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Publius and Political Imagination

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The Federalist is commonly read as an exemplar of political realism. However, alongside Publius' arguments against the enthusiastic imagination—its tendency to inflame the passions, betray the intellect, and subvert political authority—are formative appeals to the imagination's role in reconstituting the public authority shaken during the postrevolutionary years. This essay explores three central aspects of Publius' restorative appeal to the imagination: the appeal to the public veneration required for sustaining political authority across time; the strategies for shifting citizen loyalty from the state and local level to that of a newly energized federal government; and the rhetorical elicitation of the public's imagination in aestheticized portrayals of Providential nationality. These aspects of Publius' argument make up the core of *The Federalist's* aesthetics of (self) rule. In each instance, Publius invokes the imagination as a heteronomic support to navigate familiar dilemmas of democratic self-authorization.

Keywords: *Federalist Papers; imagination; Hume; founding; political aesthetics*

A NATION without a NATIONAL GOVERNMENT is, in my view, an awful spectacle.

Federalist, No. 85¹

American political scientists, historians, politicians, Supreme Court justices, and citizens widely recognize *The Federalist's* decisive influence on the American political imagination.² Less often noted is that *The Federalist* is also

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about the politics *of* the imagination, and that Publius—the pseudonymous voice of Alexander Hamilton, James Madison, and John Jay—was actively engaged in those politics during the ratification debates of 1787 and 1788. In *The Federalist*, Publius not only critically addressed the unavoidably political implications of the enthusiastic imagination—its conventionally understood tendency to inflame the passions, betray the intellect, and subvert political authority—but also elaborated a constructive role for the imagination in reconstituting public authority, shaken during the revolutionary and postrevolutionary years. Publius relied on a formative theory of the imagination—partly vernacular but also drawn from prominent theorists of the Scottish Enlightenment—to make his case for constitutional ratification.

Although some thought the enthusiastic imagination endangered governmental stability with, in Benjamin Rush's words, "airy and impracticable schemes," late eighteenth-century political thinkers often invoked disciplined or instructed imagination to secure institutional regularities of political behavior.³ In this essay, I first outline postrevolutionary American understandings of the imagination's political dimensions—both enthusiastic and formative—and then explore three central aspects of Publius' restorative appeal to the imagination: the appeal to the public veneration required for establishing and sustaining political authority; the strategies for shifting citizen loyalty from the state and local level to the newly energized federal government; and Publius' rhetorical elicitation of the public's imagination in aestheticized portrayals of Providential nationality. Taken together, these aspects of Publius' argument make up the core of *The Federalist's* aesthetics of (self) rule. In each instance, Publius invoked the imagination as a heteronomic support to navigate familiar dilemmas of democratic self-authorization. Such dilemmas are intrinsic to the normative challenge Publius posed in *Federalist* No. 1 and elsewhere described as "the most momentous [subject] which can engage the attention of a free people" (90): to establish a free government from popular "reflection and choice" rather than "accident and force" (3).

This essay focuses throughout on the pseudonymous voice of Publius rather than the authorial parsing of Hamilton, Madison, and Jay.⁴ There are good historical and theoretical reasons for proceeding this way. "During the American Revolution and the early years of the Republic," Douglass Adair writes, "the pseudonym is the norm."⁵ While pseudonymous writing goes back to biblical times, then motivated by the desire to avoid political and religious censure, late eighteenth-century Americans treated pseudonymous authorship as a positive good. Using classical pseudonyms—Publius, Brutus, Agrippa,

Cato, Caesar—not only employed carefully chosen historical (often Roman) analogies to make sense of contemporary political events, but also formally enabled the impersonalization of political argument so important to ideologies of republican publicity.⁶ Publius was a fictive persona rhetorically constructed to elicit and represent a national American public; his “very identity dramatizes the [imagined] conditions of authority in a representational polity.”⁷

Publius himself (and also, independently, Hamilton and Madison)⁸ urged the public to bracket the question of personal authorship. Publius counseled readers to resist inquiring into the hidden motives of both Federalist and Anti-Federalist writers, and instead to judge their work on their arguments’ cogency alone (even if Publius did not consistently uphold this principle). Publius feared that an emphasis on pseudonymous writers’ motivations would debase public discussion with inconclusive speculations of intent. “My motives must remain in the depository of my own breast,” Publius writes; “My arguments will be open to all, and may be judged by all” (6). The very question of *The Federalist’s* authorship already inaugurates the problematic of the imagination.⁹

Anti-Imaginistic Discourse

American political thought has been marked by a powerful continuity of anti-imaginistic discourse.¹⁰ This discourse has arguably had a detrimental impact on the historiography of the founding period, obscuring the constructive role of the imagination in the period’s political debates. Scholars have tended to see the founders, in Gordon Wood’s words, as “masters of events, realistic pragmatists . . . modern men in step with the movement of history.”¹¹ There is a great deal of truth in these familiar portrayals, but they do not tell the whole story.

There are two broadly familiar interpretive approaches to *The Federalist*, conveniently supported by two equally familiar passages from the text, that inhibit a fuller understanding of the role the imagination plays in Publius’ arguments. The first focuses on the American drama of deliberation and consent during the “great national discussion” and the challenge from *Federalist* No. 1 to establish a “good government from reflection and choice . . . [rather than] accident and force” (3). The second privileges the new science of politics and Publius’ rejection of classical republican attempts to give all citizens “the same opinions, the same passions, the same interests” (58). This second reading emphasizes Publius’ turn away from civic virtue and his attempt to establish political order on what man *is*

(interested, passionate, ambitious, avaricious), rather than on what he *ought* to be (virtuous, patriotic, vigilant, public spirited).

The first interpretation—which I call the deliberative reading—understands political imagination primarily as a vestige of premodern mystification, as the cloak of illegitimate power established on “accident and force” rather than reasoned popular consent. The second interpretation—which I call the realist reading—rejects the political imagination as utopian or dangerously blind to the plurality of opinions and passions, and neglectful of the organizing bedrock of interest to political life. Both of these basic lines of interpretation find strong support in the debates surrounding constitutional ratification, but their emphasis (sometimes implicit, sometimes explicit) on the imagination as an obstacle to more enlightened republicanism paints a one-dimensional picture of issues animating these debates.

Scholars have noted—but rarely elaborated upon—Publius’ *critical* invocation of the imagination. Throughout the series, Publius accuses Anti-Federalists, for example, of appealing to the public’s revolutionary bias and “distempered imaginations” rather than to their candid, impartial judgments. Anti-Federalists aimed, Publius writes, to “mislead the people by alarming their passions rather than convince them by arguments addressed to their understandings” (155). Their “distempered imaginations” and “gloomy doctrines” captivated readers with “deceitful dreams” drawn from the “halcyon scenes of a . . . fabulous age” rather than from sober observations of political or historical experience (151, 35, 193). Publius’ partisan caricature discounts the opposing but equally formative appeal to the imagination in some Anti-Federalist writing (briefly sketched below), but also illuminates the political dimensions of the faculty of the imagination in postrevolutionary contexts.

The Anti-Federalist fear of expanded, centralized power is almost always the occasion for Publius’ accusations regarding the Anti-Federalist propensity for fantasy. In dwelling on the dangers of federal power, Anti-Federalists “open a boundless field for rhetoric”; they “inflame the passions of the unthinking, and may confirm the prejudices of the misthinking” (269). Publius singled out the Anti-Federalist fear of energetic government as a fantastic supposition engendered by Revolution’s disfiguring passions, unsupported by serious reflection:

The moment we launch into conjectures about the usurpations of the federal Government, we get into an unfathomable abyss, and fairly put ourselves out of the reach of all reasoning. Imagination may range at pleasure till it gets

bewildered amidst the labyrinths of an enchanted castle, and knows not on which side to turn to extricate itself from the perplexities into which it has so rashly adventured. (197)

This unfathomable abyss of speculation engenders an imagination trapped in “labyrinths” of its own making, a hallmark of the “inflammatory ravings of chagrined incendiaries and distempered enthusiasts” (187).

The Federalist regularly pairs jealousy of power with enthusiasm. While acknowledging the defensive role that the citizenry’s jealousy might productively play in a republic (a commonplace of civic republican thought), Publius feared its excesses. “Like Bile in the natural” body, Publius writes, when jealousy “abounds too much in the body politic, the eyes of both become very liable to be deceived by the delusive appearances which that malady casts” (437). Jealousy of power is a passion that inflames the imagination, obscures judgment, and “discolors and disfigures every object” (391). The objections Anti-Federalists offered to energized state power therefore provide only “imaginary difficulties” rather than “solid objections” (83). Their groundless apprehensions are to be considered as “a disease, for which there can be found no cure in the resources of argument or reasoning” (180).

