

## GOVERNMENT AND OPPOSITION

### Richard Hofstadter—on the Birth of American Political Parties

William Nisbet Chambers: *Political Parties in a New Nation: The American Experience, 1776–1809*. Oxford University Press, New York, 1963. 231 pages.

Modern democracy was created by the competition between political parties and is unthinkable without them. Since, as Professor Chambers contends, the modern political party, strictly defined, was originally an American device, the importance of his subject, early American party development, is patent. Of course, much hangs on how we define a political party, and if we make the definition loose enough, the American parties of the 1790s had their obvious predecessors in English history. The author asks that we think of political parties as 'broadly based social structures that perform crucial political functions in a regularized manner'. Put this way, the party must transcend the largely personal alliances of factional politics based upon the 'connections' familiar to the 18th century. They are 'something more than mere aggregations of men who share certain points of view, such as the Whig and Tory persuasions of 18th century England were'. By the terms of this definition, 'such parties did indeed emerge first in America,' Chambers concludes, 'and they were the earliest examples of their kind'. Needless to say, they owe some debt to the long process of parliamentary development after 1714, through which a legitimate opposition was at last made possible in British politics, but the extent of this debt is obscure. In any case, the United States, by the beginning of the 19th century, was engaged in a very avant-garde experimentation with oppositional politics. The phrase, 'His Majesty's Opposition' was first used, in a spirit of levity, in the House of Commons in 1826 by Sir John Cam Hobhouse; at that point the Americans had had more than a quarter of a century of fitful experimentation with partisan opposition, and their two-party politics was even then, after the lapse of a decade, being resuscitated. If the modern procedure for a change of ministry in Britain may be dated from 1830, the first American precedent for the transfer of power from government to opposition dates from 1801. If one is concerned with the development of the popular party and mass participation in an orderly political system, the avant-garde character of American party development is more striking. Popular participation in American politics, based upon a broad suffrage and intensified in those states of the union where party competition was keen, frequently reached remarkable intensity well before the Reform Bill of 1832 achieved its modest changes.

But Chambers is only incidentally interested in questions of priority.

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His primary concern is with how the American two-party system originated and developed, and with what conditions make a legitimate opposition possible. However we are to assess the emergence of the two-party system in the United States, it was not a response to political theory. *Am Anfang war die Tat*. The Founding Fathers did not create the first modern political parties because they saw the value or necessity of such agencies or understood their functional role in a modern democracy. Their practical achievement was well in advance of their theory, and indeed stood in contravention of it. In common with many political theorists of the 18th century, they thought of the political party – when they thought of it at all – as a nuisance. They spoke often of the ‘pernicious’ or ‘mischievous’ spirit of party or ‘faction’, and its main function in their political thinking was as one of the various manifestations of human corruption that have to be held in check. In *The Federalist*, James Madison defined faction as ‘a number of citizens, whether amounting to a majority or a minority of the whole, who are united and actuated by some common impulse of passion, or of interest, adverse to the rights of other citizens, or to the permanent and aggregate interests of the community’. He thought of party spirit as one of the diseases incident to republican government, one of the costs of freedom, and he took it to be one of the primary purposes of a sound constitutional system to check the ravages of this disease. His view of the matter was echoed by many contemporaries, among them Jefferson and Washington. There are a few intimations in the political discussion of the 1790s that some men had a glimmer of the possible functional role of a two-party system, but they are exceptional.

Quite aside from their theoretical hostility to parties, the Americans had no historical models of successful party politics. English politics, despite its party labels, gave them no example of a working party system, and their own provincial pre-Revolutionary politics (with the possible exception of Pennsylvania) went little further in this direction; it was in the main a matter of shifting factions, family cliques, intermittent caucuses, ruling social élites, or clannish juntas.

But this prevalent suspicion of faction or party stood at odds with many of the realities of American life – the extraordinary suspicion of authority, long since noted by Burke and others, and now intensified by the experiences of the Revolutionary era; the Anglo-American heritage of freedom and dissent, which, flawed though it was in legal usage, cried out for extension; and the heterogeneity of interests and centres of power, which had to be pulled together by some effective machinery of accommodation if there was to be any nation at all. Perhaps the most remarkable aspect of the American politics of the 1790s was the rapidity with which opposition emerged and with which it foreshadowed the

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future two-party pattern. The policies of the Hamiltonian system were profoundly provocative, and it soon became apparent that opposition to an entrenched, brilliantly led, and (under Washington) prestigious administration would be vastly more effective if it were united in a single opposition party. The new government began its operations in 1789, party divisions were apparent to contemporaries by 1792, the electorate had its first chance to choose between competing presidential nominees in 1796, and in the election of 1800–1 the opposition had already ousted the Federalists and had peacefully taken power.

