
On Charles Beard's Constitution

An Economic Interpretation of the Constitution of the United States. By Charles A. Beard. Ed. by Forrest McDonald. New York: The Free Press, 1986.

By the time that Charles Beard put pen to paper in an attempt to reinterpret the American founding, modern political philosophy had already changed the way that the world thought about itself. Beard did not distinguish himself by the originality of his thought; rather, he gained a reputation for academic courage by applying what were considered to be new insights into human nature and politics to the founding, an area of study which had until then seemed immune to such an analysis. He challenged the view that the Founders were noble lawmakers, that they were inspired by a devotion to the common good. His new view of the founding inspired a great controversy; some historians praised him for his new realism, but many scholars and citizens condemned him for being unpatriotic (xix). In spite of the hostility with which his book was received, Beard has endured.

The main elements of his thesis are now well known. He argues that the people we call the Founders represented personal property interests such as public securities, manufacturing, trading, and shipping.' The Constitution they created was designed to serve these interests, and the people who created it and the class they represented expected to benefit directly from the new order. There are two levels of argument that Beard offers to support his thesis. First of all, he presents an analysis of historical records which suggests that a significant number of men at the Constitutional Convention and those dominating the ratification process had property interests that would be served by the new regime.

1. Robert E. Brown, *Charles Beard and the Constitution* (New York: W.W. Norton and Company, 1956) 13,

Beard admits that he is a pioneer in this research and that his work is fragmentary (v). But several generations of historians have successfully demonstrated that Beard's analysis was misguided as well as fragmentary. Robert E. Brown and Forrest McDonald, for example, challenged Beard's accuracy and methodology, ultimately rejecting his thesis as unfounded (xix).

Even though his thesis has been undermined by more methodologically sophisticated and thorough historical analysis of this kind, Beard is generally praised for his "realistic" approach. He continues to command respect because the second level of his argument is more difficult to dismiss. His reinterpretation of the Founding rests on an argument about the limits of human reason. He suggests that our ability to think is decisively influenced by sub-rational forces. According to Beard, we can assume that the Founders represented economic interests because, in fact, human thought in general is a reflection of economic activity. But if this is the case, then Beard's own thought is only representative of sub-rational forces and can make no claim to truth. In other words, if historians represent economic interests, then their analysis of history is inevitably biased: it cannot be true. But if historians cannot claim that truth is knowable, then they cannot state with assurance that human thought is representative of economic forces. If Beard is right, then he must be wrong.

Beard is aware that the second level of his argument presents a challenge to the rule of law and the study of history. He was a pioneer in applying his economic analysis to constitutional interpretation and to history as an academic discipline. And in the process of applying his economic analysis, Beard uncovers what he believes to be even deeper problems with human reason. Today, the problems which plagued Beard are being faced in the broader academic community, which seems unable to free itself from a fascination with the notion that sub-rational forces undermine all inquiry. But if we cannot reason together, then we can only confront each other with demands which can never be met. Academia has begun to resemble a battleground for interest groups, rather than a place of study.²

2. Dinesh D'Souza, *Illiberal Education* (New York: The Free Press, 1991) 239.

An analysis of Beard can be especially helpful now, when academia seems to have lost its confidence in the possibility that truth can be known. Of course, if the truth cannot be known, then it makes no sense to attempt to study Beard in the first place. We must suspend our judgment about these matters in order to consider the possibility that they are open to question. Whether or not Beard's arguments are convincing, he can be instructive; he can help us understand how our perspective on politics and academia has changed. At the *very* least, we can gain some clarity about the path we have taken. This study of Beard will therefore focus on three issues: 1) the relationship of economics and politics; 2) reason and the law; and 3) the study of history.

Economics and Politics

Beard cannot turn to the Constitution itself to support his thesis; no economic class is empowered by the Constitution, no property qualifications are imposed for the right to vote or hold office, and titles of nobility are explicitly prohibited.³ But Beard is not discouraged by this. He argues that one who focuses on the law is a "superficial student." It is necessary to look beneath the surface to discover the "true inwardness" of the Constitution, and for this one "need hardly go beyond" *The Federalist*, which Beard praises for being "the finest study in the economic interpretation of politics which exists in any language (152, 153). If all Beard means by this is that Hamilton and Madison were wise enough to understand that many people are moved by economic concerns, then his argument would not be at all novel. The real question is whether anyone can transcend the force of economic interest. Beard's answer to this question is less ambiguous than his evidence.

