Whose Vision Fulfilled? Toward a Rightful Ideological Progenitor for the U.S. Federal Depository Library Program

John Walters, Utah State University
Introduction

During the establishment of the U.S. national government, prevailing Federalist political thought both fostered and constrained the ideological development of U.S. government publication. The movement to expand the functions of government, to endow it with strength and vigor, particularly as expressed in the political thought of Alexander Hamilton, augured well for government publication. Of the Federalists, Hamilton was most ardent in arguing for an active government. In the economic sphere, particularly, he envisioned government as a force in promoting and regulating trade. So much so did Hamilton wish government to exert itself in commerce that he, according to Lyndon Caldwell, sought to make government “the nation’s first entrepreneur” [1].

Hamilton wanted a strong executive equipped with departments that extended beyond the field of trade. Hamilton favored the establishment of a Department of Agriculture; he argued on behalf of such public works projects as canals, highways, bridges, and harbor improvements; he stated that “all precious metals should absolutely be the property of the federal government [2]; and he, along with Benjamin rush, favored the creation of a national university [3].

Hamilton advanced his initiative to expand the functions of government and to increase, in turn, opportunities for publication in what surely was the first significant executive agency document published in the United States, his Report on Manufactures. Here, Hamilton argued in favor of government controlling much of the nation’s natural
resources. In sharp conflict with the popular Adam Smith, Hamilton sought to develop government’s regulative arm and even anticipated the establishment of the Federal Trade Commission [4]. Thus, Hamilton embraced the state as a positive transforming agent and demonstrated enthusiasm for expanding its activities.

For the development of government publication, the manner in which Hamilton prepared this report equaled the significance of its content. Hamilton’s investigative method was quite unique for its time. To revenue collectors of the Treasury Department and their supervisors, Hamilton prepared and distributed a circular letter. These employees, in turn, identified and forwarded Hamilton’s inquiry to officials and other prominent citizens who had knowledge of local manufacturing conditions. In response to his inquiry, Hamilton received at least 113 detailed pages from which to draw and form his conclusions [5]. In attempting to build up the federal establishment, Hamilton not only served the cause of increasing opportunities for government publication. He also authored a skillfully crafted government publication as the medium for advancing his agenda.

In preparing his report on Manufactures, Hamilton set high standards of thoroughness and rigor. On departments other than his own, he sought to impose the kind of fact-finding functions that he pioneered in the Treasury Department. In 1791, Hamilton entreated Secretary of State Jefferson to require diplomatic representatives to prepare what would have become the first foreign economic reports. These reports, as Hamilton conceived them, were to include, “a state of the coins of the country specifying their respective standards, weights, and values, and periodically, a state of the market prices of gold and silver in coin and bullion, and of the rate of foreign exchange, and of
the rates of the different kinds of labour as well as that employed in manufactures as in tillage” [6]. Hamilton’s method of inquiring, investigating, and examining served as a paradigm, however poorly adhered to, for excellence in governmental research. From Hamilton’s methods, as well as from much of his thought, an ideology of U.S. government publication began to take shape and draw sustenance.

**Fixed Principles**

Yet even while seeking to form a national government with expansive powers and a multiplicity of activities, federalist thought scarcely expected government to be a prodigious creator of knowledge. Madison, for one, imagined only an initial spurt of intellectual activity in the development of a legal code. Thereafter, Madison assured readers of Federalist No. 53, “improvements of the first draught will every year become easier and fewer” [7]. Even while emphasizing the importance of elevating men of superior wisdom and virtue to political office, Madison contended that much of the work associated with legislating, quite unlike the rigorous fact finding that Hamilton pioneered, could be done in one’s “closet” [8]. This element of Madison’s thought, which hinted at the simplicity of government service, became rather pronounced in the thinking of Jacksonian Democrats.

Inhibiting even further the development of governmental research was the belief, widely shared among many prominent Federalists and Anti-Federalists, that fixed principles governed the social and political sciences, that the Revolutionary generation had been first to discover them, and that already having discovered these immutable laws,
there was very little left to learn, either from the past or from future researches.

Anti-Federalist Thomas Paine, for example, contented himself with the knowledge accumulated in the social sciences of his own day and time. For Paine, neither studying the past nor theorizing about the future promised to yield much additional useful knowledge. “We have no occasion to roam for information into the obscure field of antiquity,” Paine declared,” nor hazard ourselves upon conjecture.” “We are brought at once to the point of seeing government begin,” Paine continued, “as if we had lived in the beginning of time” [9].

