

**DISPOSED TO SEEK THEIR TRUE INTERESTS:
Representation and Responsibility in Anti-Federalist Thought**

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Abstract

Conventional wisdom holds that the Anti-Federalists wanted representative bodies to mirror the electorate, and that the Federalists envisioned representation as a device for refining and enlarging popular views. This characterization is accurate in a broad sense, but it overlooks an important element in Anti-Federalist thought. I argue that certain key Anti-Federalists, in particular the Federal Farmer and Melancton Smith, synthesized the “mirroring” ideal and the “refining” ideal into a theory of representation that incorporated the best features of each system. This hybrid theory, though overwhelmed in the ratification debates of 1787-88, nevertheless provides a creative alternative model for effective national union.

INTRODUCTION

Given the Federalists' stunning success at molding the American nation, it is often difficult to understand their original opponents, the Anti-Federalists. One is tempted to portray them, as Cecelia Kenyon does, as "men of little faith," who lacked the visionary confidence of Madison and Hamilton.¹ One may also see them as exponents of an older (antiquated) republican tradition, emphasizing small-scale politics and social homogeneity.² At the very least, we view them as dogged opponents of the new political

¹ Cecelia Kenyon, "Men of Little Faith: The Anti-Federalists on the Nature of Representative Government," William and Mary Quarterly 12, No. 1 (Jan. 1955), 3-43.

² See, for example, J.G.A. Pocock, The Machiavellian Moment: Florentine Political Thought and the Atlantic Republican Tradition (Princeton: Princeton University Press, 1975), 531; Paul Rahe, Inventions of Prudence: Constituting the American Regime, Vol. 3 of Republics Ancient and Modern (Chapel Hill: University of North Carolina Press, 1994), 40-41, 75-76; and Paul Peterson, "Antifederalist Thought in Contemporary American Politics," in Josephine E. Pacheco, ed., Antifederalism: The Legacy of George Mason (Fairfax, VA: George Mason University Press, 1992), 112-14. For a description of how the Anti-Federalists undermined their own argument for organic social homogeneity, see Gordon S. Wood, The Creation of the American Republic, 1776-1787 (New York: Norton, 1969), 492. For an interpretation that emphasizes the legitimate tensions within Anti-Federalist thought regarding commerce, civic virtue, and the republic's size, read Herbert J. Storing, What the Anti-Federalists Were For (Chicago: The University of Chicago Press, 1981) with Murray Dry, "The Antifederalists and the Constitution," in Pacheco, ed., Antifederalism.

order: rivals who, though sometimes short on intellectual brilliance, nonetheless possessed sufficient numbers and influence to expose weaknesses and force alterations in the proposed plan. As such, they compel us to consider the Constitution and its principal justifications (including The Federalist Papers) as emerging from a hard-fought debate, where one's choice of arguments and evidence crucially depended upon what others had already said.³

At stake in these interpretations is our understanding of the fundamentals of American political history. If scholars like Saul Cornell are correct, we should credit the Anti-Federalists not only for their spirited opposition to the 1787 constitution, but also for shaping American discourse throughout the subsequent centuries, on issues of federalism and states' rights. However, if Kenyon and her disciple Paul Finkleman are correct, the Anti-Federalists were little more than *Anti-Federalists*—that is, they were the outdated

³ See Saul Cornell, The Other Founders: Anti-Federalism and the Dissenting Tradition in American, 1788-1828 (Chapel Hill: University of North Carolina Press, 1999); and Suzette Hemberger, "Dead Stepfathers," Northwestern University Law Review 85 (Fall 1990), 220-231. For more skeptical accounts of the Anti-Federalists' influence, see Paul Finkelman, "Turning Losers into Winners: What Can We Learn, If Anything, From the Antifederalists?" Texas Law Review 79 (March 2001), 849-894; and Wood, Creation, 486-487. For reviews of how the Anti-Federalists' image has fared over time, see Saul Cornell, "The Changing Historical Fortunes of the Anti-Federalists," Northwestern University Law Review 85 (Fall 1990), 39-73; and James H. Hutson, "Country, Court, and Constitution: Antifederalism and the Historians," William and Mary Quarterly 38, no. 3 (July 1981), 337-368.

foot-draggers who lost out to the modern visionaries of the Federalist Party. Rather than being the “Other Founders,” as Cornell would have us believe, Finkleman argues—in good Kenyonian style—that the Anti-Federalists are best considered “the failed, defeated, would-be founders of what would have been a very different kind of nation.”⁴

My argument regarding the Anti-Federalists is neither as enthusiastic as Cornell’s, nor as ruthlessly critical as Kenyon’s and Finkleman’s. I seek to flesh out certain of the nuances in Anti-Federalist thought, with particular regard to theories of representation. Conventional wisdom holds that the Anti-Federalists wanted representative bodies to mirror the electorate, and that the Federalists envisioned representation as a device for refining and enlarging popular views. This characterization is accurate in a broad sense, but it overlooks an important element in Anti-Federalist thought. I argue that certain key Anti-Federalists, in particular the Federal Farmer and Melancton Smith, synthesized the “mirroring” ideal and the “refining” ideal into a theory of representation that incorporated the best features of each system. This hybrid theory, though overwhelmed in the state ratification debates, nevertheless provides a creative alternative model for effective national union.

ANTI-FEDERALISM AND REPRESENTATION: THE STANDARD VERSION

In his influential first essay, Brutus laid the foundation for what most scholars consider the standard Anti-Federalist theory of representation:

If the people are to give their assent to the laws, by persons chosen and appointed by them, the manner of the choice and the number chosen, must be such, as to

⁴ Finkleman, “Losers,” 854.

possess, be disposed, and consequently qualified to declare the sentiments of the people; for if they do not know, or are not disposed to speak the sentiments of the people, the people do not govern, but the sovereignty is in a few.⁵

Anti-Federalists like Brutus considered representation to be, at best, a practical necessity, arising from the difficulty of bringing all the citizens of a populous state together in one place to do public business. As Cato wrote,

The history of representation in England, from which we have taken our model of legislation, is briefly this[:] before the institution of legislating by deputies, the whole free part of the community usually met for that purpose; when this became impossible, by the increase of numbers the community was divided into districts, from each of which was sent such a number of deputies as was a complete representation of the various numbers and orders of citizens within them . . .⁶

At worst, representative government is subject to gross abuse, as the elected are no less human or corruptible than their electors. As a result, any constitutional scheme that places great power in the hands of elected officials, without considerable safeguards on its exercise, is potentially destructive of popular liberty. The Anti-Federalists believed the proposed constitution failed this test, and attempted to expose the ways in which the Federalists were handing the states over to a national oligarchy.

The Anti-Federalists expressed their concerns in three central arguments. First, they maintained that each substantial societal interest should have a representative in

⁵ Brutus, Essay I, in Herbert Storing, ed., The Complete Anti-Federalist (Chicago: University of Chicago Press, 1981), 2.9.14.

