

Thomas Jefferson, Federalist

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"WE ARE all republicans—we are all federalists," Thomas Jefferson told the American people in his first inaugural address. A "President above Parties" who believed factionalism jeopardized the safety and security of republican government, Jefferson was here setting forth the common principles shared by all patriotic Americans. Jefferson's election—the "Revolution of 1800"—would, he confidently predicted, put an end to the frenzied, hysterical party struggles in the 1790s. Moderate Federalists who had voted for John Adams would soon see the errors of their ways. But "if there be any among us who would wish to dissolve this Union or to change its republican form, let them stand undisturbed as monuments of the safety with which error of opinion may be tolerated where reason is left free to combat it." In contrast to the Adams Federalists, who had sought to suppress their opponents with the Alien and Sedition Acts—and had instead spurred Jeffersonian-Republicans on toward their electoral revolution—Jefferson would allow his critics to discredit and disgrace themselves before the sovereign people.¹

If, as Richard Hofstadter suggests, the peaceful "transit of power" from Federalists to Republicans marked an epoch in the history of party government, it does not follow that Jefferson saw a place for a "loyal opposition" in the new republican order.² Having vindicated the principles of 1776—and of 1798—the triumphant Republicans would themselves cease to be a "party." As Republican party activists had insisted for almost a decade, they were the true representatives of the sovereign people. When they assumed the reins of power, the American people at last began to govern themselves. In perverting and corrupting the power of the federal government, the Federalists had accentuated the distance between the people and their self-professed rulers—and then sought to bridge the distance with the kind of coercive force that propped up the monarchies of the Old World. Alexander Hamilton and his minions were enemies of the "republican form," determined to transform the new American regime into a replica of the British Constitution they so much admired. But the success of their counter-

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revolutionary project depended on secret machinations, behind the scenes: the corruption of the people's representatives by bankers, speculators, and Treasury operatives; or expansive interpretations of the federal Constitution that enhanced executive power at the people's expense. The Republicans routed the spectre of a counter-revolutionary monarchical revival not only by driving Adams and his supporters from office, but more profoundly and lastingly by shining the bright light of an enraged public opinion on the murky recesses of Federalist administration.

Jefferson's extraordinary interpretation of his rise to power seems unwarranted by what had been, after all, a rather narrow victory at the polls that was only finally secured—on the eve of the inauguration—after thirty-six congressional ballots. But Jefferson, with his already legendary distaste for the “torments” of political life, was not concerned with the wheeling and dealing that had broken the congressional stalemate. The people had already spoken: they had called Jefferson to the presidency, not his running mate Aaron Burr. And many voters who had supported Adams—because of the habitual submissiveness that sustained monarchical rule, or the all-too-plausible mystifications of “aristocrats” and “monocrats”—were good, educable republicans at heart. In bringing the good news to his fellow Americans, then, Jefferson was not a party leader with a policy agenda, but rather a guardian of liberty, a patriotic mentor to his people. As the heavy hand of Federalist administration was lifted—with the end of excise taxes, the reduction of the national debt, the dismantling of the fiscal-military apparatus that threatened to plunge the new nation into a never-ending cycle of wars—the American people would reap the fruits of peace and prosperity. Jefferson would win the people's favor by doing nothing, or by undoing what the Federalists had done. Necessarily, increasingly conscious of their good fortune, Americans would repudiate the few remaining enemies of union and republican government, leaving them to stand as “monuments” to their own folly.

As Jefferson sought to define the meaning of his election, he looked back to 1776, to the first principles of a republican revolution that had toppled despotism in America. From this perspective, Jefferson could be confident that the “Revolution of 1800” would succeed: if the patriots of 1776 had overcome the greatest power on earth—despite the Crown's numerous American Tory supporters—then it should be easy enough to purge the Federalists, latter-day Tories who sought to reverse the Revolution's outcome. The persistent identification of the Federalists as “Anglomen,” justified by Hamilton's financial program and a decided Federalist tilt toward Britain in the French Revolutionary wars, served to exaggerate the Federalist menace as long as Jefferson and his Republican colleagues remained in opposition. But this identification served

equally well to minimize the Federalist threat once Jefferson was elected. It was enough to recognize what the Federalists' true intentions really were—as sufficient numbers of voters finally did in 1800—for these enemies of the Revolution to be cast into the political wilderness, permanently.³

