



Edited by
Robert E. Calvert



Introduction by
Wilson Carey McWilliams

“THE CONSTITUTION OF THE PEOPLE”

Reflections on Citizens and Civil Society



J. David Greenstone



Robert N. Bellah



Jean Bethke Elshtain



Michael Novak



Michael Walzer



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**REFLECTIONS ON CITIZENS
AND CIVIL SOCIETY**

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Introduction by Wilson Carey McWilliams



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To
David Greenstone
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PREFACE

This book was the idea of Richard F. Rosser, then president of DePauw University, who asked me to plan a symposium here in the spring of 1987. My charge was to select speakers whose lectures might form a book that would honor both the Constitution and the Sesquicentennial of the university's founding, which happened to coincide with the Bicentennial of the Constitution. The actual theme of the symposium—the meaning of membership in a constitutional order requiring political unity and committed to cultural diversity—was inspired by DePauw's new president, Robert G. Bottoms, whose campaign to diversify the university in light of the changing character of American society seemed to unite the two commemorations. Prompted by this theme, the title of the book is taken from a phrase of Thomas Paine's, who argued that the constitution of the people, their character as citizens and as a society, is “antecedent” to the government formally established by a written constitution.

The essays by Robert N. Bellah, J. David Greenstone, Michael Novak, and Michael Walzer were originally delivered as lectures at the symposium. Greenstone's and Novak's, as those present at the event may recognize, are substantially revised versions of their lectures. The essays by Jean Bethke Elshtain and myself were written especially for this volume.

It is a pleasure to acknowledge the university's continued and unstinting support of this project, both the moral and financial support given at every turn by President Bottoms, the administrative and clerical help provided by Associate Dean John White and his most cooperative staff, the technical assistance offered by the people in Media Services and in Academic Computing, and the resourceful work of the reference librarians in the Roy O. West Library. I am indebted as well to the Dana Foundation for supporting three student assistants, Douglas Driemeier, Donald Featherstone, and Vikash

Yadav, who as Dana Apprentices worked tirelessly and imaginatively with me on the editing of this volume and served as discerning critics in particular of my own essay. "Apprentices," they taught me as much as they learned.

I also wish to thank Director Fred Woodward and his able staff at the University Press of Kansas, for their wise advice and editorial talents as I encountered the problems, many of them new to me, associated with putting together a book of this kind. Special thanks are due Wilson Carey McWilliams, for his willingness to write an introduction for the book and for his many helpful editorial suggestions. Finally, the inevitable frustrations and sheer work associated with such a project were reduced enormously by the essayists themselves, who to a person met deadlines cheerfully and otherwise responded positively to the requests, some of them no doubt unreasonable or whimsical, of their editor.

Not the least of the rewards of serving as editor of this volume has been my good fortune in coming to know personally its several contributors. This is true above all of David Greenstone, who died, after a long illness, shortly after completing the final revision of his essay. My collaboration with David was especially close and intense, and in the course of many long letters and conversations, by telephone and in person, I came to appreciate and feel improved by his intellectual acuity, his compassionate wit, and the depth of his humanity. This book is dedicated to his memory.

Robert E. Calvert
Greencastle, Indiana
July, 1990

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INTRODUCTION

WILSON CAREY MCWILLIAMS

The Greeks thought of the polis as an active, formative thing, training the minds and characters of the citizens; we think of it as a piece of machinery for the production of safety and convenience. The training in virtue, which the medieval state left to the Church, and the polis made its own concern, the modern state leaves to God knows what.

—H. D. F. Kitto

This book is an examination of American political life and culture by six distinguished scholars, an inquiry into our political soul that is urgently contemporary and mirrored in headlines.¹ At the same time, it speaks to the perennialities and, especially, to the political riddle of the many and the one.