⁶ Cato, Letter V, in *ibid.*, 2.6.38.

Congress—especially in the more numerous House of Representatives. As the Federal Farmer noted, “those classes which have not their centinels in the government, in proportion to what they have to gain or lose, must infallibly be ruined.”⁷ The mere semblance of interest representation would not be enough, just as using British members of Parliament as colonial agents had been insufficiently representative.⁸ As Brutus stated, those elected would have to be a true reflection of the people:

The very term, representative, implies, that the person or body chosen for this purpose, should resemble those who appoint them—a representation of the people of America, if it be a true one, must be like the people. It ought to be so constituted, that a person, who is a stranger to the country, might be able to form a just idea of their character, by knowing that of their representatives. They are the sign—the people are the thing signified. It is absurd to speak of one thing being the representative of another, upon any other principle.

Even an exemplary blue triangle will never adequately signify what it means to be a red circle. Similarly, a representative who resembles his constituents vaguely or not at all will be less likely to know and express their interests. To underscore his point, Brutus urged that “those who are placed instead of the people, should possess their sentiments and feelings, and be governed by their interests, or in other words, should bear the

⁷ The Federal Farmer, Letter VII, in *ibid.*, 2.8.97. Storing reads “most,” not “must.”

⁸ Some agents were quite competent. Edmund Burke, for example, served for a number of years as New York’s agent in Parliament. The real problem lay in the lack of direct accountability and agents’ unrepresentative characteristics.

strongest resemblance of those in whose room they are substituted.”⁹ Citing John Adams’ dictum that a representative body should be a realistic portrait of the people, an incredulous John DeWitt asked his readers, “Can this Assembly be said to contain the sense of the people?—Do they resemble the people in any one single feature?”¹⁰ Melancton Smith shared his suspicions, arguing that representatives “should be a true picture of the people; possess the knowledge of their circumstances and their wants; sympathize in all their distresses, and be disposed to seek their true interests.”¹¹ Because the representative’s duty is to *re-present* the wishes of his constituents, he should live among them, think like them, and be governed by the same interests. Otherwise, he will be unable to understand his electors and support policies beneficial to them.

The Anti-Federalists’ second argument concerned the way in which interest representation helps maintain electoral responsibility. A representative who resembles his constituents is not only more likely to know their true interests, but is also more trustworthy. Natural aristocrats might be eloquent and well educated, but they neither understand the plight of ordinary people, nor are bound to them by shared interest. The Anti-Federalist representative’s thought patterns and motivations are similar to his electors, and he will therefore be no more susceptible to corruption than the electors

⁹ Brutus, Essay III, in Storing, ed., The Complete Anti-Federalist, 2.9.42.

¹⁰ John DeWitt, Essay III, in *ibid.*, 4.13.14.

¹¹ Melancton Smith, Speech of June 21, 1788, in Jonathan Elliot, ed., The Debates in the Several State Conventions, on the Adoption of the Federal Constitution (Washington, D.C., 1836), 2: 245. See also George Mason, Speech of June 4, 1788, in *ibid.*, 3: 31-32.

would be if placed in his stead. He may still be tempted to betray his constituents, since certain temptations, such as bribery, always confront power holders. However, he will be more resistant to them than other types of representatives would be. After all, to harm his constituents would require directly harming his own interests—something most representatives are unwilling to do without a large incentive. This is what Smith meant by being *disposed* to seek the true interests of one's constituents.

Brutus wrote of representatives needing integrity: that is, the fortitude to declare the interests of the people, even if difficult or unpopular to do so.¹² In general, though, the Anti-Federalists were reluctant to put their faith in character virtues. Noting that man has “a natural bias towards his own interest, which will prevail over every consideration unless it be checked,” Patrick Henry declared “I will never depend on so slender a protection as the possibility of being represented by virtuous men.”¹³ Even an honest man with good intentions can be corrupted, the Anti-Federalists believed, unless his virtue is backed by interest. Only when a representative's duty and personal interest coincide, can he be trusted—and then only up to a point.

The third set of arguments the Anti-Federalists advanced addressed the problem of how to preserve a satisfactory system of interest representation. Although their conception of representation provides a compelling account of electoral responsibility, it nonetheless carries with it some unsettling ramifications for republican government. Perhaps most benign is the call for expanding the suffrage to “all men having sufficient evidence of permanent common interest with, and attachment to, the community,” as the

¹² Brutus, Essay I, in Storing, ed., The Complete Anti-Federalist, 2.9.14.

¹³ Patrick Henry, Speech of June 12, 1788, in Elliot, ed., Debates, 3: 326-27.

Virginia ratifying convention put it.¹⁴ When the idea of “permanent common interest” is interpreted correctly, George Mason argued, it should encompass a broad range of people: “Ought the merchant, the monied man, the parent of a number of children whose fortunes are to be pursued in his own Country, to be viewed as suspicious characters, and unworthy to be trusted with the common rights of their fellow Citizens[?]”¹⁵ An expanded suffrage would give most people—and thus most interests—an opportunity to influence public policy. This stance was not radically different from the corresponding Federalist position, but it serves to emphasize the greater importance to many Anti-Federalists of the *actual* representation of all major interests.

Other implications of the Anti-Federalist argument are somewhat less appealing. Because the Anti-Federalists were devoted to the representation of interests, they tended to envision government on a smaller scale than did their rivals. Where there is a wide diversity of “manners, sentiments, and interests,” Brutus argued, “there will be a constant clashing of opinions; and the representatives of one part will be continually striving against those of the other.” A republic should be small and homogeneous, so that the representatives of various classes and interests can seek productive compromises and inspire the “confidence, respect, and affection of the people.”¹⁶

In a polity the size of the United States, the Anti-Federalists argued, it would be impossible to represent all relevant interests and still have effective governance. More

¹⁴ Virginia Ratifying Convention, “A Proposed Bill of Rights,” in *ibid.*, 3: 658.

¹⁵ James Madison, Notes of Debates in the Federal Convention of 1787 (New York, Norton, 1966), 403.

¹⁶ Brutus, Essay I, in Storing, ed., The Complete Anti-Federalist, 2.9.16.

specifically, they opposed any plan for national union that would entrust powers of internal police and taxation to an elected body incapable of knowing the needs of particular local communities. As Cato asked the readers of the New York Journal, “[C]an it be asserted with truth, that six men can be a complete and full representation of the numbers and various orders of the people in this state?”¹⁷ Brutus and the Federal Farmer worried that the smallness of the House of Representatives would effectively exclude the middling sorts, while John DeWitt went so far as to name the House of Representatives the “Assistant Aristocratical Branch.”¹⁸

A truly adequate representation—that is, one as representative as the state legislatures—would be far too unwieldy, in the Anti-Federalists’ opinion. A better solution would be to let the states handle internal affairs, and confine the national government to certain objects of undeniably common concern, such as making war. Although the Anti-Federalists usually conceded that requisitions were inefficient, they maintained that a dual system of direct taxation would do much more harm to republican liberty.¹⁹

¹⁷ Cato, Letter V, in *ibid.*, 2.6.38.

