America's Foundations, Foundationalisms, and Fundamentalisms

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by J. G. A. Pocock

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The creation of the American republic occurred at a hinge moment, when the understanding of republics in ancient and neoclassical terms was increasingly in competition with a new, modern understanding that was both commercial and individualist. In the ancient understanding, the purpose of a republic was to enhance the opportunity for citizens to display and develop their political capacity; in the modern understanding, it was to increase their freedom—often defined as their right—to engage in a great variety of social behaviors (many of them acquisitive) which need not be directly political at all. Thus the function of the political was to liberate and protect the personal and the social.

In the ancient model, the citizens—owners of the land and the arms that made them capable of citizenship—met in assemblies to govern themselves. This implied republics of small extent, which typically perished of corruption as they extended themselves into empires. As republics grew larger, it became harder for the citizen assemblies to meet. As the republics became what we call civil societies, engaged in innumerable social and commercial rather than political activities, it became less desirable to meet, as well: as Adam Smith remarked in his Glasgow lectures, people in civil society have better things to do than to be governing themselves all the time. There thus arose the idea that it was better to elect representatives to govern for them. An absolutely crucial statement in the process of making America a modern rather than ancient republic is James Madison's, when he informed readers of *Federalist Paper* No. 14—totally distorting the history of political language—that a polity in which the citizens rule themselves directly is a democracy, but one in which they rule themselves through representatives is a republic. The conservative claim that this is a republic rather than a democracy strikes a jarring note but rests upon high authority.

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It is frequently asserted that the citizens of a democratic republic never display their civic virtue—their capacity to rule themselves and act as self-determinant beings—more highly than in the act of choosing and electing their representatives. This proposition, however, was challenged, both practically and philosophically, long before Madison announced his formula. For at least a hundred years it had been a commonplace of English political rhetoric that the people's representatives very easily became corrupt, less because there were too few participants in the act of electing them than because they too readily became dependent on the powerful and wealthy government they were supposed to keep in check. Philosophically, Jean-Jacques Rousseau had recently questioned in *The Social Contract* (1762) whether it was possible for one human being to be represented in his moral and political personality by another, and whether the very act of electing another to be a citizen for one did not corrupt the essence of citizenship.

In our own time, the notion of representative government is in some measure in crisis, because it is harder and harder to believe that those we elect to govern us do in any sense represent us. Accordingly, if we identify ourselves with them, we are giving ourselves to them, and if we don't, we are allowing them to rule us. The political class begins to look like an oligarchy of professional politicians, who from time to time oblige us to legitimate their rule by choosing between the alternatives they determine and present to us.

Politicians, regarded in this light, look less like representatives of citizens than they look like what the early modern world called courtiers—brokers of power and influence who are useful to the citizens because they know and command means of access to those who possess power, but who are part of the structure by which the citizen is governed. Some say there is no other way of governing a modern society, but the method of government is nonetheless early modern. There are moments at which the president of the United States looks like an early modern monarch; we want to know who is giving him counsel, how he chooses his counselors, who controls his household, and the means of access to his person. These are the questions one asks about the politics of courts and palaces, and they seem applicable to the politics of Pennsylvania Avenue.

The Revolution may be thought of as a process whereby Americans who had thought that they were English began to think of themselves as no longer British. Put that way, the Revolution becomes part of the very complex history of the word "British." It happened in the history of an English kingdom that had expanded to become a complex monarchy, including Ireland, Scotland, and the colonies of Caribbean and mainland America, more or less in that order; the word "empire," which had originally meant England's sovereignty over itself, had expanded correspondingly. The distinction between ancient and modern republics was part of a debate for and against the ways in which that monarchy had developed and expanded; some of that debate went so deeply into the roots of church, state, and civil society that it can almost be described as "radical." At the time when the mainland colonies began to feel aggrieved, the ways in which George III and his ministers were handling the government of the parliamentary monarchy were being vehemently and angrily debated in what Edmund Burke termed "the present discontents." The language of this debate was common to the Kingdom of Great Britain, the Kingdom of Ireland, and the American colonies, and in all these came close to a language of violence and delegitimization. In England there was something unreal and theatrical about it, whereas in America it became the language of a civil war in the colonies and what the Romans called a social war (a war between associated states) in the empire. What happened in Ireland—mainly in Protestant Ireland—is a third story.

