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Security, Two Diplomacies, and the Formation of the U.S. Constitution: Review, Interpretation, and New Directions for the Study of the Early American Period*

Gunning Bedford Jr.—a delegate from the small state of Delaware—was frustrated with the large state leaders at the Federal Convention of 1787. He had assembled along with the other delegates in Philadelphia to find a solution to the shortcomings of the Articles of Confederation, including its inability to provide for "security agst . . . other nations."[1] But like many of the other representatives who had gathered at the Pennsylvania State House he had also arrived with a different agenda. He and the other leaders from his state had met in the months before the convention to determine how to prevent the large states from making Delaware a "cypher in the union"—a meeting at which perhaps they considered a security option that was meant to remain secret.[2] But soon after the proceedings began, and the large state delegates were indeed asking for a greater share of power in the new government, Bedford was not circumspect over revealing one of the more drastic alternatives for his state. "I do not, gentleman, trust you," he told a large state delegate, and he threatened to do the very thing that they were gathered to prevent: "the small [states] will," he warned, "find some foreign ally of more honor and good faith, who will take them by the hand and do them justice."[3]

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1. See James Madison, "Vices of the Political System of the United States," April 1787, in *The Papers of James Madison*, ed. William T. Hutchinson et al. (Chicago, 1962–1977, vols. 1–10; Charlottesville, VA, 1977–, vols. 11–), 9:345–58 (hereafter *Papers of James Madison*, ed. Hutchinson et al.), which assessed the situation that the states faced on the eve of the Federal Convention.

2. George Read to John Dickinson, January 17, 1787, quoted in James Brown Scott, *The United States of America: A Study in International Organization* (New York, 1920), 152. Read, a Delaware delegate, also concluded that the "existence [of his] State will depend upon our preserving such rights" equal to that of the other states. Quoted in ibid., 151. See also the discussion in ibid., 150–52.

3. Gunning Bedford Jr., Federal Convention, June 30, 1787, in *The Records of the Federal Convention of 1787*, ed. Max Farrand, 4 vols. (New Haven, CT, 1966), 1:492 (hereafter *The Records*, ed. Farrand).

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This comment may seem out of place to many modern observers, who are sensitized through common national mythology and scholarship over the past fifty years to see the making of the Constitution primarily as an ideological and domestic event, and it has been suggested that the portly and irascible Bedford was frenzied by the summer heat when he spoke in the poorly ventilated courthouse.[4] But there is reason for his remark other than comportment and weather: Bedford feared for the survival of his state, and without a guarantee of its protection under the Constitution, he would seek out another source of security for Delaware. He was not the only delegate who made this type of comment at the Federal Convention, and many of the founders repeatedly speculated that the thirteen states would fall to war with one another or foreign powers without stronger union.[5] To name just a few of them, John Adams, Benjamin Franklin, John Hancock, Alexander Hamilton, John Jay, Thomas Jefferson, Rufus King, James Madison, Edmund Randolph, George Washington, and James Wilson all made several comments to this effect in private and public forums.[6] Washington reportedly said that "Should the States reject this excellent Constitution, the probability is that an opportunity will never again offer to cancel another in peace—the next will be drawn in blood." Randolph said, "Are we not on the eve of war, which is only prevented by the hopes from this [Federal] convention?" And Hancock explained that "The objects of the proposed Constitution" are to prevent the states from becoming "separate nations, independent of each other, & no less liable to the depredations of foreign powers, than to Wars, & bloody contentions amongst ourselves."[7] This type of sentiment also permeated throughout the public discourse, with newspapers repeatedly printing articles advocating constitutional reform to protect the states from one another and foreign powers.[8]

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4. See, for example, Forrest McDonald, *E Pluribus Unum: The Formation of the American Republic 1776–1790* (Boston, 1965), 170. McDonald's excellent study also provides other reasons for the Bedford comment. Ibid., 170.

5. For similar comments by other small state leaders at the Federal Convention, see note 53 and the associated text.

6. The most comprehensive survey of comments by the founders on their "fears of disunion" and apprehension that the "dissensions of the States" would leave "the States open to attack by foreign power" is in Charles Warren, *The Making of the Constitution* (Boston, 1937), 3–54, quote on 9. For more quotes and sources, see David C. Hendrickson, *Peace Pact: The Lost World of the American Founding* (Lawrence, KS, 2003), 7, 308*n*; Peter S. Onuf, "Anarchy and the Crisis of the Union," in *To Form a More Perfect Union: The Critical Ideas of the Constitution*, ed. Herman Belz, Ronald Hoffman, and Peter J. Albert (Charlottesville, VA, 1992).

7. See Warren, *The Making of the Constitution*, 717, citing report of Washington's comment in the *Pennsylvania Journal*, November 14, 1787; Randolph, Federal Convention, May 29, 1787, in *The Records*, ed. Farrand, 1:26; Hancock, Massachusetts General Court, February 27, 1788, in *The Documentary History of the Ratification of the Constitution*, ed. Margaret A. Hogan, Merrill Jensen, John P. Kaminski, Richard Leffler, Gaspare J. Saladino, and Charles H. Schoenleber, 22 vols. to date (Madison, WI, 1976–), 7:1668 (hereafter *Documentary History*, ed. Jensen, Kaminski, Saldino et al.).

8. On security concerns permeating throughout the public "mood" during the period, Frederick W. Marks III, *Independence on Trial: Foreign Affairs and the Making of the Constitution* (Wilmington, DE, 1986[1973]), 96–142.

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These comments illustrate the diplomatic and security dimension of the making of the Constitution by emphasizing that the founders formed the new government to ensure the survival of their parts of the union, whether from foreign powers or from other states or sections of the Confederation. Seen in this light, the Federal Convention of 1787 was an international meeting consisting of envoys from the thirteen states seeking to devise a solution to two diplomatic crises, that amongst the units (states and regions) of the Confederation and that amongst the units of the Confederation with foreign powers.[9] Without the survival of their parts of the union the founders most likely could not have realized other motivations that they may have had for forming a new government. By necessity, security was one of if not the primary reasons for constitutional reform in the 1780s, with the Constitution in many ways forming *international* institutions that served to protect the early American system from the conflict then emerging amongst the states under the Articles of Confederation and prevent major war amongst its parts for over seven decades, although similar to many of the European concerts and collective security arrangements in world history the constitutional system also collapsed in time with the Civil War.[10]

This type of interpretation of the formation of the Constitution, though voiced by a small group of scholars between the world wars, was marginalized in the constitutional literature for most of the twentieth century in favor of socio-economic and ideological frameworks of the event. But in recent years, a few scholars have taken notice that these types of studies overlook a fundamental feature of the early American political experience, notably that the founders "were squarely in the middle" of their own state-system during the period.[11] Most studies of the antebellum period structure the states as consisting of a cohesive and fixed "nation," but the founders were more apt to consider the Confederation as comprising "independent and Sovereign States," and it is probably more accurate to classify the union during this era as an emergent and mutable *global* community of states, with the parts of the union (states and regions) cooperating and conflicting with one another and foreign powers in North America over resources and territory throughout the period.[12] Early America was in a sense a state-system

9. Regarding the legal sovereignty of the states prior to the Constitution, Louis Henkin, *Foreign Affairs and the Constitution* (Mineola, NY, 1972), 289–91*n*.

10. Hendrickson, *Peace Pact*, x–xi.

11. The key works here are Daniel Deudney, "The Philadelphian System: Sovereignty, Arms Control, and Balance of Power in the American States-Union, Circa 1787–1861," *International Organization* 49 (Spring 1995): 191–228, which he expands upon in Daniel Deudney, *Bounding Power: Republican Security Theory From the Polis to the Global Village* (Princeton, NJ, 2007), esp. 161–92; Hendrickson, *Peace Pact*; David C. Hendrickson, *Union, Nation, or Empire: The American Debate over International Relations, 1789–1941* (Lawrence, KS, 2009), quote on xii. The seminal earlier work in the area is Brown, *United States of America*, which has perhaps not received the attention that it deserves because of its apt though generic title.

12. Peter S. Onuf, "A Declaration of Independence for Diplomatic Historians," *Diplomatic History* 22 (Winter 1998): 72, 77–78, which quotes from Madison, "Vices of the Political System," in *Papers of James Madison*, ed. Hutchinson et al., 9:351–52. For example, as discussed shortly, the states entered into agreements with foreign powers on their own accord during the

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within a larger international system and the security exigencies that this dynamic placed on the leaders of the period permeated throughout their constitutional, diplomatic, and political decisions, most notably through the necessity of advancing and protecting the interests and security of their parts of the union vis-à-vis foreign powers and the other units of the early American system.

This article elucidates the significance of security and this dual state-system dynamic for constitutional reform in the 1780s. It does so by first reviewing the literature on diplomacy, sectionalism, security, and the making of the Constitution over the past two centuries, placing it within the larger body of research on the event; second, through examining the debate between the small and large state delegates at the Federal Convention to show that the founders replaced the Articles of Confederation to protect the states from one another and foreign powers; third, through identifying the gravity and types of conflict emerging amongst the units (localities, states, and sections) of the Confederation, including rebellions and secessionist movements, and showing that the founders repeatedly furnished these crises as reasons for constitutional reform in their public and private discourse; and fourth, through identifying British, French, Indian, and Spanish attempts to weaken the thirteen states and the inability of the Confederation government to protect against these attacks, and showing that the founders repeatedly furnished these crises as a primary reason for constitutional reform in their public and private discourse. The article concludes with how its findings and those of the works that it reviews point to new lines of inquiry into early America (most notably through organizing antebellum America more as a state-system than as a nation-state) that can expand and reconceptualize our understanding of the constitutional, diplomatic, and political development of the period, and by suggesting applications and parallels of founding events to ones occurring in the global community today, including how the making of the Constitution and the American system shares similarities with the formation of modern international institutions such as the European Union.

SECURITY AND SCHOLARSHIP ON THE FORMATION OF THE CONSTITUTION

The five main schools of interpretation of the making of the Constitution over the twentieth century have deemphasized the diplomatic and security components of the event, primarily seeing the event through socioeconomic and ideological lenses, arguing that the founders were motivated by financial and class interests, the classical ideas of John Locke, the "political thought of the English Civil War," Scottish Enlightenment thinkers, or multiple ideological traditions.[13] Many of the most distinguished scholars of the American founding over the past

Confederation, and ones such as Franklin and Vermont chose not to enter the pact formed under the Constitution and sought alliances with Britain and Spain.

13. Alan Ray Gibson, *Interpreting the Founding: Guide to the Enduring Debates over the Origins and Foundations of the American Republic* (Lawrence, KS, 2006), which cites from Bernard Bailyn,

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century, such as Charles Beard, Bernard Bailyn, J. G. A. Pocock, Jack Rakove, and Gordon Wood, did a lot of their work within these types of frameworks.[14] A common national mythology also obscures the role of security in the making of the Constitution by seeing the founders as forming it to secure for citizens "life, liberty, and the pursuit of happiness," as was promised in the Declaration of Independence. Consequently, a reviewer recently found that studies interpreting the event as an attempt to prevent war have "been virtually ignored in the last fifty years of writing on the constitutional era."[15]

But this emphasis in the scholarship belies a long tradition of interpreting the making of the Constitution as a security event—a view never entirely neglected and receiving increasing attention in recent years. The first generation of commentators on the founding, writing in the early nineteenth century as the states tried to secure a place in the global community, commonly viewed "the Constitution as the alternative to war."[16] St. George Tucker argued that "intestine wars" and "frequent and violent contest with each other . . . was among the most cogent reasons to induce the adoption of the union," and William Rawle explained that "The national constitution is our last, and our only security."[17] At the end of the

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The Ideological Origins of the American Revolution (Cambridge, 1992 [1967]), 34. The literature has also been placed into three categories, the "consensus," "Progressive," and "pluralist" schools, all of which also deemphasize security in the making of the Constitution. Hendrickson, *Peace Pact*, 291. For other overviews of the literature on the Constitution, see Richard B. Bernstein, "Charting the Bicentennial," *Columbia Law Review* 87 (1987): 1565–1624; Stanley Elkins and Eric McKitrick, "The Founding Fathers: Young Men of the Revolution," *Political Science Quarterly* 76 (June 1961): 181–216; Alan Ray Gibson, *Understanding the Founding: The Crucial Questions* (Lawrence, KS, 2007); Hendrickson, *Peace Pact*, 281–87; James H. Hutson, "The Creation of the Constitution: Scholarship at a Standstill," *Reviews in American History* 12 (December 1984): 463–77; Richard Morris, "The Confederation Period and the American Historian," *William and Mary Quarterly* 13 (April 1956): 140–56; Peter S. Onuf, "Reflections on the Founding: Constitutional Historiography in Bicentennial Perspective," *William and Mary Quarterly* 46 (Summer 1989): 341–75. The following review essays were also consulted for this section: Lawrence S. Kaplan, Bradford Perkins, Kinley Brauer, John M. Belohlavek, and William Earl Weeks, "Foreign Relations in the Early Republic: Essays from a SHEAR Symposium," *Journal of the Early Republic* 14 (Winter 1994): 453–95; Onuf, "Declaration of Independence," 71–83; Bradford Perkins, "Early American Foreign Relations: Opportunities and Challenges," *Diplomatic History* 22 (Winter 1998): 115–20; Emily S. Rosenberg, "A Call to Revolution: A Roundtable on Early U.S. Foreign Relations," *Diplomatic History* 22 (Winter 1998): 63–70; William Earl Weeks, "New Directions," in *Paths to Power*, ed. Hogan, 8–43; Jay Winik, *The Great Upheaval: America and the Birth of the Modern World, 1788–1800* (New York, 2008), 583–635.

14. Bailyn, *Ideological Origins*; Charles Beard, *An Economic Interpretation of the Constitution of the United States* (New York, 1913); J. G. A. Pocock, *The Machiavellian Moment: Florentine Political Thought and the Atlantic Republican Tradition* (Princeton, NJ, 1975); Jack Rakove, *Original Meanings: Politics and Ideas in the Making of the Constitution* (New York, 1996); and Gordon Wood, *The Creation of the American Republic, 1776–1787* (Chapel Hill, NC, 1969).

15. Hendrickson, *Peace Pact*, 24–26, 290–91, quote on 25; Onuf, "Declaration of Independence," 73; Rosenberg, "Call to Revolution," 63–64.

16. See the discussion of these writers in Hendrickson, *Peace Pact*, 282–83, 379*n*, quote on 282. See also Elizabeth Kelley Bauer, *Commentaries on the Constitution, 1790–1860* (New York, 1952).

17. St. George Tucker, *View of the Constitution of the United States with Selected Writings* (Indianapolis, IN, [1803] 1999), 87, quoted in Hendrickson, *Peace Pact*, 379*n*; William Rawle,

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century, as the United States asserted itself in the international community, security was again viewed as a primary reason for the Constitution, reflected by the popular scholar John Fiske's focus on "the causes which determined a century ago that the continent of North America should be dominated by a single powerful and pacific federal nation instead of being parceled out among forty or fifty small communities, wasting their strength and lowering their moral tone by perpetual warfare . . . like the nations of modern Europe."[18]

Although Beard's *Economic Interpretation of the Constitution of the United States* placed socioeconomic examination of the event at the focus of scholarship during the first half of the twentieth century, a few interpreters writing during and between the world wars continued to view the Federal Convention as a diplomatic event. Commenting as the great powers attempted to form the League of Nations, James Brown Scott, Merle Curti, Clarence Streit, and others compared the Constitution with current events, suggesting that the experience of the thirteen states forming under a central institution could be used as a model for the great powers to do the same and prevent war.[19] Most effusively of these writers, Hamilton Holt stated that "The United States is the world in miniature. The United States is the greatest league of peace known to history. The United States is a demonstration to the world that all the races and peoples of the earth can live in peace under one form of government, and its chief value to civilization is a demonstration of what this form of government is."[20] Frederick Jackson Turner and his followers, also writing during this period, emphasized the importance of section in early American political development, adumbrating the likely fault lines of conflict amongst the regions of the Confederation, and similarly finding that the system under the Constitution has "furnished to Europe the example of continental federation of sections over an area equal to Europe itself, and by substituting discussion and concession and compromised legislation for peace, we have shown the possibility of international political parties, international legislative bodies, and international peace."[21]

A View of the Constitution of the United States of America, 2nd ed. (New York, [1829] 1970), 306, quoted in Hendrickson, *Peace Pact*, 379*n*.