We are all creatures of interest, and in *The Federalist*, "every fundamental appeal...is to some material and substantial interest" (154). This, of course, is not what Hamilton and Madison claim. In *Federalist* 1; for example, Hamilton says that philanthropy and patriotism should support inquiry into the merits of the proposed Constitution.

3. Robert E. Brown, 92.

It has been frequently remarked that it seems to have been reserved to the people of this country, by their conduct and example, to decide the important question, whether societies of men are really capable or not of establishing good government from reflection and choice, *or* whether they are forever destined to depend for their political constitutions on accident and force.'

Beard attempts to deny that human beings are capable of acting by reflection and choice. If we are all motivated by self-interest, then political argument is nothing more than an attempt to assert power; politics is who gets what, when, how. We do not reason with one another about what in the political community should be preserved and what should be changed, all with a view to what is best. We make indefensible demands and present them as if they were reasonable.

This view culminates in a rejection of the idea of the common good.. As Beard says:

it maybe shown that the "general good" is the ostensible object of any particular act; but the general good *is* a passive force, and unless *we* know who are the several individuals that benefit in *its* name, *it has no meaning*. *When* it is so analyzed, immediate and remote beneficiaries are discovered (155).

There is no common good. When people speak of it, they are actually referring to what they want (cf. 103). We can only speak of the common good if we know who stands to benefit from public policy. Those who will benefit believe the common good will be served, and those who will not benefit call the act bad. The Constitution was not written to "establish justice," as the Preamble would have us believe. It was written to secure private interests. Justice is no more than the advantage of the stronger.

In spite of this argument, when Beard turns to historical records to show that the Founders were motivated by economic interest, he runs into a problem. He can find no evidence that Hamilton or

4. Alexander Hamilton, John Jay, and James Madison, *The Federalist* (New York: The Modern Library) 3.

Madison had anything to gain from the new Constitution. He admits: "that Hamilton himself made any money in stocks which he held personally has never been proved by reference to any authentic evidence" (106). And Beard says: "that Hamilton ever held any considerable sum in securities seems highly improbable" (107). He concludes:

That he was swayed throughout the period of the formation of the Constitution by large policies of government-not by any of the personal interests so often ascribed to him -must therefore be admitted.

And with regard to Madison, Beard says: "he does not appear to have been a holder of public securities" (125). And "having none of the public securities, Madison was able later to take a more disinterested view of the funding system proposed by Hamilton." It would seem that Hamilton and Madison did not act in order to serve their self-interest, since they were not holders of personal property as Beard describes it. One could argue that Beard effectively refutes himself with this evidence alone. After all, Hamilton and Madison are two particularly important contributors to our Founding, and Beard cannot find any support for his thesis by examining them. But Forrest McDonald says that "Beard never seemed to make up his mind as to just what he meant by 'economic interpretation'" (xiii). Beard sometimes seems to claim that the Founders as individuals expected to benefit from the new regime, and sometimes he seems to suggest that the Founders simply represented class interests. People can represent the economic interests of a class without getting rich. Beard's treatment of Hamilton and Madison invites doubt about his thesis, but it does not allow us to abandon it.

What, then, can we learn from Beard's analysis of *The Federalist* itself? He focuses on *Federalist 10* in his attempt to show that "the first and elemental concern of every government is economic" (156). Beard does not seem to understand that even if this were true, it would not prove that the Founders were primarily motivated by economic interest. At the very most, it might support an argument that the Founders believed that the majority of people are motivated by

economic interest. But not even this is suggested by the evidence that Beard believes he uncovers. He asks that we consider Madison's question: "what are the chief causes of these conflicting political forces with which the government must concern itself (156)? He then purports to give Madison's response:

Madison answers. Of course fanciful and frivolous distinctions have sometimes been the cause of violent conflicts: but the most common and durable source of factions has been the various and unequal distribution of property (157).

