Book Reviews

Emily Pears. *Cords of Affection: Constructing Constitutional Union in Early American History*. Lawrence: University Press of Kansas, 2021. Pp. 328. $39.95 (cloth).

In *Federalist* no. 14, James Madison referred to the "people of America, knit together" by "so many cords of affection." Taking her cue from that statement, Emily Pears explores the efforts of political elites from the founding through the early antebellum period to instill in Americans a bond with the new national government. With a nod to the literature on political culture, Pears distinguishes the object of her study as "political attachments," which she defines as "patriotic sentiments and beliefs" connecting individuals to the Constitution and the institutions of government. The connection she has in mind is a "deep emotional" one (11, 15). In Pears's account, citizens with "high attachment" view the political system as fundamentally fair and the lawmaking process as legitimate. They are willing to "uphold the norms and institutions of American democracy" in the worst of times as well as the best, even when government policies work against their private interests. The converse holds for those with "low attachment" (4, 21–22).

The stakes are high then, Pears suggests, as she frames her analysis of the early republic around recent events. The problem that provides the impetus for her study is that this sort of heartfelt relationship with governmental institutions does not spring up naturally or evolve organically. It must be constructed and maintained, a task complicated by a federal system in which many Americans' primary allegiance was to their own states. In Pears's view, forging political attachments with the national government required "purposive action" from the top down. Accordingly, she sets out to examine "how political leaders conceptualized the problem of political attachments" in the country's early years and how they sought to cultivate them (29, 34).

The body of this work canvasses three approaches to that problem. Each came on the scene with the founding generation and was revived in some form

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before the end of the early national period. The first, which Pears calls utilitarian, catered to individuals' economic interests, though it was designed more broadly to display the central government's capacity for competent administration. Pears draws a line from Alexander Hamilton's economic policies (including the national bank and the assumption of states' Revolutionary War debts) to Henry Clay's American System (protective tariffs, the national bank, and internal improvements). The second approach, labeled cultural, looked to education and historical narrative to foster political attachments. Noah Webster emerges as the early model with his schoolbooks and dictionary. The cultural banner was subsequently taken up by George Bancroft with his multivolume *History of the United States*, but Pears focuses on Whig oratory, especially speeches by Rufus Choate and Daniel Webster celebrating the Puritans as something of an alternative founding of American ideals and institutions. The third approach falls under the heading of participatory in Pears's classificatory scheme. The idea was to develop political attachments to the US government by engaging citizens in governing themselves at the local level and building up from there. Pears credits Thomas Jefferson's unrealized conception of ward republics—each ward a "small republic"—as the source material for Martin Van Buren's understanding of the role political parties could play in providing Americans with "a sense of ownership" of the process of governing at every level, with all of the organizational activities and events that go along with party membership (201, 207).

Readers might wonder whether this three-part framework covers the gamut. Although Pears says there are additional strategies, she does not identify any others. One that may deserve extended consideration as a distinctive approach, especially in a book that privileges the founding, is exemplified by the ratification of the Constitution. Pears classifies the state ratifying conventions as a participatory mechanism involving "the people directly" in the process, "thereby educating" them about the Constitution's "institutional features and granting them a stake in the outcome" (62). That was surely an important aspect of ratification, but more emphasis can be placed on the character of that process—call it reasoned deliberation. True, when the Philadelphia Convention wrapped up, delegates hoped for speedy approval rather than a drawn-out affair. And the ensuing debate was not without its bare-knuckle politics, including malapportionment of delegates (overweighting Federalists in state conventions) and retaliation against newspapers that published Anti-Federalist arguments. Yet what could serve as a better example of how to build attachments to the government than this? Here was a sophisticated debate over how the new government's institutions would be expected to operate, with what powers, and with what effect on individual rights. The debate, moreover, was carried on throughout the country, in taverns and coffeehouses, newspapers and pamphlets, with the people and their representatives grappling with the proposed Constitution in minute

detail (the Massachusetts ratifying convention went through it paragraph by paragraph; likewise in Virginia). Ratifying the Constitution may well have been a one-of-a-kind event, but did that mean that Americans had forever lost the capacity to develop political attachments through the use of reason in the public square? Abraham Lincoln, for one, thought not. Pears interprets him as calling for "a postfounding attachment based on reason and principle" (241).