18. John Fiske, *The Critical Period of American History* (New York, 1893), vi–vii. See also the discussion in Hendrickson, *Peace Pact*, 284–85. Although scholars of this era discuss security issues in regard to constitutional reform, Marks argues that they failed to appreciate the full range and extent of the diplomatic crises facing the founders when they met in Philadelphia in 1787. Marks, *Independence on Trial*, xvi-xvii.

19. James Brown Scott, *James Madison's Notes of Debates in the Federal Convention of 1787 and Their Relation to a More Perfect Union* (New York, 1918); James Brown Scott, *United States of America*; Merle E. Curti, *Peace or War: The American Struggle, 1636–1936* (New York, 1936); Clarence Streit, *Union Now: A Proposal for a Federal Union of the Democracies of the North Atlantic* (New York, 1939); Clarence Streit, *Freedom's Frontier: Atlantic Union Now* (New York, 1961). See also the discussion of these writers in Hendrickson, *Peace Pact*, 285–88, 380–82*n*.

20. Hamilton Holt, quoted in Hendrickson, *Peace Pact*, 286.

21. Frederick Jackson Turner, "The Significance of the Section in American History," in *The Significance of Sections in American History*, ed. Frederick Jackson Turner (New York, 1932),

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During the 1950s and 1960s, Louis Hartz's assertion of a liberal tradition permeating throughout American political thought, Bailyn's focus on the ideological and republican origins of the Constitution, and Wood's monumental work on republicanism ushered in a large body of research on the ideas underlying the American founding, making the interpretation of the Constitution as an attempt to prevent war rarely voiced for several decades.[22] Notable exceptions included Gottfried Dietze's examination of *The Federalist*, which showed that Hamilton, Jay, and Madison repeatedly gave security as a primary reason for constitutional reform, and Frederick Marks's excellent studies discussing the effect of foreign affairs on the making of the Constitution.[23] Similarly during this period, though not directly commenting on the event, Gerald Stourzh discussed how "revolutionary American ideas about empire, foreign policy, international law, and world order" factored into the political thought of Franklin, Hamilton, and other founders; Paul Nagel showed that the concept of "union" was perceived by the founders "as a means of attaining security"; and Joseph Davis and a few other scholars who also focused on the "sectional interests, rivalries, and jealousies played in the political life of the new nation" illuminated sources and fault lines of conflict within the Confederation.[24]

Although scholarship around the bicentennial celebration of the Constitution in 1987 continued to focus on the ideas underlying the founding, it did reveal "stirrings that suggested a return to many of the themes that had preoccupied

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quote on 40. See also Fulmer Mood, "The Origin, Evolution, and Application of the Sectional Concept, 1750–1900," in *Regionalism in America*, ed. Merrill Jensen (Madison, WI, 1952), 5–98; David M. Potter and Thomas G. Manning eds., *Nationalism and Sectionalism in America, 1775–1877* (New York, 1949); the discussion in Hendrickson, *Peace Pact*, 288–89.

22. On liberalism, see Louis Hartz, *The Liberal Tradition in America: An Interpretation of American Political Thought since the Revolution* (New York, 1955). On republicanism, see Robert E. Shalhope, "Republicanism and Early American Historiography," *William and Mary Quarterly* 39 (April 1982): 334–56; Daniel T. Rodgers, "Republicanism: The Career of a Concept," *Journal of American History* 79 (June 1992): 11–38.

23. Gottfried Dietze, *"The Federalist": A Classic on Federalism and Free Government* (Baltimore, 1960); Marks, *Independence on Trial*; Frederick W. Marks III, "Foreign Affairs: A Winning Issue in the Campaign for Ratification of the United States Constitution," *Political Science Quarterly* 86 (1971): 444–69; Frederick W. Marks III, "Power, Pride, and Purse: Diplomatic Origins of the Constitution," *Diplomatic History* 11 (Fall 1987): 303–20.

24. Gerald Stourzh, *Alexander Hamilton and the Idea of Republican Government* (Stanford, CA, 1970); Gerald Stourzh, *Benjamin Franklin and American Foreign Policy* (Chicago, 1969 [1954]); and the description of Stourzh's works is by Onuf, "Declaration of Independence," 75. Paul C. Nagel, *One Nation Indivisible: The Union in American Thought* (New York, 1964); quotes on 12, 15. Joseph L. Davis, *Sectionalism in American Politics, 1774–1787* (Madison, WI, 1977), quote on 6. For other works on sectionalism around this time, Lance Banning, "Virginia: Nation, State, and Section," in *Ratifying the Constitution*, ed. Michael Allen Gillespie and Michael Lienesch (Lawrence, KS, 1989); David Hackett Fischer, *Albion's Seed: Four British Pathways in America* (New York, 1989); Robert Gough, "The Myth of the 'Middle Colonies': An Analysis of Regionalization in Early America," *Pennsylvania Magazine of History and Biography* 107 (1983): 393–419; H. James Henderson, *Party Politics in the Continental Congress* (New York, 1974); Donald L. Robinson, *Slavery in the Structure of American Politics, 1765–1820* (New York, 1971), 443–46; Cathey D. Matson and Peter S. Onuf, *A Union of Interests: Political and Economic Thought in Revolutionary America* (Lawrence, KS, 1990).

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Fiske, Scott, and Turner."[25] Peter S. Onuf produced several works that, though with different research focuses, commonly viewed the Confederacy as consisting of states and sections conflicting and cooperating with one another and foreign states over power and resources, superbly detailing the sensitivity of the founders to war and how this factored into political and constitutional decisions during the period.[26] D. W. Meinig's first volume in his monumental *Shaping America* series discussed how conflict among the states and with foreign powers shaped the political geography of North America during the early Republic.[27] Jack Greene studied the interplay between sections of the union over power, resources, and territory to argue that distributing authority amongst the "center" or "dominant" and "peripheral" or "subordinate" areas of establishment in the Confederation "was the primary focus of American constitutional thought during the 1780s."[28] Several articles and book chapters pertinent to security and the Constitution also appeared during the period, exemplified by Rakove discussing how security issues led the founders to allocate the powers of foreign affairs between the legislative and executive branches in the ways that they did in the new government.[29]

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25. Hendrickson, *Peace Pact*, 294.

26. Onuf, "Crisis of the Union," in *A More Perfect Union*, ed. Belz, Hoffman, and Albert; Peter S. Onuf, "Constitutional Politics: States, Sections and the National Interest," in *Toward a More Perfect Union: Six Essays on the Constitution*, ed. Neil. L. York (Provo, UT, 1988); Peter S. Onuf (and Nicholas Onuf), *Federal Union, Modern World: The Law of Nations in an Age of Revolutions, 1776–1814* (Madison, WI, 1993); Peter S. Onuf, "Federalism, Republicanism, and the Origins of American Sectionalism," in *All Over the Map: Rethinking American Regions*, ed. Edward L. Ayers, Patricia Nelson Limerick, Stephen Nissenbaum, and Peter S. Onuf (Baltimore, 1996), 11–37; Peter S. Onuf, "Liberty, Development, and Union: Visions of the West in the 1780s," *William and Mary Quarterly* 43 (April 1986): 179–213; Peter S. Onuf, *Statehood and Union: A History of the Northwest Ordinance* (Bloomington, IN, 1987); Peter S. Onuf, "State Sovereignty and the Making of the Constitution," in *Conceptual Change and the Constitution*, ed. Terence Ball and J. G. A. Pocock (Lawrence, KS, 1988); Peter S. Onuf, "The Expanding Union," in *Devising Liberty: Preserving and Creating Freedom in the New American Republic*, ed. David Thomas Konig (Stanford, CA, 1995); Peter S. Onuf, *The Origins of the Federal Republic: Jurisdictional Controversies in the United States 1775–1787* (Philadelphia, 1983); Matson and Onuf, *A Union of Interests*.

27. D. W. Meinig, *The Shaping of America: A Geographical Perspective on 500 Years of History*, 4 vols. (New Haven, CT, 1986–2004). See also John A. Agnew, *The United States in the World-Economy: A Regional Geography* (New York, 1987).

28. Jack P. Greene, *Peripheries and Center: Constitutional Development in the Extended Polities of the British Empire and the United States, 1607–1788* (Athens, GA, 1986), ix, 182.

29. Jack N. Rakove, "Making Foreign Policy—The View from 1787," in *Foreign Affairs and the Constitution*, ed. Robert A. Goldwin and Robert A. Licht (Washington, DC, 1990), 1–19. See also John Allphin, Jr., "Empire, Republicanism, and Reason: Foreign Affairs as Viewed by the Founders of the Constitution," *History Teacher* 26 (May 1993): 297–315; Robert V. Bruce, "The Shadow of a Coming War," 1–28; and Carl N. Degler, "One Among Many: The United States and National Unification," 89–120, both in *Lincoln, the War President: The Gettysburg Lectures*, ed. Gabor S. Boritt (New York, 1992); Louis Henkin, "Foreign Affairs and the Constitution," *Foreign Affairs* 66 (Winter 1987/1988): 284–310; Norman A. Graebner, "Isolationism and Antifederalism: The Ratification Debates," *Diplomatic History* 11 (Fall 1987): 337–353; Lawrence S. Kaplan, "Jefferson and the Constitution: The View from Paris, 1786–1789," *Diplomatic History* 11 (Fall 1987): 321–36; Walter LaFeber, "The Constitution and United States Foreign Policy: An Interpretation," *Journal of American History* 74 (December 1987): 695–717; Jonathan Marshall, "Empire or Liberty: The Antifederalists and Foreign Policy, 1787–1788," *Journal of Libertarian Studies* 4 (Summer 1980): 233–54; Drew R.

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Building on these works, scholars in recent years have been reexamining the role of diplomacy, the international system, and security in the making of the Constitution with innovative perspectives. Max Edling, using the literature on state formation and departing from Charles Tilly's famous comment, "the state made war, war made the state," argues that with the Constitution the Federalists "tried to create a strong national state in America, a state possessing all the significant powers held by contemporary European states."[30] James E. Lewis discusses the "problem of neighborhood" amongst the states and Spain across the Western border of the Confederation to argue that the founders adopted a "logic of unionism" under the Constitution to prevent the "dangers of a complex state system" forming in North America.[31] Nicholas Onuf and especially Daniel Deudney, through their work on republican security theory, interpret the Constitution as an attempt by early U.S. leaders "to design and build a political order in North America that would not fall prey to . . . patterns of violent competition and conflict, to avoid the Europeanization of North American politics."[32] David Hendrickson, using a similar perspective, the "unionist paradigm," and most comprehensively of the works discussed here, reconstructs the role of war and peace in the event to argue that the Constitution should be viewed as "a distinctive and most remarkable attempt to turn back the tide of war—that is, as a peace pact."[33]

McCoy, "James Madison and Visions of American Nationality in the Confederation Period: A Regional Perspective," in *Beyond Confederation: Origins of the Constitution and American National Identity*, ed. Richard Beeman, Stephen Botein, and Edward C. Carter II (Chapel Hill, NC, 1987), 226–60; Eli Merritt, "Sectional Conflict and Secret Compromise: The Mississippi River Question and the United States Constitution," *American Journal of Legal History* 35 (April 1991): 117–71; Kenneth Stampp, "On the Concept of Perpetual Union," in *The Imperiled Union: Essays on the Background of the Civil War*, ed. Kenneth Stampp (New York, 1980), 3–36.

30. Charles Tilly, "Reflections on the History of European State-Making," in *The Formation of National States in Western Europe*, ed. Charles Tilly (Princeton, NJ, 1975), 42; Max Edling, *A Revolution in Favor of Government: Origins of the U.S. Constitution and the Making of the American State* (Oxford, 2003), quote on 4. For a related work, see Don Higginbotham, "War and State Formation in Revolutionary America," in *Empire and Nation: The American Revolution in the Atlantic World*, ed. Eliga H. Gould and Peter S. Onuf (Baltimore, 2005), 54–71.

31. James E. Lewis, *The American Union and the Problem of Neighborhood: The United States and the Collapse of the Spanish Empire, 1783–1829* (Chapel Hill, NC, 1998), quotes on 8, 9.

32. See this article's conclusion for more on republican security theory. Deudney, *Bounding Power*, quote on 161; Deudney, "The Philadelphian System"; Daniel Deudney, "Binding Sovereigns: Authorities, Structures, and Geopolitics in Philadelphian Systems," in *State Sovereignty as Social Construct*, ed. Thomas J. Biersteker and Cynthia Weber (Cambridge, 1996), 190–239; Nicholas Greenwood Onuf, *The Republican Legacy in International Thought* (New York, 1998). See also Michael Lind, "A Neglected American Tradition of Geopolitics?" *Geopolitics* 23 (January 2008): 181–95.

33. Hendrickson, *Peace Pact*, quote on x-xi. See also David C. Hendrickson, "Independence and Union: The Foundations of American Internationalism," *Orbis* 49 (Winter 2005): 37–51; David C. Hendrickson, "The First Union: Nationalism versus Internationalism in the American Revolution," in *Empire and Nation*, ed. Gould and Onuf, 35–53. In particular, Hendrickson argues that "at the core of the unionist paradigm [and the making of the Constitution] was the belief that Americans had to create and perpetuate a form of political association by which republican governments committed to 'life, liberty, and the pursuit of happiness' could be joined together in a workable federative system, so as to escape the anarchy of states, on the one

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Scholars have also produced a large number of works over the past century and especially in recent decades that indirectly illumine global and security components of the formation of the Constitution. R. R. Palmer and Jay Winik superbly place the founding in its international setting, providing sweeping vistas of global events during the decades before and after the making of the Constitution.[34] General works on U.S. foreign affairs and studies focusing on U.S. diplomacy with American Indian nations, Britain, France, and Spain during the 1780s also discuss the international climate during the event, though most do not devote more than a few pages to the Constitution.[35] Scholars writing on the difficulties of the states during the Articles of Confederation, a time span sometimes referred to as the "critical period," provide overviews of the domestic and international crises that the states faced before the formation of the Constitution, and studies that focus on events during and soon after this period, such as those on Shays and the Whiskey Rebellions, reveal sources and fault lines of internal conflict within and amongst the thirteen states.[36] Works on the diplomatic establishment, the

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hand, and the despotism of centralized empire, on the other. It looked toward the formation of a republican union of large extent, embracing a wide variety of peoples, interests, and ways of life, that would preserve peace within its zone and ensure protection from predators without. Though an attempt to escape from both the anarchy of states and the despotism of empire, it nevertheless sought to safeguard the two values with which each of these otherwise negative examples was closely identified: the liberty of states and the preservation of peace and order over a territory of imperial dimensions." Hendrickson, *Union, Nation, or Empire*, xii–xii.

34. R. R. Palmer, *The Age of Democratic Revolution: A Political History of Europe and America, 1760–1800*, 2 vols. (Princeton, NJ, 1959); Winik, *The Great Upheaval*. See also Onuf and Onuf, *Federal Union, Modern World*; and Paul W. Schroeder, *The Transformation of European Politics, 1763–1848* (Oxford, 1994).