While Publius disdained Anti-Federalists’ suspicious (some have suggested clinically paranoid) fantasies concerning power, he also recognized these depictions’ aesthetic pleasures; Publius feared that the Anti-Federalists might be all too readable, at times equating their writings with a seductive literary exercise. “To establish the pretended affinity [between the presidency and monarchy],” Publius writes, “they have not scrupled to draw resources even from the regions of fiction” (452). Anti-Federalists, in Publius’ account, employed seductive, titillating literary tropes to elicit the suspicion of power. They portrayed the president “with the diadem sparkling on his brow, and the imperial purple flowing in his train . . . [and] images of Asiatic despotism and voluptuousness. . . . We have been almost taught to tremble at the terrific visages of murdering janizaries; and to blush at the unveiled mysteries of a future seraglio” (453).

In these accusations Publius both invoked widespread eighteenth-century anti-novelistic discourse and contrasted a decadent literary public with a fastidious, seriously deliberative political public. Publius worried that Anti-Federalists were seducing readers through ingenious deployments of well-known plots from the Revolution, plots that cast the Philadelphia Convention’s participants as malevolent conspirators against the people’s hard-won liberties.¹² In a passage from *Federalist* No. 29, for example,

Publius wrote that reading the work of Anti-Federalist opponents to the new Constitution was like “perusing some ill written tale or romance” (185). Rather than presenting the public with “natural and agreeable images,” like those Publius provides of “Union” and nature, these zealously republican opponents of the Constitution presented “nothing but frightful and distorted shapes—Gorgons, Hydras, and Chimeras dire.”¹³ Every pressing political topic of the ratification debates was “disfigured” by their fantastic representations; they transformed “every thing . . . into a monster” (185–86). The Constitution (in this case the “necessary and proper” clause) was “held up to the People in all the exaggerated colors of misrepresentation . . . as the hideous monster whose devouring jaws would spare neither sex nor age, nor high nor low, nor sacred nor profane” (204). (For their part, Anti-Federalists sometimes compared Publius’ texts to “dry trash.”¹⁴)

As the imagistic repertoire of seraglios, enchanted castles, labyrinths, and monsters indicates, these portrayals were not simply literary, but distinctly gothic.¹⁵ Like Publius’ dismissive portrayal of the “unhallowed language” and “fatal charm” of Anti-Federalists, gothic fiction is characterized by pleasures taken in acute apprehension and forebodings of disaster (88, 92). In her work on the American gothic, Cathy Davidson writes that the gothic “questioned the rules of rationalism that, for those in power, conveniently ordered their interest and their status.”¹⁶ The American gothic’s dark foreboding powerfully countered prevailing tropes of exceptionalism, progress, and triumphant enlightenment. It was rhetorically cunning, then, for Publius to portray the suspicious Anti-Federalist opposition, with their “gloomy doctrines,” in this way, and to position himself as the candid spokesman for America’s bright future, who would “break the fatal charm which has too long seduced us from the paths of felicity and prosperity” (92).

In late eighteenth-century America, fiction itself, especially the novel, was sometimes held to be immoral, unserious, and dangerously unmoored from real-world concerns. Moreover, as Cathy Davidson has shown, in the wake of the Revolutionary War, the novel was closely paired with the Revolution’s “democratic excess” and challenge to deferential authority. The novel was popularly figured as “the literary equivalent of Daniel Shays,” igniting “apprehensions about mobocracy on both the cultural and political level.”¹⁷ Publius effectively drew on this widespread anti-novelistic discourse in his portrayal of Anti-Federalists as authors of seductive gothic romance.

Underlying these criticisms of the novel was a more general worry about the imagination as such. This broader early American anti-imaginistic

discourse appears in the writing of Jonathan Edwards, Timothy Dwight, Benjamin Rush, Noah Webster, Thomas Jefferson, and John Adams, as well as Publius (and Hamilton, Madison, and Jay). The case against the imagination was motivated primarily by a longing for social and moral stability, with the imagination posited as the human faculty posing a constitutive threat to that stable order. What Terence Martin characterizes as the “American suspicion of the imagination” is as old as New England Puritanism, but was compounded in the eighteenth century by the Spartan simplicity of classical republican critics of decadence and corruption, and enlightenment odes to science and knowledge. According to Martin (as well as influential historian Henry May), this suspicion of the imagination was influenced especially by Thomas Reid and the Scottish Common Sense school.¹⁸

Given these overlapping traditions of anti-imaginistic discourse, the faculty of the imagination posed a distinct problem for the revolutionary and postrevolutionary generation. While they increasingly understood themselves as liberated from captivating attachments to Old World tradition, this tradition disciplined or habituated the imagination and provided settled parameters for its attachments. Without these parameters, imagination threatened to unmoor itself from reality and take untempered flights of fancy, leading to the incapacity to distinguish the real from the figments of one’s own imagination. According to Martin, late-eighteenth-century American critiques of the imagination have to be understood with this important component in mind; otherwise, their purported realism seems defined by its direct opposition to imagination, or by its appeal to unmediated experience, when actually what was more often called for was a disciplined imagination or an “instructed vision.”

Benjamin Rush captured this sense of the Revolution’s impact on the imagination in an essay written shortly before the meeting of the Philadelphia Convention:

The excess of the passion for liberty, inflamed by the successful issue of the war, produced in many people, opinions and conduct which could not be removed by reason nor restrained by government . . . it unhinged the judgment, deposed the moral faculty, and filled the imagination, in many people, with airy and impracticable schemes of wealth and grandeur.¹⁹

The Revolution had expanded commerce, loosened propriety, heightened the newly politicized citizenry’s expectations, and inflamed jealousy of governmental power. For Rush and many of his contemporaries, these developments had a corrupting influence on a balanced imagination. Like

Publius, Rush linked institutional fragility to enthusiastic flights of fancy, a commonly drawn connection in the period. Critiques of the subversive enthusiastic imagination inflamed by the Revolution have too often been mistaken for critiques of the imagination *tout court*, or for attempts to free politics entirely from the imagination's influence. It is a mistake to infer from Publius' critique of the purportedly gothic and literary dimensions of the Anti-Federalist opposition that "the *Federalist* leaves almost no room for . . . imaginary projections," or that "Publius distrusts any work of the imagination—what he calls conjectures and ravings."²⁰ Historians and political theorists often uncritically reiterate Publius' depiction of the Anti-Federalists' passionately disfiguring imagination, as well as the implied counter-image of Publius as an admirable proponent of candor (Albert Furtwangler), pragmatism (Daniel Boorstin), realism (Richard Hofstadter), and truth (some followers of Leo Strauss).²¹ These emphases provide a one-dimensional picture of how the imagination operates in Publius' argument, and also a one-dimensional picture—an enthusiastic picture—of the imagination itself.

The Formative Imagination

In the eighteenth century, particularly among theorists of the Scottish Enlightenment, the imagination occupied a central role in several overlapping discourses, and helped to cohere a basic worldview. The imagination was essential not only to the conceptualization of self, motivation, and human nature, but also to establishing the sympathetic relationships that formed the basis of society and economic and political orders, all central concerns of *The Federalist*. This was not yet the Romantic imagination, with its emphasis on creativity and "genius," but a universal faculty that acclimated human beings to their natural and social surroundings. Imagination was construed as the very basis of individual and collective identity.

Many eighteenth-century thinkers, including Publius, understood this broader pre-Romantic conception of the imagination as at once necessary and threatening to social cohesion. If the imagination could stitch together a coherent worldview and regulate human interaction, it was also blamed for much of the unhappiness of social life, particularly in its enthusiastic guise. James Engel suggests that nearly every prominent eighteenth-century discussion of the imagination betrays anxiety about the faculty's instability.²² Because the imagination was most often used to explain dynamic and relational elements of human life—how people develop, how societies interact and progress—this faculty was also considered a destabilizing force, the basis of interrelated physical and mental maladies, and, of course, of political unrest.

This central tension regarding the imagination played out during the ratification debates. Bernard Bailyn argues that “one of the [Federalists’] most revealing themes . . . is the exhortation to rise to the extraordinary occasion before them by thinking freshly and fearlessly about the problems they faced, and above all not to brood on groundless fears, not to . . . imagine catastrophe around every corner.”²³ In a more recent work, Bailyn argues further that Americans’ very status as “provincials-marginal, borderland people” freed them “from instinctive respect for traditional establishments,” and thereby “stimulated their imaginations” and “encouraged them to create a new political world.”²⁴ Thomas Pickering reminded his contemporaries, for example, that while they must not “give a loose to [their] imaginations,” their situation called for imaginative rethinking.²⁵ Similarly for Publius, the imagination was a vital but dangerous political resource; it had to be relied upon and resisted.