The Declaration of Independence is not a republican document—it goes no further than to declare the government of a king dissolved, which is not enough either to abolish monarchy or to institute a republic. To understand it, one must explore the use it makes of John Locke's account of how a government may be dissolved and power revert to the people. Locke's account imagined the dissolution of the government of a single state, whose people then reverted to what was called the state of nature, in which they remained until they took steps to bring themselves out of it again. This is not what the Declaration does. Its stated purpose was to dissolve the ties that had hitherto connected one people with another. The authority of the king that it dissolves is his authority to maintain and impose those ties—his authority over an empire rather than a civil society or state. The Declaration is not terminating a civil government so much as an empire or confederation. What is philosophically extraordinary is its declaration that there are two peoples, the ties between which are now dissolved, and that this dissolution has left one of them—and what is happening to the other?—in the state of nature which exists not between individuals but between states, so that the former people now revises its civil government only because it no longer binds this people to the other.

These two peoples—there need to be two but no more—are the American and the British. It was necessary for the Declaration to invent them both, as neither could be said with any certainty to exist in 1776. Whether the English and Scottish peoples yet thought of themselves as a single "British people" is a question most historians would answer with a qualified negative. The Declaration treats them as such, in virtue of their continued obedience to the monarchy whose misguided policies have dissolved its authority over the empire. It therefore severs all ties between the American people and the British and declares the two to occupy a state of nature that renders them "enemies in war"—the condition now existing—and "in peace friends." Behind all its antimonarchical rhetoric, the Declaration is one of war between one people and another.

The effects of this are revolutionary in America but not in Britain. The Declaration does not—as it might have done—declare George III deposed from his kingship in virtue of his misgovernment in Britain, though a rhetoric existed capable of doing so. It does not make a pitch for support in Britain, or incite the "disaffected patriots" of England to dissolve their government. A group of Americans who had gone to London to organize support—led by Arthur Lee, one of the Lees of old Virginia—simply went out of action when the Declaration arrived; it said nothing to the British people beyond rejection and defiance. In this, the American Revolution differed very much from the French Revolution a few years later, which did oblige the British to choose between revolution and counterrevolution. They chose the latter, but the choice was within limits traumatic. It may be that their previous experience with the American Revolution had much to do with this choice, but the surviving literature has surprisingly little to say about that. They accepted the Declaration that they were now sundered from the American people, and from now on talked about themselves in terms not derived from the experience the Americans were having.

"The American people," insofar as one could be said to exist in 1776, had the rather unusual characteristic that it had organized itself into thirteen states (as the several colonies now were and were proclaimed always to have been). This means that the Declaration of Independence is less a contribution to the literature of how a society may be formed into a state than to the literature of the relations between states—towards which it is now believed that the study of the history of political thought should be redirected. It means further that the classic documents of the Revolution and Foundation emerge less from the literature of the English kingdom than they do from that of its empire. In the approach to the War of Independence, Americans had attempted to redefine the empire as a confederation of parliamentary states under a single crown. When this failed, as it was bound to—the relations between Crown and Parliament in England were too delicate and dangerous to be shared with other relationships—Americans withdrew from the empire of the Crown and attempted a new pattern of states, associated in a new sort of confederation and empire. This is the point at which American history, both philosophical and practical, becomes radically different from British history, in which the discourse of federalism is hardly known and has never taken root.