Robert E. Brown has pointed out something that should be clear to every student of *The Federalist* and should have been clear to Beard. Immediately preceding this statement of Madison is an extremely important analysis of non-economic sources of conflict. Madison says:

A zeal for different opinions concerning religion, concerning government, and many other points, as well of speculation as of practice; an attachment to different leaders ambitiously contending for pre-eminence and power; or to persons of other descriptions whose fortunes have been interesting to the human passions have, in turn, divided mankind into parties, inflamed them with mutual animosity, and rendered them much more disposed to vex and oppress each other than to cooperate for the common good⁵

Madison goes on to say that in addition to these causes of conflict, some frivolous and fanciful distinctions have been responsible for discord. Beard could not have possibly thought that Madison believed all non-economic sources of conflict were frivolous and fanciful. Beard simply ignores evidence which contradicts his thesis. This is even more obvious in another section of his book where he quotes both the passage before and also the passage after the one that contradicts his thesis.⁶ Beard seems determined to show that Madison thought of economic conflict as the most dangerous and compre-

5. *ibid.*, 55.

6. Cf. Robert E. Brown, 29.

hensive form of conflict, regardless of what Madison actually said.

It is important to understand that the various and unequal distribution of property is only the source of the most "common and durable" factions.⁷ Disagreements about property are common, i.e. widespread. And these disagreements are durable; that is, they last. But this is not the same as suggesting that property distribution has been the cause of the most serious or most violent factions. *Federalist 10* makes it clear that issues such as religion are much more dangerous, and Madison comments on this in his "Memorial and Remonstrance": "Torrents of blood have been spilt in the old world, by vain attempts of the secular arm to extinguish Religious discord by proscribing all difference in Religious opinions."⁸ The rancor stimulated by religion is a serious threat to civil society. The attachment that people have to property interests, on the other hand, is more susceptible to manipulation, as Hamilton indicates in *Federalist 12*:

By multiplying the means of gratification, by promoting the introduction and circulation of precious metals, those darling objects of human avarice and enterprise, [commerce] serves to vivify and invigorate the channels of industry, and to make them flow with greater activity and copiousness.

Commerce encourages people to become industrious; it "serves to vivify and invigorate" people, which results in production. This means that they will focus more on this life than the next. By appealing to our desire for gratification and by "multiplying the means of gratification," Hamilton suggests that the regime will be enlivened. Everyone will be affected:

The assiduous merchant, the laborious husbandman, the active mechanic, and the industrious manufacturer, -all orders of men, look forward with eager expectation and growing alacrity to this pleasing reward of their toils.

7. David F. Epstein, *The Political Theory of the Federalist* (Chicago: Univ. of Chicago Press, 1984) 107.

8. James Madison, *The Papers of James Madison*, ed. Robert A. Rulland and William ME. Rachel (Chicago: University of Chicago Press, 1973) Vol. 8, 302.

It is in the interest of people to work together; this is the only way, that they can be assured of a reward for their toils. Self-interest encourages cooperation, which is not the same thing as friendship, but which may be more reliable as the foundation for a regime. Martin Diamond points out that "the struggle of interests is a safe, even energizing, struggle which is compatible with, or even promotes, the safety and stability of society."⁹

Our Founders were concerned with property because they were following Locke and Montesquieu in the attempt to redirect political activity away from the more dangerous sources of faction and toward commerce for the sake of public order as well as prosperity. Strauss points out that Locke's unleashing of acquisitiveness is civilizing:

Here we have an utterly selfish passion whose satisfaction does not require the spilling of any blood and whose effect is the improvement of the lot of all. In other words, the solution of the political problem by economic means is the most elegant solution."¹⁰

Montesquieu follows Locke's argument about the advantages of turning people away from serious, divisive issues and toward property. In the *Spirit of the Laws*, he says: "Commerce is the cure for the most destructive prejudices; for it is almost a general rule, that wherever we find agreeable manners, there commerce flourishes; and that wherever there is commerce, there we meet with agreeable manners."¹¹ Pangle comments on this argument of Montesquieu:

Men cease to seek satisfaction in devotion to the fatherland or in working they think of themselves. And they lose their taste for personal glory, salvation after death; they look to their material affairs. They become hard-working, tolerant, and peace-loving.¹²

By ignoring or attempting to divert attention from Madison's

9. Martin Diamond, "The Federalist," *American Political Thought*, ed. Morton Frisch and Richard Stevens (Itasca: Peacock Publishers, 1983) 85.