Publius, of course, did not articulate anything like a philosophy of the imagination in *The Federalist*—Martin Diamond is right that the text “did not deal systematically with philosophical issues”²⁶—and Publius was obviously not engaged with the period’s detailed philosophical debates over the faculty. However, public discourse reiterated the broad outlines of these technical philosophical debates about the faculty of imagination. A formative theory of the imagination—partly vernacular but also derived from Scottish Enlightenment theorists—plays an important role in Publius’ defense of the new federal constitution. Hume’s work on the imagination, while hotly debated in its particulars, nicely illuminates how theorists of the Scottish Enlightenment broadly characterized the faculty’s instability. I turn here briefly to Hume’s account of the imagination not to argue its immediate influence on Publius—although such a case can certainly be made²⁷—but to bring Publius’ reliance on the formative imagination into focus. Although I don’t engage with the scholarship demonstrating (or denying) Hume’s influence, I agree with Daniel Walker Howe’s assessment that “Hume spoke to the needs of the Federalist because he shared their conviction that political institutions decisively shaped the folkways of a people.”²⁸ The indirect government of the public imagination—not direct didacticism, but indirect coaxing and canalizing of the public imagination encouraged through institutional design—suggests Hume’s influence. Publius did not need to endorse Hume’s radical skepticism or even be familiar with Hume’s *Treatise* to use a widely available understanding of the customary basis of power in habit and the sedimentation of the imagination.

Hume was a preeminent theorist of the ineliminable role of fancy in politics, and for Hume the imagination was the very basis of moral life. That

said, Hume's work invokes imagination in different ways, sometimes with seeming inconsistency. Broadly, imagination for Hume was the very ground of memory, sense, and understanding, because the imagination was the means by which the mind actively associated ideas with each other. In Eva Braun's words, for Hume, "imagination spans the whole cognitive spectrum from sense impressions to thinking."²⁹ For Hume, the mind reacts to and orders experience according to its own desires, uncertainties, and fears. The drama of the mind and of its passions, as it confronts other people and the world, is directed overwhelmingly by imagination. "We save ourselves from . . . total skepticism," Hume writes in the *Treatise*, "only by means of that singular and seemingly trivial property of the fancy."³⁰ The fancy is "seemingly trivial" because only as imagination structures the stream of perception are regularities established that serve as "the foundation of our thoughts and actions, so that upon their removal human nature must immediately perish."³¹ The imagination is the faculty, then, that habituates us into an ordered world. The furthest thing from trivial, imagination is for Hume the means by which human beings bring regularity to the flux of the world (recall Hume's arguments about the imagination's role in establishing relations of cause and effect). Imagination is, therefore, intimately connected to institutions for Hume, and to habituation. In the *Treatise* the imagination is constrained by resemblance, contiguity, and cause and effect, but these are but habitual associations, and not written into the nature of things. The imagination is at once the faculty of transformative malleability *and* of securing an enabling, sedimented stability. "Nothing is more dangerous to reason," Hume writes in the *Enquiry*, "than flights of the imagination." But, as Frederick Whelan emphasizes, this faculty is also "necessary for all reasoning."³² In the philosophical economy of the *Treatise*, the imagination reveals the dependency of the human mind's highest faculties—its reasoning capacities—on a dangerously delusional faculty.

Hume navigates the imagination's internal ambivalence throughout his work, and so too does Publius in *The Federalist*. The next two sections explore how Publius' account of public veneration and political attachment addresses the formative imagination. The focus in both sections is on Publius' arguments concerning the proposed constitution's salutary elicitation of the public imagination for establishing public authority. The essay's final section, by contrast, turns to *The Federalist*'s own rhetorical elicitation of the public imagination in alluring images of Providential nationality, in the rhetorical elicitation of a national identity. In each instance, Publius invokes the imagination to respond to a familiar dilemma of democratic theory: how a self-governing people becomes a people in the first place.

“Before we ascribe sovereignty to the people,” Edmund Morgan succinctly writes, “we have to imagine that there is such a thing.”³³ Publius posits veneration, attachment, and identification as three modes of this imagining.

Authority and Veneration

Multiple concerns drew delegates to the Philadelphia Convention in the summer of 1787: the federal government’s weakness under the Articles of Confederation, the indignities of engaging European powers, widespread economic insecurity, state legislatures passing pro-debtor paper money laws, growing domestic unrest as exemplified by Shays’ Rebellion, and so on. For many delegates, these concerns were symptoms of a broader postrevolutionary crisis in authority, expressing a decline in received patterns of deferential politics that Gordon Wood has called postrevolutionary America’s “democratization of mind.”³⁴ These expressions of crisis were frequently invoked in the Philadelphia Convention and throughout *The Federalist*.

For Publius, these years’ political volatility resembled the “unceasing agitations and frequent revolutions” that were the “continual scourges of petty republics” (177). Although the concern with the “perpetual vibration” of republican politics recurs throughout *The Federalist* (50), nowhere does Publius give closer theoretical attention to the unsettling dynamics of public passion than in *Federalist* No. 49; the faculty of the imagination plays a central role in the analysis. In No. 49 Publius criticized Jefferson’s theory of popular constitutional conventions, which Jefferson had proposed in his draft of a state constitution for Virginia in 1783 and later published as a second appendix to his *Notes on the State of Virginia*.³⁵ The final section of Jefferson’s proposed constitution outlined procedures for constitutional revision that allowed for “altering” the constitution through popular constitutional conventions, as Massachusetts had done in 1780. While Publius acknowledged that Jefferson had included “enlightened” provisions that guarded against the “dangerous propensities” of these intermittent constitutional appeals to the people, Publius also criticized the ease with which Jefferson appealed to the people’s constituent power as a corrective to constitutional breaches of power (339). While it seemed “strictly consonant,” Publius wrote, “to the republican theory, to recur to the same original authority [of the people],” and while such appeals must be allowed “for certain great and extraordinary occasions,” these provisions invited dangerous elicitation of public passion that threatened to unsettle the American citizenry’s sedimented political imagination and deflate constitutional authority (339).

This potential for public unrest was a central reason for rejecting “the proposed recurrence to the people.” Regular appeal to “the people” would disturb the public tranquility “by interesting too strongly the public passions”; such “experiments are of too ticklish a nature to be unnecessarily multiplied”; they “would in great measure deprive the government of that veneration which time bestows on every thing, and without which perhaps the wisest and freest governments would not possess the requisite stability” (340). The broadly Humean dimensions of this argument—with its marked concern for instituting stable regularities of governance (and not only governance: “the veneration which time bestows on every *thing*”) that can earn the habitual “veneration” of the public—are further indicated in Publius’ invocation of the “opinion” on which all governments are based. In Publius’ formulation, the “practical influence” of opinion on conduct is strengthened when it is imagined or “supposed” to be shared by others and multiplied by past examples.

When the examples, which fortify opinion, are *ancient* as well as *numerous*, they are known to have a double effect. In a nation of philosophers, this consideration ought to be disregarded. A reverence for the laws would be sufficiently inculcated by the voice of an enlightened reason. . . . [I]n every other nation, the most rational government will not find it a superfluous advantage to have the prejudices of the community on its side. (340)

By limiting the occasions and institutional spaces through which these “ticklish” invocations of public passions might occur, Publius hoped to temper public sentiments themselves, to make them more amenable to “veneration” and “reverence.” Publius similarly argues in No. 25 that the federal authority’s very weakness under the Articles of Confederation necessitated the occasional suspension of the rule of law to confront emergency situations, which thereby deflated the settled authority of law: “every breach of the fundamental laws, though dictated by necessity, impairs the sacred reverence, which ought to be maintained in the breast of rulers towards the constitution of a country” (163). The authority of law—for both rulers and ruled—would come only through cultivating “veneration” and “sacred reverence” for institutions that embodied it.