American history is generally seen as the consequence of a conscious and deliberate act of foundation, to which all that precedes it is the prehistory. This act is of course differentiated into two actions, of which the Declaration of Independence in 1776 is seen as the moment of the Covenant and the ratification of the Constitution in 1789 as the moment of the Law. It is hard not to use religious language at this point, where conceptualizing and writing American history becomes a matter different from the chronicling of most others. Few of these others begin their history with a conscious act of foundation, proclaiming principles the content of which may be debated and contested, and the universality of which—their applicability to the rest of mankind—is made part of that contest. Yet that is the case for the United States; there was a foundation, and Americans continue to debate its meanings.

The American founders thought they were founders, and they intended to found a republic on certain principles. While it is important to ask both what they intended and what became of their intentions in history, it is equally true that they imposed their intentions on history in the form of laws, ordinances, and constitutions that acted on subsequent history and shaped it while being shaped by it. The political philosopher Michael Oakeshott insisted that history is an unending stream of contingency, having neither beginning nor end nor fundamental principle, in which actions are taken from time to time, to which such meanings are ascribed as from time to time seems necessary and justifiable—in short, when in the course of human events they appear necessary and justifiable. One could give an Oakeshottean reading to the Declaration of Independence, by reading its proclamation that certain truths were self-evident in the context of the words "in the course of human events"; it would follow only that the self-evidence of the truths was not the last word about the course of human events, and that it was only at certain moments in history that it was meaningful to pronounce that self-evidence.

Of the year 1776, one might say that it was a moment when Americans (whoever they were) found it necessary to refound a polity on the basis of certain enduring principles, whereas those inhabiting the British polity found it necessary to do and say other things, not invoking a foundation at all. Thomas Paine spent the rest of his life assuring the British that they had no constitution since they could not produce it in writing, but they paid no attention.

The "civil religion" reading of American history takes its name from a complex term, and we need to be clear what we mean when we use it. First, it arises above all from the notion of a foundation on certain principles, which must be identified and clarified but may be contested. Americans have a moral and political obligation that does not fall on citizens of political cultures that are not foundational: they are called upon to decide whether or not these principles are being observed. In non-foundational societies, citizens may believe that there are principles and that it is important whether they are being observed or not; but they do not have to think of their polity as being founded upon principles by which it may be adjudged at any moment. Any republic may become corrupt, and it is the strength of a republic that it recognizes this; but it does not follow that a republic is to judge itself, at any and every moment, by the extent to which it contains corruption.

But in a foundational culture it is easy to fall into this mode of self-judgment, or to respond to self-condemnation by denial of the facts on which the condemnation is grounded. One alternates rapidly and extremely between praising oneself for observing the foundational principles and condemning oneself for not observing them; American historiography seems sometimes to alternate between a liturgical mode in which the principles are celebrated and a jeremiad mode in which the people are condemned for falling away from them. It is like reading the prophets of the Exile; non-foundational cultures are not like this.

Of course, a belief is not a religion until it entails a concept of the sacred, and to make principles foundational is not to make them sacred unless they either entail a concept of the Divine or substitute themselves for it. Here we begin to talk about the fascinating subject of American religion, or as some would say religiosity, and the ways in which it is rooted in the condition of religion—in particular the Christian and in particular the Protestant—at the time of the American founding. The central question here will be how the notion that religion should be free became a notion that liberty was itself sacred—not only in a metaphysical sense but also in one actually religious, so that American liberty and its history became a civil religion—together with the question of what problems and difficulties this change of notions encountered and even produced.

Here it is necessary to use the words "enlightened" and "Enlightenment." This can be confusing, because we have slipped into a habit of talking about "the Enlightenment" as if it were a single thing. If we can get rid of that dangerous word "the," we may find that there were a number of things worth calling "Enlightenment" and various ways of using that word that can help us in talking about them. One widespread phenomenon in eighteenth-century Europe was a determination to see that there should be no more wars of religion—no more occasions on which humans could take up arms against each other in the name of religious authority or religious liberty. One way of pursuing this goal was to ensure that there was nothing in religion which was not part of civil society and subject to its authority.

