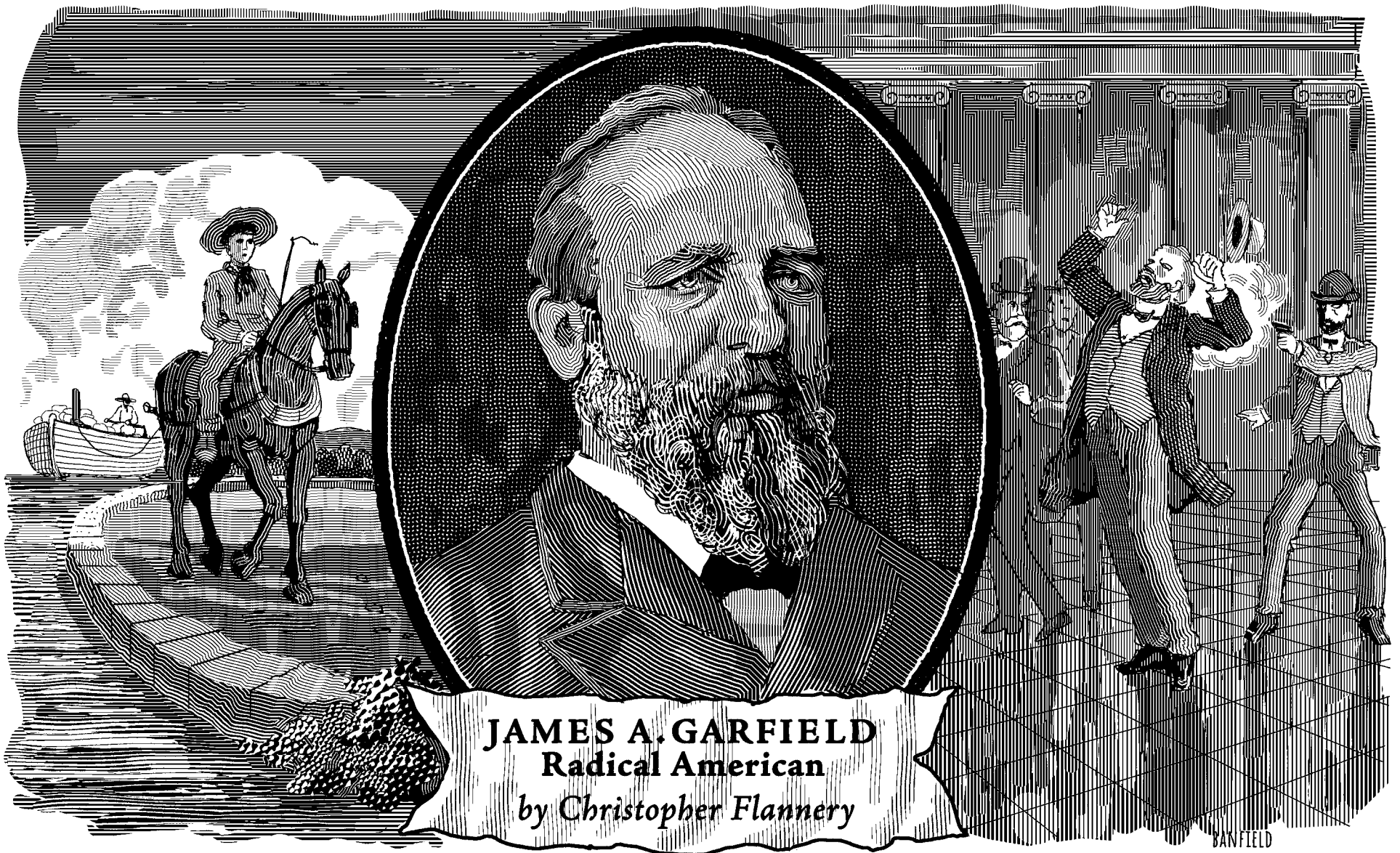


VOLUME XXIII, NUMBER 3, SUMMER 2023

# CLAREMONT

REVIEW OF BOOKS

*A Journal of Political Thought and Statesmanship*



**JAMES A. GARFIELD**  
**Radical American**  
*by Christopher Flannery*

Michael Anton:  
**Regime Change**

Julius Krein:  
**Buying Influence**

Allen C. Guelzo:  
**Ralph Vaughan Williams**

Christopher Caldwell  
William Voegeli:  
**After Affirmative Action**

Joseph Epstein:  
**Talk Like an American**

Douglas A. Jeffrey:  
**Roger Angell**

Glenn Ellmers:  
**The Biomedical Security State**

Spencer A. Klavan:  
**The Quantum Revolution**

Algis Valiunas:  
**T.S. Eliot**

A Publication of the Claremont Institute

PRICE: \$9.95

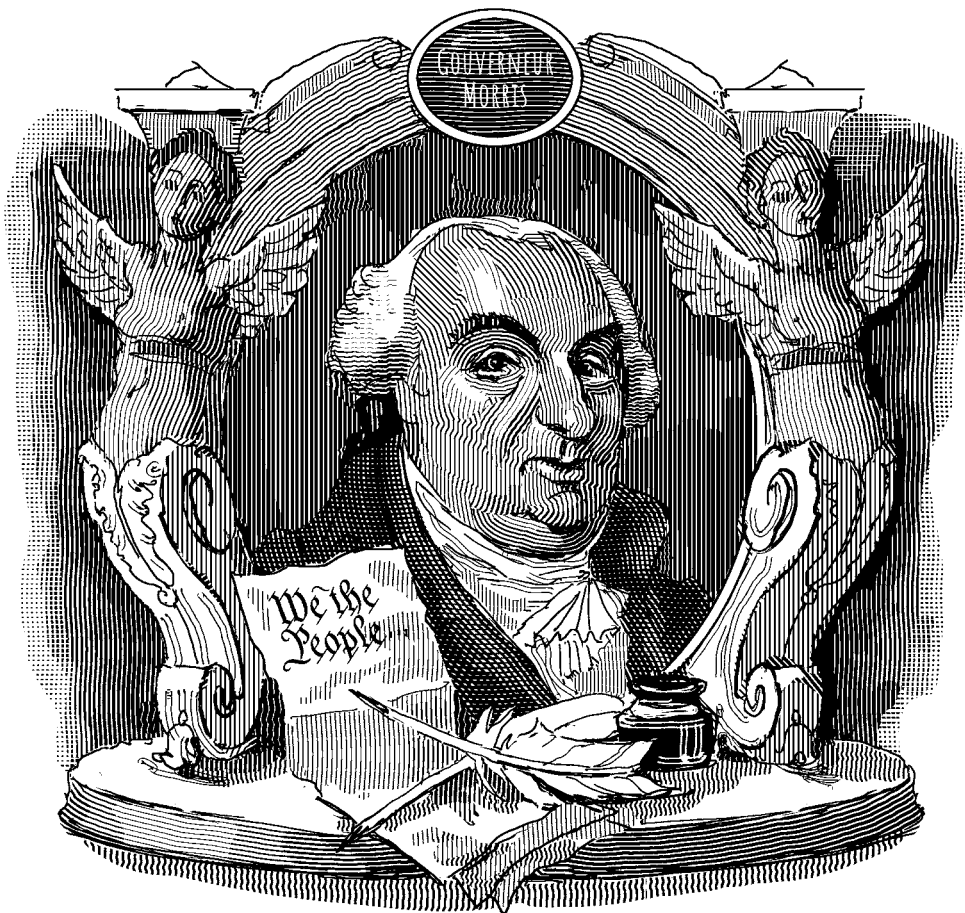
IN CANADA: \$14.95



Book Review by Tim Rice

## PEG-LEGGED PENMAN

*The Constitution's Penman: Gouverneur Morris and the Creation of America's Basic Charter*, by Dennis C. Rasmussen.  
The University Press of Kansas, 266 pages, \$44.95



**A**T FIRST BLUSH, GOUVERNEUR MORRIS seems like a carbon copy of Alexander Hamilton. Each began his career in politics as a brash, young New Yorker who favored the Federalists and cozied up to George Washington. Each argued for grand, and at times outrageous, political ideas. Each had a mind for money and worked to build the American colonies into a commercial republic with a strong national government. Each balanced, or rather unbalanced, his political career with a vibrant, oftentimes scandalous, personal life.