¹⁸ Brutus, Essay IV, in *ibid.*, 2.9.46; The Federal Farmer, Letter III, in *ibid.*, 2.8.25; John DeWitt, Essay III, in *ibid.*, 4.3.14.

¹⁹ The Federal Farmer, Letters III and XII, in Storing, ed., The Complete Anti-Federalist, 2.8.27, 2.8.158; George Mason, Speech of June 4, 1788, in Elliot, ed., Debates, 3: 31; and Melancton Smith, Speech of June 27, 1788, in Elliot, ed., Debates, 2: 332-337.

Even if it were logistically possible to have a national representation adequate for the purpose of internal taxation, the Anti-Federalists argued, the legislature would still be open to corruption. As further safeguards, they advocated shorter terms and rotation in office for Senators, and annual elections for House members. As Cato, quoting Demosthenes, wrote, the “one common bulwark” against tyranny is distrust.²⁰ If a constituency misjudges its representative’s character and dispositions, many harms may occur before they can replace him.

THE FEDERALIST RESPONSE

The Federalist Papers were the most systematic response to these concerns. Writing as Publius, Hamilton, Madison, and John Jay laid out a case for a strong national union run by officials who would be elected by the people, to be sure, but largely insulated from their whims. While Publius’ general argument is familiar, certain of his points deserve reexamination here.

Two qualifications are necessary before continuing. First, although Publius’ essays were the best sustained work advanced in favor of the constitution, Publius was hardly alone in urging ratification. Federalists of every color and stripe offered support in print and in public debate. Some, such as the polemicist writing as Caesar²¹, were

²⁰ Cato, Letter VII, in Storing, ed., The Complete Anti-Federalist, 2.6.48.

²¹ Caesar, Letters I and II, Daily Advertiser (New York), October 1 and 17, 1787.

Some scholars have attributed Caesar to Hamilton, but the evidence is scanty.

more hot-headed than Publius; while others, such as Thomas Jefferson²², advocated more cautious reform. This latter group shades off into Anti-Federalism, just as the hybrid theory of Anti-Federalism I shall discuss shades off into Federalism. A full discussion of theories of representation during the ratification period would, of course, make extended reference to the lesser allies of Publius; but since my objective is to focus on divisions within the Anti-Federalist camp, I shall limit my consideration of the Federalist case to Publius' arguments.

This brings me to the second caveat. Although the essays of Publius are remarkable for their internal consistency, their authors were hardly in intellectual lockstep. Madison and Hamilton may have tempered their disagreements in order to achieve ratification, but Hamilton's increasingly radical Federalism alienated Madison, who joined Jefferson and old-line Anti-Federalists in the Democratic Republican party. Jay was also more temperate than Hamilton, and more successful in earning the respect of Anti-Federalists.²³ With more time and space, I could explore all the ramifications of these internal conflicts for Publius' theory of representation, but necessity dictates laying aside these important complexities, in order clearly to compare The Federalist to the Federal Farmer and Melancton Smith.

²² See, for example, Jefferson to James Madison, December 20, 1787, in Merrill D. Peterson, ed., The Portable Thomas Jefferson (New York: Penguin, 1975), 428-33.

²³ Alfred F. Young, The Democratic Republicans of New York: The Origins, 1763-1797 (Chapel Hill: University of North Carolina Press, 1967), 113-14. Young argues that Jay, not Hamilton, was most effective at swaying votes in the New York convention, thanks in part to an effective public address Jay had given earlier that spring.

Madison, Hamilton, and Jay favored a greater level of consolidation than did their Anti-Federalist rivals. They hoped to give the national government expansive powers, fund it with a reliable revenue source, and ensure that wise statesmen would regularly inhabit its offices.²⁴ Hamilton characterized the United States as a nascent empire, and his scorn for the petty democracies of the ancient world was nearly equaled by Madison. In the eyes of Publius, the Anti-Federalists tended to forget that republics are not democracies, and need not be limited in extent. Such a position, they argued, would ignore Montesquieu's advice regarding the advantages of federal republics. In fact, as Madison maintained in Federalist 10, large republics often enjoy more stability and better government than small ones. If the Anti-Federalists were true republicans, he implied, they would realize this fact.²⁵

²⁴ For the Federalists' semi-secret nationalism, see Jackson Turner Main, The Anti-Federalists: Critics of the Constitution, 1781-1788 (New York: Norton, 1961), ch. 6.

²⁵ The Federalist Nos. 1, 9, and 10. Charles Louis de Secondat, Baron de Montesquieu, The Spirit of Laws (Berkeley: University of California Press, 1977), Book IX. For Montesquieu's influence on the Anti-Federalists, see Abraham Kupersmith, "Montesquieu and the Ideological Strand in Antifederalist Thought," in Wilson Carey McWilliams and Michael T. Gibbons, eds., The Federalists, the Antifederalists, and the American Political Tradition (New York: Greenwood Press, 1992); and Samuel Beer, To Make A Nation: The Rediscovery of American Federalism (Cambridge: Harvard University Press, 1993), 231-243.

In addition to propounding a more nationalistic vision than their rivals, the Federalists offered a competing theory of interest representation. Although they agreed with the Anti-Federalists that good government requires considering the claims of various societal interests, they were careful to limit this consideration to *relevant* interests. A national representative, they argued, need only be familiar with those interests that his work will significantly affect. Since the national government is confined to a narrower sphere of operation than the state governments, it is unnecessary for him to know every minor interest.²⁶

Even matters of internal taxation require little inquiry into the minutia of local circumstances. Much of the detail work, Madison noted, is already done by the state governments, whose legislative records may be used in developing national tax codes. In a passage that surely consternated Anti-Federalist readers, Madison wrote that “A skilful individual in his closet, with all the local codes before him, might compile a law on some subjects of taxation for the whole Union, without any aid from oral information. . .”²⁷ The knowledge required of a national representative is of a more abstract kind, based primarily on information about aggregate, not individual, interests.²⁸

Consequently, the national representation should remain small. A few select men from each state could adequately represent the chief interests of the people, especially

²⁶ See Alexander Hamilton, Speech of June 20, 1788, in Elliot, ed., Debates, 2: 254-55.

²⁷ The Federalist No. 56.