Except for the immediate past of the Revolutionary and Confederation periods that he romanticized, William Penn, like Paine, believed that the discoveries of the Confederation period represented the beginning and the end of research in the social sciences. “The book of the Constitutions of the various states reflects such a mass of light,” Penn declared, “as would have dazzled the greatest philosophers of antiquity.”

For Penn, the ideas of the Confederation Period distinguished themselves not only for their brilliance but also for their immutability, asserting that only “the Bible contained a greater store of eternal truths. Unlike inferior truths found in “books made of perishable material,” the truths revealed during the Confederation Period were, according to Penn, “deeply engraved in the hearts of every American” [10]. As such, these truths required little or no instruction, neither from the government nor from any other quarter.

These passages from Paine and Penn evinced a decided disregard for the past and an absence of enthusiasm for preserving it. Even Hamilton’s writings contain statements deleterious to preserving the historical record. “The sacred rights of mankind are not to be rummaged for among old parchments or musty records,” Hamilton wrote.
“They are written, as with a sun beam, in the whole volume of human nature, by the hand of the divinity itself; and can never be erased or obscured by mortal power” [11]. These sentiments, which expressed disdain for the historical record and for developing an institutional memory, carried over and even were exacerbated in the antebellum period that followed.

Such thinking, which eschewed research and investigation in favor of discovering fixed principles either through the exercise of reason or through an intervening providence, tended to retard the development of an ideology of governmental publication. The idea that late eighteenth century Americans had solved, with certainty and finality, the great mysteries of social and political science implied that neither historical nor experimental research could possibly add much value to the stock of knowledge that the Revolutionary generation accumulated during its purported golden age. Early political successes, therefore, stimulated pretentiousness and shortsightedness, and may have inhibited inquiry. Yet not everyone succumbed to the exuberance of achievement. In 1788, “A Maryland Farmer” directed a sober admonishment to the self-congratulatory among his countrymen, who believed that they were “the wisest people under the sun” and “think that because they come later into the world, they have therefore all the wisdom and experience of those who have gone before them.” The “Farmer” concluded by warning that the “greatest share of confidence is inseparably united with the greatest share of ignorance” [12].
AN INFORMED PUBLIC

In strengthening government and enlarging its sphere, Federalist thought tended toward an ideology favorable to the development of U.S. government publication. Yet, a contentedness with the present disinclined Federalists from looking forward, which suppressed inquiry, just as it dissuaded them from examining the past, and from taking measures to preserve it. As inquiry and preservation suffered under Federalist thought, so too did the informing function, the willingness of the governor’s to share their proceedings with the governed. Federalist thought failed to advance and develop this concept. In endowing government with energy, vigor, and the authority with which to investigate, the Federalists refused to cultivate an informed public.

Even James Madison, who sometimes is hailed as a great champion of government publication, revealed a dark side to his thinking about informing the public [13]. During the constitutional period, Madison argued not for a democratic form of government, which he and most of his colleagues associated with mobocracy, but for a traditional form of republicanism that largely restricted political participation to electing public officials. Indeed, the Constitution responded to what Madison and other Federalists perceived as the unbridled licentiousness that too much democracy engendered in the post-revolutionary period. In writing about the moral character of the general public in 1788, Benjamin Rush warned “that nothing but a vigorous and efficient government can prevent their degenerating into savages, or devouring each other like beasts of prey” [14]. The Federal Constitution, which Madison engineered, was designed
not to stimulate and enrich democratic practices, but largely to curtail what Federalists
denounced as mobocratic rule arising from excessively democratic state constitutions
[15]. None of these state constitutions, Edmund Randolph asserted, “provided sufficient
checks against the democracy” [16]. “We forgot,” Benjamin Rush asserted, “that the
temple of tyranny has two doors.” “We bolted one of them by proper restraints; but we
left the other open, by neglecting to guard against the effects of our own ignorance and
licentiousness” [17]. For Madison, according to historian Gordon Wood, democracy was
not the solution but the problem [18].

The concept of informing the public as a function of government is associated not
with the kind of republicanism that Madison embraced, but with participatory democracy,
what Wolfgang Kraus calls “democratic absolutism,” an idea that Madison and most of
his associates flatly rejected [19]. Informing the public is linked inextricably with
political accountability. Yet the ideal statesman, as Madison and his Federalist
colleagues envisioned him, was not one who capitulated and pandered to, or even
entertained, constituent opinion, but one who, always mindful of the public good,
exercised independent judgment. The Federalists, wrote David Hackett Fisher, “expected
statesmen to govern according to the whisperings of conscience rather than the wishes of
constituents” [20].