When Hamilton brought the Federalist party into being, he did not consider that he was organizing a political party; he was organizing a government, forging an administration out of the herd of leaderless men that constituted the Congress, and formulating a policy that would strengthen the state. But this very policy, though it had the intended effect, was also highly controversial, and it set the terms for a polarization of political sentiment. In rallying behind Hamilton's policies the Federalists themselves achieved a rudimentary party which had considerably more firmness than any of the old-fashioned factions – a stable structure with an active and cohesive leadership, performing the functions of nominating candidates and defining policy, of explaining this policy to the electorate, and developing a coherent view of political issues, a fighting creed. It was not a popular party – the task of devising such an organization fell to the Jeffersonians – but rather, in Chambers's terms, a plebiscitarian party; that is, it was based upon an acceptance of the necessity of explaining and justifying its actions to a broad electorate whose approval and ratification it hoped to win. Its philosophy was not a popular or ultra-democratic one, and its efforts to broaden its mass base were too little and came too late.

Historically speaking, the normal way of governments in dealing with opposition is, regrettably, simply to suppress it. In this respect the Federalists, so far as theory and intention are concerned, were little better than par. When their opposition began to form, they did not characteristically say: We are a party in power, and they are a legitimate party of opposition who will one day be in power. Their disposition was, rather, to say: We are a government, and they are a disruptive and potentially seditious body of malcontents with a distinctively foreign allegiance, who would bring us all to ruin. This manner of thinking, of course, became dominant after the party contest was intensified by divisions of sentiment that grew up after 1793 in the wake of the French Revolution. (There can hardly be better testimony to the fundamental significance of the Revolution for the 18th-century mind than the fact that the Americans, who were of all people most objectively situated to remain aloof from the ideological debate aroused by the Revolution, be-

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came completely immersed in it.) The Federalists' conviction that the opposition was subversive found its legal embodiment in the Sedition Act of 1798, which had the approval of every leading member of the party except John Marshall (who opposed it on grounds of expediency and not of principle). In the election of 1800 the Sedition Act was used as a partisan weapon, but the machinery of prosecution was feeble as compared with the size and heterogeneity of the country. The counter-attack against the measure, as Chambers puts it, 'had evoked the young nation's developing liberal spirit, and it gathered support. It insisted again that a lawful opposition must be permitted to live and act, and this very insistence helped the nation to move from fear of opposition to acceptance of it. It thereby also helped the new polity to survive as a free republic.' With the failure of the Sedition Act, opposition had an unquestioned foothold.

This does not mean that the Jeffersonians, upon taking power, were more than a shade better disposed toward the legitimacy of the Federalists than the Federalists had been disposed toward theirs. It was their belief that the constitution had been violated, that the government had been led away from its true principles, that would-be monarchists had been selling out America's interest to Britain. The very attempt of the Federalists to stifle criticism led to the feeling that reciprocity would not be undeserved. But though the Jeffersonians did not accept the functional role of opposition, or reconcile themselves to its persistence, their conception of how to deal with it was more benign. They did not attempt in a comparable degree to silence criticism by law. (So far as the Federal government was concerned, this self-restraint was entailed upon them by their own constitutional pronouncements; but they were not equally committed to refrain from using the state governments as a weapon against Federalist 'sedition' and they did not altogether dispense with the common-law approach to seditious libel.) As a popular party with a greater following and superior organizational skills, they had a stronger and less objectionable weapon with which to dispose of opposition: they could realistically hope to overwhelm the Federalists with numbers, absorbing the more moderate Federalist elements into their own party and reducing the stubborn remainder to political impotence. In short, their aspiration was to destroy opposition through their own political effectiveness, not to accept its permanence as a fact of political life; and this, almost as much as the conception behind the Sedition Act, was alien to the philosophy of the two-party system.