35. For general works on U.S. foreign affairs during the 1780s, see Samuel Flagg Bemis, *A Diplomatic History of the United States*, 5th ed. (New York, 1965), 65–84; Jerald A. Combs, *The History of American Foreign Policy*, 3rd ed., 2 vols. (Armonk, NY, 2008), 1:3–20; Felix Gilbert, *To The Farewell Address: Ideas of Early American Foreign Policy* (Princeton, NJ, 1961); George C. Herring, *From Colony to Superpower: U.S. Foreign Relations Since 1776* (Oxford, 2008), 11–55; Reginald Horsman, *The Diplomacy of the New Republic, 1776–1815* (Arlington Heights, IL, 1985); James H. Hutson, "Early American Diplomacy: A Reappraisal," in *The American Revolution and 'A Candid World'*," ed. Lawrence S. Kaplan (Kent, OH, 1977), 40–68; James H. Hutson, "Intellectual Foundations of Early American Diplomacy," *Diplomatic History* 1 (Winter 1977): 1–19; Howard Jones, *Crucible of Power: A History of American Foreign Relations to 1913* (Wilmington, DE, 2002), 1–27; Robert Kagan, *Dangerous Nation* (New York, 2006); Lawrence S. Kaplan, *Colonies into Nation: American Diplomacy, 1763–1801* (New York, 1972); Daniel G. Lang, *Foreign Policy in the Early Republic: The Law of Nations and the Balance of Power* (Baton Rouge, LA, 1985); Bradford Perkins, *The Cambridge History of American Foreign Relations: The Creation of a Republican Empire, 1776–1865* (New York, 1993); Leonard J. Sadosky, *Revolutionary Negotiations: Indians, Empires, and Diplomats in the Founding of America* (Charlottesville, VA, 2009); Paul A. Varg, *Foreign Policies of the Founding Fathers* (East Lansing, MI, 1963); Steven Watts, *The Republic Reborn: Politics, Diplomacy, and Warfare in the Early Republic, 1783–1830* (Baltimore, 1987). For diplomatic studies focused on the Confederation's relations with American Indian nations, Britain, France, and Spain, see notes 101, 103, and 112. For historiographical articles on early U.S. diplomacy, see note 13. Diplomatic studies of the Revolution are also useful for understanding the role of foreign affairs in constitutional reform; see the lists of these works in Herring, *Colony to Superpower*, 966–67; Winik, *The Great Upheaval*, 590–91.

36. For works on the Confederation's difficulties, see Daniel J. Boorstin, *The Americans: The Democratic Experience* (New York, 1973), 327–530; Andrew C. McLaughlin, *The Confederation and*

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military, and public finance during this period also discuss the economic and military capabilities of the state and the federal governments before and after the Constitution.[37] And works by constitutional scholars, such as Louis Henkin and Michael Ramsey, that focus on "how the Constitution governs the conduct of foreign relations" discuss ways in which the founders sought to address the diplomatic crises during the Confederation with the new government.[38]

Diplomatic historians and international relations (IR) scholars may be curious at this point as to how the role of security in the formation of the Constitution, an aspect of the event that to them must seem obvious, has been marginalized in the literature. They may be less surprised to learn that this has occurred in part because of their general neglect of the antebellum period, at least in comparison with the attention they have paid to foreign policy over the past century, which has allowed scholars in other fields to downplay the role of

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the Constitution, 1783–1789 (New York, 1905); Richard B. Morris, *The Forging of the Union, 1781–1789* (New York, 1987); Allan Nevins, ed., *The American States During and After the Revolution, 1775–1789* (New York, 1924); Jack N. Rakove, *The Beginnings of National Politics: An Interpretative History of the Continental Congress* (New York, 1979); Roger Sharp, *American Politics in the Early Republic: The New Nation in Crisis* (New Haven, CT, 1993). On rebellions, see Robert A. Feer, "Shays's Rebellion and the Constitution: A Study in Causation," *New England Quarterly* 42 (September 1969): 388–410; William Hogeland, *The Whiskey Rebellion: George Washington, Alexander Hamilton, and the Frontier Rebels who Challenged America's Newfound Sovereignty* (New York, 2006); Paul Douglas Newman, "The Federalists' Cold War: The Fries Rebellion, National Security, and the State, 1787–1800," *Pennsylvania History* 67 (Winter 2000): 63–103; Leonard L. Richards, *Shays's Rebellion: The American Revolution's Final Battle* (Philadelphia, 2002); Thomas P. Slaughter, *The Whiskey Rebellion: Frontier Epilogue to the American Revolution* (New York, 2003); David Szatmary, *Shays' Rebellion: The Making of an Agrarian Insurrection* (Amherst, MA, 1980).

37. Jeremy Black, *America as a Military Power: From the American Revolution to the Civil War* (Westport, CT, 2002); James E. Ferguson, *The Power of the Purse: A History of American Public Finance, 1776–1790* (Chapel Hill, NC, 1961); Gaillard Hunt, *The Department of State of the United States: Its History and Functions* (New Haven, CT, 1914); Richard Kohn, *Eagle and Sword: The Federalists and the Creation of the Military Establishment in America, 1783–1802* (New York, 1975); James Kirby Martin and Mark Edward Lender, *A Respectable Army: The Military Origins of the Republic, 1763–1789*, 2nd ed. (Wheeling, IL, 2006); Allen R. Millett and Peter Maslowski, *For the Common Defense: A Military History of the United States of America* (New York, 1984); Howard Joseph Phillips, "The U.S. Diplomatic Establishment in the Critical Period, 1783–1789" (Ph.D. diss., University of Notre Dame, 1968); Francis Paul Prucha, *The Sword of the Republic: The United States Army on the Frontier, 1783–1846* (New York, 1969); James Jacobs Ripley, *The Beginning of the U.S. Army, 1783–1812* (Princeton, NJ, 1947); Harry M. Ward, *The Department of War, 1781–1795* (Pittsburgh, PA, 1962).

38. Henkin, *Foreign Affairs and the Constitution*, quote on vii; Michael D. Ramsey, *The Constitution's Text in Foreign Affairs* (Cambridge, MA, 2007). Historians over the past decade have increasingly applied global frameworks to the early American period. See, for example, David Armitage and Michael J. Braddick, eds., The British Atlantic World, 1500–1800 (New York, 2002); Thomas Bender, A Nation Among Nations: America's Place in World History (New York, 2006); Joyce Chaplin, "Expansionism and Exceptionalism in Early American History," Journal of American History 89 (March 2003): 143–55; Jack P. Greene, "Colonial History and National History: Reflections on a Continuing Problem," The William and Mary Quarterly 64 (April 2007): 235–50; Jack P. Greene and Philip D. Morgan, Atlantic History: A Critical Appraisal (Oxford, UK, 2009); Rosemarie Zagarri, "The Significance of the 'Global Turn' for the Early American Republic: Globalization in the Age of Nation-Building, "Journal of the Early Republic 31 (Spring 2011): 1–37."

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diplomacy in the constitutional story.[39] The process began in the 1950s with historians of the early American period describing the numerous references to security during the movement for the Constitution as propaganda used by the Federalists to procure ratification, a rhetorical strategy also used by the Anti-Federalists as the event was unfolding in an attempt to squash the new government.[40] This misconception then became so engrained in conventional wisdom that it is perhaps what caused Marks, the scholar who would later become the main advocate of the central role of diplomacy in the formation of the Constitution to at first qualify his thesis by framing foreign affairs as merely "a winning issue" in the ratification debates; and it is a view even sometimes repeated by diplomatic historians, exemplified in a historiographical article on early U.S. foreign relations that remarks that the "work done to date suggests that while a connection between foreign policy and the origins of the Constitution exists, the questions of national defense and commercial policy were primarily . . . only arguments put forth to win the campaign for ratification."[41]

Once the numerous references to security in the constitutional discourse were explained away in the 1950s, early American historians pushed these aspects of the event even further in the background in the 1960s and 1970s with the strong emergence of a new paradigm in their field—the "republican-synthesis"—and its more general turn toward the ideological foundations of the Constitution.[42] With diplomatic historians and IR scholars focused on the Cold War and the security issues of the late twentieth century, historians of the early American period constructed a large body of research, which still continues to appear today, that pays little attention to the diplomatic and security context of the formation of the Constitution. The "death" of the geopolitical role in the founding was even further cemented during this period by scholars in other

39. On diplomatic scholars' neglect of the era, Kinley Brauer, "The Great American Desert Revisited: Recent Literature and Prospects for the Study of American Foreign Relations, 1815–61," in *Paths to Power*, ed. Hogan, 395–416.

40. For dismissals of security and "critical period" arguments of the making of the Constitution during the 1950s and 1960s, see, for example, Merrill Jensen, *The New Nation: A History of the United States during the Confederation, 1781–1789* (Boston, MA, 1981 [1950]), esp. x–xiv, 422–428; and McDonald, *E Pluribus Unum*, 154. See also the discussion in Hendrickson, *Peace Pact*, 290–291. For a reiteration several decades later of the Federalists creating a "critical period" as propaganda to get the Constitution ratified, see Michael Lienesch, "The Constitutional Tradition: History, Political Action, and Progress in American Political Thought, 1787–1793," *Journal of Politics* 42 (February 1980): 2–30. The Anti-Federalists made similar claims as the event was unfolding, arguing that the idea of the Confederation breaking into war was "hobgoblin" and "imaginary—mere creatures of fancy" that were invented by "the deranged brain of Publius, a New-York writer" to secure ratification of the Constitution. Quoted in Hendrickson, *Union, Nation, or Empire*, 35.

41. Compare the title of Marks's first work on diplomacy and the formation of the Constitution, "Foreign Affairs: A Winning Issue in the Campaign for Ratification of the United States Constitution," with his later conclusion in an article that "the strongest driving force behind the Constitution by far was a crying weakness in the area of foreign affairs." Frederick W. Marks III, "Power, Pride, and Purse," 318. For the historiographical article, see Weeks, "New Directions," in *Paths to Power*, ed. Hogan, quote on 16–17.

42. Onuf, "Declaration of Independence," 73–74.

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fields obscuring the view of the formation of the union as an experiment in international cooperation amongst thirteen independent states, with conventional constitutional interpretation positing that "a national government was in operation before the formation of the states" and prevailing theory in the IR field over the past few decades viewing the global community as consisting of cohesive nation-states (including antebellum America) since the Treaty of Westphalia in 1648.[43] Consequently, the United States is commonly seen as a fully formed and fixed nation from its start and the perspective of early America as an emergent and mutable *global* community of states was rarely discussed by the twenty-first century.

But the good news for scholars of international affairs is that recent works, as well as others in the pipeline, indicate that the scholarship of earlier generations of commentators on security and the Constitution is being built upon in the present decade to offer new perspectives of the event—views that suggest novel ways of rethinking and restructuring the constitutional, diplomatic, and political development of the period that "may well make an important paradigm shift in early American History."[44] Diplomatic historians and IR scholars, because of their training and areas of expertise, are presented with an opportunity to play a key role in a reconceptualization of early America that is based on issues of foreign affairs, international organization, sectionalism, and security. After sketching below the security argument of the making of the Constitution that is rooted in this large body of work by focusing on the debate between the small and large states at the Federal Convention, as well as the reaction of the founders to the threat of internecine and foreign war, the article concludes with suggesting ways that scholars can use the literature described in this section to rethink the antebellum period.

SECURITY AND DEBATE BETWEEN SMALL AND LARGE STATE DELEGATES AT THE FEDERAL CONVENTION OF 1787

Madison was one of the first delegates to arrive in Philadelphia to make sure that the leaders who "think continentally," as those who supported a stronger union were often referred to, were versed on his plan for a stronger central

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43. On the orthodox view in constitutional interpretation over the past fifty years, see Hendrickson, *Peace Pact*, 25. On historians structuring early America as a cohesive "nation," see ibid., 26. Neorealism, a dominant paradigm in the IR field, views the nation-state as the primary political unit in the international system. Robert Jervis, "Realism, Neoliberalism, and Cooperation: Understanding the Debate," *International Security* 24 (Summer 1999): 42–63.

44. The comment is from Drew McCoy's review of Hendrickson's Peace Pact in American Historical Review 109 (June 2004): 896–97. For works in the pipeline, see Michael C. Evans, "The Republic and its Problems: Alexander Hamilton and James Madison on the 18th Century Critique of Republics" (unpublished Ph.D. diss., University of Maryland, College Park, 2009); and Joseph M. Parent, "E Pluribus Unum: Political Unification and Political Realism" (unpublished Ph.D. diss., Columbia University, 2006). See also the following article that the authors are turning into a book: David M. Golove and Daniel J. Hulsebosch, "A Civilized Nation: The Early American Constitution, the Law of Nations, and the Pursuit of International Recognition," New York University Law Review 85 (August 2010): 932–1066.

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government to replace the weak one under the Articles of Confederation.[45] Records of the meetings on the Constitution, which took place in private homes and taverns, are not available so it is difficult to know exactly what he told his colleagues, but in private letters and compositions Madison did explain "that the perpetuity and efficacy of the present system cannot be confided in," and that stronger union was "essential to their safety against foreign danger & internal contention" and to prevent the states from becoming "subservi[ent] to the wars and politics of Europe."[46] He also said so in his "Vices of the Political System of the United States"—an essay that he wrote shortly before the Convention often considered the most comprehensive explanation for the gathering.[47]

This is, in fact, how Madison and his Virginia coalition framed their idea for a new government to the other delegates at the Convention. They chose the charismatic and popular governor of their state, Edmund Randolph, to present the plan; he delivered the first speech of the proceedings after administrative matters were settled, discussing "the great subject of their mission." He explained "that the confederation produced no security against foreign invasion" and "that the federal government [under the Articles of Confederation] could not check the quarrels between the states" and that therefore the delegates should devise a new government that "ought to secure against foreign invasion and against dissentions between members of the Union." He then proposed as an alternative to the Articles of Confederation the Virginia Plan, which would serve as the foundational architecture for the Constitution.[48]

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45. This section illuminates the role of security in the making of the Constitution by focusing on the debate between the small and largest state delegates at the Federal Convention, a common analytical focus of the proceedings, and it emphasizes the occasions in which the founders discussed constitutional reform. For broader discussions of the debate on foreign affairs and security during the proceedings, see Hendrickson, *Peace Pact*, 211–248; Perkins, *American Foreign Relations*, 59–68; Phillips, "U.S. Diplomatic Establishment," 298–351. For more balanced treatments, see Carol Berkin, *A Brilliant Solution: Inventing the American Constitution* (New York, 2002); Christopher Collier and James Collier, *The Constitutional Convention of 1787* (New York, 1986); Max Farrand, *The Framing of the Constitution of the United States* (New Haven, CT, 1913); Clinton Rossiter, *1787: The Grand Convention* (New York, 1966). For a reference to "think continentally," see Hamilton to Washington, April 8, 1783, in *Letters of Delegates to Congress, 1774–1789*, ed. Paul H. Smith et al., 25 vols. (Washington, DC, 1976–2000), 20:151 (hereafter *Letters*, ed. Smith et al.).

46. The quotes cited here are from two private letters that Madison wrote, which, as will be seen throughout this article, most notably in *The Federalist* and in his speeches at the Virginia convention, are reflective of a primary reason that he advocated constitutional reform. Madison to Richard Henry Lee, December 15, 1784, quoted in Greene, *Peripheries and Center*, 186; Madison to Randolph, February, 25, 1783, quoted in Lewis, *The American Union and the Problem of Neighborhood*, 6. See also the discussion of his private letters in Dietze, *The Federalist*, 80–85.

47. Madison, "Vices of the Political System of the United States," April 1787, in *Papers of James Madison*, ed. Hutchinson et al., 9:345–58.

48. Randolph "observed that in revising the federal system we ought to inquire 1. into the properties, which such a government ought to possess, 2. the defects of the confederation, 3. the danger of our situation, & 4. the remedy." He also stated that there is "No provision [in the Articles of Confederation] to prevent the States breaking out into war." Randolph, Federal Convention, May 29, 1787, in *The Records*, ed. Farrand, 1:18–23, 25.