Antithetical to the concept of informing the public, this traditional Whig notion of
representation, often described as “virtual representation,” is the view Madison heartily
endorsed and which shaped his thinking. For Madison, an uninformed public fostered the
detachment and disinterestedness with which he expected elected officials to conduct
public business [21]. “There can be no doubt,” Madison informed Edmund Randolph,
“that there are subjects to which the capacities of the bulk of mankind are unequal and on which they must and will be governed by those with whom they happen to have acquaintance and confidence” [22]. Beyond electing public officials, Madison envisioned that political participation would be limited to citizens living in close proximity to the seats of power. Madison hoped that constituents would encounter legislators and be apprised of their actions not through newspapers and public documents, but primarily through face-to-face contact [23]. In The Federalist no. 53, Madison is concerned more about public officials acquiring than diffusing knowledge on legislative subjects. As for disseminating it to constituents, Madison relied solely on “increased intercourse among those of different states,” which will, he continued, “contribute not a little to diffusing a mutual knowledge of their affairs” [24].

Failing to provide for participatory opportunities, Madison and the Federalists, according to Russell Hanson, “hastened the decline of civic virtue” and “consigned the population to a state of civic lethargy” [25]. Christopher Duncan shared Hanson’s assessment. In rejecting participatory democracy in favor of efficient administration and institutional restrictions, the Federalists, Duncan asserted, “banished the vast majority of citizens to private life” [26].

In his quest to carve out a national government, Madison denounced political parties as pernicious influences, associating them with factions. He hoped for the emergence of national interests so strong as to prevent any one group from undermining the Republic. Although attaching himself to an emerging political party in the decade that followed, Madison, in the 1780s, directed much of his thinking toward mitigating their influence. He believed that the stability, indeed the viability, of the American republic
depended on the inability of parties and factions to correspond and to receive political information, their major source of strength. Thus, Madison hoped that America’s vast geographical expansiveness would inhibit the flow of political information and produce a decidedly uninformed public.

**EXTENDING THE REPUBLIC**

Taken together, these ideas constituted the “theory of an extended republic,” which Madison explicated in the *Tenth Federalist*, and which challenged prevailing ideas on the relationship between geography and political forms [27]. Indeed, most theorists considered America too vast to support a republican form of government. Unlike Montesquieu, who argued that a republican government could flourish only in a small city or state, Madison, advancing an idea that originated with David Hume, concluded that it was America’s vast geographical expansiveness that made it uniquely predisposed to a republican form of government [28]. Such an extended geographical sphere, Madison reasoned, with distant and remote parts and a multiplicity of interests, would serve to retard the spread of political information. Madison wrote that such developments as roads and post offices “facilitated the general intercourse of sentiments,” which were “equivalent to a contraction of the territorial limits” [29]. In 1787, Madison considered deleterious any such contractions. For Madison, then, political information, widely and efficaciously distributed, constricted the sphere of government, strengthened factional interests, and threatened to subvert the common good. Should the orbit of government become too small, Madison prophesied, it would “inexorably hasten its
violent death” [30].

Jack Rakove has hailed this theory of an extended republic as “Madison’s greatest achievement” [31]. For the mischief this theory brings to bear on the concept of an informed public, it is difficult to consider its author a champion of government publication. In acknowledging the exalted status of Madison’s essays, Richard John rightfully observes that “they are predicted upon a surprisingly limited conception of the role of political information in American public life,” and that “Madison predicated his defense of the federal constitution on the confident expectation that the United States was so geographically extended that its far-flung citizenry could not possible secure access to the information necessary to monitor the government’s ongoing affairs” [32].

Dealing a blow to Madison’s theory was Congress’s establishment of a national postal service in 1792, which significantly constricted the orbit of government, while it geometrically extended the public sphere. A postal service made it impossible for representatives to remain as insulated as Madison had hoped, inducing Madison to revise his thinking. Thereafter, Madison decided that the orbit of government had become so large as to benefit from contractions such as those that the postal system engendered [33]. Yet prior to 1792, Madison’s narrowly conceived view of interplay between constituents and elected officials reflected the forbidding physical environment of that time, which posed formidable barriers to communication, and which restricted political participation to citizens geographically favored [34].
Elitism

Not only the physical environment shaped Madison’s political thought. In addition to Madison’s theory of an extended republic, which alone makes it difficult to think of him as friendly toward government publication, Madison, like most of his generation, reflected the biases of a dominant political culture that defined “the public” in terms that excluded all but a privileged few. While literacy and the democratizing effects of the Revolution had widened the public sphere, most Federalists, Madison included, continued to define the public in terms exceedingly narrow, much like their colonial forbearers. In reflecting on the undesirability of expanding the sphere of political participation, Puritan elder John Winthrop had developed the following maxim: “…the best is always the least, and of that best part the wiser part is always the lesser” [35].