Jefferson's cast of mind, his sense of the world-historical significance of his election, make sense to us now in light of the historiographical reconstruction of Revolutionary American republican thought over the last generation.⁴ The great lesson of the "republican synthesis" is that though Jefferson and his contemporaries were the founders of the American political tradition—and the inventors of the first recognizably "modern" political parties—they thought, wrote, spoke, and acted in an entirely different world from ours. In fact, the political and constitutional continuities between their times and ours have been the greatest obstacles to understanding: because we still use them, we think we know what all the words mean. But Jefferson's obsessive fears of "power," "corruption," his notions of "liberty," "virtue," personal and political "independence," and "equality" were all embedded in a view of the world astonishingly *unfamiliar* to modern readers.

The new literature on republicanism helps us understand why Jefferson saw the American Revolution as a crucial epoch in the great and ongoing struggle between the forces of despotism and darkness, on one hand, and of freedom and enlightenment, on the other. Yet this is only part of the story. In the following pages I want to shift attention away from the first term in Jefferson's statement—"We are all republicans"—to the second—"we are all federalists." I will argue that "federal principles," the preservation of the framers' "more perfect union," was as important to Jefferson as vindicating republican government.

I

ONE REASON why Jefferson's federalism is now obscure to us is that we have not had the benefit of a "federal synthesis" to balance or, perhaps more accurately, to extend and elaborate the "republican synthesis."⁵ But there are further obstacles to understanding Jeffersonian federalism. Most daunting is the general belief that Jefferson and Madison only belatedly turned to states' rights: the Kentucky and Virginia resolutions of 1798 were inspired by political desperation as Republican oppositionists sought to counter Federalist control of the national legislature and executive. The compact theory of union was grounded not in principle but rather in political expediency.

Jefferson's celebration of the union in his Inaugural—a union he was prepared to destroy in 1798 through state "nullification" of federal authority—

thus seems disingenuous, if not downright hypocritical. An unfriendly critic might conclude that Jefferson was projecting his own disunionist intentions on to his opponents, whose only "crime" was to attempt to buttress the authority of the federal government in a period of global political crisis—and "quasi-war" with France—when national security was in jeopardy. In calling himself a "federalist" supporter of the union, Jefferson must therefore be indulging in obfuscatory word-play, perhaps in a sort of revenge against the nationalists of 1787 who called *themselves* "federalists." In other words, it was the spirit of Anti-federalism, not the federalism of the framers, that Jefferson articulated and exploited in his Inaugural.

Jefferson has never lacked defenders, of course, least of all in these precincts. But these defenders are clearly most comfortable in speaking to Jefferson's republicanism, his eloquent statements of natural rights, his life-long advocacy of equality and government by consent.⁶ Merrill Peterson thus attributes Jefferson's recourse to federalism to a temporary fit of "hysteria" as he sought to vindicate freedom against the Federalists' "odious laws." But this was a potentially "dangerous" line of defense that ultimately fostered "delusions of state sovereignty fully as violent as the Federalist delusions he had combated." Invoking Jefferson's authority, states' rights advocates would lead the nation into in a bloody civil war.⁷

My point is that Jefferson's friends have been complicit in an interpretation of the Inaugural—and of his political career generally—that systematically discounts and misrepresents his principled commitment to the American experiment in *federal* republican government. Federalism may not—for better or worse—rank very high in our own scheme of values, and we certainly continue to draw inspiration from Jeffersonian conceptions of the natural and universal rights of individuals. But when Jefferson called himself a "federalist," he meant what he was saying. It is worth noting that, in the next paragraph of the Inaugural, when Jefferson returned to the Revolutionary legacy, he reversed the sequence of the first formulation: "Let us then, with courage and confidence pursue our own federal and republican principles, our attachment to our union and representative government."⁸ *Jefferson* did not privilege "republicanism" over "federalism" (as we may), nor would he be willing to distinguish or dissociate these "principles." Our challenge then is to try to understand exactly how these principles are related, how one depends on the other.