²⁸ Alexander Hamilton, Speech of June 20, 1788, in Elliot, ed., Debates, 2: 265-266.

since most interests (commerce, agriculture, etc.) exist in all the states. A larger body would be subject to corruption and instability, as Hamilton argued in Federalist 59:

“[T]he more numerous any assembly may be . . . the greater is known to be the ascendancy of passion over reason.” A more numerous representation might make the government appear more democratic, but in reality larger numbers make it easier for a small junta to control the legislature. In Hamilton’s opinion, “Experience will forever admonish [the people] that . . . *after securing a sufficient number for the purposes of safety, of local information, and of diffusive sympathy with the whole society*, they will counteract their own views by every addition to their representatives.”²⁹

The Anti-Federalists claimed a representative body should mirror the wishes and interests of the people, much as a random sample would. The Federalists rejected this theory, calling it “altogether visionary.” Even if it were possible to have a representative from each occupation or interest in the legislature, there would be no assurance that each would be considered fairly. After all, Hamilton wrote, ordinary people “are aware that however great the confidence they may justly feel in their own good sense . . . their habits in life have not been such as to give them those acquired endowments, without which in a deliberative assembly the greatest natural abilities are for the most part useless.” Most mechanics and manufacturers, he continued, would be better off entrusting their votes to candidates from the merchant class, who could promote their interests better than they themselves could. Large landowners and the members of the “learned professions” also tend to possess the requisite skills for advancing arguments in a deliberative body, unlike those people “whose observation does not travel beyond the circle of [their] neighbors

²⁹ The Federalist Nos. 56 and 59 (Emphasis in the original).

and acquaintances.” Place the government in the hands of the intellectual and economic elite, Hamilton argued, and one can be confident that all relevant interests will be considered.³⁰

However, the Federalists did not stop with this assertion about actual representation’s ineffectual method of interest advocacy. Not only does an elitist system of representation better attend to people’s interests, they argued, but it also helps transcend simple interest representation. The national representative, they maintained, should take an expansive view of his duties, not serve merely as a biased advocate of a particular position. Representation “refine[s] and enlarge[s] the public views” by “passing them through the medium of a chosen body of citizens, whose wisdom may best discern the true interest of their country and whose patriotism and love of justice will be least likely to sacrifice it to temporary or partial considerations.”³¹ Advancing the common good requires putting aside one’s transient, short-term interests, and considering the interest of the entire nation.

The virtues of the representative, then, must be associated with the filtering and elevating process the Federalists place at the core of their system. In Jay’s opinion, the

³⁰ The Federalist No. 35. On the combination of interests across classes, see David F. Epstein, The Political Theory of The Federalist (Chicago: University of Chicago Press, 1984), 157-58; and Cecil Eubanks, “New York: Federalism and the Political Economy of Union,” in Michael Allen Gillespie and Michael Lienesch, eds., Ratifying the Constitution (Lawrence, KS: University Press of Kansas, 1989), 315.

³¹ The Federalist No. 10. On the wise representative’s patriotism and love of justice, see Epstein, The Federalist, 93-99.

legislature should be composed of “the best men in the country,” possessing a “general and extensive reputation for talents and other qualifications.” Representatives, Madison wrote, should be those who “possess most wisdom to discern, and most virtue to pursue, the common good of the society.” Such outstanding citizens, operating within appropriate institutional boundaries, could mediate between conflicting interests and produce policies “more consonant to the public good than if pronounced by the people themselves, convened for the purpose.” After all, Hamilton noted, although the people “commonly intend the Public Good,” they do not always “reason right about the means of promoting it.” In such cases, the Federalist representative would serve as a reliable guide. It would be unwise, Hamilton argued, for the representative to bow to his constituents’ will in all cases, because he often knows what they need better than they themselves do. The republican principle, he continued, “does not require an unqualified complaisance to every sudden breeze of passion, or to every transient impulse which the people may receive from the arts of men, who flatter their prejudices to betray their interests.”³²

In response to the Anti-Federalist concern that even an exemplary person would be vulnerable to corruption if elected to Congress, the Federalists called attention to features of the proposed constitution, such as regular elections, that would help keep representatives virtuous. However, since these formal safeguards would have hardly satisfied Anti-Federalist critics, Madison outlined several subtler mechanisms for keeping representatives in line. Because elected by the people, he argued, representatives will likely possess the character and integrity necessary for exercising their duties. In

³² The Federalist Nos. 3, 10, 57, and 71.

addition, they will tend to be grateful to their constituents for having elected them, and will be reluctant to betray them. Moreover, their pride and vanity will impede any inclination to destroy the system that gave them such great honors. If all else fails, the “vigilant and manly spirit which actuates the people of America” will preserve the union from fatal harm.”³³

Madison admitted these checks might be insufficient “to control the caprice and wickedness of men,” but insisted that anything more restrictive would undermine republican liberty:

What are we to say to the men who profess the most flaming zeal for republican government, yet boldly impeach the fundamental principle of it; who pretend to be champions for the right and the capacity of the people to choose their own rulers, yet maintain that they will prefer those only who will immediately and infallibly betray the trust committed to them?

While there is a “degree of depravity” in mankind that must be closely guarded, Madison argued, fear of it should not blind us to humanity’s favorable qualities. Republican government depends on the existence and recognition of those qualities—even among leaders. Our distrust can, as Cato wrote, be the chief obstacle to tyranny, but Madison reminds us that immoderate distrust implies that “there is not sufficient virtue among men for self-government; and that nothing less than the chains of despotism can restrain them from destroying and devouring one another.” With this final argument about electoral

³³ The Federalist No. 57.

responsibility, Madison nailed shut the Federalist case against small republics and actual representation.³⁴

Madison makes clear in Federalist 10 that we should not always expect enlightened statesmen at the helm. The primary goal of the constitution is to provide stability and order to popular government, not encourage virtue. However, as we have seen elsewhere in The Federalist Papers, Madison and Hamilton argue that the system goes beyond ensuring peace; it subtly guides leaders toward virtuous actions without destroying liberty. Consequently, while virtuous statesmen may not always head the government, they often will—and they will enjoy the support not only of other virtuous statesmen, but also of lesser politicians, whose actions are constrained into the path of virtue.

Although many factors contributed to the Federalists' victories in the ratifying conventions, a crucial reason for their success is that they had a better argument than most of their opponents, and were able to express themselves more clearly and forcefully. The Federalist vision of a large, diverse republic with an energetic national government was, to most people, ultimately more compelling than the pure Anti-Federalist alternative.³⁵

³⁴ The Federalist Nos. 55, 57.

³⁵ For helpful discussions of this question, see Clinton Rossiter, 1787: The Grand Convention (New York: New American Library, 1966), ch. 14; E. Wilder Spaulding, New York in the Critical Period: 1783-1789 (New York: Columbia University Press, 1932), 253; Robert Allen Rutland, The Ordeal of the Constitution (Boston: Northeastern University Press, 1983), 66; and David J. Siemers, Ratifying the Republic:

THE HYBRID THEORY OF REPRESENTATION

At this point, most interpretations of the ratification debate come to a close. Though scholars disagree about the intellectual and historical significance of the two parties, they generally agree that the Federalists favored a strong national government and virtual representation, while the Anti-Federalists advocated local control and actual representation.³⁶ This portrayal, however, though true of most Federalists and many Anti-Federalists, does not take into account a second Anti-Federalist theory of representation, one that incorporated features of both actual and virtual representation, and that supplies us with an attractive alternative to the Federalist theory of representation. We can fully appreciate the contribution of the Anti-Federalists only by examining this hybrid theory in detail.