Earlier in his argument, Publius asked whether it was not “the glory of the people of America, that whilst they have paid a decent regard to the opinions of former times and other nations, they have not suffered a blind veneration for antiquity, for custom, or for names” (88). In No. 49 and elsewhere, however, Publius suggests that the proper conditions for establishing a more republican and deliberative polity had to be established by *first* circumscribing the occasions for popular deliberation over fundamental

law. Stephen Holmes has influentially emphasized this constitutionalist concern with enabling constraints and the dilemmas of precommitment,³⁶ but, like many other liberal admirers of *The Federalist*, Holmes largely neglects Publius' concomitant arguments concerning veneration, authority, and habit. Madison delayed the publication of his now-famous accounts of the Philadelphia Convention for a similar reason: he wanted to wait until the veneration of the citizenry had been established before submitting the Convention's disagreements to public view. He feared that publicly revealing the conflicts behind the Convention's seemingly "unanimous" assent of the Constitution would rob it of authority.³⁷ Scholars have sometimes marveled at how quickly the rancor of the ratification debates supposedly resolved into constitution worship. Hannah Arendt described it as an admirable "blindness" on the part of early Americans, an "extraordinary capacity to look upon yesterday with the eyes of centuries to come."³⁸

It is fitting, of course, that Jefferson was the target of Publius' praise of veneration and the habituated imagination. No founding figure was more outspoken in opposing the authority of custom, including the inherited authority of constitutions themselves. In a letter to Samuel Kercheval, Jefferson wrote that "some men look at constitutions with sanctimonious reverence and deem them like the arc of the covenant, too sacred to be touched."³⁹ Although Jefferson wrote these words in 1816, he had long held the sentiment. In a letter sent to Madison in September of 1789, Jefferson wrote that "no society can make a perpetual constitution, or even a perpetual law. The earth belongs always to the living generation. They may manage it, then, and what proceeds from it, as they please during their usufruct." Madison, evincing the same difference elaborated in *Federalist* No. 49, responded: "would not a Government so often revised become too mutable & novel to retain that share of prejudice in its favor which is a salutary aid to the most rational government?"⁴⁰

Imagination is central to the argument concerning veneration. Veneration occurs over time, as human beings become familiar with existing institutions. In "ticklish" contexts, conventions of constitutional reform would forever upset the passions and political imaginations of the citizenry and prevent them from settling into an established reverence and awe for existing institutions; they would risk provoking a "universal ardor for new and opposite forms" (341). Publius does not replace imagination with reliance on reason, a tactic only suitable in a "nation of philosophers," but rather allows the imagination to become more stable in the object of its contemplation, and to provide a stable object to which "veneration" can attach. Knud Haakonssen has nicely summarized this central dimension of Hume's

political thought: “when there is uncertainty about . . . authority . . . our habitual ways of thinking and behaving are broken. Under such circumstances opinions and actions are much more likely to be influenced by imagined situations than by actual conditions, and passionate flights of fancy tend to take over.”⁴¹ The regularity of behavior does not eschew the imagination but disciplines it so that its field of (in this case, political) expectations is delimited. As Hume writes in his *Essays*, “to render the passion of continuance, we must find some method of affecting the senses and imagination. . . . Popular superstitions and observances are found to be of use in this particular.”⁴² Later commentators on American constitutionalism, most profoundly and persuasively Lincoln, would frequently invoke the enabling, but not wholly rationally justified, authority of early America’s civil religion.⁴³

Imagining Attachment

A related imaginistic dilemma appears in Publius’ arguments about the obstacle that America’s vastness posed for generating attachment to the new federal government. How could citizens break their customary and also more “natural” loyalty to local and state authorities, and refocus their attachment to the new federal government? Anti-Federalists like Brutus worried that under the proposed constitution all the powers reserved to the states “must very soon be annihilated.” The states, they feared, would “dwindle away . . . their powers absorbed in that of the general government.”⁴⁴ Anti-Federalists worried that this “consolidation” of federal power would lead citizens, in the words of Demosthenes Minor, to “forget . . . local habits and attachments” and “be reduced to one faith and one government.”⁴⁵

Publius rejected the claim that the constitution would “usurp the powers” of the state and local governments. Even if the federal government tended to deflate state authority, however, it could not easily overcome the citizenry’s natural tendency toward more intimate loyalty to local governments. The “superiority of influence” that the states have over their citizens resides largely in the ease with which the imagination binds the affections to nearer objects:

It is a known fact in human nature that its affections are commonly weak in proportion to the distance and diffusiveness of the object. Upon the same principle that a man is more attached to his family than to his neighborhood

. . . the people of each State would be apt to feel a stronger bias towards their local governments that towards the government of the Union; unless the force of that principle should be destroyed by a much better administration of the latter. (107)

From this eighteenth-century commonplace, Publius argues that appeals to the regularity of contact with local and state law, especially in cases of criminal and civil justice, engender “popular obedience and attachment,” because the state’s control over justice has its “terrors and constant activity before the public eye” (107). State governments are immediately before the eyes of the people who enjoy its protection. From the states, justice and “all those acts which familiarize and endear government to a people are dispensed to them” (82). In comparison to these local ties, the federal government does not so excite the imaginations of the citizenry. Because the federal government is “less apt to come home to the feelings of the people,” it is “less likely to inspire . . . an active sentiment of attachment” (108).

There are exceptions to this local attachment of imagination, as the qualification in the passage—“unless the force of that principle should be destroyed by a much better administration of the latter”—indicates. Although Publius insisted on the imagination’s “natural” attachment to local particularities, elsewhere in the argument he was at pains to show the possible redirection of the imagination of attachment from the state to the federal government. Another common Anti-Federalist objection to the proposed constitution was that the distance of the federal government would force it to rely upon coercion to secure obedience to federal laws (influenced by Montesquieu’s theory of despotism). Again, Brutus provides a good example of this Anti-Federalist position when he writes that it is impossible for government to sustain the “confidence, respect, and affection of the people . . . in a republic so extensive as the United States.”⁴⁶ Without this affection, “the government will be nerveless and inefficient, and in no way will be left to render it otherwise, but by establishing an armed force to execute the laws at the point of a bayonet.”⁴⁷

While Publius went to great lengths to assure skeptics that local ties would remain dominant under the newly proposed federal power, in response to this different set of criticisms Publius relied on a quite opposite set of arguments. He now insists on the proposed constitution’s ability to redirect the sentiments of the citizens *away* from the local to the federal level, to institutionally inculcate a sense of national belonging, or what David Waldstreicher has recently called the “constitution of federal feeling.”⁴⁸ In this context, better and more efficient administration is taken as the

key to enhancing attachments to federal power. However, this redirection of attachment is not based simply on the perceived interest of the citizens, and it is misleadingly characterized as an “economic theory of public affection.”⁴⁹ Publius recognized the novelty of his arguments on these points:

[T]he more the operations of the national authority are intermingled in the ordinary exercise of government, the more the citizens are accustomed to meet with it in the common occurrences of their political life; the more it is familiarized to . . . their feelings; the further it enters into those objects which touch the most sensible chords, and . . . put in motion the most active springs of the human heart; the greater will be the probability that it will conciliate the respect and attachment of the community. Man is very much a creature of habit. A thing that rarely strikes his senses will generally have but little influence on his mind. A government continually . . . out of sight, can hardly be expected to interest the sensations of the people. (173)

The attachment described goes well beyond the reasoned “confidence” one might have in “better administration.” The passage, however, also poses a difficulty to Publius’ overall argument against the Anti-Federalist opposition. In the earlier argument, Publius had insisted on the natural attachments to locality to allay concerns that the federal government would impinge upon the states’ power; here he suggests that an increase of federal power and federal superiority in administration will in fact turn the imagination from the local to the federal government, securing obedience without the use of force and thereby further enhancing federal power. As he puts the point elsewhere, “an intimate intercourse under the same government will promote a gradual assimilation, of temper and sentiment” (405). Publius relied here on the logic of a self-generating cycle of power—increased federal power will elicit the public’s imagination and affections, therefore further enhancing federal power—as well as the obverse argument that a weak government is an unloved (and unlovely) government:

The most deplorable effect of all is that diminution of attachment and reverence which steals into the hearts of people, toward a political system which betrays so many marks of infirmity . . . No government any more than an individual will long be respected, without being truly respectable, not truly respectable without possessing a certain portion of order and stability. (422)

The government must be given more power in order to attract the attachments of the citizenry; the attachments of the citizenry are required in order

for the government to consolidate more needed power. “The more [the authority of Union] circulates through those channels and currents, in which the passions of mankind naturally flow, the less will it require the aid of the violent and perilous expedients of compulsion” (81). Power here is to work through the elicited imagination of the public rather than through direct force; far from subverting authority, the imagination is here enlisted in its support.

The emphasis Publius placed on the reforming power of administration has led some political theorists to accuse *The Federalist* of neglecting the sentimental terrain of politics altogether. Sheldon Wolin, for example, writes: “*The Federalist* had to invent a new and abstract conception of the citizen who would be national in character, an unmediated subject designed for a politics of intendment.”⁵⁰ Deracinated interest, in this account, became the only “active principle of the human mind,” connecting the citizen with government. Such interpretations overlook the extent to which new federal power not only could “destroy” natural attachments to local government, but could constitute powerful new attachments in their place. Publius elicited not an “abstract conception of citizen” but a newly constituted, intimate national citizenry. The ability of federal power to “touch the citizens directly” rather than going through the mediation of state government not only of consolidated national power, but also of established direct sentimental connection Public sentiments and political loyalty, no longer generated through direct citizen participation and ties of locality, would instead be actuated through a more intimate and direct display of federal power in individuals citizens’ lives. In this sense, the new federal government’s institutional design would not merely organize interests, balance the branches of government, or establish constitutional equilibrium; it also transformed the sentimental structure of its citizens, reforming their “tempers, sentiments, and manners.” In his defense of the proposed constitution Publius articulates a poetics as well as a mechanics of power.⁵¹

Herbert Storing’s interpretation of Federalist and Anti-Federalist thought also speaks to this point. Storing draws a sharp contrast between the Anti-Federalist’s nostalgic reliance upon a virtuous citizenry for maintaining liberty and the Federalist’s more avowedly modern reliance on self-interest and institutional design. While Anti-Federalists understood “the whole organization of the polity as having an educative function”—they saw the republic, Storing writes, “as a school of citizenship as much as a scheme of government”—*The Federalist* supposedly had no such formative vision. The force of Publius’ argument in *Federalist* No. 10, for example, is

its shocking disregard of civic virtue, its rejection of the possibility of “removing the causes” of factions by “cultivating a love of liberty among the citizens,” and instead invoking a novel governmental logic of “controlling its effects” (58). Rather than conceiving of government as a “molder of character,” Storing writes, Publius saw it as a “regulator of conduct.”⁵² In *Politics and Vision* Wolin similarly claims that Publius’ aim “was not to educate men, but to deploy them, not to alter their moral character, but to arrange institutions in such a manner that human drives would cancel each other out.”⁵³ But does the institutional regulation of conduct itself mold character and shape attachments? *The Federalist* argues that it does.