Such thinking persisted into the Revolutionary era and beyond. Whether as pamphleteers during the Revolution, as nation builders at the Constitutional Convention, or as statesmen governing a young nation, most founders intended their words, including those contained in the *Federalist Papers*, to be inspected and evaluated only by the favored few, a small group consisting of highly educated and cultured men much like themselves [36]. Such was the coterie that Madison characterized as having “extended views” and “national pride,” quite unlike the “multitude” [37]. For John Randolph, the public included “only the rational part of it; the ignorant vulgar are as unfit to judge of the mode, as they are unable to manage the reins of government” [38]. In assessing the abilities of common people to govern, John Adams declared that “they can neither judge,
act, think, or will, as a political body” [39]. “Caesar,” whose identity Paul Leicester Ford ascribed to Hamilton, declared himself “not much attached to the majesty of the multitude,” and that he considered the public “very ill qualified to judge for themselves what government will best suit their particular situations” [40].

**British Political Heritage**

Such disdainful sentiments were widely held among the political leadership, even among the somewhat more democratic Anti-Federalists [41]. These elitist ideas, hardly conducive to fostering such copious democratic practices as informing the public, derived largely from the British political heritage. The concept of informing the public simply was not among the democratic ideas that the American Revolution advanced. Indeed, this concept failed to advance beyond the model of the British Parliament. Even as British and American political institutions evolved, they remained wedded to “the aristocratic theory that information on public affairs” belonged exclusively to “the higher orders” [42]. To the general public, Parliament conceded only the right to know the laws that governed their lives. As for receiving knowledge of the political activity giving rise to these laws, the public, according to Parliament, was neither worthy of, nor entitled to, this kind of information [43]. For British and early American legislators, apprizing the public (to whom they often applied the opprobrious term “vulgar,”) meant diminishing the dignity of their political institution and raised the unwelcome possibility of being subjected to public criticism [44]. Once elected, British representatives, like early American political leaders, considered themselves free to shape policy completely
unfettered by their constituents, a freedom more easily attained in the absence of an informed and critically thinking citizenry. There was little need for, and much potential danger in, informing a public that would play no role in making policy and that, if informed, might subject government to public criticism. Thus, the British Parliament kept only a journal of its proceedings. “Things said,” noted historian Michael Macdonagh, “were not suffered to be printed at all. Only things done were recorded” [45].

**Secrecy**

Early American political institutions adopted this British practice. Colonial legislatures restricted the publication of proceedings, and prior to 1766 no legislative body in America opened its sessions to the public [46]. The Continental Congresses chose to meet in secret and kept only a journal of their deliberations. The Constitutional Convention ensured the exclusivity of its proceedings not only by closing its doors but also by fortifying them with armed sentries [47]. Largely hidden from public view, early American political proceedings gave rise to images of darkness. The “Centinel” used these skillfully in execrating the Constitution. “The evil genius of darkness,” he wrote, “presided at its birth, it came forth under the veil of mystery, its true features being concealed, and every deceptive art has been and is practicing to have this spurious brat received as the genuine off-spring of heaven born liberty” [48]. The proceedings of the Constitution, Sydney predicted, would “no doubt continue buried in the dark womb of suspicious secrecy” [49]. The debate surrounding the proposed Constitution suffered not
only from secrecy but also from what may have been an active campaign to suppress the Anti-Federalist polemic. It was one thing for the Constitutional Convention to refrain from sharing its proceedings; it was quite another, Anti-Federalists alleged, for Federalists to conspire with the Post Master General to silence their opponents.