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But because this plan granted more power to the larger states than the smaller ones in the new government, it was not well received by all of the delegates. Soon after Randolph spoke, Charles Pinckney, a South Carolina delegate, offered an alternative plan, and although his proposal differed in content, it did share something in common with its rival: it was also introduced by explaining that the states must unite "under one general superintending Government for their common Benefit and for their Defense and Security against all Designs and Leagues that may be injurious to their Interests and against all [Forces and Foes] and Attacks offered to or made upon them or any of them." The other main draft government proposed during the proceedings, the Small State Plan, was similarly introduced by William Paterson, a New Jersey delegate, as necessary because "the articles of Confederation ought to be so revised, corrected & enlarged, as to render the federal Constitution adequate to the exigencies of Government, & the preservation of the Union." Randolph, Pinckney, and Paterson could have focused on the economic or ideological benefits of their plans, which presumably would have appealed to the other delegates, but they framed the Constitution primarily as a security decision and necessary to preserve union—a reason for reform that these delegates and other leaders instrumental in its creation would repeatedly provide in public and private forums.[49]

The delegates directly discussed the rationale for constitutional reform only during a few other occasions during the debate, mostly when those leaders who supported a stronger central government responded to the reservations of the small state delegates over the Virginia Plan. Small state leaders agreed that stronger union was necessary to "avert the dangers which threaten our existence," but they were hesitant to commit to a government that did not give them an equal share of power, prompting the large state delegates to continue to attempt to persuade them to accept their plan.[50] Madison "begged them to consider the situation in which they would remain in case their pertinacious adherence to an inadmissible plan, should prevent the adoption of any plan." A likely outcome, he explained, would be that the states would "remain individually independent & sovereign," similar to how they were structured under the Articles of Confederation, and if this were the case would "the small States," he asked, "be more secure agst. the ambition & power of their larger neighbours, than they would be under a general Government pervading with equal energy

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49. Moreover, although the other delegates had many reservations over the Virginia Plan, they did not seriously challenge the reasons Randolph gave for constitutional reform during the remaining months of debate, suggesting that security was generally accepted at the convention as a core reason for making the Constitution. Pinckney, Federal Convention, May 29, 1787, ibid., 3:604–05; Paterson, Federal Convention, June 15, 1787, in *Confederation and Constitution, 1781–1789*, ed. Forrest McDonald and Ellen Shapiro McDonald (Columbia, SC, 1968), 131.

50. "Credentials of Members of the Federal Convention: State of New Hampshire, June 27, 1787," quoted in Dietze, *The Federalist*, 47.

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every part of the Empire, and having an equal interest in protecting every part against every other part?"[51]

Hamilton, Gouverneur Morris, and Wilson, all instrumental in the drafting and ratification of the new government, also discussed the threat of war without stronger union when discussing constitutional reform. Perhaps Hamilton, the young leader from New York, best captured their thinking when he reminded the delegates that if they could not agree on a new government, the likely result would be the "dissolution of the Union" and "the establishment of partial confederacies," which in turn would form "[a]lliances . . . with different rival & hostile nations of Europes, who will foment disturbances among ourselves, and make us parties to all their own quarrels." This was the case, he argued, because "Foreign nations having American dominions," referring to Britain, France, and Spain, "are & must be jealous of us." "We have still every motive to unite for our common defence," he declared.[52]

The small state delegates, however, would not concede to the demands of the large state leaders because they feared for their security. "Some of the members from the small States wish for two branches in the General Legislature," explained John Dickinson, a Delaware delegate, "and are friends to a good National Government; but we would sooner submit to a foreign power, than submit to be deprived of an equality of suffrage, in both branches of the legislature, and thereby be thrown under the domination of the large States." Other small state delegates said that they would "never accede to a plan that would introduce an inequality and lay 10 States at the mercy of Va. Massts. And Penna," and proposed "that a map of the U.S. be spread out, that all existing boundaries be erased, and that a new partition of the whole be made into 13 equal parts." The New Jersey delegates similarly expressed sympathy for their small state brethren, stating "that it would not be *safe for Delaware* to allow Virga. 16 times as many votes," referring to the representation Virginia would have in the government proposed by Randolph.[53]

These comments on security at the Convention illustrate why the small state leaders had an advantage in the dispute: if the delegates failed to agree on a new

51. He also warned that without his plan the Confederation would become a "cobweb wch. could entangle the weak, but would be the sport of the strong." Madison, Federal Convention, June 19, 1787, in *The Records*, ed. Farrand, 1:320.

52. Morris, who helped write the Constitution as a member of the Committee of Style, similarly reminded the delegates that stronger central government was needed because "this country must be united." "If persuasion does not unite it," he explained, referring to the deliberation at Convention, "the sword will," and if the latter result did occur, "the scenes of horror attending civil commotion cannot be described," and "foreign powers would be ready to take part in the confusions." Hamilton, Federal Convention, June 29, 1787, ibid., 1:466–67, 473; Morris, Federal Convention, July 5, 1787, ibid., 1:530; and Wilson, Federal Convention, July 26, 1787, ibid., 1:426.

53. Madison, Federal Convention, June 15 and 19, 1787, citing comments by delegates Dickinson, David Brearly, and William Paterson of New Jersey, emphasis in original; Luther Martin, Federal Convention, June 19, 1787, ibid., 1:324; and David Brearly, Federal Convention, June 9, 1787, ibid., 1:177.

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government, and the union did dissolve, the large states were also at risk of foreign intervention. “I will consent to any mode that will preserve us,” Randolph conceded. “Originally our confederation was founded on the weakness of each state to repel a foreign enemy[,]” he explained, “and we have found that the powers granted to congress are insufficient. . . . to protect us against foreign invasion.”[54] Madison conveyed this in a private letter after the Convention, reflecting on what could have been and what could still be if the Constitution failed: “Some [states] will be more patriotic; others less patriotic; some will be more, some less immediately concerned in the evil to be guarded against or in the good to be obtained. The States therefore not feeling equal motives will not furnish equal aids: Those who furnish most will complain of those who furnish least. From complaints on one side will spring ill will on both sides; from ill will, quarrels; from quarrels wars; and from wars a long catalogue of evils including the dreadful evils of disunion and general confusion.”[55]

The delegates faced what is often referred to today as a “security dilemma”—absent an overarching and impartial agency to settle their disputes (the central government under the Articles of Confederation was too weak to serve this purpose), each state could not be sure of the intentions of the other states, so each state wanted more power than the other states to ensure its survival, a situation that leaders usually cannot resolve and that can lead to war.[56] But the founders “escaped” the security dilemma in the sense that they reached a compromise peacefully—the Connecticut or Great Compromise—and each peacefully agreed to relinquish a part of their state’s sovereignty to unite them under the Constitution.[57] The delegates overcame other differences during the proceedings, which underscored hostility between parts of the union, including conflict between the northern and the southern states—a regional competition that seventy years later ended the “peace pact” that the states formed under the Constitution with the Civil War, similar to how the great European concerts and peace settlements in world history have often collapsed to war.[58]

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54. Randolph, Federal Convention, June 16, 1787, in *The Records*, ed. Farrand, 1:262–63.

55. Madison to George Thompson, January 29, 1789, in *Papers of James Madison*, ed. Hutchinson et al., 11:433–34.

56. On the security dilemma, see Ken Booth and Nicholas J. Wheeler, *The Security Dilemma: Fear, Cooperation and Trust in World Politics* (New York, 2008); and John J. Mearsheimer, *The Tragedy of Great Power Politics* (New York, 2001), 35–36.

57. The Great Compromise or the Connecticut Compromise was that Congress would consist of two houses with the number of members in the House of Representatives based on the population of each state, and the number of members in the Senate fixed at two representatives per state.

58. Madison, for example, observed that “The great danger to our general government *is the great southern and northern interests of the continent, being opposed to each other.*” Emphasis in original. Madison, in *The Records*, ed. Farrand, 1:476. Similarly, soon before the Federal Convention, disagreement amongst northeastern and southern state leaders intensified over negotiations with Spain concerning access to the Mississippi River, leading a southern leader to believe that northern leaders were “determined to pursue this business [their interest in the matter] as far as possible, either as the means of throwing the western people and territory without the Govt. of the U.S. and keeping the weight of population and Govt. here, or of dismembering the

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But the Constitution served as a temporary patch to the problems of sectionalism and a long-term solution to protecting the thirteen states from foreign powers. The Constitution accomplished this in part by allowing for a strong executive to conduct a centralized foreign policy, through creating a Supreme Court that could settle disputes amongst the states, by providing the new government with the power to regulate commerce with foreign powers and amongst the states, and through permitting Congress to tax the states for revenue to establish a military and navy.[59] The final document that they produced in fact has many references to security, reflected for example in the preamble, which states that the Constitution will "provide for the common defense."[60] The new government's powers "quickly translated into action" and from 1789 to 1795 the manpower of the U.S. Army increased over fivefold, the U.S. Army budget more than tripled, and the U.S. Navy budget increased over sixty fold.[61] Such action suggests that the constitutional architects, many of whom served in office during the first years under the new government, were serious about strengthening the federal government vis-à-vis the state governments and their militias and foreign powers and their militaries.[62]

INTERNECINE CONFLICT AND CONSTITUTIONAL REFORM

Did the founders, as they said at the Federal Convention, have reason to fear war with one another? Governor John Sevier of Franklin certainly did in the spring of 1788.[63] Only four years earlier, west of the Alleghenies in what is today part of Tennessee, he led a special assembly of delegates from four North Carolinian counties to discuss how to "provide against the common enemy, that always infest this part of the world."[64] American Indian attacks on settlers were

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Govt. itself, for the purpose of a separate Confederacy." Monroe to Madison, August 14, 1786, quoted in Samuel Flagg Bemis, *Pinckney's Treaty: America's Advantage from Europe's Distress, 1783–1800*, rev. ed. (New Haven, CT, 1960 [1926]), 87*n*. Hendrickson, *Peace Pact*, x–xi.

59. Horsman, *Diplomacy of the New Republic*, 38–39. See also Henkin, *Foreign Affairs and the Constitution*; and Ramsay, *Constitution's Text in Foreign Affairs*.

60. For this and other references, see Bruce D. Porter, *War and the Rise of the State: The Military Foundations of Modern Politics* (New York, 1994), 253.

61. The U.S. Army expenditure increased from $633,000 to $2,481,000 from 1789 to 1795; the U.S. Navy expenditure increased from $1,000 to $61,000 from 1789 to 1795; and the number of active U.S. military personnel increased from 718 to 5,296 soldiers from 1789 to 1795. "Military personnel, by branch of service and sex: 1789–1995" and "Federal government expenditure, by major function: 1789–1970," accessed on the Web site of the *Historical Statistics of the United States: Millennial Edition Online*, http://hsus.cambridge.org/HSUSWeb/search/searchTable.do?id=Ed26-47, http://hsus.cambridge.org/HSUSWeb/search/searchTable.do?id=Ea636-643. The quote is by William Earl Weeks, "American Nationalism, American Imperialism: An Interpretation of United States Political Economy, 1789–1861," *Journal of the Early Republic* 14 (Winter 1994): 488.

62. Two-thirds of the senators and representatives in the first Congress under the new government had participated in the Federal Convention or the state ratifying conventions. Perkins, *History of American Foreign Relations*, 72.

63. The following history is culled from J. G. M. Ramsey, *The Annals of Tennessee* (Kingsport, TN, 1926); Samuel Cole Williams, *History of the Lost State of Franklin* (Johnson City, TN, 1924).

64. Sevier to Richard Caswell, May 14, 1785, quoted in Williams, *Lost State of Franklin*, 72.

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increasing, he argued, because the state militia was not securing the Western frontier; he and the other delegates, therefore, declared independence from North Carolina on the grounds that "we are alone compelled to defend ourselves."[65] They petitioned Congress for military protection and admission into the union under the name of Franklin, but their requests for assistance were denied, including one to Benjamin Franklin for whom they reportedly named their state.[66] The North Carolina governor suggested that reconciliation was unlikely, warning that the Franklinites "will give . . . our late enemies [Britain] . . . hopes that they may hereafter gain, by the division among ourselves, that dominion their tyranny and arms have lost" and that their leaders should face "fateful consequences."[67]

Sevier kept Franklin's government running over most of the next four years, still hoping to receive congressional support, even as Indian attacks increased and alliances with Georgia and Spain did not work out as planned.[68] But as summer approached in 1788, and further attempts to win congressional favor failed, it did not seem likely that he could protect his state much longer: a confederated Cherokee, Chickamauga, and Chickasaw army was approaching, rumored to be well supplied by Spain, and even more ominously, North Carolina had set up a puppet government under Colonel John Tipton in Franklin, and civil war seemed likely at a time when unity was most needed. The tension between the two parties broke on Tipton's farm in March 1788 when supporters of North Carolina and those of Sevier fought a battle that killed several men. The confederated Native American army capitalized on division within Franklin and increased attacks; soon after, Sevier settled his differences with North Carolina in exchange for the help of its state militia, which had just arrived to put down the rebellion.

The battle between Sevier and Tipton supporters was perhaps not technically an interstate conflict because Franklin was arguably a sovereign state, but the incident shows that the specter of internal war necessitated concern, especially considering that conflict was common on the borders.[69] For example, New Connecticut (now Vermont) declared independence in 1777, and after debating to petition Congress for admission into the union, its leaders began "to discuss special relationships with Britain, some envisioning an imperial protectorate,

65. See the Constitution of the State of Franklin printed in ibid., 330.

66. Although accounts differ, it is thought that the delegates initially named their state Frankland, but later changed it to Franklin in the hope that this appellation, honoring the great American leader, would win over congressional favor.

67. Martin, " 'A Manifesto' to the Inhabitants of the Counties of Washington, Sullivan and Greene," April, 25, 1785, printed in Williams, *Lost State of Franklin*, 68–69.

68. Sevier may also have tried allying with the Cherokees. See George Henry Alden, "The State of Franklin," *American Historical Review* 8 (January 1903): 282–83; Williams, *Lost State of Franklin*, 8.

69. For example, in addition to the cases discussed, land-grant colonies were established in the West—perhaps most famously the Transylvania Company, which was the home of Daniel Boone—that set up provisional governments and attempted to gain admission into the union, which angered the leaders of states that had legitimate claims to the land and could have been a source of war. See the discussion in Meinig, *Shaping of America*, 348–63.

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others a Switzerland-like neutrality."[70] Settlers on the Western frontier considered similar action. Leaders in the northwest, for example, threatened Congress that "In case we are not countenanced and succored by the United States (if we need it) our allegiance will be thrown off and some other power applied to. Great Britain stands ready with open arms to receive and support us."[71] Leaders in the southwest discussed leaving the Confederacy and forming an alliance with Spain, and at least one of them, James Wilkinson, after secretly taking an oath of allegiance to their king, was given a pension of $7,000 by the Spanish governor of Louisiana to gather support for secession.[72] This type of activity was not limited to border territory; it was also occurring throughout the Confederacy, most notably exemplified by Shays' Rebellion, which required the Massachusetts governor to suspend habeas corpus and gather a militia of 4,400 men to prevent the dissenters from taking over the federal arsenal in Springfield and continuing to kidnap judges, burn factories, and loot stores.[73] Several uprisings, albeit smaller in scale, occurred throughout the Confederation from New Jersey to South Carolina in the months leading up to the Federal Convention.[74]

These examples illustrate the likely paths to war in the Confederacy. For one, the governors of the states could have called up their militias to settle disputes with neighboring states, similar to how North Carolina did with Franklin.[75] Second, the union could have broken into three or four confederacies, most likely spurred by foreign powers, and in turn these parts could have battled for control of North America—similar to how Western leaders considered separating from the Confederacy and allying with Britain.[76] Third, rebellions and

70. Ibid., 349; Samuel Flagg Bemis, "Relations between the Vermont Separatists and Great Britain, 1789–1791," *American Historical Review* 21 (April 1916): 547–60; Peter S. Onuf, "State-Making in Revolutionary America: Independent Vermont as a Case Study," *Journal of American History* 67 (March 1981): 797–815. It is also suspected that Vermonters played a role in Shays' Rebellion. Marks, *Independence on Trial*, 105.

71. "Copy of a letter from a gentleman at the Falls of the Ohio," December 4, 1786, quoted in Marks, *Independence on Trial*, 36.

72. Bemis, *Diplomatic History*, 80–81; Bemis, *Pinckney's Treaty*, 109–25; Marks, *Independence on Trial*, 35. U.S. settlers in the southwest also attempted to instigate war between Spain and the United States to force open the Mississippi River for trade, which was under the former state's control. Patrick Griffin, *American Leviathan: Empire, Nation, and Revolutionary Frontier* (New York, 2007), 196.

73. See note 36 for works on Shays' Rebellion.

74. Describing a few of these uprisings, Winik writes, "Maryland's Charles County courthouse was forcibly shut by angry rabble. In South Carolina, judges fled the Camden courthouse under a cloud of destruction and plunder. In Virginia, a fulminating mob torched the King William County courthouse." Winik, *The Great Upheaval*, 61.