The republican synthesis offers a good point of departure. Dissatisfied with the stripped-down Lockean liberalism that earlier generations of scholars and commentators found in the Declaration of Independence and other Revolutionary state papers, republican revisionists have sought to provide richer, alternative

readings of early American political thought. These writers—and their critics—have challenged conventional understandings of fundamental principles of the American regime and illuminated obscure and neglected corners of the founders' conceptual universe. Yet only when republican revisionists and neo-liberal critics overcome their common liberal presuppositions and move beyond the classically liberal obsession with the character, rights, virtue, public-spiritedness, and happiness of *individuals* will they grasp the broader concerns of American Revolutionaries and constitution-writers.⁹ The revolutionaries were not simply founding new republics; they hoped to construct a new order for the ages, a *federal republican* regime that would preserve peace (in the world, among the states), sustain republican government (in the states), and secure the liberty and natural rights of individual citizens.

Thomas Jefferson's political thought offers a good point of departure for a new history of Revolutionary federalism. It is the premise of this brief essay that neither the response to the Federalists in 1798 nor Jefferson's supposed reservations about the new federal Constitution a decade earlier constituted the crucial turn toward federalism in his career. I will argue instead that a fresh reading of the Declaration of Independence shows that Jefferson was always a federalist, and that the federal principle was always preeminent in his thought. The text of the Declaration does not disclose a fully elaborated theory of federalism, and certainly not an institutional framework for a functioning federal system. But it does set forth, both in its ringing phrases and in the silences around them, what I call here the *federal myth*, the foundation principles for a new world order.

II

JEFFERSON'S first sustained piece of political writing, "A Summary View of the Rights of British America" (1774) constituted a "plan for federal union" in a reformed British empire. "We are willing on our part to sacrifice every thing which reason can ask to the restoration of that tranquility for which all must wish," wrote Jefferson. For their part let the British "be ready to establish union on a generous plan." Jefferson was one of several writers who, as they denied Parliamentary sovereignty over the American colonies, emphasized the king's role in sustaining imperial ties. "This is the important post," Jefferson reminded George III, "in which fortune has placed you, holding the balance of a great, if a well poised empire." In effect, Jefferson, John Adams, James Wilson, and other patriot writers argued for a new imperial constitution or treaty—the words were used interchangeably—that would guarantee the autonomy and fundamental rights of the empire's far-flung member states in return for a perpetual alliance,

or "union."¹⁰

It is easy to discount the federalism of the "Summary View." The political situation in 1774—like that of 1798—put a premium on states' rights; Jefferson's opposition to central government—imperial or federal—was presented as a plan for constitutional union, with the threat of revolution or "nullification" barely concealed. Clearly, Jefferson was in both instances looking ahead, to one "revolution" or other, and had no real interest in sustaining the kind of "balance" he urged on George III. The very suggestion that George "held the balance" was tantamount to a declaration of independence, for it presupposed the autonomy of the various political communities to be balanced. After all, it had long been the premise, or conceit, of British diplomacy that Britain "held the balance" in the European system. It followed that the free and independent American states, like the sovereignties of Europe, would be linked to Britain through the mechanisms of the balance of power.¹¹ Jefferson thus redefined the political and constitutional crisis that threatened the very survival of the British Empire in *inter-national* terms. As a result, he exaggerated the role of royal prerogative (which included the conduct of foreign policy) in sustaining Anglo-American union. But to inflate George III's authority—and responsibility—was simply to prepare the way for the radically *deflationary* rhetoric, in Thomas Paine's *Common Sense* and in Jefferson's Declaration of Independence, that would mark the final push toward independence.