Thanks to the political ineptitude and the factionalism of the Federalists, the increasingly sectional limitations of their party, and their opposition to the war of 1812, the Jeffersonians had their way. Opposition first waned, then disappeared. The two-party division was followed

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by a period of one-party domination. But the Republicans had found themselves obliged to continue enough of the original Federalist fiscal policies so that the terms of the first party quarrels became obsolete. Federalism died not because of suppression but partly because what was most valuable in its inheritance had been quietly incorporated into the political framework and the policies of its opponents. By the same token the Jeffersonians justified themselves as a successful opposition by refraining from excessively violent or disruptive assaults upon the structure erected by their predecessors.

When American political leaders once again set themselves to the task of recreating a two-party system in the 1820s, their work was no longer so difficult as it had been a generation earlier. The Federalists and Republicans had left an unforgettable model of viable two-party competition and sound examples of party structures, and the lessons of experience became cumulative. As Chambers observes, the second generation of party builders 'knew what modern parties and a party system could be . . . and they had no doubt of the virtue of party. . . . The new American nation had proved that it could survive and "promote the general welfare" as a stable, modernized democracy in the liberal tradition.' It was ready once again for full-scale party rivalry, this time between parties both of which aspired to be, and were, popular parties.

In his attempt to explain the conditions that made a legitimate opposition and the two-party system possible, Chambers enumerates most, if not quite all, of the propitious factors in the American situation. One of the first of these was a broad consensus on fundamental political rules. Despite their misunderstanding of each other's intentions, both sides adhered to a common republican and liberal Lockean philosophy and shared a strong commitment from the beginning to constitutionalism in general and to their own constitution in particular. Property was broadly diffused, and even such incidents as the Shays Rebellion of 1787-8 and the Whiskey Insurrection of 1794 were efforts by small property owners to protect their property rights, not assaults upon the validity of ownership. Even on economic policy, a rough consensus was reached at a fairly early point, despite the original acrimony over Hamilton's policies. Even before they took office, the Republicans had given up hope of drastically reversing Hamilton's policies ('What is practicable', Jefferson characteristically wrote, 'must often control what is pure theory'), and their main efforts in domestic policy were directed toward a temperate roll-back of his expenditures and a gradual reduction in the national debt. Of some importance here is the fact that the adoption of the constitution was followed by a period of prosperity and general well-being which worked against political extremism. It was important too that the presence of plural centres of power under the

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federal system made oppression difficult, and extreme policies had to be weighed carefully against the risk of breaking up the union. To a degree, even the threat of particularism could be made functional to the union. Finally, one must add to these considerations the fact that political leadership rested largely in the hands on both sides of members of a ruling élite who were accustomed to managing affairs and to dealing circumspcctly with each other even before the union was formed, an élite whose members had had in common a profoundly affecting revolutionary experience.

During the past ten years the early formation and development of political parties and institutions has been the object of a good deal of new and rewarding scholarship. In many ways, Professor Chambers's book is the most significant. It attempts, more than any other, to stand above the cluttered and confusing details to arrive at an overall view of the political process, to trace systematically the stages of party formation, and to analyse the character of the emerging party structures. More than any other book of comparable brevity, it puts the American experience into a theoretical framework.

### Ghita Ionescu – on the Politics of Social Control

Ernest Gellner: *Thought and Change*, Weidenfeld and Nicolson, London, 1964; Jean Dru: *De l'État Socialiste*; Juilliard, Paris, 1965 and Max Gluckman and Fred Eggan (Editors): *Political Systems and the Distribution of Power*, Tavistock, London, 1965.

The three books under consideration here direct their searchlights from different angles upon the political process. Thus in Professor Gellner's *Thought and Change*, an uninhibited attempt to provide our dehydrated age of team-work research-projects with a one-man *Weltanschauung*, there are some one hundred odd pages which contain the main political part of the discourse, carried concomitantly on philosophical, sociological and political planes. These pages may also be said to contain the heart of the argument, which, like that of the artichoke, can be reached only after a fast and vast consumption of the surrounding leaves. (This section is also the best written, which in the case of Gellner's present book is more noticeable than in others, his style with its epigram-like abruptness being an asset when the ideas are clear and a liability when there is more give in the conceptual ground.)

The heart of *Thought and Changes's* argument is that 'the main political experience of humanity, within our present horizon being the *transition*', 'the current social thought is not in terms of transition as