divisions among theorists offering additional food for thought. Here, too, I have profited from the work of colleagues in American Political Development, though the very nature of the subfield is that it studies, well, “development.” As with academic historians, scholars of APD generally assume that the founders’ constitutional arrangements embody no special wisdom, though they do help to explain the particular ways in which American institutions have evolved to meet new challenges. In this vein, Stephen Skowronek and Sidney M. Milkis, two of the leading scholars in this field, have further added to our understanding of American politics by highlighting the shift of power away from Congress and the courts to the executive and administrative agencies. Their studies focus, respectively, on “transformational” presidencies, or as in the case of 1912, a transformational election, where questions of direct democracy, the living constitution, the rhetorical presidency, the shape of the administrative state, and the nature of political parties were all up for debate. Milkis especially deserves praise for incorporating questions of political theory into his analysis, but they are not his central focus.¹¹

In my own subfield of political theory, I have profited from Eldon Eisenach’s study of the core beliefs of leading academic progressives, as well as from James T. Kloppenberg’s exploration of its trans-Atlantic dimension.¹² Bridging APD and political theory, James W. Ceaser has traced the use of nature and history as competing foundational ideas in American Political Development and offered insightful reflections on the role of “public philosophy” in shaping institutional change.¹³ There has also been renewed interest in Woodrow Wilson by political theorists.¹⁴ But surprisingly, for one whose hold on the popular imagination is as great as his is, there have been almost no studies of the political thought of Theodore Roosevelt.¹⁵

Outside of the academy, Roosevelt does not lack for critics on the right. In recent years, his ideas have come in for scathing critiques from libertarians, of which Jim Powell’s *Bully Boy* provides an extended polemic.¹⁶ As such, it offers a provocative counterpoint to much of the existing academic literature, but Powell’s approach is not mine. Although I am a critic of progressivism and its relentless push toward greater equality in the name of social justice, I am not a libertarian. I believe that *The Federalist*

makes a persuasive case for “limited but energetic” national government, and especially a vigorous executive. There is a useful, indeed even necessary, place for regulation, at both the state and federal levels. But—with the exception of traditional state police powers operating at the margins—those regulations should serve the purpose of making free markets function more smoothly, not strangling them, or worse, attempting vainly to redeem human nature. The first object of republican government should be, as Jefferson announced in the Declaration, the protection of individual rights. At the same time, there are other goods—among them, greatness and excellence—with which the more thoughtful friends of democracy have concerned themselves, and these do not always fit together smoothly with the core commitment to equal rights. To his credit, Roosevelt sought to promote national greatness, though his conception of greatness tended to lay too much stress on conquest and “expansion.” As for domestic affairs, one need not be a libertarian to see that Roosevelt begins to go seriously astray from the economic principles of Alexander Hamilton and Abraham Lincoln during his presidency, and certainly afterwards. That is my point. My book is informed by the idea that the founders Roosevelt most admired provided political principles, suitably adapted, that were still useful in his day, as they remain in ours, had he seriously considered them. But for all his energy and intelligence—and Roosevelt possessed both in abundance—he seems not to have weighed this possibility. Perhaps that is because he never encountered a thoughtful treatment of American political principles in college or law school, and the ideas to which he was introduced (Teutonic “germ theory,” Darwinism, historicism, German idealism) could not easily be reconciled with the ideals of his heroes. So, even before he became a progressive, his views, while reflecting the main intellectual currents of the day, diverged in key respects from the views of the nationalistic founders he admired and Lincoln. In this most “Lincoln-like” sense, Theodore Roosevelt was never a “conservative.”

Nevertheless, Roosevelt talked a good game. Consequently, he has for too long been given a “pass” by political theorists and students of American Political Development who have been inclined to take his admiring references to the more nationalistic founders and Lincoln at face value.¹⁷ Here, the contrast with Woodrow Wilson is especially striking. Unlike the Princeton professor, Roosevelt offered no scholarly critiques of the Declaration or the Constitution.¹⁸ At the very moment when Wilson was urging Americans to move toward a British-style parliamentary democracy, Roosevelt dismissed such calls as an “un-American” colonial throwback and instead exhorted college graduates to “Read *The Federalist*.” His biography of *Gouverneur*

Morris pronounced the Constitution that emerged in Philadelphia the best possible arrangement for America. As president, he turned to the writings of Lincoln for guidance and inspiration. Yet, these principles meshed uneasily with the competing intellectual arguments swimming around in his head. How did these conflicting stands play out at various stages of his long political career? What does his thought add up to, where does it fit in the American political tradition, and what is his legacy today? I am not offering an intellectual biography, but rather an analysis of Roosevelt's political thought and what it means for republican self-government.

Chapter 1 examines the influence of Roosevelt's education on his political thought. Although in his *Autobiography* TR famously insisted that "very little" of what he learned in college would be of use to him in later life, in fact, some of the ideas he was introduced to helped shape his political thought for years to come. Consulting the Harvard College catalogues from 1876 to 1880, I have gone back to school with Roosevelt, reading his course assignments and examining the views of his professors to gain further insight into his early political ideas. At Harvard, Theodore took only the one required sophomore course in history, where he was introduced to the Teutonic "germ theory" that would find its way into the histories that he himself would write only a few years later. He took two courses in political economy from a classical liberal perspective, but soon discovered that the Republican Party of the 1880s and 1890s had other ideas. He read classical Greek and German texts and studied evolutionary biology, all of which, at different times, would also shape his political thought. Most scholars pass over his brief stint at the Columbia Law School, but the courses Roosevelt took with John W. Burgess helped shape his intellectual horizon. Although Burgess and Roosevelt would diverge politically, Burgess's ideas would find their way, first, into Roosevelt's histories, and then later, during the heyday of his progressivism, in his references to a more "ethical state."

Chapter 2 looks at Roosevelt's political thought as it emerges in his historical writings, beginning with *The Naval War of 1812*, then moving on to his biographies of *Thomas Hart Benton* and *Gouverneur Morris*, and culminating in his epic *Winning of the West*. Although his biography of Morris was effusive in its praise of the Constitution, Roosevelt was far more interested in the growth and expansion of America than in its "founding." The chapter compares the narrative that emerges in *Thomas Hart Benton* and *The Winning of the West* with the political thought of the founders he admired. Whereas Hamilton in *The Federalist* had emphasized the capacity of individuals to establish good government based on "reflection and choice," Roosevelt chose to stress the three-hundred-year unplanned movement of