This reading of the "Summary View" seems plausible enough. But the assumption that Jefferson and other patriot leaders sought a complete break with Great Britain in 1774—that when Jefferson called for "union" he really meant "dis-union"—is unwarranted. Americans were by no means eager to make war against the mother country, even after they proclaimed their "separate and equal station" among the powers of the earth and they had little choice in the matter. When Americans sought to reform the imperial constitution they were trying to construct an Anglo-American "peace plan," a new and higher level of political association that would eliminate sources of conflict and banish the use of coercive force among member states.¹²

When American radicals were at last persuaded that British corruption and obduracy precluded a constitutional resolution of the imperial crisis, they turned to the balance of power to secure their rights. The balance was a progressive mechanism, they believed, capable of sustaining an expanding regime of law and civility among independent states. Influential Enlightenment theorists thought of the balance-of-power system as a kind of "federal republic" or "commonwealth," an emergent political community constituted by treaties. The impossibility of a true federal union *within* the British Empire thus forced the

Americans to seek "union" elsewhere, through alliances with other powers.¹³

Critics of the liberal, "individualist" reading of the Declaration are right to emphasize the republican, communitarian context for individual rights claims, but they fail to take their insight to the limits of Jefferson's thinking.¹⁴ Independence was a means toward union, not an end in itself. Seen in this light, the continuity between Jefferson's thinking in 1774 and 1776, and beyond, becomes apparent. His commitment to republicanism proceeded from, and always was predicated on, his commitment to securing the corporate rights of Virginia and the other American states. But this does not mean that Jefferson was a "localist" rather than "cosmopolitan." Jefferson's developing conception of federalism transcended this polarity: in Jefferson's view, individual freedom depended on republican self-government which in turn depended on a "more perfect union" of free states in a progressively more civilized and peaceful world system. This is the underlying logic of the Declaration of Independence.

III

THE AFFECTIVE ties of allegiance that bound American subjects to their British king constituted the biggest obstacle to independence. Recasting those ties in sentimental and familial terms, Jefferson's Declaration emphasized George III's betrayal of his trust. Just as James II had "abdicated" in the Glorious Revolution of 1689, now George un-kinged himself. American independence was instigated by a usurping despot—and a bad father. The juxtaposition of seventeenth-century constitutionalism and eighteenth-century sentimentalism proved to be a powerful, revolutionary force.¹⁵

Commentators turn to the second paragraph for a positive statement of the Revolutionaries' goals, epitomized by the stirring invocation of "life, liberty, and the pursuit of happiness." But the immediate object of the Declaration, "to dissolve the political bands which have connected . . . one people . . . with another," is set forth in its opening sentence. Jefferson is here referring to Americans collectively, but subsequent references are to the separate "colonies" or "states."¹⁶

A portion of Jefferson's draft, excised by Congress, provides the historical narrative that justifies the focus on states' rights. The respective colonies were founded "at the expense of our own blood and treasure, unassisted by the wealth or the strength of Great Britain; that in constituting indeed our several forms of government, we had adopted one common king, thereby laying a foundation for perpetual league and amity with them: but that submission to their parliament was no part of our constitution." The idea that the colonists founded new

communities and then “adopted one common king” was an American variation on the equally implausible myth of Anglo-Saxon constitutionalism, according to which the existence of the English nation preceded the institution of monarchy and therefore constituted a fundamental limit on monarchical authority. The novelty of the Jeffersonian myth of expatriation, more fully elaborated in the “Summary View,” was that it gave a spatial dimension and contemporary salience to a myth of origins: the “ancient constitution” survived—but was now threatened—in Anglo-America.¹⁷

Jefferson’s colleagues may have rejected this passage because its historical claims were untenable, perhaps even laughable. But they did not reject Jefferson’s conception of the empire as a federation of free states which they now, reluctantly, were forced to abandon. Jefferson’s version of colonial history was a bold effort to identify the embattled assemblies with the corporate integrity of colony communities. The first six substantive charges against the king in the adopted Declaration all refer directly, and subsequent charges refer indirectly, to royal interference in the legislative process. The imminent threat is that the assemblies will cease to exercise any effective legislative power, if they continue to meet at all. In other words, the implicit claim that the assemblies—or their ad hoc, revolutionary successors—“represent” the colonies, and that congress can in turn speak for the colonies, is made in the face of the virtual immobilization of representative government in Anglo-America.¹⁸