The hybrid conception of representation is never fully developed in Anti-Federalist writings, and it shall be my task not only to identify its components as they appear in certain Anti-Federalist texts, but to elaborate and assemble them into a coherent theory. I shall strive to make my argument broadly consistent with what the writers

Antifederalists and Federalists in Constitutional Time (Stanford: Stanford University Press, 2002).

³⁶ For examples of this dichotomous interpretation of the ratification controversy, see Eubanks, “New York,” 311, 330-32; Storing, ed., Anti-Federalists, ch. 2; Wood, Creation, 499-506; Kenyon, “Men of Little Faith”; and Isaac Kramnick, “The ‘Great National Discussion’: The Discourse of Politics in 1787” William and Mary Quarterly 45, No. 1 (Jan. 1988), 3-32.

under consideration would have said, had they the opportunity, with the understanding that some extrapolation is unavoidable when constructing a theory from scattered, underdeveloped bits of thought.

The first thing to note about Anti-Federalist writers is that they generally accepted the notion of election. They rarely supported the practice of filling major offices by lot, since antiquity the most democratic method for selecting rulers.³⁷ What most commentators have failed to grapple with is the odd tension in Anti-Federalist thought between the desire for leaders who mirror their constituency, and the use of elections to achieve such a reflection.³⁸ If true reflection is the objective, selection by lot is the best means. Election introduces an element of aristocracy, which distorts the reflection of the people by according disproportionate power to outstanding individuals. The fact that even radical Anti-Federalists endorsed election, even as they devised myriad checks on elected officials, says much about the type of leader they favored. Picking leaders at random from the collected citizenry was simply too democratic for them.

It is out of this context that the hybrid conception of representation arose. What remained implicit in most Anti-Federalist writings—namely, that representatives should

³⁷ On the lot, see Aristotle, The Politics, edited by Stephen Everson (Cambridge: Cambridge University Press, 1996), VI, ii, 1317b20; and Bernard Manin, The Principles of Representative Government (Cambridge: Cambridge University Press, 1997), ch. 1. On the Anti-Federalists as advocates of representative democracy, see James P. Young, Reconsidering American Liberalism (Boulder, CO: Westview Press, 1996), 60.

³⁸ Storing (Anti-Federalists, 17-18) and Dry (“The Antifederalists”, 32-34) hint at this tension, but investigate it no further.

be chosen based on certain qualities not shared by all—becomes explicit in the work of the Federal Farmer and Melancton Smith.

Raised among among the yeomen of New York’s Dutchess County, Smith gained prominence during the Revolution for his work discovering Tory conspiracies. In subsequent years, he became a successful merchant, a member of the Confederation Congress, and finally a delegate to the New York ratifying convention, from staunchly Anti-Federalist Dutchess. In the latter capacity, he served with distinction, being unique for his ability to debate Alexander Hamilton successfully. Smith’s incisive critique of the Federalist constitution, as expressed in his eloquent floor speeches, compelled the convention to delve deeply into issues of representation and responsibility.³⁹

We know much less about the author of the Federal Farmer letters. The letters were long attributed to Richard Henry Lee, but little evidence exists to support that claim.⁴⁰ The most seductive possibility, and one backed by substantial evidence, is that

³⁹ Robin Brooks, “Alexander Hamilton, Melancton Smith, and the Ratification of the Constitution in New York,” William and Mary Quarterly 24, No. 3 (July, 1967), 346-47.

⁴⁰ For views skeptical of Lee’s authorship, see Gordon S. Wood, “The Authorship of the Letters from the Federal Farmer,” William and Mary Quarterly 31, No. 2 (April 1974), 299-308, Storing, ed., The Complete Anti-Federalist 2: 215-16; and Walter Hartwell Bennett, ed., Letters from the Federal Farmer to the Republican (Tuscaloosa: University of Alabama Press, 1978), xiv-xx.

Melancton Smith himself was the Federal Farmer.⁴¹ Still, plenty of reasonable doubt exists,⁴² and it would be unwise to accept that convenient attribution uncritically. Fortunately, what matters for the purpose of this essay is not whether Smith and the Farmer are the same person, but that they advanced remarkably similar views on representation.

The essence of the hybrid theory can be found in the Farmer's second letter, where he wrote that an adequate system of representation must "allow professional men, merchants, traders, farmers, mechanics, etc. to bring a just proportion of their *best informed men* respectively into the legislature." Using the same language in a later letter, he wrote that the democratic branch of Congress must "admit some of the best informed men of each order in the community into the administration of government."⁴³ For him,

⁴¹ The best case for Smith's authorship is Robert H. Webking, "Melancton Smith and the Letters from the Federal Farmer," William and Mary Quarterly 44, No. 3 (July 1987), 510-28.

⁴² See Steven R. Boyd, "The Impact of the Constitution on State Politics: New York as a Test Case," in James Kirby Martin, ed., The Human Dimensions of Nation Making: Essays on Colonial and Revolutionary America (Madison: The State Historical Society of Wisconsin, 1976), 276 n. 14. Jean Yarbrough contrasts the political philosophies of Smith and the Federal Farmer in "Representation and Republicanism: Two Views," Publius: The Journal of Federalism 9 (Spring 1979), 85-88, but Robert Webking provides an effective rebuttal ("Melancton Smith," 516 n. 34).

⁴³ The Federal Farmer, Letters II and V, in Storing, ed., The Complete Anti-Federalist, 2.8.15, 2.8.60 (My italics). The Pennsylvania Minority likely borrowed

the chief weakness of the proposed constitution was not that it effectively excluded ordinary people from serving in office, but that it made it impossible for groups of ordinary people to elect their best men (those from their class who could handle themselves well in a deliberative assembly). Smith agreed, arguing that increasing the number of representatives would “open a door for the admission of the substantial yeomanry” to government. When the representation is small, the office of representative is highly exalted, and thus distasteful to the “sensible, substantial” men who would otherwise represent the “middling class of life.”⁴⁴

The criticism Smith and the Federal Farmer advance is not merely that a small representation causes certain interests to be ignored (the typical Anti-Federalist position), but that it excludes a special type of representative from power. What is so valuable about these well-informed, substantial, middle-class people? Simply put, they are uniquely able to mediate between local and national interests, because they combine in one person the best features of Anti-Federalist and Federalist representatives. These hybrid representatives satisfy both the Anti-Federalist desire for responsibility and the Federalist desire for enlightened national discourse.

Federal Farmer’s language in its dissent, published in December 1787: “[F]armers, traders, and mechanics, who all ought to have a competent number of their best informed men in the legislature, will be totally unrepresented [in Congress]” (Storing, ed., Complete Anti-Federalist, 3.11.35). Robert Lansing used the term “best informed men” in referring to Senators in his convention speech of June 24, 1788 (Elliot, ed., Debates, 2: 293). Smith had used the term several days earlier; perhaps Lansing had found it apt.

⁴⁴ Melancton Smith, Speech of June 21, 1788, in Elliot, ed., Debates, 2: 244-48.