The emphasis these influential interpretations place on the role of interest and “better administration” obscures the formative dimension of Publius’ argument and the important role of the imagination. They neglect Publius’ reliance on the habituation of the citizenry—beyond either interested judgments or reasoned deliberations—to federal attachment and loyalty. The habituation of the formative imagination is also not free of normative consideration because it is attended by considerations on “the degree of authority required to direct the passions of so large a society to the public good” (81). Publius makes clear that the redirected attachments to federal authority will have the benefit of working against “that strong predilection in favor of local objects,” and toward an “enlarged view” mediated by the representative institutions of the federal government. Noting how under the Articles of Confederation “the great interests of the nation have suffered on an hundred, from an undue attention to the local prejudices, interests and views of the particular states,” Publius argued that an energized federal government would not only enthrall its citizens to its power by touching their lives more directly, but that this redirection would lead to a consideration of a broader general interest (318). The imagined redirection of attachment would, in other words, work to habituate the citizenry into an enlarged perspective and loosen the “bias of local views and prejudices” (144). It would habituate citizens into an attentiveness to questions of general—*national*—concern.

Publius’ concern with redirecting attachment to federal government and so engendering a habituated sense of national belonging is also enacted in *The Federalist*’s attempt to rhetorically elicit the national attachments of its public, addressing the nation not only as an “imagined community,” in Benedict Anderson’s sense,⁵⁴ but as a captivating object of aesthetic evaluation. To better illuminate this dimension of Publius’ text, we must look beyond the stated differences of principle between Federalists and Anti-Federalists, and toward their competing images of collective belonging; we

must consider the political positions that both underwrite and arise from what Robert Ferguson has called the “aesthetics of ratification.”⁵⁵

Imaging the Nation

In both form and content, *The Federalist* aspires to interpellate readers into a national body politic, to address them as a national citizenry in addition to “the people of the state of New York.” The text works to enact the very national public on which achieving its overarching goal—the ratification of the constitution—depends. These appeals to nationality are, moreover, not limited to arguments concerning the “utility” of Union. While Publius’ arguments for Union seem “superfluous” because they are already “deeply engraved on the hearts of the great body of the people in every state” (7), he also urges the reader to “reflect that the object upon which he is to decide is not a particular interest of the community, but the very existence of the nation” (590). Before a people can have a particular interest, or be served by useful institutions, they must first be constituted as a people. The nation in *The Federalist* is at once the precondition and the desired effect of ratification.⁵⁶ As such, *The Federalist* may be said to participate in a broader “effort of symbolic construction,” wherein, in Carroll Smith-Rosenberg’s words, “late eighteenth-century British North Americans imagined a new nation, constituted a new government—and constructed new identities as subjects of that nation and to that Constitution.”⁵⁷

Publius began *The Federalist* not by first elaborating the divisive weaknesses of the Articles of Confederation, but by imagining a unified American geography, language, and history. While Publius announced he would first address “*the utility of the Union to your political prosperity*” (presumably in Nos. 2 through 14), he built these arguments upon the prior poetic invocation of the Providential nation as an alluring object of aesthetic evaluation. The key passage is from *Federalist* No. 2:

It has often given me pleasure to observe, that Independent America was not composed of detached and distant territories, but that one connected, fertile, wide spreading country was the partition of our western sons of liberty. Providence has in particular manner blessed it . . . for the delight and accommodation of its inhabitants . . .

With equal pleasure I have as often taken notice, that Providence has been pleased to give this one connected country, to one united people, a people descended from the same ancestors, speaking the same language, professing

the same religion, attached to the same principles of government, very similar in their manners and customs, and who . . . fighting side by side throughout a long and bloody war, have nobly established their general Liberty and Independence. (9)

The pleasure Publius takes in these imagined scenes of national belonging sanctioned by nature and Providence is an important precondition to the federal government's proper operations, outlined in the subsequent arguments concerning the "utility" of union; it is a necessary supplement to these arguments. Publius' invocation of Providential nationality has led some to argue that "the concept of American nationhood underlies the whole case for the constitution."⁵⁸ Hans Morgenthau, for example, cites this passage as evidence that the Constitution was based in a "pre-existing community."⁵⁹ Samuel Beer has elaborated a similar argument.⁶⁰ But such accounts of Publius' "description" of a nation neglect the aesthetic rendering of the nation, its productive and performative dimension, as well as the willful inaccuracy of Publius' account of "one united people, a people descended from the same ancestors, speaking the same language."⁶¹ "In proportion as the United States assumes a national form and national character," Publius wrote, "so will the good of the whole be more and more an object of attention" (437–38). But *The Federalist* indicates that this "form and national character" cannot be assumed, but must be produced. As suggested above, Publius argues that only as the nation becomes a pleasing object of (aesthetic) attachment will an enlarged view of the good of the whole come into view for the citizenry, loosening the ties of locality, and broadening narrow parochial concerns.

Compare Publius' invocation of Providential national unity to Brutus' similarly aestheticized invocation of the complex fabric of locality:

The United States includes a variety of climates. The productions of the different parts of the union are very variant, and their interests, of consequence, diverse. Their manners and habits differ as much as their climates and productions; and their sentiments are by no means coincident. The laws and the customs of the several states are, in many respects, very diverse, and in some opposite . . .⁶²

While Brutus and other Anti-Federalists invoke the web of difference in explicitly pastoral terms, Publius converts this difference into dissonance as "unsocial, jealous, and alien sovereignties" (9). If, as Publius writes, "a NATION without a NATIONAL GOVERNMENT is . . . an awful spectacle," it is also

true that pleasing spectacles of nationality in part comprise the nation (594). According to Publius, an ugly disunity of fractious regional affiliations typifies the history of confederations (a history detailed at length in *The Federalist*), and, by implication, the Anti-Federalist alternative.⁶³ Publius held that this counter-spectacle of ugly discord would also fix the national attachments of a unified citizenry, and attest to the ordering power of aesthetic display: "This picture of the consequences of disunion cannot be too highly coloured. . . . Every man who loves peace, every man who loves his country, every man who loves liberty ought to have it ever before his eyes, that he may cherish in his heart a due attachment to the Union of America" (272).

In contrast to *The Federalist's* "pleasing and agreeable" images of Union are the awful "spectacles" provided by the "petty republics of Greece and Italy," which engender "sensations of horror and disgust" (50). "If momentary rays of glory break forth from the gloom, [if] they dazzle us with a transient and fleeting brilliancy," Publius writes, "they at the same time admonish us to lament that the vices of government should pervert the direction and tarnish the luster of those bright lights and exalted endowments" (50). Historians also occasionally reiterate the aesthetic dimensions of Publius' portrayal of the Anti-Federalist opposition as characterized by ugliness, asymmetrical discord, jealousy, smallness, and lack of polish.⁶⁴ The Anti-Federalists, for their part, were attentive to Publius' reliance on the language of spectacle and occasionally charged that the Federalists were themselves captivated by monarchical regimes' lost grandeur. In Patrick Henry's words, visions of "Stately palaces" and "dazzling ideas of glory, wealth, and power" held them in thrall.⁶⁵