It is this identification of representatives with their colony communities and of congress with the American “people” that constitutes the most crucial rhetorical move in the Declaration. With the expatriation argument suppressed, the argument is made—probably more effectively—by ellipsis and indirection. Jefferson assumes that everyone will agree that the colonies are “states,” that they possess inviolable corporate rights that the “people” must vindicate. But, of course, this is precisely what advocates of Parliamentary supremacy did *not* accept. In other words, Jefferson silently stipulates that the empire must be seen as a federal union, not a unitary polity; the universalistic pretensions of king-in-parliament are thus fractured and subverted by the particular claims of colony communities. Here was an ironic, localistic counterpoint to the universalistic claims, the “self evident” truths, of Jefferson’s second paragraph. For it was in response to the royal assaults on their *corporate* rights and privileges catalogued in the Declaration that the colonists invoked their “inalienable rights” as free men and took up arms. The challenge was to frame specific local grievances and customary claims in all-embracing, universal terms. This was Jefferson’s great achievement in the Declaration, and it depended on his assumption that colonies had constitutions, that they were “states” that could claim rights.

As "sovereignty" was transferred from king to people, it travelled a circuitous route. Deposing the king created a vacuum of legitimate authority that representatives of the people quickly filled. The most significant consequence of this upheaval, and the great unrecognized achievement of the Declaration, was the invention of the American idea of state sovereignty, the conception of states as self-constituted, self-sufficient, and autonomous political communities. In practical, institutional terms, the invention of state sovereignty marked the final stage in the rise of the assemblies. Facing an increasingly uncertain future in the last years of imperial rule, the representatives gained expansive new powers under the first new state constitutions.¹⁹

But it would be a mistake to conclude that securing assembly rights was Jefferson's sole, or even primary concern in the Declaration. Justifying Congress's assumption of the authority to declare independence constituted his most formidable challenge. Anglo-Americans always had had a well-developed sense of their rights as individuals, and the corporate claims of the new states grew out of their colonial experience. But the Continental Congress had no such legitimating pedigree. Its pretensions were most revolutionary, and therefore most in need of justification.²⁰

Jefferson justified himself, and Congress, by demonstrating that George III sought to establish "an absolute tyranny over these states." This "long chain of abuses and usurpations" was directed immediately at the colonial assemblies, and ultimately at the "inalienable rights" of the people themselves. According to Jefferson's version, resistance moved in the opposite direction, beginning with the people—whose "rights" were "self evident"—proceeding through colonial governments whose "just powers" were based on their "consent" and culminating with Congress itself. In other words, Congress sought to take the king's place. But this was pretension could not be openly asserted: Congress's rule would be seen as legitimate only as long as it made no claims on its own behalf.²¹

Jefferson pulled out all the rhetorical stops as he showed George III unkinging himself. In striking contrast, the Declaration is totally silent about Congress's succession to royal authority. Jefferson recognized that saying anything would be saying too much. For Congress could only assume the king's prerogatives—most notably and pressingly over the conduct of war and diplomacy—if it was seen as completely different from the George III depicted in the Declaration. George, the bad father, was Congress's reverse image: congressmen would never violate the trust of their constituents by pursuing their own interests at the people's expense. This identification between governors and governed was, of course, the promise and design of republican governments. But it also evoked—and, in the Declaration, much more powerfully—the myth of the

“good” king, the true father to his people. Congress would be so completely and transparently identified with “the people” that they would dissolve into one another. Significantly, this identification was *not* assured by the elaborate constitutional mechanisms favored by radical republicans: the government of the United States only *became* “republican” after a protracted series of constitutional crises and reforms. In 1776, the implicit model for Congress was an idealized conception of kingship. George III “has abdicated government here BY DECLARING US OUT OF HIS PROTECTION, AND WAGING WAR AGAINST US.” Congress must take his place.²²

Congress could present itself as the legitimate successor to the British monarchy as long as it was seen to be faithfully representing the new state governments, and through them the American “people.” This meant, as we have seen, that the rights of the states, the predicate of congressional legitimacy, had to be established first. This is why the congressional resolution of May 10 and 15, 1776, authorizing the rebellious colonies to institute new governments was so crucial.²³ Congressmen feigned surprise that thirteen colonial clocks should strike as one when the United States declared independence. But the clockwork had long since been set in motion by the concerted efforts of patriot leaders. It was important, however, that the mechanism be concealed, and that the revolting colonists believe—or, perhaps, in the case of Adams, Jefferson, and other prime movers, convince themselves—that resistance was the spontaneous and simultaneous expression of popular grievances and popular will throughout the colonies.