There is a critical question that hangs over this book. Readers get a glimpse of it in the introduction, when Pears states that political attachments are "neutral" with respect to the "justness of the regime." Her point is that, "to survive, democracies need people to remain attached to institutions even when those institutions act unjustly." The alternative, she says, is "mercurial lawlessness without true constitutional constraint," although Pears acknowledges that regime justness "can, and perhaps should, influence a citizen's willingness to attach to a regime." This issue is not taken up again until the book's conclusion. There Pears says that "constitutionalism requires reform movements to seek change through existing processes rather than attacking institutions in a revolutionary fashion," but then she concedes that "justice has occasionally and clearly *required* significant, perhaps even revolutionary reform in America" (italics in the original). She cites the "abolitionist movement" as a "moment when significant reform, and perhaps even revolution, were warranted," but she does not elaborate except for a quick comparison of William Lloyd Garrison and Frederick Douglass, followed by a whirlwind tour of Martin Luther King Jr.'s thought, with the distinction between Daniel Ellsberg and Edward Snowden thrown in for good measure (13, 243).

As the United States before the Civil War presents such a classic case of regime injustice, the historical period under review invites careful consideration of this issue. *Cords of Affection* elides the complexities. Pears brackets the question of slavery, a word that does not appear in the book's index. Yet that was the question then—a question looming at the founding that tore the nation apart within 75 years. One possibility would have been to broaden the analysis from the small circle of political elites covered to include more on the range of voices speaking to this question, starting but not ending with the Garrisonian abolitionists and their view of the Constitution as a "covenant with death" and "an agreement with hell."

Another question that readers might entertain has to do with Pears's stated aim to "spark innovation in our thinking about today's problems." While *Cords of Affection* stands on its own as a historical study, she repeatedly asserts that approaches taken to developing political attachments in the early republic provide a "highly" instructive "blueprint" for present-day challenges. This claim remains undeveloped until the book's last pages, where readers are treated to a hurried review that culminates in the prosaic suggestion that Americans today "need help in learning what it is their government actually does" (27, 34,

257). Her sketch of possible solutions—ranging from community celebrations like the Kennedy Center Honors to voter turnout drives sponsored by Campus Compact—does not reflect the in-depth analysis of earlier chapters. Among other things, Pears commends the Tea Party of the Obama era for calling for a return to "founding principles" (253). Not only does she seem to look at this movement through rose-colored glasses, but what the Tea Party did in this respect—she notes that pocket Constitutions were handed out at its events—hardly compares with the strategies devised by the likes of Hamilton, Clay, the two Websters, and Van Buren.

Finally, Pears occasionally makes sweeping assertions that may give readers pause. Her notion that "citizens of a republic must see themselves as one people committed to one goal if they are to govern themselves collectively" seems susceptible to a more nuanced reading in such a pluralistic society. Some scholars might object to her suggestion that a strong political attachment to the US government requires a commitment to capitalism. Others might question her assessment of American history as "ultimately a narrative of triumph and, most importantly, the triumph of a particular set of principles and a commitment to constitutional restraint" (138, 256).

None of these concerns should be taken to diminish what *Cords of Affection* accomplishes. Emily Pears has an interesting take on US constitutional history, and her book offers an engaging perspective on the efforts made by leading figures to build support for the young republic at a time when its longevity was very much in doubt.

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Paul M. Rego. *Lyman Trumbull and the Second Founding of the United States*. Lawrence: University Press of Kansas, 2022. Pp. 336. $44.95 (cloth).

In recent years there has been a renaissance of Fourteenth Amendment scholarship among historians and legal scholars, who take the amendment and Reconstruction more broadly to be a "Second Founding." Eric Foner led off in more recent years with his popular book *The Second Founding: How the Civil War and Reconstruction Remade the Constitution* (New York: Norton, 2019), followed by my own book, *The Second Founding: An Introduction to the Fourteenth Amendment* (Cambridge: Cambridge University Press, 2020). Before us, other legal scholars, historians, and popular writers also referred to Reconstruction in such terms. Into this discourse enters Paul M. Rego's timely and useful