Just as State conventions met to decide on the proposed Constitution, Post Master General Ebenezer Hazard implemented a new policy that inhibited debate. Since colonial times, newspaper printers exchanged papers and republished stories contained therein, that the stage coaches, under the auspices of the Post Office, delivered free of charge. This custom of exchange, according to the owner of the Philadelphia Independent Gazetteer, had “antiquity, sterling antiquity, on its side, and as such is as obligatory as any positive law of the land” [50]. In 1786 Hazard undermined this long-established practice. For reasons that he ascribed to economy and efficiency, Hazard relegated the delivery of newspapers to Post Riders, who sometimes refused “to take papers for printers,” and who sometimes either threw them away or sold them along the post roads [51]. Thus, “at this highly interesting period, when popular curiosity, and popular anxiety, are so equally awakened, and all that is dear to our country seems brought to the very stake,” the few papers that carried the Anti-Federalist message, as most ably articulated by Brutus, Cato, and Cincinnatus, rarely reached their destinations [52]. During the first six weeks of 1788, the printers of Boston, according to the Massachusetts Centinel, received no papers from New York [53]; for the first three months of that same year, the publisher of the New Hampshire Spy, “rarely received a single paper from New York or Philadelphia” [54]; and for the several weeks leading up to the Maryland State convention, the printers of Baltimore, as reported in the Philadelphia Independent
Gazetteer, “have not received a single paper through the Post Office” [55].

Hazard’s new arrangement for delivering newspapers disadvantaged opponents far more severely than supporters of the Constitution. On their side, the Federalists already enjoyed the allegiance of most newspapers, as well as the talents of the most accomplished writers. Whether unwittingly or by machination, the Post Master General, “by shutting up the channels of public information,” also served the Federalist cause [56].

Thus, early government officials, Madison being prominent among them, were generally unfriendly to the concept of informing the public. The Constitution (Article 1, section 5), of which Madison served as chief architect, requires Congress only to keep a journal of its proceedings, and only “from time to time publish the same” [57]. Moreover, section 5 gives Congress the extraordinary latitude to withhold from publication “such parts as may in their judgment require secrecy” [58]. “Consistently with the Constitution, Patrick Henry quite rightly asserted, “the transactions of Congress may be concealed a century from the public” [59]. Even as the Revolution stimulated the publication of political documents, the tradition persisted and largely was sanctioned in the Constitution, “that public business was not properly transacted in print” [60].

AN ORAL TRADITION

Another element in the political culture, which derived in large measure from high levels of illiteracy, as well as from adopted British practices, militated against a full, printed accounting of public business [61]. Late eighteenth century Americans were only beginning to emerge from an oral tradition [62]. Even for antebellum Americans, the
spoken word served as the paramount medium of political expression. The medium of print, according to Daniel Walker Howe, “far from displacing the spoken word, was called in to reinforce it” [63].

Steeped in classical learning, many Founders sought to emulate the great Republican leaders of Greece and Rome. In these ancient republics, noted John Quincy Adams, oratorical eloquence served as “the key to the highest dignities...the passport to the supreme dominion of state” [64].

For eighteenth century British and American political figures, oratorical eloquence represented the surest path to fame, perhaps even legendary status, particularly performances unimpeded by the presence of printed accounts. Masterful orators, such as Edmund Burke in the British Parliament and Daniel Webster in the U.S. Congress, benefited from the absence of faithfully recorded published accounts. Many of their best efforts were recorded only in the memories of their audience, which often consisted exclusively of their colleagues. Memory eventually gave way to imagination and invention, serving to embellish great oratorical performances and adding to the legend of the orator. According to Thomas Leonard, “in the young republic it was often the case that the more incomplete the record the more the man or institution was respected;” and that “for several decades the reputation of some great orators of the Revolution grew by word of mouth, not by the printed page” [65].

Sparse written records made biography a difficult undertaking, as William Wirt discovered in his early nineteenth century effort to portray the life of Patrick Henry, whose life passed largely unrecorded. Wirt found little evidence of Henry’s existence, apart from his “speaking, speaking, speaking.” “Tis true he could talk—Gods how he
could talk! But there is no acting the while…And then, to make the matter worse, from 1763 to 1789…not one of his speeches lives in print, writing, or memory” [66]

The oral tradition prevailed well into the 1850s, giving way to the rise of full, printed reporting [67]. Until then, political fame belonged to those legislators skilled at extemporaneous delivery or blessed with a prodigious memory. Those who relied on speaking from prepared texts, according to Thomas Leonard, “courted laughter” [68].

The rise of full reporting and recording, and public distribution either through newspapers, circular letters to constituents, or through official US publications, all combined to provide greater political participation and a greater measure of accountability. Full reporting made Congress increasingly accessible and considerably more responsive to “external rewards offered by constituents rather than by the internal rewards of colleagues” [69].