All political societies are “many,” complex unions of individuals and families, skills and interests, so that Aristotle regarded it as a decisive criticism of Plato’s *Republic* that it seemed to reduce citizenship to a mere unison rather than a harmony.² Yet, just as harmony requires some ordering or ruling principle, every political society is also “one,” identifiably different from all others, unique. The unity of a political society is thus tied to its identity, an understanding shared by its members of what collectively they are about, extended over time. It is not visible or material: Boundaries are drawn by convention or allegiance; and just as a nation like Poland can persist without “natural” frontiers, so geographic boundaries may enclose different and even hostile polities, as in Timor, Ireland, or Santo Domingo. The members of a public do not necessarily look very much alike, beyond the humanity that unites all peoples, nor are their material interests evidently common. Looking at any human group, the eye sees separate bodies; it may observe a physical similarity between members of families and clans; in villages and simple

societies it may even perceive common work, with a division of labor resting on age and gender, hinting at broadly similar interests. This is ordinary vision's outer limit. A political society, however, includes complexly related interests that often conflict; in these multinational days, moreover, citizens may very well have some interests that are closer to those of foreigners than to those of their fellows. For both reasons unity can be hard to discern. A political society can be symbolized, but it cannot be seen: It is defined by thought, reflected in speech and especially in law, so that "the one" is ultimately an idea, a quality of spirit that serves as the rule or measure for the quantities that we see in political life.³ Thus American patriotism, in Adlai Stevenson's noble evocation: "When an American says that he loves his country, he means not only that he loves the New England hills, the prairies glistening in the sun, the wide and rising plains, the great mountains and the sea. He means that he loves an inner air, an inner light in which freedom lives and in which a man can draw the breath of self-respect."⁴ These essays are explorations in political interiority, an attempt to answer Kitto's question, united by the effort to understand the identity of the United States in a way that does justice to the paradoxes and pluralities of American politics.

The book opens with J. David Greenstone's description of American political culture as a continuing debate between two contending versions of liberal democracy; Robert N. Bellah and Jean Bethke Elshtain then offer diagnoses of the condition of civil society in America, based on their understandings of the relation between individuality and community; Michael Novak and Michael Walzer present two very different views of the Constitution and its impact on American life; finally, Robert E. Calvert ties his analysis of the Progressive tradition to a challenging delineation of the language and conduct of modern American politics. Each essay has its own special sound, and there is more than a little discord: Michael Novak is less critical of American life than the other contributors and more inclined to see economics as a cornerstone of republican government; in a more muted way, Jean Bethke Elshtain worries about the implications of some of her colleagues' appreciation of community. But for all their jangling, these essays have an assonance and, perhaps, a melody.

As Robert Bellah observes, *e pluribus unum*, the republic's motto, originally referred to the states and the federal government, political societies within a larger union, but that relationship is otherwise all but invisible in this book. In our America, national institutions and

allegiances have overwhelmed the states, and the contributors to this volume seem content to have it so, although several express regret at the decline of the local and participant politics that Tocqueville admired. In these essays, “the many” ordinarily refers to individuals or to the families, churches, and associations of “civil society,” distinguished from the State. With varying emphasis, all the contributors warn against the abuse and overextension of State power. An even stronger theme, however, is set by Tocqueville’s fear that individualism, having undermined political life, eventually would weaken all relationships, leaving human beings only so many isolated selves, creatures of the moment, desperate but trivial.⁵ And all these essays seek some *tertium*, some middle term between a State grown too intrusive and citizens become too distant from public life, a balance between particular freedom and common purpose.

To speak of purpose is to recall Aristotle’s argument that every regime, every “constitution,” rests on an implicit answer to the question, “What is the good life?” As Robert Calvert suggests in the concluding essay, Americans from the beginning have assumed a close relationship between their own prospects for a good life and the Constitution bestowed by the founders and ordained by their predecessors. And this is the fundamental basis of paradox and ambiguity in our own time.

Augustine’s grand simplification of Aristotle’s question, and our own, reduced the answers to two: “self-love reaching the point of contempt for God” contrasted with “the love of God carried as far as contempt for self.” Recognizing that, in secular practice, no person and no regime is wholly devoted to one or the other of these warring principles in the human soul, Augustinian doctrine regards all politics as a struggle for preeminence between the two loves and their two cities.⁶

In the American tradition, this is a familiar dialectic, the basis of a “people of paradox,” wonderfully captured by David Greenstone’s contrast of the “two liberalisms” of Jefferson and Adams and the “civic ambivalence” they entail.⁷ Their modern teachers—primarily Locke and his epigones—taught and teach Americans to see human beings as by nature separate individuals, so many bodies, each with its desires and private experiences, engrossed with the pursuit of gratification and self-preservation. Political society, in these terms, is an instrument for affording a more effective individual liberty through civil peace and the mastery of nature. The “first object of government,” Madison urged, is to preserve and enable a fuller development of our diverse faculties.⁸ Consequently, the common good

is only an aggregate in which, at any point, some will be losers; a more inclusive version of the public interest requires that government be so contrived that the "silent operation of the laws" guarantees, in the long term, a measure of equality and community (an unlikely result, Greenstone observes, when some of the losers were slaves.)⁹