This myth of spontaneous resistance was a crucial prop to congressional legitimacy. Exploiting an early burst of popular enthusiasm for the war effort, Congress quickly and successfully assumed a quasi-monarchical authority. Congress’s dilemma was that any effort to *institutionalize* its authority inevitably jeopardized it. Set against the legitimating myth of spontaneous resistance—“popular sovereignty” in action—any *formal* assumption of authority was bound to generate suspicion. This may help explain why it proved to be so difficult to draft acceptable Articles of Confederation, and why Congress’s prestige plummeted *after* 1781, when the Articles were finally ratified and Congress finally became a “constitutional” government.

There are many plausible explanations for Congress’s sorry history. The recalcitrance of the states, intoxicated by visions of their own sovereignty, is everybody’s favorite. But I would suggest that efforts to bolster congressional authority so often proved counter-productive because Congress was not an ordinary legislature, and the United States was not an ordinary republic. The “monarchical” authority of Congress depended on sustaining the myth of its

faithful representation of the "people," and of the people's commitment to the common cause. Any attempt to fix the *actual* representation of different states, regions, or interests gave the lie to the myth, unleashing a competition for relative advantage—the factionalism that so disturbed contemporary commentators—that was the antithesis of a true and affectionate union. The template for that union was offered in the Declaration of Independence. When, according to Jefferson's formula, congressmen "pledge[d] to each other our lives, our fortunes, and our sacred honor," they were *not* negotiating a contract or drafting a constitution. They were instead invoking sacred ties of honor and friendship, the moral equivalent for liberty-loving republicans of the allegiance owed to a good father, or a good king. The pledge was all the more sacred and compelling because it was entered into by equals, and was not offered in weakness or fear to a superior power.²⁴

Most commentators on the Declaration focus on the tension between the claims of individual and society implicit in the natural rights doctrine of the second paragraph. They overlook Jefferson's conception of union, a fundamental premise in his political and social theory that mediates between these polarities. Union was grounded in man's natural sociability, and was constructed and extended through ties of friendship, the most durable and efficacious "political bands." As a republicanized and sentimentalized gloss on the monarchical principle of allegiance, Jefferson's idea of union facilitated the transfer of legitimate authority from king to Congress. This was the Declaration's most revolutionary implication.

Jefferson linked the consent of individuals—the source of legitimate authority—to the rights of the new states as political communities and then to a yet higher level of association, the federal union, embodied in Congress itself. This is what I call the myth of federalism. The Declaration's implicit scheme—citizens, states, union—constituted the paradigm or framework for elaborations of the federal idea in succeeding decades. The highest level, the union of American republics, represented the most radical departure from conventional theory and practice. Real Whig republicanism offered little guidance in constructing a federal regime. Jefferson turned instead to an idealized version of monarchy and a sentimental notion of revolutionary brotherhood for a new conception of union, "political bands" among the states that would never be "dissolved."

IV

WE GENERALLY think of federalism in negative terms, as a constitutional division of power and a strict constructionist jurisprudence that enables entrenched

local interests to resist the encroachments of a "despotic" central government on states' rights and individual liberties. But there is another, more positive and forward-looking face to Jeffersonian federalism as it was first developed in the "Summary View" and Declaration of Independence. The end of British tyranny would *not* dissolve or destroy all social ties or "political bands," thus preparing the way for a possessive individualist millennium. Instead, Jefferson believed, the corruption and despotism of the imperial regime obstructed the natural and consensual ties of affection, principle, and common interest that were bound to draw Americans into ever closer union. Jefferson's federalism proceeded from this fundamental, hopeful premise.