Yet, as oratory gave way to printed documents, something perhaps as vital to political democracy was lost. As a legislator’s public increasingly became constituents rather than colleagues, and as colloquy gave way to printed texts fashioned largely by party caucuses and hardened by party discipline, the chances for superior reason and persuasion to shape public policy diminished considerably. Legislators tended to make judgments that often were not the product of independent thinking but the work of party machinery, well before issues could even be debated. Printed texts, Thomas Leonard wrote, “drove out the oral exchange of views” [70].
The Pennsylvania Anti-Federalists

In advocating strong government with expanded activities, Federalist political thought stimulated government publication. Yet, its elitism restricted the proceedings of government to a limited audience, thereby retarding the development of an informing function. This informing function, which Federalists largely rejected, owed its development to the thought and practices of those who opposed the Constitution, particularly the Anti-Federalists of Pennsylvania.

Anti-Federalism came in many stripes. Some Anti-Federalists, particularly those who possessed great wealth, were scarcely distinguishable from their Federalist opponents. Like the Federalists, they expressed alarm at the leveling tendencies of the Revolution and conceded the need for constraining democratic impulses [71].

On the frontier, however, evolved a form of Anti-Federalism that departed radically from Federalist ideology. Unlike the Federalist notion of representation, which promoted detachment and discouraged participatory practices, the back country Anti-Federalists argued for a large measure of political accountability and demanded an unusual degree of responsiveness to constituent opinion. Anti-Federalists rejected Madison’s vision of a large republic governed by a small elite in favor of a confederation of small republics in which “republican liberty and popular participation were the defining characteristics of political life” [72].
This brand of Anti-Federalism flourished in Pennsylvania, the only state, according to Robert Williams “to experience a true revolution” [73] By 1776, these exponents of populist Anti-Federalist thought emerged as the dominant political group in Pennsylvania. As chief contributors to the 1776 Pennsylvania Constitution, they produced, in the words of historian Richard Ryerson, “the most un-Madisonian constitution” [74] Among its un-Madisonian features, this Constitution obligated government to perform an informing function, not of the parsimonious kind that the federal Constitution required, but a rather fulsome rendering that included not just a record of final actions but also “the reasons and motives for making such laws” [75]. In further contrast, while the federal Constitution required publication “from time to time,” the 1776 Pennsylvania Constitution demanded publication weekly; it also invited each legislator and ensured his right, “to insert the reasons of his vote upon the minutes, if he desires it” [76]. Perhaps its most significant provision required that, except in emergency, no bill could become law until it had been printed “for the consideration of the people”[77]. Features such as these prompted Ryerson to assert that “by late 1776 the commonwealth of Pennsylvania was perhaps the most vital participatory democracy in the world” [78].

There is no certainty as to who authored the 1776 Pennsylvania Constitution, though James Cannon invariably is cited as a contributor. Its supporters, hoping to give legitimacy to this document, ascribed authorship to Benjamin Franklin [79]. John Adams rejected this claim, arguing that Franklin played no part in framing this, or any other, constitution [80]. Most historians agree that this constitution was largely the work of
such scarcely remembered men as Timothy Matlack, George Bryan, and David Rittenhouse.

For many delegates to the Constitutional Convention, including Madison, the 1776 Pennsylvania Constitution served as a paradigm of government without much merit, particularly unworthy of emulation [81]. Gordon Wood asserts that the practice in Pennsylvania of reporting legislative debates engendered “a keen, even fearful, awareness of a larger political society existing outside of the legislative chambers,” which inspired convention delegates to take extraordinary measures to ensure the exclusivity of their proceedings [82].

While in 1787 the Federalists prevailed over populist Anti-Federalism, the Age of Jacksonian Democracy revived many elements of Anti-Federalist thinking, including the idea that citizens were entitled to information by and about their government. The origins of an informing function, and the impetus for government to exercise it both dutifully and liberally, can be traced directly to this strand of populist Anti-Federalism and its unheralded Pennsylvania practitioners.

**ELBRIDGE GERRY**

In addition to these obscure Pennsylvanians emerged a figure of national acclaim who bears close scrutiny in identifying early champions of government’s informing function. Signatory to the Declaration of Independence and Articles of Confederation, Elbridge Gerry, as a delegate to the Constitutional Convention from Massachusetts, had an opportunity to append his name to yet another historic document. Gerry declined.
In rejecting the Constitution, Gerry offered 11 reasons. Near the top of his list, number two, as Madison recorded it, Gerry cited the power of the House of Representatives to “conceal their journals” [83]. In the Convention, Gerry tried, but failed, to remove the secrecy clause and require, at least, full publication of the proceedings of the House of Representatives [84]. In another failed effort, Gerry joined George Mason to require annual publication of public expenditures. Madison opposed this effort, favoring the exceedingly indefinite schedule of publication, “from time to time.” “Requiring too much,” Madison contended, “will beget the habit of doing nothing” [85].