The Federalist's attempt to imaginatively unify the geographic, social, and political landscape of America in alluring spectacles of Providential nationality was a common literary strategy. In *Letters from an American Farmer* Crèvecoeur writes that the American "spectacle" is "more entertaining, and more philosophical than that which arises from beholding the musty ruins of Rome," because in America the imagination, "instead of submitting to the painful and useless retrospect of revolutions, desolations, and plagues, would . . . wisely spring forward to the anticipated fields of future cultivation and improvement, to the future extent of those generations which are to replenish and embellish this boundless continent."⁶⁶ Crèvecoeur's juxtaposition of the competing spectacles of Old and New World is echoed in Publius' juxtaposition of the turbulent spectacles of past republics with pleasing scenes of a newly national, natural

mise-en-scène. If Publius frequently characterized the Anti-Federalist imagination as disfiguring, he himself also presented “natural and agreeable images” fitted to “nature’s nation.”⁶⁷ As Robert Ferguson has written, “as unity bespoke beauty and pleasant vistas, so ruin and decay promised ugliness, political entrapment, and local chaos or absence of form.”⁶⁸ The beauty of the scenes of Providential nationality that Publius depicts is reminiscent of Burke’s dictum that to make us love our country, our country ought to be lovely.⁶⁹ Or as Crèvecoeur writes, one “*involuntarily* loves a country where everything is so lovely.”⁷⁰ Ratification would therefore complete a work of beauty, a beauty required to hold the attention and sustain the identity of an emerging nation; imagination would align the external border of the state with the heart of the American citizen. Of course, this border demarcates not only a geographical territory, but also the imagined boundaries of belonging. The “true state” of African slaves, Publius writes, was in their “mixt character” as “persons” and “property,” “irrational animals” and “members of society” (367). “The savage tribes on our western frontier,” he elsewhere writes, “ought to be regarded as our natural enemies” (156). And women are simply not discussed by Publius at all. These originary exclusions, in the words of one recent constitutional theorist, “eat away at America’s legitimacy,” but they have also been a source of ongoing political contention and democratic revitalization.⁷¹ Because the enabling boundaries defining “the people of this republic” are necessarily imagined, the political movements mobilized around contesting them have also been importantly re-visionary and poetic, not merely interested or deliberative.

Conclusion

Despite the claims of deliberative and realist approaches, *The Federalist* does not offer a disenchanting politics freed from the imagination—a politics based wholly in public reason or virtue, on the one hand, or calculations of interest, on the other—but also a politics based in a disciplined or instructed imagination. At key points in his argument Publius invoked the imagination to secure the authority of the proposed constitutional regime; he converted imagination from a subversive or destabilizing force—the enthusiastic imagination—to a support of power. The interconnected aspects of Publius’ aesthetics of (self) rule—the habitual veneration of shared constitutional norms, the redirected popular attachment to federal authority, and the aestheticized identification with the Providential

nation—enlist the public imagination to navigate (if not resolve) dilemmas attending the normative challenge to “decide the important question” of whether “good government” can be established from popular “reflection and choice” rather than “accident and force” (3). By figuring the people as inheritors of a revered constitutional tradition, united by and attached to an effective federal government, and identified with a Providential nationality, Publius enlisted the imagination as a heteronomic support to navigate familiar dilemmas of collective self-authorization.⁷² The imagination sutures what reason cannot; it establishes the attachments and the provisional boundaries around who comprises the self-legislating people, that “pure original fountain of all legitimate authority” (146). This is a precondition of democratic politics, whether that politics is understood as the jockeying of interests or a process of reasoned deliberation. “Democratic citizens,” as Danielle Allen writes, “cannot take shape until ‘the people’ is imaginable.”⁷³

While dilemmas surrounding the self-constitution of the people are no doubt reiterated over a history of democratic claims making, they are dramatically self-evident at founding moments, leading some to simply characterize them as “paradoxes of political founding.”⁷⁴ The political parables of biblical and classical antiquity also model these dilemmas and indicate that foundings are invariably attended by fratricidal violence—Cain killed Abel, Romulus killed Remus—and the creation of a mythology to retrospectively enlist the support of the people so founded, or convert them into such a people. As Publius put the point, in reference to Lysurgus, ancient parables of political foundation typically mix “a portion of violence with the authority of superstition” (241). In this way, Hume noted how “time and custom give authority to all forms of government . . . founded only on injustice and violence,” as contemporaries “transfer to their predecessors and ancestors that right, which [the mind] naturally ascribes to the posterity, as being related together, and united in the imagination.”⁷⁵

The legitimation deficit entailed by this reliance on unjustified violence and recompensatory myth has been largely disavowed by liberal constitutionalism, perhaps most especially in its American guise. While these questions are not generally emphasized in either democratic theory or the historical scholarship of the American founding—being all but absent, for example, in the debates between liberals and civil republicans⁷⁶—they have played a remarkably important role in the history of American political thought; like Publius, Americans tend to see “a finger of that Almighty hand” guiding the deliberations of the founding generation (238).⁷⁷ Leo Strauss’s followers are an exception; they have frequently emphasized the

importance of the classical framework of founding for understanding late eighteenth-century American political thought. Straussian interpretations of the American founding, despite the significant differences among them,⁷⁸ typically lionize the founders as “an assembly of demi-gods” whose “thought remains the finest American thought on political matters.”⁷⁹ According to these interpretations the founders “laid down our most basic rules” and established “the primary terms of our moral and civic discourse.”⁸⁰ They therefore offer a “qualitatively distinct form of political intelligence.”⁸¹ Acutely aware of the impossibility (and, they almost invariably add, the dangers) of full democratic autonomy, and of the need for supplemental civil religion and myth, Straussian approaches nonetheless insist on the absolute legitimacy of “the American regime.” They base this legitimacy in the extraordinary wisdom of the founding generation, in its capacity to found the regime on “a disinterested and true knowledge of political things.”⁸² The founders were thinking revolutionaries who founded the regime on permanent political truths that we forget at our peril.

Essential to this approach is a fundamental distinction between the exceptionality of the founding generation and the generally low-sighted repetition of what follows; the “rare and the thoughtful” must be distinguished from “the ordinary and the banal.”⁸³ Although the founders understood the importance of “sacred veneration” and “myth” to perpetuating the regime, by these accounts, they were not themselves dependent on such aesthetic devices. The founders established “a durable regime whose perpetuation requires nothing like the wisdom and virtue necessary for its creation.”⁸⁴ Without this fundamental distinction between the exceptional wisdom of the founders and the cave of posterity, the sacred origin is deprived of its absolute legitimacy; all is reduced to ideology. Elaborating this point in relation to Madison, Gary Rosen argues that the “sacred veneration” and “patriotic reverence” the founders called for does not detract from the legitimacy of the founding (as it would in the modern social contract theories of Hobbes and Locke), because it is based in a happy coincidence of truth and myth, a fortuitous union of ancient and modern, an exemplification of Aristotle’s conception of a “true opinion.”⁸⁵ Thus the heteronomous rule of a wise and virtuous elite is supposedly made compatible with popular self-government.

Things are different, of course, if we take the more historically plausible Hume as our guide to understanding *The Federalist’s* encounter with the problem of founding. This approach is moreover suggested by Publius himself. In the final installment of *The Federalist* Publius directly cites Hume to defend the founders’ *departure* from the classical paradigms of the extraordinary lawgiver:

To balance a large state or society (says he [Hume]) whether monarchical or republican, on general laws, is a work of so great difficulty, that no human genius, however comprehensive, is able by mere dint of reason and reflection, to effect it. The judgments of many must unite in the work: EXPERIENCE must guide their labor: TIME must bring it to perfection: And the FEELING of inconveniences must correct the mistakes which they *inevitably* fall into, in their first trials and experiments. (594; emphasis in original)

Publius' closing reliance on Hume's critique of classical paradigms of founding, while here as elsewhere emphasizing the constitution's incremental and customary development, does not fully displace the political into an evolutionary story of social development. It does, however, seem to diminish the extraordinary significance of the founding along with the exceptional wisdom of the founders, allowing us to glimpse the mythic dimensions of their posthumous sanctification; it raises doubts about the unique authority we habitually attribute to the founding generation for orienting contemporary democratic politics, and it does so on the founders' own authority. Democratic and constitutional theorists tend, in Jeremy Elkins' words, "to simultaneously rely on, and to forget, the mythical character of 'the people's' founding of a constitution."⁸⁶ *The Federalist* is similarly reliant on, and wary of, the mythology of founding, and democratic theorists might learn from this productive ambivalence.

Publius counseled "a remembrance of the endearing scenes which are past" to orient political action in the present (298) because such remembrance draws a boundary around the politically possible. Like Hume, Publius recognized the necessity of imagined connections to a point of political origin, where the "naturally ascribed" legitimacy of the present is transferred to "predecessors and ancestors" and "united in the imagination."⁸⁷ Even contemporary constitutional scholars typically not engaged by debates surrounding the political imagination or the aesthetic dimensions of political life occasionally theorize the centrality of imagining that "we are in the same boat" as those we call founders; or how participants in a constitutional politics "must be able to recognize the project as the same through history and judge it from the same perspective."⁸⁸ This imperative requires an imaginative investment that these theories cannot typically account for or fully justify on their own terms. Publius recognized, where much contemporary democratic theory does not, that the inquiries of reason and the deliberations of a democratic polity must call on a prior investment of the imagination. Emphasizing how *The Federalist* enlists the imagination is not to debunk its normative claims, but to admire how

Publius' recognition of the necessity of these supports did not prevent the broader pursuit of reestablishing a republican government on the people's authority. Theoretical attention to the many ways in which aesthetic investments are enlisted in political life—including in the sanctification of the founding generation's thought—may engender a more detailed appreciation of their workings. Rather than casting off the aesthetic as a remnant of political barbarism, democratic theorists might pay closer attention to how imagination is enlisted time and again at the heart of democratic liberalism, thereby making investments in our sustaining fictions more visible and open to critical engagement and contestation. If imagination invests us in the unbroken authority of a constitutional tradition, it is also the faculty that underwrites the capacity to begin the world anew.