By contrast, dominant religions in the United States have taught that originally, individuals are not free. The body, left to itself, is slavish, the prisoner of desire, while the soul's self-centered, inward rejection of its finitude, dependence, and mortality is a denial of its very humanity, not liberty but illusion. Redemption in the highest sense may be the work of Grace. Nevertheless, biblical religion in America has generally assigned a role to human societies and politics in drawing the self out of its sullen privacies.¹⁰ Shrewdly used, delight, punishment, and the regulation of ambition can attach individuals to family, property, friends, country, and even, more tenuously, to humanity itself, nurturing the human capacity for love. In this view, "self-determining power" (John Adams's phrase) is developed only through communities which help us to govern impulse and overcome illusion. Even the highest liberty, beyond the reach of convention and law, belongs to citizens of God's city, who see the partiality of all human politics and things. Individuality is antithetical to individualism, and loving sacrifice for the common good is the expression of a free spirit.

Greenstone argues persuasively that a healthy politics in America requires a balanced dialogue between these historic voices, a skeptical individualism to guard against rigidity and dogma, and a reformed, transcendent doctrine to regulate individual and group selfishness. But maintaining such a balance is a difficult task calling for great statecraft and good fortune. The ordinary rule when first principles conflict, as Lincoln observed in relation to slavery, is that a house divided cannot stand; a riven regime must dissolve or move toward coherence, a new unity based on the victory of one side or the triumph of a higher standard capable of subordinating the older antagonisms.¹¹ In any viable political society, the one must enfold and govern the many.¹²

In their different ways, all the contributors to this book worry that the religious, communitarian voice in America's cultural debate is growing dangerously reedy, increasingly inaudible against a strident individualism. Robert Bellah and Jean Elshtain make explicit appeals to Catholic social teaching and to Protestant thinkers like Reinhold Niebuhr and Glenn Tinder; Walzer, Calvert, and Green-

stone invoke republican values informed by religion. Even Michael Novak, who celebrates the Framers' interest in commercial enterprise, urges us to see commerce as the foundation of their republicanism, part of a *political* design devoted to the inventive and creative spirit, not merely the private pursuit of material gain—a grand adventure rather than a sordid scrabbling.

These concerns are at least as old as the Constitution, the echo of Anti-Federalist warnings against the neglect of public spirit and moral virtue. As Novak reminds us, the American Framers, devoted to individual liberty, rejected the prevailing aristocratic ideal of a virtuous republic, abandoning the effort to overcome the “causes” of a factious private spirit—impossible without intolerable repression, or so Madison claimed in *Federalist* 10—in favor of controlling its “effects.” In that familiar argument, the danger of majority faction, the chief problem of republican government, is minimized by a large republic in which majorities will necessarily be shifting coalitions, full of conflict and based on compromise, morally mediocre at best. For the Framers, it counted as an advantage that such a politics teaches citizens to limit their political commitments and enthusiasms: In the school of *The Federalist*, detachment substitutes for civic virtue.

In the Framers' doctrine, attachment is to be distrusted because the ties of love and community bind individuals to particular places and persons, institutions, and ideas without regard to their utility. It makes matters worse that the strongest attachments, the results of early education and long familiarity, chain us to the past.¹³ Even reason is dangerous when reinforced by attachment. Like human beings themselves, Madison argues, human reason is “timid and cautious when left alone, and acquires firmness and confidence in proportion to the number with which it is associated.”¹⁴ In association, human beings are apt to reason and act boldly, and at moments like the American Revolution, when private passions are restrained by common danger and shared outrage, an empowered citizenry may become a fraternal public, capable of great things. The Framers, however, had little more fondness than Jean Elshtain for such “armed virtue,” especially since they thought it certain to be short lived. Under ordinary circumstances, they held that individuals are likely to be more rational in isolation. Leaders who are subject to scrutiny and hopeful of honor may be able to discipline private desires; for most citizens, the combination of personal invisibility with strength of numbers is an invitation to faction and partisanship. Even if every Athenian citizen had been a Socrates,