Later, as a member of the newly formed House of Representatives, Gerry renewed his efforts to require a “full and impartial publication of the debates of the House” [86]. The highly politicized affiliations of newspaper editors persuaded Gerry of their inability to render legislative business impartially. Thus, on April 20, 1792, Gerry introduced a resolution that represented a landmark in the history of U.S. government printing and publishing, the first attempt to have congressional debates published under the auspices of the US government [87]. Congress required an additional 100 years to fulfill Gerry’s vision. On March 5, 1873 Congress began publication of the Congressional Record, which succeeded its privately published, yet publicly funded, predecessors: the Annals of Congress, Register of Debates, and Congressional Globe [88].

Like James Madison, Elbridge Gerry came from a privileged background and shared Madison’s fear of tyranny from below. At the Constitutional Convention, Gerry declared that “the evils we experience flow from the excess of democracy” [89]. On the role of political information, however, these two men divided sharply. Whereas
Madison, prior to 1790, considered political information an instrument of doom, Gerry believed that an American republic could not survive without it [90]. Also quite unlike Madison, Gerry consistently demonstrated a high regard for public opinion, evidenced first by his repeated insistence that delegates to the Constitutional Convention consider public opinion in framing a new government [91]. Two years later, Gerry supported, while Madison opposed, a Constitutional amendment that would have given constituents the right to instruct their representatives [92].

They divided further on Madison’s vision of an extended national republic. Gerry rejected this concept and positioned himself in the conservative wing of the Anti-Federalist camp. Though far more moderate than the Pennsylvania populists, Gerry embraced the Anti-Federalist concept of representation, favoring accountability over detachment. “In a republic,” Gerry insisted, “every action ought to be accounted for” [93]. Thus, whether as convention delegate or U.S. Congressman, Gerry, compared with Madison, took a decidedly more affirmative position on government’s responsibility not only to inform, but also to be responsive to, the public.

Conclusion

Neither Federalist nor Anti-Federalist thought proved wholly supportive of government publication. Indeed, where Federalist thought weakened its development, Anti-Federalist thought reinforced government publication, as in the case of committing government to an informing function. Yet, where Federalist thought stimulated
government publication, as in expanding the scope of government, Anti-Federalist thought, which tended to embrace a minimalist state, retarded its development.

Anti-Federalists generally disfavored adding functions to government beyond those designed specifically to protect property and to defend the nation. In their dissent to the Massachusetts Convention, Consider Arms, Malachi Maynard, and Samuel Field captured well the Anti-Federalist aversion to active government. For them, as for prominent Anti-Federalists Brutus and Luther Martin, government had no more than two functions, “to preserve men’s properties from rapine, and their bodies from violence and bloodshed;” and that “every constitution or system, which does not quadrate with this original design is not government, but in fact is a subversion of it” [94].

Anti-Federalist thought, then, allowed for few public enterprises and few public employees. Such a minimalist government would scarcely have activities to report, either to itself or to the public. Of the limited proceedings that such a government would generate, the Anti-Federalists, much like the Antebellum Democrats who succeeded them and who are the subject of chapter two, would likely have preferred that they emanate from such non-governmental sources as newspapers.
NOTES

8. Madison suggested that legislating on matters of foreign affairs and taxes could be accomplished largely holed up in one’s private study, or, as he wrote, in a “man’s closet.” See: *The Federalist* No. 53 in Cooke ed., 364; see also: *The Federalist* No. 56 in Cooke ed., 380.
13. The American Library Association, for example, presents the James Madison Award “to recognize those individuals or groups that have championed access to government information and the public’s right to know. In taking notes of the proceedings of the Constitutional Convention, Madison performed a valuable
service. However laudable Madison’s undertaking, he allowed 50 years to elapse before sharing his notes with the public. In ascribing motives to Madison’s decision to withhold publication, Thomas Leonard believes that Madison sought to protect reputations, including his own. In a less generous assessment, Irving Brandt suggests that money inspired Madison, who believed that his notes would fetch a higher price over time. See: Thomas Leonard, *The Power of the Press: The Birth of American Political Reporting* (New York: Oxford University Press, 1986), 67; see also: Irving Brant, *James Madison, Father of the Constitution, 1787-1800* (Indianapolis, IN: Bobbs-Merrill, 1950), 21, 86.