The Anti-Federalists worried that national representatives would be too distant to know their constituents' interests. However, the "best informed" man meets all the requirements for a knowledgeable representative. He⁴⁵ has served his time as a member of the occupation he represents, and knows exactly what it is like to be a farmer, or a craftsman, or whatever he happens to have been. His knowledge is not merely abstract and superficial, but concrete and detailed.

In addition, this best informed man can be trusted, as he thinks and feels as his constituents do. He is, as Smith put it, disposed to seek their true interests. His constituents know he will be a reliable advocate, especially with appropriate institutional safeguards in place. He can even be trusted to exercise discretion, as his faculty of judgment is governed by the same criteria as his constituents'. If faced with an unforeseen issue, he can be relied upon to choose a position consonant with his constituents' interests.

The hybrid representative also satisfies Federalist concerns. He is not merely selected at random from among his constituents. Rather, he is their best man—the person most qualified to speak on their behalf. Not only does he know his constituents intimately, having lived among them as one of them, but he rises above them in talent and foresight. To say that he would speak reliably on behalf of his constituents would be to give him too little credit, for he knows his constituents *better* than they do. When the Farmer wrote that each class must have its "centinel" in the government, his choice of

⁴⁵ I see no reason why the hybrid theory could not be extended to include well-qualified women in the category of "best-informed" people. However, for reasons of clarity and historical accuracy, I retain the masculine usage here.

words was apt. This new type of representative, like a centinel, is both similar and dissimilar to his “constituency.” The centinel is selected from among a body of soldiers who are like him, and who all share the same interest (security from surprise attacks). However, the centinel is distinguished from his comrades by his unusually good vantage point. He is able to spot danger at a distance, and can sound the alarm in time to save his fellows. A smart unit will place alert, skillful soldiers on sentry duty during dicey times; mere rotation in office, though egalitarian, is hardly most effective in such situations.

So it is with the “best informed” man. He is a little more enlightened and cosmopolitan than his constituents, perhaps because of his upbringing, his education, long experience, or an innate wisdom. Smith and the Farmer are understandably reluctant to specify exactly what makes a person “well informed” or “substantial,” given their sensitivity to the diversity of human interests. In general, however, one could say that the best-informed man will have the knowledge, integrity, and skill to operate successfully in a sphere of action wider than that of his constituents. In this respect, the best informed man is immune to Hamilton’s criticism of ordinary citizens, for he is comfortable interacting with people “beyond the circle of his neighbors and acquaintances.” By slightly distancing himself from his constituents’ constricted culture and mindset, the best informed man improves his ability to defend them from unjust encroachments, and to arrange for collective action with other interests’ best informed men. He sees farther and more clearly than his constituents, can identify threats to liberty before they materialize, and can distinguish between what is in his electors’ short-term and long-term interest.

The best informed man can legitimately oppose his constituents, as long as he sincerely believes himself to be protecting their *true* interests. A simple appeal to the “common good” is insufficient grounds for resisting popular sentiment, for a representative must also show how that which is to the common advantage is also to the advantage of his particular constituents—a task for which the hybrid representative is uniquely suited.

Consequently, the Federal Farmer and Melancton Smith do not entirely reject the natural aristocracy’s claim to rule. In fact, both look to place government in the hands of competent, meritorious citizens. However, they constrain the natural aristocracy by insisting that merit must be tightly linked to interest—that candidates for office, no matter how brilliant, must be bound to their constituents by ties of sympathy. In other words, while education, political skill, eloquence, and wisdom are all attributes a hopeful candidate should possess, they nevertheless are insufficient without a direct tie to a constituency. Smith made this clear to his fellow convention delegates:

The knowledge necessary for the representative of a free people not only comprehends extensive political and commercial information, such as is acquired by men of refined education, who have leisure to attain to high degrees of improvement, but it should also comprehend that kind of acquaintance with the common concerns and occupations of the people, which men of the middling class of life are, in general, more competent to than those of a superior class.

This means, of course, that it is unlikely that the most meritorious (those who exceed everyone in ability) will always be entrusted with power. However, the best informed bricklayers and the best informed farmers, while lacking the brilliance of Jay and

Hamilton, will nonetheless be more competent than the *average* bricklayer or farmer—and able to represent their constituents in an enlightened, responsible way.⁴⁶

In the New York convention, Chancellor Livingston claimed that Smith would discard the natural aristocracy in favor of “other classes of men,” including “the rogue and the robber[,] . . . the poor, the blind, and the lame”—in other words, all those classes which lack virtue or capability.⁴⁷ Smith replied, “I by no means intended to carry my idea of [natural aristocracy] to such a ridiculous length as the gentleman would have me; nor will any of my expressions warrant the construction he imposes on them.”⁴⁸ Smith hardly intended to abandon virtue and eliminate distinction, as Livingston suggested. He merely wished to ensure that the political elite’s legitimacy was based on more than wealth, education, and achievement, and that representatives would not come to have interests dramatically at odds with those of their constituents.

Most existing interpretations of Melancton Smith and the Federal Farmer do not appreciate the complexity in their hybrid conception of representation. Gordon Wood, for example, describes Smith and the Federal Farmer as “plebian” Anti-Federalists who

⁴⁶ Melancton Smith, Speech of June 21, 1788, in Elliot, ed., Debates, 2: 245. See also The Federal Farmer, Letter XII, in Storing, ed., The Complete Anti-Federalist, 2.8.158.

⁴⁷ Chancellor Livingston, Speech of June 23, 1788, in Elliot, ed., Debates, 2: 277.

⁴⁸ Melancton Smith, Speech of June 23, 1788, in *ibid.*, 2: 281. Earlier, Smith had argued that, despite their characteristic vices, even the wealthiest and greatest citizens should have representatives of their own class in Congress (Speech of June 21, 1788, in Elliot, ed., Debates, 2: 248).

viewed society as “fragmented with interests,” where “only individuals sharing a particular occupation or interest could speak for that occupation or interest.”⁴⁹ Isaac Kramnick, by arguing that Smith “directly refut[es] the filtration model” of the Federalists, also exaggerates the strength of Smith’s attachment to the notion of actual representation.⁵⁰ Although there may be some evidence to support these interpretations (Smith and the Farmer were, after all, in the Anti-Federalist camp), one cannot ignore the fundamental moderation in the hybrid theory. As far as I can tell, no commentator has given adequate attention to the fact that Smith and the Farmer staked out a middle position on representation, between simple Anti-Federalism and simple Federalism.

Melancton Smith likely considered himself a model of the hybrid representative. A self-made man who gained notoriety by challenging New York’s neofeudal aristocracy, Smith was a reliable spokesman for the middle class. He was a relatively wealthy man, enjoying many advantages ordinary Dutchess yeomen lacked, but he consistently defended their interests.⁵¹ Although Chancellor Livingston poked fun at Smith for his supposedly hypocritical stance toward the natural aristocracy, Smith found no shame in exceeding his constituents in ability and experience. In fact, he considered his abilities all the more valuable to his constituents because a common sympathy bound him to them; without that tie, he would be the sort of drone-like natural aristocrat he

⁴⁹ Gordon Wood, The Radicalism of the American Revolution (New York: Vintage Books, 1991), 258-59.