75. Deudney, *Bounding Power*, 165.

76. Ibid., 166. As Hamilton noted in *The Federalist*, this seems to be the most likely way in which the Confederation would have splintered: "The entire separation of the States into thirteen unconnected sovereignties," he wrote, "is a project too extravagant and too replete with danger to have many advocates. The ideas of men who speculate upon the dismemberment of the empire, seem generally turned towards three confederacies; one consisting of the four northern, another of the four middle, and a third of the five southern States. There is little probability that there would be a greater number." Federalist No. 13, quoted in Stourzh,

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uprisings, such as the ones occurring throughout the countryside, provided another potential source of war, and if leaders like Daniel Shays succeeded on a larger scale, they may have formed alliances with dissidents from other towns and sections of the union, perhaps breaking the Confederation into warring parts. And a fourth source of war, though not illustrated by the previous examples, but is thought to have been attempted by soldiers at Newburgh, New York, soon after the Revolutionary War, was that the army could have staged a coup and set up martial law over the Confederacy, prompting armed resistance from other factions within the union.[77]

Because there was no federal judiciary to settle disputes amongst the states, and even if there had been one there was no mechanism in place for it to enforce settlements, the slightest encroachment of one state upon another could have incited conflict.[78] "We know well that Congress," one observer noted, "ha[s] no more power to bind any state to the performance of any thing whatever, than [it] ha[s] power to bind the geese to remain in the Lakes of Canada for the whole winter season."[79] As such, the states during the Confederation often acted like those on the European continent: they clashed over commerce and territory, formed economic "pacts" with one another against other parts of the union, gathered their own armies, chartered their own navies, and pursued separate foreign policies, often entering into agreements with American Indian nations on their own accord.[80] The leaders of the states were so protective of their parts of union that they even devised policies to attract immigrants to their areas of the Confederation over the territory of other states because a robust population was thought essential for security during the period.[81] As one founder aptly noted, the Confederation was "a Monster with thirteen heads!"[82]

The founders were acutely aware of these problems and repeatedly speculated that disunion and internal conflict was imminent. Adams, Pierce Butler,

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Alexander Hamilton, 115. On "sub-confederation" configurations, see McCoy, "Madison and American Nationality," 235; Hendrickson, *Peace Pact*, 177–93.

77. Military coup, however, was a less likely source of conflict because the army was disbanded soon after hostilities with Britain ended. Richard H. Kohn, "The Inside History of the Newburgh Conspiracy: America and the Coup d'Etat," *William and Mary Quarterly* 27 (April 1970): 188–220.

78. Marks, *Independence on Trial*, 3.

79. "Sum Veras," *Morning Herald*, September 23, 1785, quoted in Charles R. Ritcheson, *Aftermath of Revolution: British Policy toward the United States* (New York, 1969), 421*n*.

80. Winik writes, "The thirteen states acted like thirteen independent countries. . . . New York laid onerous import duties on simple rowboats crossing with produce from New Jersey; it taxed lumber from Connecticut too. Pennsylvania followed suit (indeed, Pennsylvania and Connecticut literally waged a twenty-year war over land). So did Massachusetts, which was selling goods with inflated prices to Connecticut and New Hampshire. Rhode Island tried to stick out-of-state creditors with its debts, as did Maryland." See the discussions in Marks, *Independence on Trial*, 3–52; Hendrickson, *Peace Pact*, 177–94; Winik, *The Great Upheaval*, 55–58, quote on 5.

81. Robbie Totten, "National Security and U.S. Immigration Policy, 1776–1790," *Journal of Interdisciplinary History* 29 (Summer 2008): 48.

82. John Sullivan, quoted in Winik, *The Great Upheaval*, 57.

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Hamilton, Jefferson, Madison, Jay, King, Richard Henry Lee, Washington, and many other prominent leaders all said so in private letters.[83] Jefferson, for example, wrote to a friend that he was "anxious to hear what is being done with the States of Vermont and Franklin" because he feared that they were examples of the "western country . . . withdraw[ing] themselves by force and becom[ing] our worst enemies instead of best friends."[84] Washington shared with a confidant that if those on the frontier "form commercial intercourses . . . with the Spaniards on their right rear, or the British on their left, they will become a distinct people from us—have different views—different interests, [and] instead of adding strength to the Union, may in case of a rupture with either of those powers, be a formidable [and] dangerous neighbour."[85] Hamilton, similar to his Federal Convention speech, wrote in private that "A little time hence some of the States will be powerful empires; and we are so remote from other nations, that we shall have all the leisure and opportunity we can wish to cut each other's throats."[86]

Many leaders discussed breaking the Confederation into "sub-confederations" and at least one of them suggested using his state's forces against other parts of the union.[87] For example, as conflict between the states intensified before the Federal Convention, and leaders grew more distrustful of one another, James Monroe grew suspicious that northeastern leaders were "labour[ing] to break the Union" so that they could form a separate Confederacy. Monroe wrote to his Virginian colleagues that he feared that Pennsylvanian leaders, whom he believed had not yet decided to join the new Confederacy, were leaning toward defection, which would leave Virginia in a weaker southern confederation. "I fear some of those in Pennsylvania will have a contrary affection [for the

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83. See citations in Dietze, *The Federalist*, 53–54, 73–75, 80–87; Hendrickson, *Peace Pact*, 51–52, 177–193.

84. Jefferson to Richard Henry Lee, July 12, 1785, http://oll.libertyfund.org/?option=com_staticxt&staticfile=show.php%3Ftitle=756&chapter=86371&layout=html&Itemid=27. Similarly, *The Federalist* cited "the revolt of a part of the State of North Carolina" as a reason for constitutional reform. Federalist No. 6, in *The Federalist*, ed. Jacob E. Cooke (Middletown, CT, 1961), 35.

85. Washington to Henry Knox, December 5, 1784, in *The Papers of George Washington: The Confederation Series*, ed. W. W. Abbot and Dorothy Twohig (Charlottesville, VA, 1992), 2:171.

86. Hamilton to James Duane, September 3, 1780, in *The Works of Alexander Hamilton*, federal ed., 12 vols., ed., Henry Cabot Lodge. (New York, 1904), 1:217. See also discussion in Dietze, *The Federalist*, 90–93; Hamilton, "Impressions as to the New Constitution," September 1787, in *Works of Alexander Hamilton*, ed. Lodge, 1:422–23.

87. Warren, *The Making of the Constitution*, 23–30. For example, in regard to "sub-confederations," Theodore Sedgwick, a Massachusetts convention delegate, wrote on August 6, 1786 (*Letters*, ed. Smith et al., 23:437–38) that "It well becomes the eastern and middle States, who are in interest one, seriously to consider what advantages result to them from their connection with the Southern States.. . . Even the appearance of a union cannot in the way we now are long be preserved. It becomes us seriously to contemplate a substitute. . . . No other substitute can be devised than that of contracting the limits of the confederacy to such as are natural and reasonable." Hamilton similarly suspected that Governor George Clinton of New York was conspiring to break up the union. Hamilton to Gouverneur Morris, May 19, 1788, quoted in Edward Millican, *One United People: The Federalist Papers and the National Idea* (Lexington, KY, 1990), 61.

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southern states];" he explained, "but it must be removed if possible." He continued, "A knowledge that she [Pennsylvania] was on our side would blow this whole intrigue in the air." "To bring this about . . . " he concluded, "is an important object to the Southern interest. If dismemberment takes place that State [Pennsylvania] must not be added to the eastern scale." Monroe in fact believed that Virginia was in so much danger that it should use preventive force against Pennsylvania: "It were as well to use force to prevent it," he recommended, "as to defend ourselves afterwards."[88]

Although it is uncertain exactly what Monroe meant by "force," the founders did repeatedly express fear of internal war at the state ratifying conventions, which were held in each of the states for popularly elected delegates to vote on the Constitution.[89] Well-known leaders, such as James Bowdoin, Oliver Ellsworth, Hamilton, Hancock, Madison, Randolph, and Wilson, and lesser-known leaders, such as William Cushing, George Nicholas, William Samuel Johnson, and Thomas Thacher, all delivered at least one major speech during the proceedings, several of them many more than one, arguing that the Constitution was necessary to provide Congress with the power to prevent war amongst the states.[90] For example, Ellsworth, who served on the Committee of Detail at the Federal Convention, explained at his state's convention that "We must unite [under the Constitution], in order to preserve peace among ourselves. If we are divided, what is to hinder wars from breaking out among the states? States, as well as individuals, are subject to ambition, to avarice, to those jarring passions which disturb the peace of society. What is to check these? If there is a parental hand over the whole, this, and nothing else, can restrain the

88. See Monroe to Madison, September 3, 1786, in *Letters*, ed. Smith et al., 23:546. See also Monroe to Patrick Henry, August 12, 1786, and Monroe to Jefferson, August 19, 1786, ibid., 23:463–66, 499–501; and the discussion in Edmund Cody Burnett, *The Continental Congress* (New York, 1941), 654–58.

89. See the editorial note in *Papers of James Madison*, ed. Hutchinson et al., 8:372 for discussion on what Monroe may have meant by these comments. Per the instruction of the Federal Convention, each state was to hold a special convention in which popularly elected delegates were to debate and vote on the Constitution, and if nine of the thirteen states decided to ratify the new government it would then take effect.

90. Bowdoin, Massachusetts convention, January 23, 1788 and February 1, 1788, in *Documentary History*, ed. Jensen, Kaminski, Saldino et al., 6:1320, 1393; Ellsworth, the Connecticut convention, January 4, 1788, ibid., 15:244; for Hamilton's references to security at the New York convention, see the discussion in Richard W. Crosby, "The New York State Ratifying Convention: On Federalism," *Polity* 9 (Autumn 1976): 103–05; Madison, Virginia convention, June 7, 1788, in *Documentary History*, ed. Jensen, Kaminski, Saldino et al., 9:1030–31; Randolph, Virginia convention, June 10, 1788, ibid., 9:1094–95; Wilson, Pennsylvania convention, December 11, 1787, ibid., 2:583; Cushing, Massachusetts convention, February 4, 1788, ibid., 6:1437; Nicholas, Virginia convention, June 10, 1788, ibid., 9:1133; Johnson, Connecticut convention, January 4, 1788, ibid., 15:248–49; Thacher, Massachusetts convention, February 4, 1788, ibid., 6:1419. The referenced Hancock speech was technically not delivered until a few minutes after the Massachusetts convention. See Hancock, Massachusetts General Court, February 27, 1788, ibid., 7:1668. See also comments by delegate David Ramsay on the South Carolina convention in the *Charleston Columbian Herald*, June 5, 1788, ibid., 18:161. For more Ramsay comments, Burnett, *The Continental Congress*, 641.

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unruly conduct of the members."[91] Cushing, the Massachusetts Supreme Court chief justice, similarly argued that the "great & Ultimate" reason for the Constitution was "to Support the Union," "and without such a government, these states must sink into endless dissensions, mutual wars . . . and ruin."[92]

A common theme that emerges from the speeches at the conventions is that the Constitution was needed to create a central government with the strength to settle disputes and prevent war amongst the states. Madison and Randolph, for example, devoted significant time during the Virginia convention to "a review of ancient and modern Confederacies," such as the Ampyctionic league, the Achaean league, and the Germanic system, all of which they believed were governed similar to the states under the Articles of Confederation and fell to the "most furious conflicts" and "dissentions and wars of a bloody nature" between their members. The Confederation could escape a similar fate, they argued, by creating a "General Government," referring to the one proposed under the Constitution, "empowered to defend the whole Union."[93] Similarly, and best capturing the security message at the conventions, Bowdoin, the former governor of Massachusetts, argued that the "most cogent reason for accepting the constitution" and creating "one, great, national government" was to "give security and permanency to the several States, not only against foreign invasion, but against internal disputes, and wars with one another; the wars in Europe, arising from jarring, and opposing interests, are a publick calamity: If it is for the benefit of ourselves, and future generations, to prevent its horrid devastations on this continent; To secure the States against such calamities, it will be necessary to

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91. Ellsworth, Connecticut convention, January 4, 1788, in *Documentary History*, ed. Jensen, Kaminski, Saldino et al., 15:244.

92. Cushing, Massachusetts convention, February 4, 1788, ibid., 6:1437. Thacher, a little-known delegate from Boston, and suggesting that leaders of all backgrounds were concerned over security, posed the following questions: "What then will be the probable effects if this Constitution be rejected?" "Have we not reason to fear . . . civil war?" "Are we not in danger from other states when their interests or prejudices are opposite ours?" Thacher, Massachusetts convention, February 4, 1788, ibid., 6:1419.

93. Madison and Randolph, Virginia convention, June 7, 1788 and June 10, 1788, ibid., 9:1029–31, 1094–95. Madison explained that "the great desideratum which has not yet been found for Republican Governments," like for the examples he mentioned during his Virginia convention speech, "seems to be some disinterested & dispassionate umpire in disputes between different passions & interests in the State." Madison to Washington, April 16, 1787, http://press-pubs.uchicago.edu/founders/documents/v1ch8s6.html. George Nicholas, a prominent Charlottesville lawyer-farmer and Virginia convention representative, furnished a more modern example as to why his state should "ratify the new government." "There is a country which affords strong examples," he explained, "which may be of great utility to us. I mean Great-Britain. England, before it was united to Scotland, was almost constantly at war with that part of the island. . . . Their hatred and animosities were stimulated by the interference of other nations. Since the Union, both countries have enjoyed domestic tranquility the greatest part of the time. . . . This is a convincing proof that Union is necessary for America, and that partial Confederacies would be productive of endless dissentions and unceasing hostilities between the different parties." Nicholas, Virginia convention, June 10, 1788, in *Documentary History*, eds., Jensen, Kaminski, Saldino et al., 9:1133.

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establish a general government, to adjust the disputes, and to settle the differences between State and State."[94]

Similar to the debate at the state conventions, *The Federalist*, often considered the primary explanation of the Constitution, mentions the word "security" 116 times and twenty-five of the first thirty-six articles in the series discuss the subject.[95] Many leading authorities on the text, such as Gottfried Dietze, conclude that Publius, the pseudonym under which Hamilton, Jay, and Madison wrote the papers, advocated constitutional reform to maintain the "security of the federating states from foreign powers" and to preserve "peace among members" of the union.[96] Publius, in fact, said so explaining that "Among the many objects" the states must consider when deciding to ratify the Constitution "that of providing for their *safety* seems to be the first."[97] Accordingly, the series began by discussing two main reasons for constitutional reform: the prevention of foreign attack (Federalist No. 2, 3, 4, and 5) and the prevention of interstate war (Federalist No. 6, 7, and 8).

The words chosen by Publius to assess the danger that the states faced if they continued under the Articles of Confederation reveal how deeply sensitive he was to the risk of internal conflict without a stronger government. He warned in language similar to that used by many IR scholars today that "To look for a continuation of harmony between a number of independent unconnected sovereignties, situated in the same neighbourhood, would be to disregard the uniform course of human events, and to set at defiance the accumulated experience of the ages."[98] These observations led Publius to reach a conclusion that summarizes what was starting to occur and being said throughout the Confederation: "America, if not connected at all, or only by the feeble tie of a simple league . . . would by the operation of such opposite and jarring alliances be gradually entangled in all the pernicious labyrinths of European politics and wars; and by the destructive contentions of the parts, into which she was divided would be likely to become a prey to the artifices and machinations of powers equally the enemies of them all."[99]

FOREIGN AFFAIRS AND CONSTITUTIONAL REFORM

King Louis XVI had many political concerns in October of 1787: the cost of aiding the thirteen colonies in the Revolutionary War coupled with poor central planning had left the French economy near collapse at a time when discontent over his rule was mounting amongst his people, and, as was always the case for

94. Bowdoin, Massachusetts convention, January 23 and February 1, 1788, ibid., 6:1320, 1393.

95. Deudney, *Bounding Power*, 163; Marks, *Independence on Trial*, 169–70.

96. Dietze, *The Federalist*, ii. See also Millican, *One United People*.

97. Emphasis in original. Federalist No. 3, in *The Federalist*, ed. Cooke, 13–14.

98. Federalist No. 6, ibid., 28. Kenneth Waltz references this quote in *Man, the State and War: A Theoretical Analysis* (New York, 1959), 237.