But Hamilton burst onto the scene only after the Revolution; Morris helped shape New York State's constitution and was already a force to be reckoned with by 1776. Hamilton had a career-ending affair; Morris was an unabashed philanderer. Hamilton was Washington's protegee; Morris was his fishing buddy and delivered his eulogy—and, for that matter, Hamilton's. Most of all, although Hamilton is remembered for his passionate defense of the Constitution, Morris shaped its most

important features—including the Preamble, which he wrote.

Yet for all this, Morris languishes in relative obscurity, and has for most of American history. He is not considered the author of the Constitution in anything like the way Thomas Jefferson is credited with the Declaration of Independence. Nor have Morris's rakish charm and modern temperament earned the peg-legged founder even a fraction of Hamilton's contemporary acclaim. (Morris lost a leg as a young man—from a carriage accident, it was said, though rumors persisted that he broke it jumping from a second-story balcony to escape a jealous husband who had found Morris in bed with his wife.)

Morris is so obscure that we don't even know how to pronounce his first name. One descendant claims it was simply pronounced "Governor"; Abigail Adams—who had a history of writing names phonetically—referred to him as "Goveneer." In fact, the only thing scholars are confident of is that it was *not* pronounced how it was spelled.

**H**OW COULD A MAN WHO LOOMED SO large in his day and did so much to shape our politics be so completely forgotten? In *The Constitution's Penman: Gouverneur Morris and the Creation of America's Basic Charter*, Dennis C. Rasmussen gestures toward, but never lands on, an answer. For Rasmussen, a professor of political science at Syracuse University, the reasons *why* Morris has been forgotten matter considerably less than *what* we've forgotten about him.

Far from a work of revisionist hagiography, *The Constitution's Penman* is a long-overdue study of Morris's life and thought, drawing on the smattering of extant studies as well as a close reading of his major speeches and letters. Rasmussen shows how Morris shaped the Constitution with a combination of practical politics and a bold vision for the future we would do well to imitate today.

Born to a monied family in New York, Morris split his youth between the library and the tavern. Often accused of being "slow to support the revolutionary cause," he became



a vocal patriot and accomplished statesman: Rasmussen notes that he was one of just five people who signed both the Articles of Confederation and the Constitution.

After this brief biographical survey, the rest of the book allots a chapter each to Morris's convention speeches, defense of federalism, opposition to slavery, and role in drafting the Constitution's Preamble and body, keeping the focus on his practical, political contributions rather than his political theory—and with good reason. Unlike Hamilton or James Madison, Morris did not write systematically about politics. He decried men who “have unfortunately acquired their Ideas of Government from Books,” because “Men who live in the World are very different from those who dwell in the Heads of Philosophers.”

**H**AMILTON AND THE OTHER HIGH Federalists shared Morris's aristocratic sensibilities but not his appreciation of the common citizen. Nowhere is this clearer than in Morris's discussion of presidential elections. Whereas Hamilton, writing as Publius in *The Federalist*, claimed that the people will gravitate toward local politicians who share their interests, “the elitist Morris,” Rasmussen observes, “trusted the common people's judgment” when selecting a president “more than almost anyone else at the Convention.” For Morris, the office of the presidency would combine elements of aristocracy (through the officeholder) and democracy (through the people who elected him). Similarly, Morris argued for the Senate to be intentionally aristocratic, and for the House to be self-consciously of the people.

Rasmussen is at his best when showing the outsized impact of Morris's subtle structural changes to the Constitution. He alone was responsible for giving one article apiece to the three branches of government, an organizational framework that made the branches coequal and bolstered the importance of the Supreme Court in ways some framers did not envision. But, ever the Federalist, Morris also introduced distinctions in the legislative and executive vesting clauses in order to give the president more power than Congress.

By documenting these changes, as well as showing how Morris changed both *his* mind and other minds throughout the Constitutional Convention, Rasmussen reminds us that the Constitution is the product of a political debate, and that many of its provisions reflect compromise, contingency, and the fact that, as Madison so aptly put it, men are not angels. We can hold fast to the founding's lessons while remembering that the framers

were practical men trying to hammer out the structure of a government—men who often disagreed with one another and whose beliefs changed over time.

**A**S RASMUSSEN NOTES, “THE ENDS [Morris] laid out in the preamble—justice, domestic tranquility, the common defense, the general welfare, and liberty—were always more important to him than the means to those ends.” Beginning with Morris—as opposed to, say, Madison—when studying the Constitution points us to this important middle path. We can say, for example, that the Electoral College is helpful or necessary without claiming it is perfect, or acknowledge that it is vexing without calling for tossing out the entire Constitution and starting from scratch.