It was—and is—easy enough for critics to mock Jefferson's vaulting hopes for the American union, and to emphasize the fearful and self-regarding libertarianism and localism that were left in their wake.²⁵ But when Jefferson said "we are all federalists" in his first Inaugural, he did not mean to sanction or foster this suspicious defensiveness, or to obstruct the continuing progress of the American experiment in self-government. To the contrary, the promise of 1776—including the promise of an ever more perfect federal union—would be at last redeemed. Jefferson's project may have been a great failure, based on an illusory premise; he may have been betrayed in the end by his profound aversion to politics and the exercise of power. But the vision of natural society, of free states in an affectionate union, and of the nations of world working toward harmony and peace continues to exercise a powerful appeal. If, as Joyce Appleby argues, Jefferson was the apostle of hope for a democratizing America, his conception of an expanding union of free states was his most hopeful and visionary—and elusive—legacy.²⁶

ENDNOTES

1. Inaugural Address, March 4, 1801, reprinted in Merrill D. Peterson, ed., *The Portable Thomas Jefferson* (New York, 1975), 290-95, at 292.
2. Richard Hofstadter, *The Idea of a Party System: The Rise of Legitimate Opposition in the United States, 1780-1840* (Berkeley and London, 1970), 122-69.
3. The forgoing discussion is based on Lance Banning, *The Jeffersonian Persuasion: Evolution of a Party Ideology* (Ithaca, N.Y., 1978). But see also Richard Buel, Jr., *Securing the Revolution: Ideology in American Politics, 1789-1815* (Ithaca, N.Y., 1972).
4. For a good introduction to this literature see Robert Shalhope, "Toward a Republican Synthesis: The Emergence of an Understanding of Republicanism in American Historiography," *William and Mary Quarterly*, 3rd ser., 22 (1972) 49-80; and idem, "Republicanism in early American Historiography," *WMQ*, 34 (1982) 334-56. For a

- provocative, possibly premature post-mortem, see Daniel T. Rodgers, "Republicanism: The Career of a Concept," *Journal of American History*, 79 (1992), 11-38.
5. See my discussion of federalism, with citations to recent work, in "Reflections on the Founding: Constitutional Historiography in Bicentennial Perspective," *WMQ*, 46 (1989) 341-75, at 356-64. See also Peter B. Knupfer, *The Union as It Is: Constitutional Unionism and Sectional Compromise, 1787-1861* (Chapel Hill, 1991), 22-55.
 6. Neither Richard K. Matthews nor Garrett Ward Sheldon discusses the Kentucky Resolutions in their recent explications of Jeffersonian political thought. Matthews, *The Radical Politics of Thomas Jefferson: A Revisionist View* (Lawrence, Kans., 1984); Sheldon, *The Political Philosophy of Thomas Jefferson* (Baltimore, 1991). David K. Mayer's forthcoming *Constitutional Thought of Thomas Jefferson* is the only major study that devotes much space to Jefferson's federalism. But Mayer, whose libertarian predilections are apparent, is primarily interested in federalism as a mode of constitutional interpretation.
 7. Merrill D. Peterson, *Thomas Jefferson and the New Nation: A Biography* (New York, 1970), 608-25, quotation at 609. For a good recent treatment of the Virginia and Kentucky resolutions, see Drew R. McCoy, *The Last of the Fathers: James Madison and the Republican Legacy* (New York, 1989), 131-50.
 8. Inaugural Address, in Peterson, *Portable Jefferson*, 292.
 9. This theme is elaborated by political theorist Nicholas G. Onuf in our forthcoming collaboration, *Federal Union, Modern World: The Law of Nations in an Age of Revolution, 1776-1814*.
 10. "A Summary View of the Rights of British America" [July 1774], is reprinted in Peterson, *Portable Jefferson*, 3-21. The quotations are all on 21. See the editorial apparatus and commentary in Julian P. Boyd, ed., *The Papers of Thomas Jefferson*, 25 vols. to date (Princeton, 1950—), 1:105-36. My reading of the "Summary View" relies heavily on Stephen A. Conrad, "Putting Rights Talk in Its Place: The *Summary View* Revisited," in Peter S. Onuf, ed., *Jeffersonian Legacies* (Charlottesville, Va., 1993), 254-80. See also Anthony M. Lewis, "Jefferson's *Summary View* as a Chart of Political Union," *WMQ*, 5 (1948) 35-41. On Wilson and Adams see Peter S. Onuf, *The Origins of the Federal Republic: Jurisdictional Controversies in the United States, 1775-1787* (Philadelphia, 1983), 26. The best introduction to the problem of federalism in the British Empire is Jack P. Greene, *Peripheries and Center: Constitutional Development in the Extended Politics of the British Empire and the United States, 1607-1788* (Athens, Ga., 1986).
 11. On Britain's "holding the balance," see the Felix Gilbert, *To the Farewell Address: Ideas of Early American Foreign Policy* (Princeton, 1961), 19-43. See also Onuf and Onuf, *Federal Union, Modern World*, chap. 4.
 12. On the peace plan tradition see F. H. Hinsley, *Power and the Pursuit of Peace: Theory and Practice in the History of Relations between States* (Cambridge, U.K., 1963). The importance of this tradition for American constitutional development is briefly discussed in Cathy D. Matson and Peter S. Onuf, *A Union of Interests: Political and Economic Thought in Revolutionary America* (Lawrence, Kans., 1990), 145-46.