Notes

1. Jacob E. Cooke, ed., *The Federalist* (Middletown, CT: Wesleyan University Press, 1961), 594. Further references cited parenthetically in the text.

2. I elaborate on this influence—and many of this essay's arguments—in *Publius and Political Imagination* (forthcoming, Rowman & Littlefield).

3. Benjamin Rush, "The Effects of the American Revolution on the Mind and Body of Man," in *Selected Writings of Benjamin Rush*, ed. Dagobert D. Runes (New York: Philosophical Library, 1947), 331; Terence Martin, *The Instructed Vision: Scottish Common Sense Philosophy and the Origins of American Fiction* (Bloomington: Indiana University Press, 1961).

4. See also Albert Furtwangler, *The Authority of Publius: A Reading of The Federalist Papers* (Ithaca, NY: Cornell University Press, 1984), 18–19.

5. Douglas Adair, "A Note on Certain of Hamilton's Pseudonyms," in Trevor Colborn, ed., *Fame and the Founding Fathers: Essays by Douglass Adair* (New York: W.W. Norton, 1974), 272–85, 272.

6. Michael Warner, *The Letters of the Republic: Publication and the Public Sphere in Eighteenth Century America* (Cambridge, MA: Harvard University Press, 1990), 42–43. Alongside cultural commitments to the authority of impersonal and reasoned argument in the period were conflicting commitments to the authority of sincerity and voice. The authority of tradition also played an important role in ratification debates. Gary Remer argues that these conflicting approaches were enacted in the very use of pseudonyms, which not only made argument impersonal, but also invoked classical authority. Gary Remer, "Two Models of Deliberation: Oratory and Conversation in Ratifying the Constitution," *Journal of Political Philosophy* 8, no. 1 (2000): 68–90. For accounts that emphasize the authority of voice, see Jay Fliegelman, *Declaring Independence: Jefferson, Natural Language and the Culture of Performance* (Stanford, CA: Stanford University Press, 1993); and Christopher Looby, *Voicing America: Language, Literary Form, and the Origins of the United States* (Chicago: University of Chicago Press, 1996).

7. Warner, *Letters of the Republic*, 113.

8. The private letters of Hamilton and Madison clearly indicate that their personal views differ from those espoused by Publius. See Furtwangler, *Authority of Publius*, 23–32.

9. Grantland S. Rice, *The Transformation of Authorship in America* (Chicago: University of Chicago Press, 1997).

10. Martin, *Instructed Vision*, 157–58.
11. Gordon S. Wood, “Interests and Disinterestedness in the Making of the Constitution,” in Richard Beeman, Stephen Botein, and Edward C. Carter II, ed., *Beyond Confederation: The Origins of the Constitution and American National Identity* (Chapel Hill: University of North Carolina Press, 1987), 69–112, 69.
12. This claim is at the center of Bernard Bailyn’s *Ideological Origins of the American Revolution* (Cambridge, MA: Harvard University Press, [1967] 1992), i.e., xiii.
13. Publius takes the phrase (without attribution) from book two of *Paradise Lost* (v. 628). John Milton, *Paradise Lost*, ed. Gordon Teskey (New York: W.W. Norton, 2004), 450.
14. Cited in Furtwangler, *Authority of Publius*, 21.
15. Jay Grossman suggests the gothic background to Federalist critiques in *Reconstituting the American Renaissance: Emerson, Whitman, and the Politics of Representation* (Durham, NC: Duke University Press, 2003), 28–74.
16. Cathy Davidson, *Revolution and the Word: The Rise of the Novel in America* (New York: Oxford University Press, 1986), 237.
17. Davidson, *Revolution and the Word*, 41.
18. Martin, *Instructed Vision*, 57–106; Henry May, *The Enlightenment in America* (New York: Oxford University Press, 1976), 337–62.
19. Rush, “Effects of the American Revolution,” 331.
20. Grossman, *Reconstituting the American Renaissance*, 71–74.
21. Furtwangler, *Authority of Publius*, 61–69; Daniel J. Boorstin, *The Genius of American Politics* (Chicago: University of Chicago Press, 1953), 96–98; Richard Hofstadter, “The Founding Fathers: An Age of Realism,” in *The American Political Tradition* (New York: Vintage, 1989 [1948]), 3–22; for example, Thomas L. Pangle, *The Spirit of Modern Republicanism: The Moral Vision of the American Founders and the Philosophy of Locke* (Chicago: University of Chicago Press, 1988).
22. James Engell, *The Creative Imagination: Enlightenment to Romanticism* (Cambridge, MA: Harvard University Press, 1981).
23. Bailyn, *Ideological Origins of the American Revolution*, 352.
24. Bernard Bailyn, *To Begin the World Anew: The Genius and Ambiguities of the American Founders* (New York: Knopf, 2003), ix. See especially the chapter “Politics and the Creative Imagination.”
25. Cited in Bailyn, *Ideological Origins of the American Revolution*, 352.
26. Martin Diamond, “Democracy and the Federalist: A Reconsideration of the Framers’ Intent,” *American Political Science Review* 53, no. 1 (1959): 52–68, 61. Morton White has nonetheless attempted to identify a systematic philosophy underlying Publius’ arguments in *Philosophy, The Federalist, and the Constitution* (New York: Oxford University Press, 1989).
27. The literature detailing the Scottish Enlightenment’s influence on eighteenth-century American political thought, and *The Federalist*, is extensive. For a useful overview vis-à-vis imagination, see Daniel Walker Howe, “Why the Scottish Enlightenment Was Useful to the Framers of the American Constitution,” *Comparative Studies in Society and History* 31, no. 3 (July 1989): 572–87, 573; and Samuel Fleischacker, “The impact on America: Scottish Philosophy and the American Founding,” in Alexander Broadie, ed. *The Cambridge Companion to The Scottish Enlightenment* (New York: Cambridge University Press, 2003), 316–37. Lance Banning lists much of the scholarship on Hume’s influence in *The Sacred Fire of Liberty: James Madison & the Founding of the Federal Republic* (Ithaca, NY: Cornell University Press, 1995), 467 (note 35).
28. Howe, “Why the Scottish Enlightenment,” 584.

29. Eva Braun, *The World of the Imagination: Sum and Substance* (New York: Rowman & Littlefield, 1991), 84.
30. David Hume, *A Treatise of Human Nature*, ed. L. A. Selby-Bigge (New York: Oxford University Press, 1978), 267.
31. Hume, *Treatise*, 225.
32. Frederick G. Whelan, *Order and Artifice in Hume's Political Philosophy* (Princeton, NJ: Princeton University Press, 1985), 99.
33. Edmund S. Morgan, *Inventing the People: The Rise of Popular Sovereignty in England and America* (New York: W. W. Norton, 1988), 153.
34. Gordon S. Wood, "The Democratization of Mind in the American Revolution," in *Leadership in the American Revolution, Papers Presented at the Third Symposium, May 9 and 10 1974* (Washington, DC, 1974), 63–89. Woody Holton provides a wonderful account of this postrevolutionary crisis in authority in *Unruly Americans and the Origins of the Constitution* (New York: Hill and Wang, 2007).
35. Thomas Jefferson, *Notes on the State of Virginia*, ed. William Peden (Chapel Hill: University of North Carolina Press, 1982), 209–22.
36. Stephen Holmes, *Passions and Constraint: On the Theory of Liberal Democracy* (Chicago: University of Chicago Press, 1997), 134–77. I agree with Jeremy Waldron that Procrustes might be a better mythic figure than Ulysses to model these moments, insofar as they resemble not so much "the triumph of preemptive rationality," as an "artificially sustained ascendancy of one view in the polity." Jeremy Waldron, *Law and Disagreement* (New York: Oxford University Press, 1999), 268.
37. See Madison to Thomas Richtig, September 15, 1821, in Max Farrand, *The Records of the Federal Convention of 1787*, vol. III (New Haven, CT: Yale University Press, 1987), 447–48.
38. Hannah Arendt, *On Revolution* (New York: Penguin, [1963] 1990), 198.
39. Thomas Jefferson to Samuel Kercheval, July 12, 1816, in *Political Writings*, ed. Joyce Appleby and Terence Ball (New York: Cambridge University Press, 1999), 210–17, 215.
40. Thomas Jefferson to James Madison, September 6, 1789, *The Republic of Letters: The Correspondence between Jefferson and Madison, 1776–1826, I*, ed. James Morton Smith (New York: W. W. Norton, 1995), 631–36, 634; James Madison to Thomas Jefferson, February 4, 1790, *The Republic of Letters, I*, 650–53, 652. Jefferson's belief that "the earth belongs in usufruct to the living" goes unnoticed in most discussions of this dimension of his thought. Usufruct is a right derived from civil law that qualifies the ownership of property by mandating its care and cultivation. Its Latin roots—*usus* and *fructus*—signify "use" and "fruit." This qualifier places obvious normative limitations and obligations on the "living generation," although Jefferson does not fully elaborate these limitations.
41. Knud Haakonssen, "The Structure of Hume's Political Theory," in *The Cambridge Companion to Hume*, ed. David Fate Norton (New York: Cambridge University Press, 1993), 182–221, 196.
42. David Hume, "The Sceptic," in *Essays, Moral, Political, and Literary*, ed. Eugene F. Miller (Indianapolis: Liberty Fund, 1985), 159–80, 167.
43. See Abraham Lincoln, "Address to the Young Men's Lyceum of Springfield, Illinois," in Don E. Fehrenbacher, ed., *Abraham Lincoln: Speeches and Writing 1832–1858* (New York: Library of America, 1989), 28–36, 35.
44. "Brutus I," *A Documentary History of the Ratification of the Constitution: Commentaries on the Constitution, Public and Private, vol. I. 21 February to 7 November 1787*, ed. John P. Kaminski and Gaspare J. Saladino (Madison: State Historical Society of Wisconsin, 1981), 411–21, 414.