10. Leo Strauss, *What is Political Philosophy?* (Glencoe, The Free Press, 1959) 49.

11. Baron de Montesquieu, *The Spirit of the Laws* (New York: Hafner Press, 1949) XX,i, 316.

12. Thomas L. Pangle, *Montesquieu's Philosophy of Liberalism* (Chicago: Univ. of Chicago Press, 1973) 204.

words, Beard misrepresents his argument. The emphasis on economics in *Federalist* 10 is in the context of a broader treatment of human motivation. In a way, Beard's muddled and unfair interpretation may be a tribute to our Founders' success; when we disagree it is generally about the distribution of goods and services, not blood, glory, or God.

Beard takes his argument even further when he says that Madison believes "the theories of government which men entertain are emotional reactions to their property interests" (157). Beard quotes from *Federalist*, 10:

From the protection of different and unequal faculties of acquiring property, the possession of different degrees and kinds of property immediately results; and from the influence of these on the sentiments and views of the respective proprietors, ensues a division of society into different interests and parties.

Once again, Beard omits the passage immediately preceding this, a passage in which Madison makes clear that human beings are not so simple. Madison says:

As long as the reason of man continues fallible, and he is at liberty to exercise it, different opinions will be formed. As long as the connection subsists between his reason and his self-love, his opinions and his passions will have a reciprocal effect on each other.¹³

Human beings are made up of reason as well as passion, and not all passion is economic passion. Our opinions are not formed by "emotional reactions" to our property interests. Sometimes we reason clearly, and sometimes we do not. Our opinions and passions have a "reciprocal effect" on one another. Sometimes our reason informs our passion, and sometimes our passion clouds our reason. That is why one cannot establish a nation on the hope that great statesmen will always be available. When Madison says that "enlightened statesmen will not always be at the helm, he implies that

13. Hamilton, Jay, Madison, 55

some statesmen are, in fact, enlightened. All people are not dominated by economic interests; but many are, and a carefully constructed political community will take economics into account.

Economics has always been an important part of political life; Aristotle devotes attention to economics in Book I of the *Politics*.

But his argument was that economics was to be understood in the context of the broader and higher goals of the political community as a whole. Since most people need a certain amount of property as a prerequisite to the good life, one must inquire into the proper way to acquire and use property. But an understanding of the final end of human life guides Aristotle's discussion of economics. He argues that there are natural limits to acquisition, and that the pursuit of wealth for its own sake is destructive because it turns us away from what is truly important. As Harry Jaffa points out in his discussion of Aristotle's economics:

Once wealth becomes an end, as it is the end of what we today call economics, it seeks not the amount of wealth needed by the family, but simply wealth. Yet the connection of economics with the family remains in this fact: the family originated in the need to perpetuate life, and economics seeks to accumulate goods that are serviceable for life.¹⁴

Our desires lead us to want more than we need, and this is why Aristotle condemns the pursuit of wealth for its own sake. Our goal should be to lead a good life, a life of virtue, and although the political community comes into being to make mere life possible, it exists to make the good life possible. Economics is subordinated to politics because staying alive is not the final end of human existence.

Locke attempts to limit the ends or goals of political life, because he understands the primary focus of our lives to be self-preservation rather than virtue. Our most powerful desire is to live, not to live well.¹⁵ The political community should devote its attention to what

14. Harry Jaffa, "Aristotle," *History of Political Philosophy*, ed. Leo Strauss and Joseph Cropsey (Chicago: Rand McNally, 1963) 79.