⁵⁰ Kramnick, “Great Debate,” 14.

⁵¹ See Staughton Lynd, Anti-Federalism in Dutchess County, New York (Chicago: Loyola University Press, 1962), 85.

criticized in his speeches. In the end, Smith basically conceded Livingston's point that natural aristocrats are everywhere, but went on to show how some aristocrats are more compatible with democracy than others: that is, those whose virtue arises within the bounds of a close attachment to a particular constituency.

Among modern politicians, Bill Clinton, "The Man from Hope," seems to approximate this ideal of representation. His extraordinary ability to identify and empathize with voters, combined with his foresight and political skill, inspired among his supporters an unusual level of confidence. Despite a string of scandals that severely tarnished his image, Clinton consistently received high marks for his public service. People both *identified* with him (he could "feel" their pain) and *looked up* to him (he appeared to be extraordinarily competent). They trusted him not to betray their interests—trusted him, it seems, more implicitly than most elected officials. The great irony of Bill Clinton's life is that he was simultaneously one of our *least* trusted presidents (because of his lawyerly evasions) and one of our *most* trusted presidents (because of his capable, responsible leadership).

Clinton presents a paradox that is difficult to resolve without reference to the hybrid theory of representation: namely, that a scandal-wracked president continued to receive glowing praise for his job performance. One might argue that Clinton's appeal with voters stemmed from the fact that he was, so to speak, a "redneck" Rhodes Scholar. Had he been just a "good ol' boy" from Arkansas, it is unlikely he would have been taken seriously as a governor and presidential candidate. Had he been merely a member of the

political power elite, though, ordinary people would have lost interest in him.⁵² What preserved him throughout his time in office was the fact that he gave voters leadership that was both enlightened and genuinely informed by the concerns of middle- and lower-class Americans.

Were we to imagine a Congress full of Bill Clintons, each drawn from a particular constituency and—importantly—devoid of egregious character flaws, we would begin to see what Melancton Smith and the Federal Farmer envisioned. They knew that republican government requires a careful balance between responsibility and efficacy: bind representatives too closely to their constituents, and government becomes incompetent; hand government over to distant experts, and the people become disaffected. However, a legislature composed of the best-informed people of every societal interest, (i.e., the Bill Clintons of the nation) could reliably advance the common good, because it would consider particular interests in light of what is mutually beneficial, and define the mutually beneficial in terms of individuals' genuine long-range interests.

Many hybrid representatives will be more moderate than their constituents, due to their more diverse experiences. However, the central criterion of leadership under the hybrid theory is that representatives be able to advocate their constituents' cause effectively, while remaining bound to them by ties of sympathy. Sometimes moderation is the best way to achieve such an end, but often more radical methods are required. Both Martin Luther King, Jr. and Malcolm X, for example, ably represented African-American

⁵² Notice how carefully his predecessor and successor have emphasized their family's ties to rural Texas, in order to divert attention from their patrician background.

constituencies, although one chose a moderate course and the other a radical course of action. Both were true to their supporters, and both fit the hybrid representative model.

Smith and the Federal Farmer cleverly incorporate the aristocratic institution of election into a thoroughly democratic system, privileging neither the ordinary person (as the Anti-Federalists often do), nor the extraordinary person (as the Federalists often do),⁵³ but rather the *risen* person. In this respect, Smith and the Federal Farmer anticipate the subsequent American glorification of the self-made man, who transcends his starting point in life, but never forgets where he came from.

CONCLUSION

Few people wish to be represented by someone so impartial as to take no interest in their special concerns. Generally speaking, constituents prefer not strict impartiality in their leaders, but rather an enlightened partiality—the sort of partiality that prevents a representative from betraying his constituents, without overly limiting his effectiveness as an independent-minded legislator.

In this context, the best candidates are those who, while competent and enlightened, never lose touch with their roots. Political consultants realize the appeal of such candidates, and hundreds of campaign commercials follow the same basic script: “Candidate X, now a successful lawyer/businessman/community leader, never forgot what it was like to grow up in South Boston/East L.A./Rural America.” Implicit in such ads—the effectiveness of which is demonstrated by their widespread use—is the idea that candidates gain credibility by demonstrating both their unique talents and their tangible

⁵³ Gordon Wood describes this choice in the same terms (Creation, 522).

ties to ordinary people. Modern Americans usually want someone who has a foot in each world, and often distrust or even despise those who do not inhabit this middle position. The mythology surrounding Abraham Lincoln's log cabin origins and his days splitting rails remains a powerful element in the American electorate's subconscious: here was a man with a sophisticated vision for America, who nonetheless could articulate it in terms that engaged even the plainest of people. Lincoln was common, yet uncommon—a blend of traits entrancing to subsequent generations of Americans. Unlike George H.W. Bush, who was ridiculed for publicly marveling at a supermarket scanner while campaigning for reelection, Lincoln knew from personal experience what everyday American life entailed (or so his followers believed).

The hybrid theory gives us logical reasons for why people prefer the candidates they do. All things being equal, voters seem to prefer to vote for men and women who have risen because of their merit, but few have full critical awareness regarding the source of their preferences. The Farmer and Smith provide a framework for such an investigation, and I have tried to sketch the outlines of it here.

The Federalists would still be skeptical of the hybrid theory, since in their eyes it would lead to outcomes contrary to the general interest. The best-informed men, like other Anti-Federalist representatives, begin by advocating their constituents' particular positions, not by divining the common good. Where everyone is bound to a partial position, the Federalists would argue, the deliberative journey toward consensus will be littered with obstacles, and will likely meet with failure. Better to articulate a vision of the whole that gives structure to societal interests, than to hope that a coherent vision will arise from pluralist conflict. Richard C. Sinopoli expresses a similar concern, worrying

that the Anti-Federalist representative will not be “disposed to look after the rights and interests of persons he does not know personally,” and that he will shift his constituents’ share of the “costs of cooperation” to “relative strangers.”⁵⁴

However, this criticism is somewhat misguided. True, the hybrid system requires that deliberations proceed from the ground up, but this does not preclude the formation of a national vision. Each representative comes to the table with certain goals and objectives, as well as a sense for how those objectives mesh with the interests of others. Through the give-and-take of deliberation, each interest gets a better sense of what is to be gained and lost through collective action, and adjusts its vision of the whole accordingly. This process is enhanced by the presence of the best-informed men (and women), who represent their respective interests in as unbiased a fashion as possible—which includes recognizing the long-term disutility of attempting free rides at other jurisdictions’ expense.