Morris himself gives us a model for navigating moments of national strife. He was, on the one hand, a principled statesman who, Rasmussen writes, “spoke more often, proposed more motions, and had more motions adopted than any other delegate” to the Constitutional Convention. On the other hand, he “took a more lighthearted approach to life” than the other founders, putting as much emphasis on commerce and women as he did on politics.

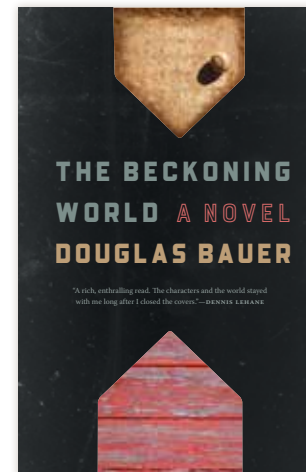
That the most lighthearted founder was also one of the most influential is a crucial reminder that one can be political without letting politics become all-consuming. Though modern sensibilities do not always guarantee political prescience, Morris foresaw a great many political problems that would come to plague the country, as his speeches during and after the Constitutional Convention testify. Most notably, he opposed the flourishing of independent state governments, which he believed would cause the union to splinter and possibly lead to “civil commotion” marked by “scenes of horror” that “cannot be described,” scenes that would eventually play out in the Civil War.

By the end of his life, Morris had grown convinced that the country was doomed to fail. In his later writings, he offers essentially the same narrative of republican decline as Mercy Otis Warren, an arch-Anti-Federalist who had considerably more reason than Morris to disdain and dismiss the Constitution. Even in his late-life pessimism, though, Morris offers us a lesson. So often it is the men who pour themselves into shaping and defending America who are the most disillusioned by her imperfections—even at the risk of losing sight of the goodness of what they've built.

*Tim Rice is associate editor of The Washington Free Beacon.*

## The Beckoning World

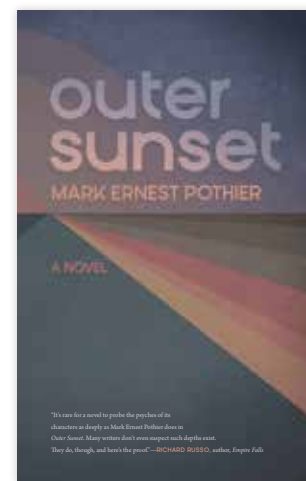
by Douglas Bauer



\$18.00  
paperback  
original  
276 pages

## Outer Sunset

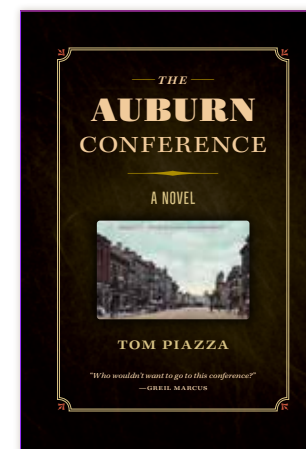
by Mark Ernest Pothier



\$17.00  
paperback  
original  
266 pages

## The Auburn Conference

by Tom Piazza



\$17.00  
paperback  
original  
199 pages

## IOWA

*where great writing begins*

University of Iowa Press

order toll-free 800.621.2736

   [uipress.uiowa.edu](http://uipress.uiowa.edu)



The CLAREMONT REVIEW OF BOOKS is a publication of the CLAREMONT INSTITUTE  
FOR THE STUDY OF STATESMANSHIP AND POLITICAL PHILOSOPHY.

Subscribe to  
the *Claremont Review of Books*

*“It is a joy to read the  
Claremont Review of Books.”*

*—Victor Davis Hanson*

Subscribe to the *CRB* today and save 25%  
off the newstand price. A one-year  
subscription is only \$19.95.

To begin receiving America's premier  
conservative book review, visit  
[claremontreviewofbooks.com](http://claremontreviewofbooks.com)  
or call (909) 981 2200.

CLAREMONT  
REVIEW OF BOOKS

1317 W. FOOTHILL  
BLVD, SUITE 120,  
UPLAND, CA  
91786

NON PROFIT ORG.  
U.S. POSTAGE PAID  
PERMIT NO. 504  
UPLAND, CA