15. John Locke, *Two Treatises of Government*, ed. Peter Laslett (New York: New American Library, 1960) I, sec. 88, 244; II, sec. 6, 311..

is elemental rather than what was once considered to be highest. Politics in a Lockean political community will be more dominated by economic concerns than Aristotle would have thought appropriate. People want to preserve their lives and be physically comfortable, and property is the key to self-preservation and comfort. Joseph Cropsey comments on this *new* emphasis on economics in Locke. He says that Locke equates the efficient and final causes of human existence: "nature contains no end which is of higher standing than, or which is radically different in quality from the beginning."¹⁶ In other words, Locke argues that human beings seek to preserve themselves; the political community serves this pre-political goal. It comes into existence *for* the sake of mere life and it exists for the sake of mere life. Economics is therefore more important in a Lockean regime than it is in a regime inspired by classical political philosophy. Locke offers a limited view of life and of the political community, and this limitation culminates in an emphasis on economics in modern life. As Cropsey says:

In confining itself to making explicit what is implicit in man's primitive state, political philosophy caused itself to be supplanted primarily by economics, the discipline that systematically enlarges upon the self-preserving motive of pre-civil man.¹⁷

Locke blurs the distinction between political and economic life. It is not surprising that Beard should sense the new emphasis on economics in the American regime and seek to explain it. But Beard fails to understand its significance. The Founders emphasized economics not because they could not see beyond it, but because they could see beyond it and were frightened by what they saw:

Reason and the Law

If our Founders were motivated by economic interest or if they simply reflected class interest in some way, then the document they wrote is hardly worthy of respect. What claim does it have to our

16: Joseph Cropsey, *Political Philosophy and the Issues of Politics* (Chicago: Univ. of Chicago Press, 1977) 42.

17. Joseph Cropsey, 43.

allegiance? By representing law as the product of self-interest, Beard robs it of its claim to be just, and citizens need to believe that there is some connection between law and justice." Apparently the law should be obeyed because it is the command of the sovereign; in other words, it should be obeyed because it can punish us. But the law can only punish us for disobedience if our disobedience is discovered. A political community needs to provide its citizens with reasons to obey the law which go beyond the threat of punishment. People need a reason to obey the law when they are not being watched. The law needs moral authority in addition to power, but Beard denies the law its moral authority when he reinterprets the founding.

There is a further problem. Beard unmasks the law and claims to reveal that it is nothing more than the command of the sovereign, the bald expression of the power of an economic class. But how do we know what the law is? How do we know what it is that the sovereign demands? Judges tell us. But Beard's thesis also calls for a new understanding of the motivations of judges. He argues that they are not reasoning when they render judgments. Beard does not simply assert that judges make the law rather than interpret it, this would imply that they are somehow control of the arguments they make. Sub-rational forces determine the content of judicial opinions. It follows from this that judges are incapable of administering the will of the sovereign. Beard's thesis severs the connection between reason and the law.

In his textbook, *American Government and Politics*, Beard raises the question of how one interprets the Constitution. While many passages in the Constitution are quite clear, the most important provisions are, open to various interpretations. "Can intelligence, no matter how profound, can 'natural reason,' no matter how keen, find answers to these questions in the Constitution? Decidedly, no."¹⁹ This, of course, is hardly the point. Even John Marshall would admit that natural reason alone can not solve all issues of interpretation.

18. Harry M. Clor, "On the Moral Authority and Value of Law: The Province of Jurisprudence Undetermined," *Minnesota Law Review*, Vol. 58, No. 4 (1974) 576.

19. Charles A. Beard, *American Government and Politics* (New York: Macmillan, 1931) 15.

Marshall admitted that judges must sometimes look beyond the words of the Constitution to confirm their understanding of the document. Faulkner points out that Marshall believed that "respect for the letter of the law must be combined with a devotion to its 'spirit' or intent."²⁰ Marshall, however, thought that reason could be a judge's guide in the search for this spirit. Beard's point is far more extreme. He denies "natural reason" completely; hence, judges cannot look beyond the Constitution any more effectively than they look into it. Beard rejects Marshall's view that one can comprehend the intention of the Founders. As he says:

Those who are called upon to expound the Constitution continually speak with confidence about the intention of the framers' and cite speeches, letters, and papers to prove one interpretation or another, even though their constructions are frequently opposite in upshot. Undoubtedly light can be thrown on the meaning of the Constitution by studying the writings of the Fathers, but the intention of the collective framers, as to points susceptible of various meanings, remains about as mysterious as the Delphic oracle.