99. Federalist No. 7, in *The Federalist*, ed. Cooke, 43.

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European leaders during this period, he had to be wary of what his powerful neighbors might be conspiring. But despite these worries, he took a moment to make what would turn out to be a prescient observation. Soon after the Constitution was sent to the states for ratification, he wrote to one of his foreign ministers that "it suits France that the United States continue in their present condition [under the Articles of Confederation] because if they achieve the stability of which they are capable, they would ere long acquire a strength and a power of which they would probably be most eager to take advantage."[100]

The king and many of his advisers, although owed over $6 million from the states, preferred an impecunious and feeble Confederation reliant on France to one capable of servicing its debt and asserting itself in the international community.[101] This way, their country could continue to exert considerable influence over the states and their foreign policy, similar to how it had done during the Revolutionary War, and although France was the principal ally of the Confederation during this period, some of its leaders also preferred America weak so that it had the option of acquiring territory in North America at the expense of the states. For example, Comte de Moustier, a French minister in the southwest, recommended that his country could take control of the western states by separating them from the eastern ones if it were to purchase Louisiana from Spain, and Louis-Guillaume Otto, the chargé d'affaires in Philadelphia, wanted his government prepared to occupy New York or Newport if the Confederation government failed.[102]

Great Britain and Spain, also possessing North American territory, were similarly wary of the military potential of a more united Confederation.[103] The

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100. Louis XVI, "Instructions for Comte de Moustier," October 10, 1787, in *The Emerging Nation: A Documentary History of the Foreign Relations of the United States under the Articles of Confederation, 1780–1789*, 3 vols., ed. Mary A. Giunta [hereafter *FRUS*, ed. Giunta] (Washington, DC, 1996), 3:624. See also Samuel Flagg Bemis, "John Jay," in *The American Secretaries of State and Their Diplomacy*, ed. Samuel Flagg Bemis (New York, 1958), 262; Kagan, *Dangerous Nation*, 55–56.

101. Bemis, *Diplomatic History*, 65, 82–83. One French leader noted that Congress "is not in any position" to prevent the Confederation "from falling to the power of the first occupier." Comte de Moustier to Comte de Montmorin, February 8, 1788, in *Documentary History*, ed. Jensen, Kaminski, Saldino et al., 16:82. For studies on Confederation-French relations, see Henry Blumenthal, *France and the United States: Their Diplomatic Relations, 1789–1914* (Chapel Hill, NC, 1970); Crane Brinton, *The Americans and the French* (Cambridge, MA, 1968); Donald C. McKay, *The United States and France* (Cambridge, MA, 1951); Orville T. Murphy, *Charles Graview, Comte de Vergennes: French Diplomacy in the Age of Revolution, 1719–1787* (Albany, NY, 1982); Beckles Willson, *America's Ambassadors to France, 1777–1927: A Narrative of Franco-American Diplomatic Relations* (London, 1928); Elizabeth B. White, *American Opinion of France from Lafayette to Poincare* (New York, 1927); Marvin R. Zahniser, *Uncertain Friendship: American-French Diplomatic Relations through the Cold War* (New York, 1975).

102. Kaplan, *Colonies into Nation*, 180; E. Wilson Lyon, *Louisiana in French Diplomacy, 1759–1804* (Norman, OK, 1934), 62; Morris, *Forging of the Union*, 209.

103. For general works on U.S. foreign affairs during the 1780s, see note. 35. On Confederation-British relations, see Harry C. Allen, *Great Britain and the United States: A History of Anglo-American Relations, 1783–1952* (New York, 1995); Samuel Flagg Bemis, *Jay's Treaty: A Study in Commerce and Diplomacy* (New York, 1923); Alfred Leroy Burt, *The United*

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"fear" and apprehension sensed by foreign powers over "the independence" "of the English colonies" was perhaps best articulated in a letter to King Charles II of Spain from one of his advisers. Spain was "exposed to serious dangers at the hands of a new power" he explained, "in a country in which there is no other in a position to clip its wings. This federal republic has been born a pygmy," but "The day will come in which it grows and turns into a giant, even a frightening colossus, in that region. It will then . . . only think of its own expansion." "And within a few years we will see with real dismay the tyrannical existence of this colossus of which I am speaking."[104]

But Spanish leaders were confident that they could maintain "the security [of] and [preserve] the possessions of our Benevolent Sovereign" in North America as long as the states remained divided under the Articles of Confederation.[105] British leaders shared a similar sentiment because they thought that as governed, "America cannot retaliate. It will not be an easy matter to bring the American States to act as a nation. They are not to be feared as such by us."[106] European leaders believed that the Confederation, similar to other large republics in history, would collapse under its own weight and parts of it would break away from the union and form sovereign entities allying with foreign states for protection, thereby allowing them to be played off one another like pawns on a chessboard.[107] This explains, for example, why Sir John Temple, a British consul in America, was certain in the aftermath of Shays' Rebellion that "in this hour of their Confusion and distress some or all of the States may seek for European friendship, Council, advice."[108]

British and Spanish leaders did more than observe the weakness of the Confederation; they also exploited and attempted to keep it in its present condition. British leaders refused as the Treaty of Paris had mandated to surrender their northwestern forts, strongholds thought essential for controlling the northwest and establishing favorable relations with Indians; they denied

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States, Great Britain, and British North America from the Revolution to the Establishment of Peace after the War of 1812 (New York, 1961); Charles S. Campbell, *From Revolution to Rapprochement: The United States and Great Britain, 1783–1900* (New York, 1974); Ritcheson, *Aftermath of Revolution*; Reginald Stuart, *United States Expansionism and British North America, 1775–1871* (Chapel Hill, NC, 1988); J. Leitch Wright, *Britain and the American Frontier, 1783–1815* (Athens, GA, 1975). On Confederation-Spanish relations, see Bemis, *Pinckney's Treaty*; Lewis, *American Union*; J. C. A. Stagg, *Borderlines in Borderlands: James Madison and the Spanish-American Frontier, 1776–1821* (New Haven, CT, 2009); Arthur P. Whitaker, *The Spanish-American Frontier, 1783–1795: The Westward Movement and the Spanish Retreat in the Mississippi Valley* (New York, 1927).

104. The Count of Aranda, "On the Independence of the Colonies (1783)," in *Early Modern Spain: A Documentary History*, ed. Jon Cowans (Philadelphia, 2003), 234–35.

105. Comte de Moustier to Comte de Montmorin, February 8, 1788, in *Documentary History*, ed. Jensen, Kaminski, Saldino et al., 16:82. See also Francisco Rendón to José de Gálvez, January 30, 1784, in *FRUS*, ed. Giunta, 2:293.

106. Lord Sheffield, quoted in Perkins, *American Foreign Relations*, 57.

107. Ritcheson, *Aftermath of Revolution*, 34.

108. Sir John Temple dispatch dated October 4, 1786, quoted in Ritcheson, *Aftermath of Revolution*, 422*n*.

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American merchant ships access to the Great Lakes, the North Atlantic fisheries, British North America, and the British West Indies; they disallowed and placed prohibitive duties on American imports such as whale oil and tobacco; they refused to exchange diplomatic representatives with the Confederation on the grounds that the Articles of Confederation "expressly reserve the Power of making . . . Treaties to the Separate States" rather than a centralized body; they supported the Canadian governor's secret talks with Vermont leaders; they supplied Indians with munitions that could be used against the Confederation; and they reinforced their troops and navy on the Great Lakes.[109] Spanish leaders refused to enter into a favorable commercial treaty with the Confederation; they supported secessionist movements within the states and encouraged American authorities such as Wilkinson to persuade their countrymen to defect; they closed the ports of Havana and New Orleans to U.S. goods and denied the states access to the Mississippi River, which was critical to the strength of the western economy; they impinged upon land assumed part of Georgia, North Carolina, and Virginia; and they allied with and armed Indians who attacked settlers in the southwest.[110] Britain and Spain so urgently sought to keep America weak that they even made persistent attempts to retard emigration flows to the thirteen states because they feared that "America derives vast benefit from" foreign numbers.[111]

American Indian nations also attempted to limit the expansion of the Confederation.[112] Congress tried to threaten and deceive them into ceding their lands

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109. Bemis, *Diplomatic History*, 69–73; Bemis, "Vermont Separatists"; Burt, *British North America*, 42–55, 82–106; Marks, "Power, Pride, and Purse," 309; Ritcheson, *Aftermath of Revolution*, 39 (quoting William Eden to Charles Fox, September 24, 1783); McDonald and McDonald, eds., *Confederation and Constitution*, 62.

110. Herring, *Colony to Superpower*, 38, 46; Horsman, *Diplomacy of the New Republic*, 34; Marks, *Independence*, 5–12, 21–36, 19–21, 52–95; Marks "Power, Pride, and Purse," 310–11; Whitaker, *The Spanish-American Frontier*, 1–15.

111. Phineas Bond to Evan Nepean, November 16, 1788, in *FRUS*, ed. Giunta, 3:870–874; John Duncan Brite, "The Attitude of European States toward Emigration to the American Colonies and the United States 1607–1820" (Ph.D. diss., University of Chicago, 1937); Totten, "Security and U.S. Immigration Policy," 59–61.

112. This brief description focuses on federal policy toward Indians, but recent studies show that "policy was driven more by the actions of frontiersmen, fur traders, speculators, slaveholders, and pioneers than by diplomats." Weeks, "Early American Foreign Relations," in *Paths to Power*, ed. Hogan, 38. On Confederation-Indian relations, see Gregory E. Dowd, *A Spirited Resistance: The North American Indian Struggle for Unity, 1789–1839* (Baltimore, 1992); Griffin, *American Leviathan*; Reginald Horsman, *Expansion and American Indian Policy, 1783–1812* (East Lansing, MI, 1967); Dorothy V. Jones, *License for Empire: Colonialism by Treaty in Early America* (Chicago, 1982); James M. Merrell, "Declarations of Independence: Indian-White Relations in the New Nation," in *The American Revolution: Its Character and Limits*, ed. Jack P. Greene (New York, 1987); Walter H. Mohr, *Federal Indian Relations* (Philadelphia, 1933); Francis Paul Prucha, *American Indian Policy in the Formative Years: The Indian Trade and Intercourse Acts, 1780–1834* (Cambridge, MA, 1962); Francis Paul Prucha, *The Great Father: The United States Government and the American Indians*, 2 vols. (Lincoln, NE, 1984); Daniel K. Richter, *Facing East from Indian Country: A Native History of Early America* (Cambridge, MA, 2001); Sadosky, *Revolutionary Negotiations*; Peter Silver, *Our Savage Neighbors: How Indian War Transformed Early America* (New York, 2008); Alan Taylor, *The Divided Ground: Indians, Settlers, and the Northern Borderland of the American Revolution* (New York, 2006); Richard White, *The*

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during the early 1780s, thinking that their victory over Britain would intimidate them into submission, but the Confederation never had more than a few hundred soldiers on the western frontier and underestimated Indian resolve. "God gave us this country," explained one Shawnee chief, summarizing a sentiment shared by some Indian leaders, "we do not understand measuring out the lands, it is all ours."[113] Indians at times responded to white encroachment and violence by terrorizing settlers on the frontier, and by stealing livestock, burning crops, and killing frontiersmen.[114] They also attempted to organize in large numbers to prevent and even turn back white settlement: Alexander McGillivray, an Indian leader of Creek and Scottish descent, sought to form a confederation of twenty thousand braves to fight Americans in the southwest; and Joseph Brant, an Indian leader of British and Mohawk descent, soon after meeting with leaders in London, similarly attempted to form a confederation of Indian tribes to prevent American expansion in the northwest.[115] This led many of the founders to conclude that they "were on the brink of a general war" with Indians "which would be disastrous to the Confederation Government."[116]

Confederation struggles with foreign affairs extended beyond those with American Indian and European nations. Congress, for example, established a committee in 1784 to form commercial treaties with foreign powers, and although it succeeded with establishing favorable trade relations with countries such as Prussia and Morocco, the representatives failed to open up large markets for American goods, mostly because foreign leaders were wary of the "growing ineptitude and powerlessness of the Confederation."[117] Further depressing commerce, Congress lacked the resources to protect American vessels en route to south European markets from attacks and kidnappings by Barbary pirates.[118] Congress for most of this period did not have a navy, it had less than two

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Middle Ground: Indians, Empires, and Republics in the Great Lakes Region, 1650–1815 (Cambridge, 1991).

113. Horsman, *Expansion and American Indian Policy*, 3–15, quote on 22.

114. The violence on the frontier was often brutal. See the Report of the Secretary at War to Congress, July 10, 1787, in *The Territorial Papers of the United States*, ed. Clarence Carter, 28 vols. (Washington, DC, 1934–75), 2:31.

115. Marks, *Independence on Trial*, 20, 23, 34–36. See also John W. Caughey, *McGillivray of the Creeks* (Norman, OK, 1938); Arthur P. Whitaker, "Alexander McGillivray, 1783–1789," *North Carolina Historical Review* 5 (July 1928): 289–309.

116. Horsman, *Expansion and American Indian Policy*, 36.

117. On the Confederation's commercial relations, see Bemis, *Diplomatic History*, 65–70, quote on 66.

118. For example, an Algerian corsair seized American schooners in 1785 and enslaved their crews. Congress was unable to pay the amount demanded for their release, afford the tribute required by the Barbary powers to stop pirating, or pay to charter a navy to protect American shipping in the Mediterranean. Stories of the atrocities done to captured sailors circulated around the Confederation, stirring up fear amongst Americans and further slowing trade to the region. Bemis, *Diplomatic History*, 68. See also Robert J. Allison, *The Crescent Obscured: The United States and the Muslim World, 1776–1815* (New York, 1995); R. W. Irwin, *The Diplomatic Relations of the United States with the Barbary Powers, 1776–1816* (Chapel Hill, NC, 1931); Michael L. S. Kitzen, *Tripoli and the United States at War* (Jefferson, NC, 1993), 10–13; Marks, *Independence on Trial*, 36–45.

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hundred soldiers under its command, it possessed few fortifications, it had little money to build a military, it could not effectively regulate foreign commerce, it could not impose tariffs and duties on imports nor enact embargoes against foreign states, and it could not enforce treaties or the law of nations.[119] The Confederation also lacked an executive branch capable of pursing a strong centralized foreign policy; instead, policy during this period was devised primarily through the Committee for Foreign Affairs in Congress and later by the Department of Foreign Affairs. But because these bodies lacked resources and staff and had little authority to set policy under the Articles of Confederation, they never gained full control over diplomatic matters and their leaders were never more than "none-too-glorified clerk[s]."[120]

The founders were suspicious that foreign powers would capitalize on Confederation weakness. "Foreign powers will intermeddle in our affairs," a Federal Convention delegate feared. "Persons having foreign attachments will be sent among us & insinuate into our councils, in order to be made instruments for their purposes. Every one knows the vast sums laid out in Europe for the secret services."[121] Thomson, long-time secretary of Congress, similarly commented that "There is no doubt but Britain will watch for advantages . . . and that every thing will be attempted and every artifice used, which malice can suggest, to break our connection with France and to sow dissensions among the states. The easy access which foreigners have to these states and the ready reception they meet with afford favourable opportunities of putting their arts in practice."[122] Britain had set up a sophisticated espionage system during the Revolutionary War, at least by contemporary standards, so the founders had reason to be wary of foreign design and espionage.[123]

Early American leaders also repeatedly commented on "the humiliating condition of the Union."[124] For example, Rufus King, who served on the Committee

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119. Marks, *Independence on Trial*, 3–52; Ramsay, *Constitution's Text in Foreign Affairs*, 39–45.

120. Perkins, *American Foreign Relations*, 55. Summarizing their impotence, one member of the foreign policy committee during the Revolutionary War complained that "there is really no Such Thing as a Comtee of foreign affairs existing, no Secretary or Clerk. . . . The Books and Papers of that extinguished Body lay yet on the Table of Congress or rather are locked up in the Secretary's private Box." James Lovell to Arthur Lee, August 6, 1779, in *The Revolutionary Diplomatic Correspondence of the United States*, ed. Francis Wharton (Washington, DC, 1889), 3:288.

121. Elbridge Gerry, August 13, 1787, in *The Records*, ed. Farrand, 2:268. See also George Mason, August 8, 1787, ibid., 2:216; Pinkney, August 9, 1787, ibid., 2:235; Pierce Butler, August 9, 1787, ibid, 2:236.