Madison contended, the Athenian assembly would have been a mob.¹⁵

The Framers hoped that the large republic and the Constitution's design would leave individuals free but psychologically detached, experiencing within civil society a gentle version of the vulnerability of the state of nature, with its impetus for order. Human beings who are "left alone" reason timidly, their very fearfulness a check on passion. They are apt to be circumspect, and to that extent, public-regarding, watching and keeping up the appearances and inclined to be decently law-abiding.

As Novak's account suggests, commerce is a centerpiece in this plan for public peace through detachment, since the national market frees and tames, stimulating ambition but broadening and disciplining avarice, and forcing at least a consideration of other interests. Moreover, since values vary with supply and demand, commercial life promotes flexibility, an emotional detachment from any particular products or relationships, and especially, a responsiveness to public opinion. Subtly, these economic lessons also assail prejudice and hint that all virtues and faiths are only so many relativities, commodities for exchange.¹⁶

Certainly, commerce was one of the tempters intended to wean Americans away from attachment to the states. To the Framers, surely to Hamilton, if less clearly to Madison, the states, like all political societies, were only artifacts created to advance the interests of individuals and had become essentially outdated, parochial obstacles to opportunity supported by habit and affection. Consequently, the Constitution allows the federal government to exert its powers directly on individuals, so that it may make a claim on "those passions which have the strongest influence upon the human heart."¹⁷ In the Framers' view, it is natural for interest to prevail unless confused and opposed by overwhelming attachment; by breaking into "those channels and currents in which the passions of mankind naturally flow," federal power allows interest to make itself felt. Better administered—or so the Framers trusted—and able to hold out the lures of wealth and power, the central government and national life could be expected to detach affections from the states.¹⁸ It did not trouble the Framers greatly that the national regime would attract only diffuse affections and relatively weak attachments: Lukewarm patriotism, like timid reason, suits a government intended to be the servant of individual liberty.

This is not the only way the work of the American founders can be understood. Hannah Arendt claimed that the basis of the Constitu-

tion was a new and distinctively American understanding of power, power that both Madison and Hamilton sought to harness and control, if for different purposes.¹⁹ The political machinery they created was both “meant to be powerful,” as Walzer notes, and also grounded in the people, with their “passions” not diminished but properly channeled through relatively virtuous representatives. And Bellah elsewhere argues that Madison himself had not wholly given up on popular republican virtue.²⁰

The Founders surely recognized the need for some sort of moral and civic virtue as the foundation for the republic’s laws and liberties. Just as self-preservation does not inspire citizens to risk their lives in defense of their country, the interests of individuals do not necessarily incline them to fulfill their contracts or obey the law, especially if they are poor, obscure, or oppressed, combining desperation with some hope of going unnoticed. And in general, the founding generation regarded religion, broadly defined, as an indispensable element of moral education. Even the enlightened Jefferson preferred the social teaching of Jesus over the privatism of Epicurus, whom he otherwise admired. Thinkers like Adams excepted, however, the leading spirits among the Founders tended to see moral indoctrination as a benign deception, practiced on behalf of the community’s “aggregate interests” on individuals whose reason was unreliable, or on those—most evidently, slaves, as Bellah indicates—whose very rights and interests were violated by the law. In these terms, moral and religious education teaches a combination of useful untruths or half-truths—that one should never tell a lie, for example, or that promises should always be kept—and propositions that are far from certain, like the doctrine that a Supreme Judge will detect and punish all crimes and reward all virtues that are neglected here below.²¹

Politically necessary, moral education is at least questionable in the Framers’ theory, a kind of sharp practice too dangerous to be trusted to government and also demeaning for a regime devoted to individual freedom and reasoned consent. Consequently, most of the founding generation were content to leave the shaping of character to families and churches, to civil society, and in some cases, to the states; and Walzer is right to note that the founders relied on groups strong and stable enough to nurture conscientious souls. “Our constitution,” John Adams declared, “was made only for a moral and religious people. It is wholly inadequate to the government of any other.”²² At the same time, however, the Framers gave these groups no constitutional status or notice: The Constitution ac-

knowledges no subjects other than persons and states. While left largely at liberty, civil society and local community were subordinated to a constitution—and through it, to a national market—whose ruling principle is individual freedom, advanced by the strategy of detachment. From the beginning, the laws have worked to undermine the “habits of the heart.”