Beard seems to allow in this passage for the possibility that some understanding of intention is possible, but it is difficult to see what light can be shed on the meaning of the Constitution by studying the writings of the Fathers. If they live in their economic caves and we live in ours, then there is no light. Beard's main point is that there is no "collective" intention to be discovered. Now, it goes without saying that the people we call the Founders disagreed with one another about many crucial matters. The real question is whether one can reason about these disagreements and consider the possibility that the Constitution reflects principled compromise. Some of those at the Constitutional Convention favored state sovereignty and others did not the document reflects their decision to abandon state sovereignty while retaining some limited federal principles. This compromise can be understood partly from a

20. Robert Faulkner, "John Marshall," *American Political Thought*, ed. Morton Frisch and Richard Stevens (Itasca: Peacock Publishers, 1982) 90.

21. Charles A. Beard, *American Government and Politics*, 20.

reading of the document and partly from a reading of authoritative documents, such as the debates of the Federal Convention. If the Founders were reasoning beings, then one may reason about the extent to which the Constitution reflects one principle to the exclusion of another: The Delphic oracle, on the other hand, never presented reasonable arguments.

Since judges disagree about what the Constitution means, Beard concludes that it cannot have a meaning. It is ultimately mysterious. In opposition to what he calls "the rational method" of interpretation, Beard offers what he calls "the psychological method."²² What accounts for different interpretations? Beard argues that different views of the Constitution are derived from "intuition" or "sympathy." These feelings are "acquired from associations-political, economic, and cultural." A judge's view of the Constitution is determined by what Beard calls "partisan sources." It follows from this that the Constitution means one thing in one season; another in the next." Beard does not merely suggest that the Constitution is interpreted differently from season to season; this view would not rule out the possibility that some interpretations are better than others or that one interpretation might be correct. Beard argues that the meaning of the Constitution actually changes because the interpretations change. Once reason is abandoned, meaning must also be abandoned.

Since the content of the law is directly related to the non-rational feelings of particular judges, it makes perfect sense for those concerned with the law to focus on the judicial selection process. Today, most liberals and conservatives seem to have accepted Beard's argument; each group is anxious to pack the Supreme Court with judges who will produce the right kind of law. The recent Senate hearings over the nomination of Robert Bork are a sad example of what happens to the judicial selection process once those involved in it have become convinced that the law is a prize to be won by political struggle. And the battle over Clarence Thomas suggests that the selection process can be as vicious as any political campaign. The politicization of the judicial selection process follows from a change in our understanding of the law

22. Ibid., 23-24.

and the relationship of judges to the law. Beard has contributed significantly to this new view of the law by popularizing and promulgating the radical critique of reason passed down to him by modern political philosophy: It is unlikely that the contemporary judicial selection process will become less political as long as the academic attack on reason maintains its authority.

The Study of History

It is difficult to understand how Beard can deny to judges the reason which he must claim as a foundation for his own historical analysis of the non-rational basis of jurisprudence. If historians can reason about judges, then Beard cannot deny the possibility that judges can reason about the law. Beard confronts this issue directly when he asks: "what is happening when history is being written?"²³ His answer to this question reveals that Beard is painfully aware of the fundamental contradiction that haunts his work.

He points out that historians once thought that they could discover what had actually happened in the past. "There was a time, in the proud age of scientific assurance, when many historians imagined that 'the scientific method' enabled them to describe history as it actually was."²⁴ This was, as he says, something these historians "imagined." It was never true. According to Beard,

The historian was to divest himself of all religious, political, philosophical, social, economic, sex, moral, and aesthetic interests, and from the "sources" describe personalities and events as they had been in reality.

In order to indicate the extent of the delusion under which these historians operated, Beard places the word sources in quotation marks. There is no text, only interpretation. The prejudices of particular judges work through the acts of selection and interpretation to create the, so-called sources.

The idea that history can be known was a "spell," a "dream."

Beard attempts to suggest that "an enormous amount of inval-

23. William Beard, *The Economic Basis of Politics and Related Writings* by Charles A. Beard (New York: Vintage Books, 1958) 9.