122. Thomson to Franklin, August 13, 1784, in *FRUS*, ed. Giunta, 2:426–427. See also his letter to Jay, September 18, 1784, ibid., 3:35. Franklin similarly commented that "Britain will long be watching for advantages, to recover what she has lost." Franklin to Thomson, May 13, 1784, quoted in Stourzh, *Benjamin Franklin*, 246.

123. On British covert operations, see Roger Kaplan, "The Hidden War: British Intelligence Operations during the American Revolution," *The William and Mary Quarterly* 47 (January 1990): 115–38.

124. King to Gerry, June 18, 1786, in *Confederation and Constitution*, ed. McDonald and McDonald, 46.

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of Style and Arrangement at the Federal Convention, noted the economic and military embarrassment of the Confederation, privately commenting that "the Treasury now is literally without a penny." "The posts on the Ohio are not well supplied with military stores," he continued, "the Secretary at War applied a few days since for *1000 Dollars* for the transportation of the necessary Ammunition to these Posts. The Board of Treasury, urgent as the occasion of this application is allowed to be, explicitly declare their utter inability to make this pitiful advance. What are we to expect?"[125] Jay similarly remarked that "Congress cannot command money for [ransom]," referring to how the United States could not pay the Barbary pirates, "nor indeed for other very important purposes; their requisitions produce little, and government (if it may be called government) is so inadequate to its objects, that essential alterations or essential evils must take place."[126] Jefferson noted the diplomatic embarrassment of the union, declaring the Confederation "the lowest and most obscure of the diplomatic tribe."[127] And Madison later noted the commercial embarrassment of the Confederation, observing that "our trade . . . entirely contradicted the advantages expected from the Revolution, no new channels being opened with other European nations, and the British channels being narrowed by a refusal of the most natural and valuable one to the U.S."[128]

These leaders and others relayed what they had been discussing in private during their speeches at the state ratifying conventions. Well-known founders such as Fisher Ames, Bowdoin, Francis Dana, Ellsworth, Madison, John Marshall, Randolph, Roger Sherman, and Wilson, as well as many lesser-known

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125. King to Gerry, June 18, 1786, ibid, 46. Henry Knox commented that with an "entire deficiency of funds an indian war of any considerable extent and duration would most exceedingly distress the United States." Quoted in Horsman, *American Indian Policy*, 36. The total income of the national treasury could not even cover one-third of the annual interest on the Confederation's debt. Marks, *Independence on Trial*, 139.

126. Jay to Jefferson, December 14, 1786, in *The Correspondence and Public Papers of John Jay*, 4 vols., ed. Henry P. Johnston. (New York, 1970 [1890]), 3:222–23. Hugh Williamson, a Federal Convention delegate, similarly commented that "There is hardly . . . one external mark by which you can deserve to be called a nation. You are not in a condition to resist the most contemptible enemy. . . . Like a dark cloud, without cohesion or firmness, we are ready to be torn asunder and scattered abroad by every breeze of external violence, or internal commotion." Williamson to James Duane, February 25, 1788, in *Documentary History*, ed. Jensen, Kaminski, Saldino et al., 16:226.

127. Jefferson to James Monroe, November 11, 1784, http://oll.libertyfund.org/?option=com_staticxt&staticfile=show.php%3Ftitle=756&chapter=86353&layout=html&Itemid=27.

128. Madison to Jefferson, June 30, 1789, http://oll.libertyfund.org/?option=com_staticxt&staticfile=show.php%3Ftitle=875&chapter=63879&layout=html&Itemid=27. Many founders repeatedly made similar comments in private correspondence. See, for example, Franklin to Thomson, May 13, 1784, quoted in Stourzh, *Benjamin Franklin*, 246; Grayson to Madison, March 22, 1786, in *Letters*, ed. Smith et al., 23:205–06; Jefferson to Monroe, November 11, 1784, in *FRUS*, ed. Giunta, 2:498; Madison to Jefferson, September 7, 1784, ibid., 2:435–36; Thomson to Franklin, August 13, 1784, ibid., 2:426, Washington to Henry Knox, March 3, 1788, quoted in Marks, *Independence on Trial*, 50. See also private comments by Adams, Jay, and other leaders in Dietze, *The Federalist*, 74–75; Hutson, "Early American Diplomacy," in *The American Revolution*, ed. Kaplan, 57–58.

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leaders such as James Innes, Thomas McKean, and Thomas Thacher, repeatedly explained that the states would fall to foreign powers without stronger union under the new government. For example, during one of his main speeches at his state's convention, Wilson, considered the second "father" of the Constitution for his prominent role in its making, explained that "The adoption of this system will . . . secure us from danger and procure us advantages from foreign nations. This, in our situation, is of great consequence. We are still an inviting object to one European power at least, and, if we cannot defend ourselves, the temptation may become too alluring to be resisted."[129]

A common theme that emerges from the convention speeches was that constitutional reform was necessary to create a central government that could "draw forth the wealth and strength of the whole, for the defence of a part," referring to how the Constitution allowed for a federal authority to pool the resources of the union to protect its parts from foreign powers. "Without a controuling power," Madison explained, "to call forth the strength of the Union to repel invasions, the country might be over-run and conquered by foreign enemies." Randolph argued that "If we become one sole nation, uniting with our sister States" under the Constitution "our means of defence will be greater . . . and the danger of attack less probable." John Marshall, a future Chief Justice of the Supreme Court, similarly asked, "What are the objects of the national Government?" "To protect the United States . . . Protection in time of war is one of its principal objects," he responded. "The powers of Europe are jealous of us," he explained. "It is our interest to watch their conduct, and guard against them. They must be pleased with our disunion. If we invite them by our weakness to attack us, will they not do it?" To which he replied, "It is then necessary to give the Government that power in peace [the ability to call forth the resources of the states] which the necessities of war will render indispensable, or else we shall be attacked unprepared."[130]

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129. Ames, Massachusetts convention, February 5, 1788, in *Documentary History*, ed. Jensen, Kaminski, Saldino et al., 6:1447; Bowdoin, Massachusetts convention, January 23, 1788, ibid., 6:1320; Dana, Massachusetts convention, January 18, 1788, ibid., 6:1250; Ellsworth, Connecticut convention, January 4, 1788, ibid., 15:24; Innes, Virginia convention, June 25, 1788, ibid., 10:1520–21; Marshall, June 10, 1788, ibid., 9:1120–1121; McKean, Pennsylvania convention, December 10, 1787, ibid., 2:545; Randolph, Virginia convention, June 6, 1788, ibid., 9:978–79; Sherman, "A Citizen of New Haven: Observations on the New Federal Constitution," appeared in the *Connecticut Courant*, January 7, 1788, ibid., 15:280–81; Thacher, Massachusetts convention, February 4, 1788, ibid., 6:1419–20; Wilson, Pennsylvania convention, December 11, 1787, ibid., 2:583.

130. Of all the leaders who spoke on this reason for reform, Bowdoin, the former Massachusetts governor, said it most elegantly: "If we consider the objects of the power they are numerous and important; and as human foresight cannot extend to many of them, and all of them are in the womb of futurity, the quantum of the power *cannot* be estimated. Less than the whole, as relative to federal purposes, may, through its insufficiency, occasion the dissolution of the Union, and a subjugation or division of it among foreign powers." "*Their* attention is drawn to the United States; *their* emissaries are watching our conduct, particularly upon the present most important occasion; and if we should be so unhappy as to reject the federal Constitution proposed to us, and continue much longer our present weak, unen-

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The opening articles of *The Federalist* series focus almost exclusively on this theme and the threat of foreign attack.[131] Publius introduced the series by explaining that "the great object of the plan which the Convention has advised" is "To preserve and perpetuate [the union]" in large part because "a cordial Union under an efficient national Government, affords the best security that can be devised against *hostilities* from abroad."[132] The government under the Constitution, as Publius predicted, changed the perception of foreign leaders toward the thirteen states over time. For example, the "acquisition of strength by the central government," explains a diplomatic historian, "sparked something very like a crisis in Anglo-American relations, producing a flurry of 'unofficial' diplomatic activity, a thoroughgoing re-examination of British policy toward the Republic, and, finally, the appointment of Britain's first minister plenipotentiary to the new nation."[133] This explains why Publius, echoing a sentiment shared by many founders, predicted that if foreign powers "see that our national government is efficient and well administered they will be much more disposed to cultivate our friendship than provoke our resentment."[134]

CONCLUSIONS

A reviewer of the constitutional literature over the past century argues that recent studies focusing on security suggest that the "American founders were not," as interpreters during the past fifty years have commonly argued, "centrally concerned with creating a liberal regime, a republican one, or even how

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ergetic federal government, their policy will probably induce them to plan a division or partition of the states among themselves, and unite their forces to effect it. But, however *that* may be, *this* is certain—that the respectability of the United States among foreign nations, our commerce with them on the principles of reciprocity, and our forming beneficial treaties with them on those principles, their estimation of our friendship and fear of losing it, our capacity to resent injuries, and our security against interior as well as foreign attacks, must be derived from such a power." Bowdoin, Massachusetts convention, January 23, 1788, ibid., 6:1320; Madison, Virginia convention, June 6, 1788, ibid., 9:992; Marshall, Virginia convention, June 10, 1788, ibid., 9:1120–21; Randolph, Virginia convention, June 6, 1788, ibid., 9:978–79. See also Washington's Circular Letter to the Governors, June 8, 1783, in *Confederation and Constitution*, ed. McDonald and McDonald, 40.

131. See Federalist No. 2, 3, 4, and 5. *The Federalist*, ed. Cooke.

132. Emphasis in original. Federalist No. 2 and 3, in *The Federalist*, ed. Cooke, 12, 14. Expanding on this claim in a later paper, and perhaps offering the best articulation of the foreign threat, Publius explained why stronger union was needed in an increasingly interconnected global community: "Though a wide ocean separates the United States from Europe; yet there are various considerations that warn us against an excess of confidence or security. On one side of us and stretching far into our rear are growing settlements subject to the dominion of Britain. On the other side and extending to meet the British settlements are colonies and establishments subject to the dominion of Spain. . . . The improvements in the art of navigation have . . . rendered distant nations in a great measure neighbours. . . . These circumstances combined admonish us not to be too sanguine in considering ourselves as intirely out of the reach of danger." Federalist No. 24, ibid., 155–56. On the eighteenth-century global community, Winik, *The Great Upheaval*.

133. Ritcheson, *Aftermath of Revolution*, 92.

134. Federalist No. 4. *The Federalist*, ed. Cooke.

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best to combine such ideologies"; "They were instead interested in the creation of a federal union that would allow the various states that made up the United States to secure an equal status among the nations of the world and to secure and maintain peaceful relations with each other."[135] The founders certainly considered other motives when devising the new government, but one of if not their primary purpose for the Constitution was the survival of the states because without doing so, other objectives were unlikely to be realized. This explains the attention that this interpretation received from past generations of constitutional commentators, especially those writing nearer to the event who were more intimately acquainted with the security issues of the period, and suggests that standard approaches to understanding the era that all but ignore issues of diplomacy, sectionalism, and security are missing a large part of the founding story. Nicholas and Peter Onuf and especially Deudney and Hendrickson, based on part on this observation, have developed novel approaches to conceptualizing and structuring the antebellum period that may amount to a "paradigm shift" in our understanding of early America.[136] Theirs and related works, as well as the findings within this article, point to new lines (or a revitalization of older and prematurely discarded areas) of inquiry into the constitutionalism, diplomacy, and politics of antebellum America, while also suggesting applications and parallels of founding events to ones occurring in the global community today.

New Directions for Studying Constitutional Reform and Early American Diplomacy

The role of diplomacy in the making of the Constitution can be profitably studied by organizing the Confederation as a "protean entity" rather than as a national unit.[137] Studies of early America commonly structure the states as consisting of a "nation," assuming that the states-union was a unitary actor with rational aims in the global community, but the founders were more likely to think of the Confederation as an alliance of "independent and Sovereign States," and the states often pursued separate foreign policies to optimize their interests and security.[138] Studies that organize Confederation units (e.g., localities, states, regions) as autonomous or semiautonomous actors seeking security in a state-system may more ably capture the perspective of the founders when they

135. Gibson, *Interpreting the Founding*, 96.

136. Deudney, *Bounding Power*, esp. 161–92; Deudney, "Philadelphian System"; Hendrickson, *Peace Pact*; Onuf and Onuf, *Federal Union*, *Modern World*. See also the works by Peter Onuf in note 26 that repeatedly stressed the importance of security, sectionalism, and the international system in early America when few scholars were focusing on these issues. On "paradigm shift," see note 44.

137. Rosenberg, "Call to Revolution," 69.

138. Onuf, "Declaration of Independence," 72, 77–78, which quotes from Madison, "Vices of the Political System," in *Papers of James Madison*, ed. Hutchinson et al., 9:351–52.

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gathered for an international conference of sorts in Philadelphia in 1787.[139] Scholars can use foreign policy models in the diplomatic history and the IR fields (e.g., balance of power and psychological theories) to examine the actions of state leaders and their motivations for forming under the Constitution.[140]

More broadly, the observation that early America constituted an emergent and mutable global community of states calls for a new approach to studying diplomacy in the antebellum period. It illuminates that the states-union constituted an *international* order, with arguably three state-systems having emerged during the antebellum era, the First Union (1776–81), the Confederation (1781–89), and the first Constitutional system (1789–1865).[141] Studies are needed that explore this conceptualization of early America, particularly ones that specify the actors within these state-systems (states, regions, etc.), the economic and military capabilities of these actors, and the relationships of these units with one another and foreign powers.

This orientation of the founding also invites a rethinking of the doctrines, objectives, and principals of early American diplomacy. Hendrickson argues that conventional depictions of foreign policy during this period as "isolationist" (the states-union attempting to stay out of European affairs) or "unilateralist" (the states-union shunning concerted action with outside powers) are deficient because the founders "were squarely in the middle" of their own state-system in North America and thus they were forced to focus on the "*multilateralist* imperatives associated with the creation and maintenance of federal union."[142] He then

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139. For works on units within the Confederation, see, for example, Banning, "Virginia: Nation, State, and Section," in *Ratifying the Constitution*, ed. Gillespie and Michael; Onuf, "Constitutional Politics: States, Sections and the National Interest," in *A More Perfect Union*, ed. York.

140. On foreign policy models, see Michael J. Hogan and Thomas G. Paterson, eds., *Explaining the History of American Foreign Relations* (New York, 1991); Valerie M. Hudson, *Foreign Policy Analysis: Classic and Contemporary Theory* (Lanham, MD, 2007); Fareed Zakaria, *From Wealth to Power: The Unusual Origins of America's World Role* (Princeton, NJ, 1998), 13–43.

141. America during this period existed not as a unified nation but in various forms of federative state-systems that consisted of largely independent states at different stages of cooperation and conflict with one another, united together by the exigencies of the greater international community. Hendrickson, *Peace Pact*, 263–65. The large literature on federal political orders will be helpful with examining the types of state-systems emerging during early America. See, for example, Daniel J. Elazar, Federalism as Grand Design: Political Philosophers and the Federal Principle (Lanham, MD, 1987); Murray Forsyth, Unions of States: The Theory and Practice of Confederation (Leicester, UK, 1981); Frederick K Lister, The Later Security Confederations: The American, "New" Swiss, and German Unions (Westport, CT, 2001); and Ronald L. Watts, "Federalism, Federal Political Systems, and Federations," Annual Review of Political Science 1 (1999): 117–37.