13. These themes are elaborated in Onuf and Onuf, *Federal Union, Modern World*, introduction, chaps. 4-5.
14. Garry Wills, *Inventing America: Jefferson's Declaration of Independence* (Garden City, N.Y., 1978); Matthews, *Radical Politics of Thomas Jefferson*, 25-27.
15. For an explication of the "politics of feeling," see Jay Fliegelman, *Declaring Independence: Jefferson, Natural Language, and the Culture of Performance* (Stanford, 1993). My understanding of the importance of affective ties in Jeffersonian thought has been enormously enriched by Fliegelman's brilliant book.
16. The text of the Declaration is reprinted in Peterson, *Portable Jefferson*, 235-41, quotations on 235, references to "colonies" and "states" at 236.
17. Peterson, *Portable Jefferson*, 239. The corresponding passage in the "Summary View" is at *ibid.*, 18-19. On Jeffersonian historiography, see Trevor H. Colbourn, *The Lamp of Experience: Whig History and the Intellectual Origins of the American Revolution* (Chapel Hill, 1965), 158-84. For a trenchant discussion of expatriation theory, see John Philip Reid, *Constitutional History of the American Revolution: The Authority of Rights* (Madison, Wisc., 1986), 114-31.
18. On the "rise of the assemblies" see Jack P. Greene, *The Quest for Power: The Lower Houses of Assembly in the Southern Royal Colonies, 1689-1776* (Chapel Hill, 1963), and Greene, *Peripheries and Center*, 83-97.
19. The literature on this subject is vast. For a review and synthesis see Peter S. Onuf, "Origins and Early Development of the State Legislatures," in Joel Silbey, ed., *Encyclopedia of the American Legislative System*, forthcoming.
20. The best treatment of this dilemma is Jack N. Rakove, *The Beginnings of National Politics: An Interpretive History of the Continental Congress* (New York, 1979), 87-110. See also Peter Onuf, "The First Federal Constitution: The Articles of Confederation," in Leonard W. Levy and Dennis J. Mahoney, eds., *The Framing and Ratification of the Constitution* (New York, 1987), 82-97.
21. Peterson, *Portable Jefferson*, 236, 235.
22. *Ibid.*, 238. On Congress's "succession" to crown powers see Onuf, *Origins of the Federal Republic*, 12-17, and Jerrilyn Greene Marston's excellent *King and Congress: The Transfer of Political Legitimacy, 1774-1776* (Princeton, 1987).
23. Worthington C. Ford, ed., *Journals of the Continental Congress*, 34 vols., (Washington, D.C., 1904-37), 4:342, 357-58.
24. Peterson, *Portable Jefferson*, 241. See the discussion in Fliegelman, *Declaring Independence*, 21-25 and *passim*.
25. See the discussion in Peter Onuf, "The Expanding Union," in David T. Konig, ed., *Devising Liberty: The Conditions of Freedom in the Early American Republic*, forthcoming, and in Onuf and Onuf, *Federal Union, Modern World*.
26. Appleby, *Capitalism and a New Social Order: The Republican Vision of the 1790s* (New York, 1984); Appleby, "Jefferson and His Complex Legacy," in Onuf, ed., *Jeffersonian Legacies*, 1-16.