The hybrid theory of representation provides a useful critical standard for evaluating schemes of reform, and a mechanism (a representation composed of best-informed men) for filtering out plans that require sacrificing certain interests to the “common good.” At the same time, though, the hybrid theory provides the impetus for genuine reform, since the best-informed men subject local interests to critical examination in the context of the wider spheres in which they operate. Melancton Smith’s abrupt decision to change sides and support ratification of the constitution is a perfect example of how a hybrid representative can lead his constituents out of narrow or

⁵⁴ Richard C. Sinopoli, “Liberalism and Political Allegiance in Anti-Federalist Political Thought,” Publius: The Journal of Federalism 22 (Spring 1992), 135.

ill-informed views. Far from being an act of disloyalty to his electors, Smith's reversal was motivated by changing political circumstances, including news of New Hampshire's ratification. Since his constituents could be confident that they would think as he would, given full information, Smith could risk making the switch.

The Anti-Federalists understood that the long-range common good is identical with the long-range good (expansively defined) of every person and group within the social contract. If the tangible and intangible benefits of association do not outweigh the sacrifices required of certain members of society, those members could be seen as acting irrationally (i.e., they would be contributing more than they could expect to receive in the long term). Consequently, the most accurate way to determine the common good is to figure out the true interests (not just the stated preferences) of each constituency—a task for which the hybrid representative is well suited. When a mutually beneficial result is achieved, a conception of the common good is likely to arise that is more genuine than the top-down formulation the Federalists prefer, for it would more reliably take each interest into account. It will also tend to inspire a sober, legitimate patriotism, as society members come to realize the short-term and/or long-term benefits of association.

Alexander Hamilton never quite grasped this idea of the Anti-Federalists. When Melancton Smith argued that “the true interest of the state is the interest of the whole,” Hamilton replied that “the interests of a state have no connection with the Constitution, and may be, in a thousand instances, constitutionally sacrificed.” A day earlier, Hamilton had argued that “the local interests of a state ought, in every case, to give way to the interests of the Union; for when a sacrifice or one or the other is necessary, the former becomes only an apparent partial interest, and should yield, on the principle that the small

good ought never to oppose the great one.” To Anti-Federalists like Smith, such a choice between local and national interests was a false one.⁵⁵

One could argue that Lincoln’s decision to prioritize national unity over emancipation, despite strong abolitionist sentiment among his supporters, is better understood in terms of the hybrid theory, not Hamilton’s doctrine of national supremacy. Far from being a situation in which the interests of abolitionists were sacrificed to some “national” interest, Lincoln’s case for the union depended in great part upon the assumption that *all* would be better off united than divided. In his first Inaugural Address, for example, Lincoln not only enumerated the advantages of preserving the existing constitutional order, but stressed the intangible harm that would be done by prematurely breaking apart the union. Lincoln compares the costs of secession to the emotional damage divorce causes to husbands and wives, and pleads with his auditors to remember “the mystic chords of memory” that bind all Americans together. Abolition and secession strive for clean breaks, where no clean breaks are possible. As someone with an abiding commitment to ending slavery, yet with a deeper sense than his supporters for the unintended consequences of radical change, Lincoln exemplified the hybrid approach to representation.⁵⁶

⁵⁵ Melancton Smith, Speech of June 25, 1788, in Elliot, ed., Debates, 2: 314; and Alexander Hamilton, Speeches of June 24 and 25, 1788, in *ibid.*, 303, 319. For a position similar to Smith’s, see Robert Lansing, Speech of June 24, in *ibid.*, 294.

⁵⁶ Abraham Lincoln, “First Inaugural Address,” in Selected Speeches and Writings, ed. Don E. Fehrenbacher (New York: First Vintage Books, 1992), 284-93.

One advantage of the hybrid system is that it is not necessarily at odds with strong national government and a relatively small representation. Unlike more radical Anti-Federalists, Smith and the Farmer were not opposed in principle to a large, centralized federal republic, provided its legislature was adequately representative (Smith's own objections to the constitution were largely satisfied in the end). The hybrid system, to become effective, might require only modest changes to the institutional status quo. The hybrid theory of representation does demand, however, that policies and institutions—in particular at the national level, where representatives are most distant from the people—be consistent with the long-term interests of all concerned parties.

That said, the hybrid system would seem to work best where districts are reasonably homogeneous and the representative and constituents can identify with each other's life experiences. The more heterogeneous the district, the greater the apparent challenge for a hybrid representative. The pressure would be toward articulating and defending independent positions on issues, rather than demonstrating a “oneness” with the constituency.⁵⁷ The representative would be forced into a more Burkean role, focusing on the national interest primarily, and only secondarily on constituents' particular interests.

However, the necessity for homogeneity under the hybrid theory should not be exaggerated. A certain variety of experiences is necessary for leaders to become “best informed”; a community that is hostile to dissent and innovation will impede production

⁵⁷ Compare the respective self-presentations of Congressmen A and D in Richard Fenno, Home Style: House Members in Their Districts (Boston: Little, Brown, and Company, 1978), ch. 3.

of enlightened hybrid leaders. Furthermore, identification is still possible between representative and constituents in heterogeneous districts. For example, while a representative may not be able to identify directly with a steel worker, a farmer, and a teacher, all at the same time, he or she can nonetheless empathize on the basis of common middle-class concerns, like inflation or health care. For all his faults, Bill Clinton was a master of this sort of empathy, establishing connections of trust with a winning coalition of voters from the most heterogeneous district on earth: the United States.

Hamilton gestures toward the importance of identification and empathy in Federalist 35, where he asserts that large and small landowners share the same interests. To those small farmers under the thumbs of Hudson valley manor lords, this argument would have been infuriating. It goes without saying that Smith and the Farmer would look for a connection less forced than this. (Even Clinton—whose attempt to create a middle class coalition behind his Third Way was more plausible—was only partly successful). The radical Anti-Federalist credo—no representation without responsibility—is not lost on Hamilton and Madison, but Smith and the Farmer better understand the proper nature of this responsibility.

If nothing else, we could credit the hybrid Anti-Federalists' with providing an alternate *vision* of representative government: a new “norm of choice,” to use Garry Wills' term for the implicitly agreed-upon aim of elections. Whereas for Publius, the relevant norm of choice was the choosing of statesmen capable of mediating and ordering a variety of interests,⁵⁸ Smith and the Federal Farmer ask us to affirm what many already

⁵⁸ Garry Wills, Explaining America: The Federalist (London: The Athlone Press, 1981), 224, 234.

seem to intuit: that the persons best suited to preserve one's interests while providing effective governance are those who have risen from one's profession, or social class, or region. The hybrid representatives' blend of competence and responsibility, Smith and the Farmer argue, makes them worthier of our trust than candidates who could only mirror or only "refine" our preferences.

Melancton Smith and the Federal Farmer espouse a doctrine of representation that satisfies the longing for enlightened statesmen, while recognizing the dangers of entrusting power to those who have enjoyed the privileges of wealth, status, and education without having experienced the life of an ordinary person. So long as we elect the most democratic group of aristocrats—those who have risen from the ranks of ordinary people through diligence and hard work—Smith and the Farmer suggest that we can have the best of both worlds.