Nevertheless, in contemporary America, this long-term tendency has taken on a magnitude so great as to resemble a change of kind, like pebbles become an avalanche: Perceptively, Walzer speaks of a second Constitution, a virtually new regime, Calvert of Progressivism’s politically denatured citizen. Tocqueville’s Americans, for all their “taste for well-being,” were at least familiar with the biblical and republican languages of the common good.²³ Today, as Robert Bellah has indicated, even public-spirited Americans—a more significant group than we sometimes imagine—are more and more inclined to justify their lives and deeds in terms of calculating self-interest (“utilitarian individualism”) or personal authenticity (“expressive individualism”).²⁴ To a surprisingly wide public, it is now axiomatic that moral and political norms are relative to one’s times or culture, the reflection of the unique experience of individuals or groups, and perhaps the strongest intellectual current of the day regards speech itself as only a construction for private purposes, an instrument for domination.²⁵ The revived “discussion concerning political philosophy,” to which Bellah invites Americans, requires us to recover or learn the power of public speech.

However, curing political aphonia is not easy, and Robert Calvert’s shrewd diagnosis indicates some of the difficulties and the dangers. He argues that in their effort to develop a new public philosophy and a language of politics suited to modern America, Progressive theorists found it necessary to challenge the authority of the Framers and that of the “steel chain” of nineteenth-century orthodoxy. Following Beard’s “debunking” of the high claims of the founding, Progressivism developed an “anti-myth” to take the place of the traditional American democrat, describing politics not as an affair of citizens but as nothing more than a conflict of interests, a parallelogram of forces. Paradoxically, however, the upshot of this Progressive critique has been to strengthen but vulgarize the Framers’ emphasis on self-interest. Retaining the belief that political society is a contrivance manufactured to serve private aims, Progressive doctrine denied the Framers’ claim that a political minority may act from broader and more elevated ideas of self, identifying with the politics it creates or governs, or even with humankind.²⁶ But if Pro-

gressive teaching acted a democratic part in “unmasking” the pretensions of the elite, it also stripped away the moral claim of the many: Justice, Progressive analysis implied, is the interest of the stronger, and any appeal to a public or common good is only the rationalization of subjective interests and values.²⁷ Deemphasizing speech, Progressivism imitated and extended the Framers’ reliance on political technology, hoping to make good the deficiencies of the Constitution’s “mechanistic” politics through a more “organic” social science and a more scientific administration.

Yet whatever their faults, the Progressives were wrestling with problems that still shadow our politics, most notably the republic’s setbacks in its struggles with power. As Novak indicates, the American Founders accepted a considerable measure of inequality as the natural expression of individual differences, the social and economic face of personality. On the other hand, the Founders also recognized that unequal wealth and power can be used to restrict the development of the faculties of the disadvantaged.²⁸ For a solution, they relied on the “silent operation of the laws,” hoping that the advantage they saw in a large republic—the competition between many interests, denying more than short-term ascendancy to any—would be an effective check on inequality in social and economic life as well as in politics.²⁹ It didn’t work: Large-scale private organizations largely elude those controls, and many have come to constitute private governments on which citizens depend and to which, for practical purposes, they can create no alternative.³⁰ Private power called for public government in its own image, and that necessity—reinforced by international politics and by technology—has created a politics dominated by mass associations and great bureaucracies, aggregations of money, technique, and support adequate to the scale and intricacy of modern life.

Necessarily, this sort of politics grows away from most citizens, losing its connection to their daily lives and competences. It is now almost axiomatic that organizations large enough to be politically effective will dwarf their individual members.³¹ *Public* politics, the sphere of speech and deliberation, has come to seem less and less relevant or worthy of attention. In the mass media, the coverage of what candidates say, never very extensive, is losing ground to an analysis of their advertisements, now treated as news events, while the content of either kind of statement is given less attention than the strategy it reflects. The “real world” of politics increasingly is presented and understood as outside the public’s view, a place of bureaucrats and hidden persuaders, penetrable only by experts.³² For