A crucial step in achieving this goal was proclaiming religion free, on the understanding that religious liberty, like any other kind of liberty, could be achieved only within civil society and by its authority. We all know how this entailed some drastic remodeling of government and civil society, so that they became committed to the attainment and maintenance of this and other kinds of liberty. But there is another side to the story: God proved extremely resistant to being reduced to a feature of civil society. Enlightened minds observed that the making of specific statements about God, let alone specific statements by Him, and also the practice of disputing what such statements should be or had been, led directly to claims of authority whose basis was in God and outside of civil society. Since they could not prohibit the making of such statements or make it a monopoly of the state, they adopted the strategy of setting it at liberty in the hope of reducing it to neutrality—a strategy known in the last generation as repressive tolerance.[1] If all statements about God were of equal value—in the eyes of the state or the eyes of the philosopher—then all such statements might be equally limited in value, and could not presume to challenge the authority of civil societies. The authority of the state was limited by the imperative to preserve civil and religious liberty; but the authority of free society was another matter. We come within sight of Tocqueville's observation that Americans did not fear the authority of the state but did fear the opinion of their neighbors.[2]

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[1] See Herbert Marcuse, "Repressive Tolerance," in R. Wolff, B. Moore, Jr., and H. Marcuse, *A Critique of Pure Tolerance* (Boston: Beacon Press, 1969).

But religious liberty had not finished with God. If statements about His nature were all of limited value, there were two possible conclusions. Either He did not exist and the practice of making statements about Him was a product of the human mind and its history, or He did exist, but beyond the reach of the human mind and its power to make statements—in which case the statements it made about Him were a product of its history, as above. But if He did exist, it could not be positively affirmed that He never intervened or revealed Himself in human history—in which case disputes among humans who held that He had done so in different ways (the Jewish Law, the Christian Incarnation, the Quran) could only be conducted on the assumption that each set of beliefs was of imperfect value; precisely what believers could not be asked to accept. The impact of Enlightenment on the Christian religion, especially in its Protestant forms and above all in the Anglophone North Atlantic, was therefore to polarize it between two extremes: at one the Unitarians, Deists, Freemasons, who held that God might or might not exist but that little could be said about Him beyond the human values entailed by the idea of His benevolence; at the other, the evangelicals and revivalists, who held that Jesus Christ was the Son of God and that it was possible to be born again in Him, either through His literally conveyed Word, or through the workings of the Spirit that lay behind the Word and might even transcend it. This polarization was effective by the end of the eighteenth century.

The circumstances of America's foundation, even of its Constitution, have perpetuated this polarization without freezing it, so that after all the mutations through which it has passed, one finds this culture at the outset of the twenty-first century sharply and almost equally divided into two political subcultures who call each other by the inaccurate but significant names of liberals and fundamentalists. There is no other contemporary civilization of which this can be said, and it does not make it easier for other peoples to understand America. One can imagine that Muslims perceive America most vividly and misunderstand it most completely.

Sayyid Qutb (1906–1966), the Egyptian philosopher of radical Islam, is said to have learned to detest the United States not in New York or Los Angeles, but while attending Colorado State College of Education (now the University of Northern Colorado) in Greeley, Colorado. It would be interesting to have a study of Greeley at the time he was there. In the provincial heartland he would likely have encountered, simultaneously and almost indistinguishably, both evangelical Christianity and the conviction that all religions are created equal, so that neither state nor civil society can profess any one of them. Qutb, of course, would not have liked either position.

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[2] *Democracy in America*, passim and, in particular, Part IV, chapter VI.

The real question about the American civil religion is what it obliges Americans to think about themselves. It is unlikely, however, to have any role in forging an American messianism, in which the United States seeks to impose its values on the planet. It is doubtful that even the Bush administration is now engaged in a crusade for the separation of church and state, and the Declaration of Independence did not seek to impose American liberty on the British. The American universalism of the moment arises from another component of Enlightenment—the belief that if a state can have a commercial civil society and a free market, all other good things, including democracy and the separation of church and state, will consequently be added unto it. My professional bias tells me that there are historical preconditions that must be met before this can be true.