142. Emphasis added. Hendrickson, *Union, Nation, or Empire*, xii; and Hendrickson, *Peace Pact*, 272. He continues, "It was the imperious needs associated with the construction of an American system based on internationalist ideals that, more than any other factor, dictated separation and 'no entangling alliances' with the European system. Internationalism was, in this sense, a potent auxiliary and abettor to traits normally seen as either 'unilateralist' or 'isolationist' " (ibid., 272). Following this line of reasoning, describing early U.S. leaders as "isolationists" is misleading because they were constantly forced to confront the *internationalist* imperatives of the American state-system. In fact, within the early American system "there emerged doctrines of the balance of power, of intervention (and nonintervention), of the equality of states, [and] of

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proposes that "union and independence" more ably capture the raison d' etat of the states-union, with the founders seeking "freedom from foreign domination and avoidance of dependence on the wars and politics of Europe" and "the reconciliation of difference" amongst the parts of the union to achieve "peace among the American states and protection against foreign powers."[143] These diplomatic objectives are consistent with this article's findings; notably with the Constitution, the founders sought to strengthen the union to protect the states from one another and foreign powers, thus indicating that exploring the founding with these principles in mind will shed insight into the period.[144]

Regarding more "conventional" studies of foreign policy, there are many excellent diplomatic works on the period, but few of them devote significant attention to the role of foreign relations in the formation of the Constitution. An update of, or expansion upon, themes identified within the one notable exception to this gap in the literature, Marks's impressive though now over three-decades-old work on the subject therefore seems in order to assist with the reexcavation that is presently under way of the geopolitical and security dynamic of the American founding.[145] As just one example of an area for further exploration, consider that general war with Indian nations seemed imminent for the states during the period, and if it did occur it could have pushed settlers frustrated with Congress into the arms of Britain or Spain for protection, which suggests that looking more explicitly at the effect of this threat may more clearly illuminate a driving security force behind the creation of the Constitution.[146]

New Directions for Studying Constitutional and Political Development in Antebellum America

The early American period is often viewed as consisting of a cohesive national unit with a polity based primarily on liberal values of consent and

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defense against aggression" by state leaders when dealing with leaders from other parts of the union, which are doctrines and policies traditionally created and employed by leaders of nation-states in the global community vis-à-vis other nation-states. Hendrickson, *Union, Nation, or Empire*, xii.

143. Hendrickson, *Peace Pact*, 21.

144. Viewing early America with this perspective also invites a rethinking of the intellectual origins of early American diplomacy. Hendrickson argues that an "internationalist" (also referred to as a "Whig" or "Grotian") tradition of thought more ably captures the "context or contours" of early American diplomatic thought than the traditional "realist" or "idealist" classifications. Hendrickson, *Peace Pact*, 21, 169–76, 268–71, 351*n*. On the realist-idealist debate, see ibid.; Jonathan R. Dull, "Benjamin Franklin and the Nature of American Diplomacy," *International History Review* 3 (August 1983): 346–63; David M. Fitzsimons, "Tom Paine's New World Order: Idealistic Internationalism in the Ideology of Early American Foreign Relations," *Diplomatic History* 19 (September 1995): 569–82.

145. Marks, *Independence on Trial*; and Marks, "Power, Pride, and Purse."

146. According to Marks, shortly before the Federal Convention convened, "a two-front war was virtually certain [with Indian nations]." Marks, "Power, Pride, and Purse," 310. Similarly, studies examining the effect, if any, on constitutional reform of states little studied such as Prussia and Russia, may discover diplomatic events behind the creation of the new government or clarify nuances of the document.

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individual rights and republican values of civic virtue and community.[147] But recent studies emphasize that while these ideologies factored into politics during the period, a fundamental feature of early American life has been overlooked, notably that the founding generation lived within a state-system fraught with dangers and demands for its members.[148] Many studies separate the antebellum period into "foreign" and "domestic" spheres, but this approach is disconnected from the reality of the era because for its leaders these realms were so interconnected as to be "virtually inseparable in practice."[149]

The constraints and exigencies that this state-system dynamic placed on early American leaders permeated throughout politics during the period. Federal leaders were repeatedly "forced to grapple with the characteristic problems of states acting in concert: ensuring a fair representation (or 'voice') within the system; arriving at an equitable sharing of the burdens; attending to the balance of power among the confederates and with outsiders; adjusting clashing sovereignties; [and] above all, devising a stable system of cooperation in a domain where the actors are prone to unilateral action."[150] As these issues illustrate, early American leaders, living within a state-system nested in a larger international system, were members of "multiple communities and had multiple identities and loyalties" (for example, identities and loyalties to localities, states, regions, and the union), and their "relationship among these communities, identities, and loyalties" was brought to bear on almost every issue they confronted, exemplified in their discussions and disagreements over areas as diverse as commerce, foreign policy, immigration, land, slave holding, or the use of the Mississippi River.[151] Liberal and republican values factored into early American decisions, to be sure, but the security imperatives of the states-union were also and perhaps more so a constant factor in the political calculus of the period.

For example, early American immigration policy illustrates the extent to which this dynamic factored into political decisions and the potential for this type of analytical framework to shed insight into the antebellum era. The founders instituted an "open-door" policy that allowed for virtually unlimited immigration because of the security imperatives of the larger international system, notably to attract large numbers of immigrants to serve as soldiers and workers to settle and secure territory coveted by other foreign powers in North America. Furthermore, and illustrating the political dynamic of life within a state-system within a larger international system, early American leaders also devised measures to attract immigrants to their respective parts of the union at

147. Hendrickson, *Peace Pact*, 25–26, 266.
148. Hendrickson, *Union, Nation, or Empire*, xii.
149. Hendrickson, *Peace Pact*, 22.
150. Ibid., 265.
151. Ibid., 17.

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the expense of the other parts of the Confederation to increase the strength and security of their communities.[152]

Most studies of the early Republic focus on the effect of domestic factors, such as economics, ideas, and institutions on policy formation, but geopolitical variables are crucial to understanding early immigration policy.[153] This suggests that these factors were more instrumental in the antebellum political experience than commonly recognized and that other policy areas and events during the period can be profitably explored by paying attention to "the exigencies of the union, the potency of sectional rivalries, and the existence of a multiplicity of sovereignties" present within the early American system.[154]

Applications of the Findings of This Study for the Contemporary Global Community

Applying a geopolitical and security lens to the early American period also illuminates areas of interest to contemporary policymakers and scholars. For example, antebellum America and Indian nations such as the Iroquois Confederacy had democratic-like governing structures, and yet they fought one another, which the democratic peace theory, one of the most popular theories in the IR field, purports to show is unlikely between states with these types of governments.[155] Furthermore, many analysts consider terrorism a modern phenomenon, but events associated with it today share similarities to ones occurring during the founding, suggesting that more enduring principles are at work in

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152. McCoy, "Visions of American Nationality"; Totten, "Security and U.S. Immigration Policy."

153. On neglect of the role of the international system in American political development, see Ira Katznelson and Martin Shefter, eds., *Shaped by War and Trade: International Influences on American Political Development* (Princeton, NJ, 2002). On how the international system affects U.S. domestic policy, see Gabriel Almond, "Review Article: The International-National Connection," *British Journal of Political Science* 19 (1989): 237–59; Peter Gourevitch, "The Second Image Reversed: The International Sources of Domestic Politics," *International Organization* 32 (Autumn 1978): 881–911; Katznelson and Shefter, eds., *Shaped by War and Trade*.

154. Hendrickson, *Peace Pact*, 267. Helpful here may be works by IR scholars that use domestic variables to examine early American foreign policy. Miriam Fendius Elman, "The Foreign Policies of Small States: Challenging Neorealism in Its Own Backyard," British Journal of Political Science 25 (April 1995): 171–217; Dov H. Levin and Benjamin Miller, "Why Great Powers Expand in Their Own Neighborhood: Explaining the Territorial Expansion of the United States 1819–1848," International Interactions 37 (2011): 229–62; Scott A. Silverstone, Divided Union: The Politics of War in the Early American Republic (Ithaca, NY, 2004); Scott A. Silverstone, "Federal Democratic Peace: Domestic Institutions and International Conflict in the Early American Republic," Security Studies 13 (Spring 2004): 48–102; Zakaria, From Wealth to Power."

155. On the democratic peace theory, see Bruce Russett and John Oneal, *Triangulating Peace: Democracy, Interdependence, and International Organization* (New York, 2001), 43–76. On Indian governments around this time, see Neta C. Crawford, "A Security Regime among Democracies: Cooperation among Iroquois Nations," *International Organization* 48 (Summer 1994): 345–85; Jerry D. Stubben, *Native Americans and Political Participation* (Santa Barbara, CA, 2006), chap. 1; and David E. Wilkins, *American Indian Politics and the American Political System*, 2nd ed. (Lanham, MD, 2007), chap. 5. See also Deudney, "Philadelphian System," 204*n*.

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the area: Barbary pirates held U.S. sailors for ransom; many Americans feared that Britain would spread small pox during the Revolutionary War; Congress, through secret decree, allowed the Secretary for Foreign Affairs to inspect letters thought to contain information pertinent to the "safety or interest of the United States"; and military leaders, such as Elijah Clarke, Francis Marion, and Thomas Sumter, engaged in guerrilla tactics against Britain.[156]

The most provocative area of future research derived from studying this period, and the one perhaps most relevant for issues of war and peace in the twenty-first century, is based on the observation that early America constituted a state-system. Scott commented over nine decades ago that "the federal convention was an international conference, conducted in secrecy among diplomatic plenipotentiaries of the states," and Deudney and Hendrickson recently reworked this observation to interpret the Constitution as a "peace pact" made by the delegates of the thirteen states, one which created a system that "partook of the character of both a state and a state system" and prevented major conflict amongst them until the Civil War.[157] David Armitage similarly explains that "the United Nations should have been called 'the United *States*,' but that name had already been taken by the representatives of another, rather different, group of political actors in July 1776."[158] This framework of the American founding, superbly portrayed by Hendrickson in his study, excitingly identifies the experience of the thirteen independent states forming under the Constitution as a prototype for leaders of modern states to examine to reduce conflict.[159]

How can researchers systematically explore this conceptualization of the formation of the Constitution and its applicability to contemporary world politics? More so than any other scholar discussing these issues, Deudney has

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156. Elizabeth A. Fenn, "Biological Warfare in Eighteenth Century North America: Beyond Jeffery Amherst," *Journal of American History* 86 (March 2000): 1552–80; Elizabeth A. Fenn, *Pox Americana: The Great Smallpox Epidemic of 1775–1782* (New York, 2001); Herring, *Colony to Superpower*, 36, 39; Morris, *The Forging of Union*, 195; William R. Polk, *Violent Politics: A History of Insurgency, Terrorism & Guerrilla War, From The American Revolution to Iraq* (New York, 2007), 1–19. Marks explains that by August 1786 there were "thirty Americans languishing in North African prison camps [controlled by Barbary pirates], roughly equivalent in today's terms to 3,000 persons in the hands of terrorists." Marks, "Power, Pride, and Purse," 316.

157. The Scott observation is paraphrased in Hendrickson, *Peace Pact*, 258–59.

158. David Armitage, *The Declaration of Independence: A Global History* (Cambridge, MA, 2007), 106.

159. The founders also made this observation. Madison, for example, commented that "were it possible by human contrivance so to accelerate the intercourse between every part of the globe that all its inhabitants could be united under the superintending authority of an ecumenical Council, how great a portion of human evils would be avoided. Wars, famines, with pestilence as far as the fruit of either, could not exist; taxes to pay for wars, or to provide against them, would be needless, and the expense and perplexities of local fetters on interchange beneficial to all would no longer oppress the social state." Quoted in Ralph Ketchum, *James Madison: A Biography* (Charlottesville, VA, 1990), 632, 725*n*; Hendrickson, *Peace Pact*, 314*n*. See also Franklin to Ferdinand Grand, October 22, 1787, and James Wilson's comment in his Summation and Final Rebuttal, December 11, 1787, quoted in Hendrickson, *Peace Pact*, 24.

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used the early American example to explicate a theory of IR—republican security theory—that provides an elegant model to apply to the making of the Constitution and examine the possibility of modern states also uniting under a superintending political structure.[160] In simple terms, the theory purports to show that as the geographical and technological (what Deudney refers to as the structural-materialist) context of international life changes, or as advances in technology allow man to transverse and project military force over greater distances, the types of governing structures needed to "bound power" or restrain violence over territory and amongst groups of people also changes.[161] As such, international politics has been structured according to different types of governing institutions across time, such as city-states, federations, nation-states, and unions, all of which are formed by leaders attempting to bound power and maximize security in changing structural-materialist environments. Over the past two hundred years, leaders have increasingly turned to republics, or "polities based on political liberty, popular sovereignty, and limited government," to securitize large geographical expanses bridged by technology.[162] This tendency toward this type of institution, Deudney argues, indicates that we are moving toward larger-dispersed governing structures, perhaps even a world government in the future.[163]

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160. Deudney, Bounding Power. See also, Deudney, "Philadelphian System," which Deudney wrote a decade before his landmark work on republican security theory and which contains the seed of his theory; Onuf, The Republican Legacy; Lind, "Neglected American Tradition of Geopolitics?" For comparisons of the early American system and the European Union, see, for example, Sergio Fabbrini, Compound Democracies: Why the United States and Europe Are Becoming Similar (Oxford, 2007); Andrew Glencross, "E Pluribus Europa? Assessing the Viability of the EU Compound Polity by Analogy with the Early US Republic" (unpublished Ph.D. diss., European University Institute, 2007); Andrew Glencross and Alexander H. Trechsel, eds., EU Federalism and Constitutionalism: The Legacy of Altiero Spinelli (Lanham, MD, 2010); David C. Hendrickson, "Of Power and Providence: The old U.S. and the new E.U.," Policy Review 135 (Feburary/March 2006): 23–42.

161. For example, ancient leaders sought to protect their polity from the sword and spear, while contemporary leaders seek to protect their polity from globally-projected military forces.

162. Deudney, *Bounding Power*, 2. Further clarifying what he means by "republic," Deudney writes, "Republics have been historically precarious and rare, generally poor, and massively compromised. They now constitute a zone of peace, freedom, and prosperity far greater than any other in history. For most of history republics were confined to small city-states where they were insecure and vulnerable to conquest or internal usurpation, but over the last two centuries they have expanded to continental size through federal union and emerged victorious from the violent total world conflicts of the twentieth century. . . . The American-led free world overcame the reversals of the 1930s and early 1940s, expanded with the reconstruction of Western Europe and parts of East Asia as capitalist, liberal, constitutional and federal democracies, and has built a dense network of international institutions. This 'compound of federations, confederations, and international regimes' now constitutes a political order more like the domestic spheres of earlier republics than the prototypical Realist state system of hierarchies in anarchy." Deudney, *Bounding Power*, 2, quoting from Samuel P. Huntington, "The West Unique, Not Universal," *Foreign Affairs* 75 (November–December 1996): 43.

163. Deudney, *Bounding Power*, 20.

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The institutions formed during antebellum America and under the Constitution marked "a watershed development in republican security theory."[164] From the Articles of Confederation to the Constitution to the Civil War, a period constituting a governing structure Deudney calls the "Philadelphian System," the founders constructed a republican "architecture of power restraint structures" to overcome the security limitations of previous structures in world history such as the Westphalian/European anarchic state system, Roman-based institutions, and past republican orders.[165] The founders replaced the Articles of the Confederation with the Constitution to more ably address "the fundamental security problems (revolution, despotism, total war and empire)" besetting governments and global systems since antiquity.[166] Deudney adumbrates how the theory applies to the making of the Constitution and antebellum America, but an application and test of his model using the vast body of available primary resources on the event and period will more richly illuminate and clarify an underappreciated dimension of the founding.[167] Furthermore, by viewing the "American Union as a structural alternative to the European state system and a prototype for new Atlantic or global institutions," the model also provides a framework for considering the applicability of the system formed under the Constitution to those formed under contemporary international institutions as well as whether today's nation-states are undergoing or will undergo a similar process to that of the thirteen states.[168]

As this theory illustrates, the Constitution was not formed in a vacuum but within a global community existing in some form for more than two millennia. The refocus in recent years on security and diplomacy in the American founding recaptures issues endemic to international life that early U.S. leaders confronted. The ideological amalgam that went into the composition of the Constitution contributes to the distinctiveness of American government but clouds that the founders, like most leaders in world history, perhaps first and foremost sought to create an institution to securitize the thirteen states. Further study with this perspective in mind may widen analysis of the Constitution from its common and more narrow role as a government unique to America to its less studied and broader position as a security system formed in a global community with over two thousand years of experience in institution-building—a security structure that is perhaps becoming increasingly common to the international system.

164. Ibid., xiv.

165. Ibid., 161–62. Many IR scholars view the nation-state as the primary unit of the international system, a vantage point which republican security theory and the early American case of thirteen semi-sovereign actors suggest is flawed. Deudney, *Bounding Power*, 5–8.

166. Ibid., 162.

167. For Deudney's application of his model to the early American period, see ibid., 161–92.

168. Ibid., 164.

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