45. Herbert Storing, *What the Anti-Federalists were For* (Chicago: University of Chicago Press, 1981), 10.
46. Cited in Storing, *What the Anti-Federalists were For*, 10 46. "Brutus I," 418.
47. "Brutus I," 420.
48. David Waldstreicher, *In the Midst of Perpetual Fetes: The Making of American Nationalism, 1776–1820* (Chapel Hill: University of North Carolina Press, 1997), 53–107.
49. According to Samuel Beer, Publius' appeal to "better administration" as the ground of enhanced national attachments relied exclusively on arguments of "utility in the broadest sense"—the advantages of union listed, for example, in *Federalist* No. 27—and neglected aesthetic components of national belonging. For Publius, according to this account, utility alone "guided the cathexis" of nationalized citizens. Samuel Beer, *To Make a Nation: The Rediscovery of American Federalism* (Cambridge, MA: Harvard University Press, 1993), 364.
50. Sheldon Wolin, "Tending and Intending a Constitution: Bicentennial Misgivings," in *The Presence of the Past*, 82–99, 98.
51. The distinction is taken from Clifford Geertz, *Negara: The Theatre State in Nineteenth-Century Bali* (Princeton, NJ: Princeton University Press, 1980), 123.
52. Storing, *What the Anti-Federalists were For*, 21.
53. Sheldon Wolin, *Politics and Vision: Continuity and Innovation in Western Political Thought* (London: Allen and Unwin, 1960), 389.
54. Benedict Anderson, *Imagined Communities* (New York: Verso, 1983).
55. Robert A. Ferguson, "The Forgotten Publius," in *Reading the Early Republic* (Cambridge, MA: Harvard University Press, 2006), 151–71, 157.
56. This nationalization of "the people" helped navigate what democratic theorists call the "dilemma of constituency," or the "boundary problem," by substantializing the identity of the constituent people as the nation. As Bernard Yack has written, "the nation provides precisely what is lacking in the concept of the [constituent] people: a sense of where to look for the pre-political basis of political community." See his "Popular Sovereignty and Nationalism," *Political Theory* 29, no. 4 (2001): 524; See also Rogers M. Smith, *Stories of Peoplehood: The Politics and Morals of Political Membership* (New York: Cambridge University Press, 2003).
57. Carroll Smith-Rosenberg, "Dis-Covering the Subject of the Great Constitutional Discussion, 1786–1789," *Journal of American History* 79, no. 3 December (1992): 841–73, 842.
58. Edward Millican, *One United People: The Federalist Papers and the National Idea* (Louisville: University Press of Kentucky, 1990), 65.
59. Hans J. Morgenthau, *Politics Among Nations* (New York: Knopf, 1954), 484–85.
60. Beer, *To Make a Nation*, 320–22.
61. Millican, *One United People*, 65.
62. "Brutus I," 420; later states' rights advocates invoked similar spectacles of regional affiliation, suggesting that, in John Calhoun's words, "the very idea of an American People... is a mere chimera." Cited in Beer, *To Make a Nation*, 317.
63. Ferguson, "Forgotten Publius," 161.
64. Wood, "Interests and Disinterestedness," 94.
65. Cited in Storing, *What the Anti-Federalists were For*, 31.
66. Hector St. John de Crèvecoeur, *Letters from an American Farmer*, ed. Susan Manning (New York: Oxford University Press, 1997), 15.
67. Perry Miller, *Nature's Nation* (Cambridge, MA: Harvard University Press, 1967).
68. Ferguson, "Forgotten Publius," 161.
69. Edmund Burke, *Reflection on the Revolution in France*, ed. J. G. A. Pocock (Indianapolis: Hackett, 1987), 68.
70. Crèvecoeur, *Letters from an American Farmer*, 56.

71. Jed Rubenfeld, *Freedom and Time: A Theory of Constitutional Self-Government* (New Haven, CT: Yale University Press, 2001), 158.

72. Because the people must first imagine themselves to be a people before acting as such, the imagination is an enabling—but contestable—heteronomic support. *The Federalist* offers an exemplary (and perhaps surprising) navigation of this paradox of democratic legitimacy. For recent theoretical elaborations of this paradox, see Bonnie Honig, “Between Deliberation and Decision: Political Paradox in Democratic Theory,” *American Political Science Review* 101, no. 1 (2006): 1–17; Alan Keenan, *Democracy in Question: Democratic Openness in a Time of Political Closure* (Stanford: Stanford University Press, 2003); and Sofia Nässtrom, “The Legitimacy of the People,” *Political Theory* 35, no. 5 (2007): 624–58.

73. Danielle Allen, “Imperfect People,” in *Talking to Strangers: Anxieties of Citizenship since Brown v. Board of Education* (Chicago: University of Chicago Press, 2004), 69–84, 69.

74. See, for example, Bonnie Honig, “Declarations of Independence: Arendt and Derrida on the Problem of Founding a Republic,” *American Political Science Review* 85, no. 1 (1991): 97–113.

75. Hume, *Treatise*, 566.

76. Daniel T. Rodgers evaluates this debate, and its limitations, in “Republicanism: The Career of a Concept,” *Journal of American History* 79, no. 1 (1992): 11–38.

77. Accounts of the sacred origin of the founding are generally embedded in broader tropes of American exceptionalism. See Sacvan Bercovitch, *American Jeremiad* (Madison: University of Wisconsin, 1978) and Ernest Lee Tuveson, *Redeemer Nation: The Idea of America's Millennial Role* (Chicago: University of Chicago Press, 1968).

78. Thomas West explores some of the main lines of difference in “Leo Strauss and the American Founding,” *Review of Politics* 53, no. 1 (1991): 157–71.

79. Diamond, “Democracy and the Federalist,” 53. The “assembly of demi-gods” is Jefferson’s characterization.

80. Pangle, *Spirit of Modern Republicanism*, 2.

81. Gary Rosen, *American Compact: James Madison and the Problem of Founding* (Lawrence: University Press of Kansas, 1999), 72; Also see his “James Madison and the Problem of Founding,” *The Review of Politics* 58, no. 3 (1996): 561–95.

82. Diamond, “Democracy and the Federalist,” 67.

83. Ralph Lerner, *Thinking Revolutionary: Principal and Practice in the New Republic* (Ithaca, NY: Cornell University Press, 1987), 30.

84. Diamond, “Democracy and the Federalist,” 68.

85. Rosen, *American Compact*, 139.

86. Jeremy Elkins, “Constitutional Enactment,” *Political Theory* 33 (2005): 280–97, 289.

87. Hume, *Treatise*, 566.

88. Frank I. Michelman, “How Can the People Ever Make the Laws? A Critique of Deliberative Democracy,” in *Deliberative Democracy: Essays on Reason and Politics*, ed. James Bohman and William Rehg (Cambridge, MA: MIT Press, 1997), 145–72; Jürgen Habermas, “Constitutional Democracy: A Paradoxical Union of Contradictory Principles?” *Political Theory* 29, no. 6 (2001), 766–81, 775.

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