20. David Hackett Fischer, *The Revolution of American Conservatism*, (New York: Harper and Row, 1965), 4. Fischer writes that the “men who led the Federalists before 1800...believed that the sacred duty of a public man was to pursue the “common good” without permitting himself to be distracted by the opinions of friends and constituents, by opinions merely popular.” Fischer, *The Revolution of American Conservatism*, 150. Traditional Whigs, such as Madison, historian Donald Lutz explained, “did not think in terms of representing individuals, interests, or factions. The representatives would be disinterested men elected for their superior abilities and experience, not as spokesmen for certain interests. They were to spend their time working for the common good, the interests of the people at large.” See: Donald Lutz, *Popular Consent and Popular Control: Whig Political Theory in the Early State Constitutions* (Baton Rouge, LA: Louisiana State University Press, 1980), 11.


34. John, *Spreading the News*, 56.


43. Michael MacDonagh, *The Reporter's Gallery* (London, New York: Hodder and Stoughton, 1913), 179. To the British Parliament, MacDonagh ascribed “the motive that most powerfully swayed those who were opposed to…the publication of debates, was a fastidious contempt, if not a distrust, of the common people, and the desire to keep them in their place.”


47. Daniel N. Hoffman, *Governmental Secrecy and the Founding Fathers: A Study in Constitutional Controls* (Westport, CT: Greenwood Press, 1981), 20. In an effort to provide “against licentious publication” of the proceedings of the Constitutional Convention, South Carolina delegate Pierce Butler secured the following rules: “no copy of any journal entry could be made without the consent of the Convention; only the delegates could inspect the journals; and nothing spoken in the House could be printed, or otherwise published, or communicated without leave.” “The Documentary History of the Ratification of the United States, vol. XIII, *Commentaries on the Constitution*, vol. 1, 120.


Of the British Parliament, Michael McDonagh noted that Members rejected the idea of newspaper coverage and officially produced renderings in favor of personally disseminating legislative debates from coffee-houses and their country homes, the kind of face-to-face contact that Madison favored. MacDonagh, *The Reporter’s Gallery*, 178

“In aggregate,” Rhys Isaac estimated, “three out of every four persons whom a growing child in Virginia would have met were largely or entirely confined within the oral medium.” Rhys Issac, *The Transformation of Virginia, 1740-1790*, (Chapel Hill, University of North Carolina Press, 1982), 123.


John Quincy Adams, *Lectures on Rhetoric and Oratory, Delivered to the Classes of Senior and Junior Sophisters in Harvard University*, vol. 1 (Cambridge: Hilliard and Metcaly, 1810), 19.


Quoted in Douglas Adair, review of *Patrick Henry: Patriot in the Making*, by Robert Meade, *William and Mary Quarterly* 16, 4 (October, 1959), 590

In 1869 a Senator and confidant of journalist James Parton reported that “fifteen years ago, not more than one speech in five was written out and read, but that now four in five are.” James Parton, “The Pressure Upon Congress,” *Atlantic* XXV (January 1870), 148.


Leonard, 94.

Leonard, 83.


Cornell, 1153.


Poore, 1535.

Poore, 1535. According to Robert Brunhouse, these provisions did not work very well in practice, largely because legislative bills never were printed in excess of 500 copies and circulation limited chiefly to Philadelphia. See: Robert


84. Farrand ed., Vol 2, September 14, 1787, 613.

85. Farrand ed., Vol 2, September 14, 1787, 618.


87. Gerry’s resolution follows: “Whereas an impartial publication of the Debates of Congress, stating accurately their legislative measures, and the reasons urged for and against them, is a desirable object, inasmuch as it may aid the executive in administering the government, the judiciary in expounding the laws, the government and citizens of the several states in forming a judgment of the conduct of their respective representatives, and congress themselves in revising and amending their legislative proceedings; and whereas, from the want of proper arrangements, such publication has not been accomplished—Resolved, that—persons of good reputation, and skilled in the art of stenography, be, at the next session, appointed by ballot, to take and publish impartially and accurately, the legislative subjects which may be submitted to the consideration of the House, and the debates thereon of the members respectively; that the persons so to be appointed be considered as officers of the House, and provided for accordingly.” “Publication of Debates,” *Annals of Congress*, 563.


91. Billias, 187.