24. *Ibid.*, 11.

able work" was done as a result of this delusion. But what standard can Beard apply in order to judge the value of this approach to history? He implies that he can rise above the very factors that he ridiculed the scientific historians for believing they could transcend. He says that "a thousand historical myths and rumors were exploded" by the scientific approach to history. Our knowledge of history is more "authentic" than the knowledge available in the eighteenth century. But some forms of knowledge can only be more authentic than others if we as human beings can understand what the truth is. We cannot know whether we are closer to or further away from the truth unless we can know something about what is true. Beard never takes Marx's approach to this problem by arguing that history has a direction and a purpose. Marx could claim to know that thought is a reflection of economics because the economic contradictions of the *past* had led to a peculiar moment in history when this was revealed. The contradictions of the capitalist epoch were pivotal; they brought the tensions between the bourgeoisie and proletariat to a head. Economic conflict for Marx allowed for the possibility that truth of some kind could be known.

But for Beard, this is not the case. The historian selects the facts that will be analyzed and then interprets these in an idiosyncratic fashion, and the selection of facts itself involves interpretation.

Since the known or knowable facts relative to any large period and to world history run into the millions, if not billions, it follows that any written history is *a*selection and *organization* of facts—a selection and organization made by a given person at a given time and place.²⁵

Beard assumes without argument that nature provides no coherence to human affairs. He denies what Socrates referred to in his image of the divided line as trust. Beard asserts that all facts exist in random isolation and that the historian's choice of some facts over others is willful and ultimately indefensible on rational grounds. But if nature really is utterly devoid of coherence, then the willful

categories created by the historian's selection and organization of facts would be utterly incomprehensible, even to the historian who wills them, for the capacity to understand must logically stand apart from the capacity to create. And even *if* they could be understood, there would be no reason to try to understand them, because the particular categories of facts would be completely personal and hence arbitrary. And it follows that every reader of history would be imposing his or her own arbitrary interpretation of the historian's so-called text. Communication of any kind would be meaningless. Beard's argument equates speech and silence.²⁶

When the historian speaks, Beard stresses that it is a particular person who speaks. What is said is actually a form of personal confession, although he is reluctant to admit the personal nature of what is said. "Human beings seem to be so constituted that they love to speak with an authority not their own—the authority of God, Nature, Science, the System, or some other absolute."²⁷ But this authority is artificial. "Only by clothing himself in the garment of impersonal power can he hope to attain weight in the councils of discussion." But the historian is actually not in control of his perspective on life, and he doesn't actually "clothe" himself; someone else dresses him.

Beard indicates that "every discussion is occurring at a given period of time," and the historian along with everyone else will think in accordance with the time. All discussions are timed and dated." If this is so, then Beard's argument about the Founding is timed and dated; that is, it is not historically correct because nothing is historically correct. And no amount of additional research into original documents or traditional texts can bring us any closer to the truth about the Founding. The past is as mysterious as the present. In addition to this, Beard says that "the discussion of human affairs always occurs at some place." In other words, anyone claiming to write history is writing from the perspective of "a particular social and traditional milieu, with its own peculiarities, loyalties, interests, and

26. Stanley Rosen, *Nihilism: A Philosophical Essay* (New Haven: Yale Univ. Press, 1969), xiii.

27. William Beard, 5.

values."²⁸ Our understanding of history is not just timed and dated, it is stamped with the intellectual perspective of a particular place.

What we like to call the search for truth has always been a delusion, but today it is a lie, because the scholars engaged in the pursuit of truth deny its existence and therefore the value of the search, Beard says:

This is a dreadful thought. It places man far below the angels. He speaks or writes at a time and at a place—a fleeting moment [in] a small corner of the great earth. No wonder that he resorts to God, Nature, Science, the System, or some other universal toward which his aspirations reach.

Beard argues that our need to take refuge in comforting but false universals even accounts for the doctrine of natural rights. It is ironic that he presents this argument most strongly in his book *The Republic*, fashioned after Plato's dialogue. In the course of his version of a dialogue, Beard speaks with a man who is unclear about what natural rights are. Beard responds: "it is true...that efforts have been made to give force, to rights by calling them natural. That was an eighteenth-century custom."²⁹ The doctrine of natural rights reflects the prejudices of a certain group of people at a certain time and in a certain place. Beard makes his point even more strongly:

In reality, no one possesses any real right or rights that he or she, in conjunction with others, cannot enforce against the community or government. All human rights rest on the moral standards of the community and the nation—on habits, sentiments, and practices favorable to the expression and enjoyment of such rights. But as such habits, sentiments, and practices change, concepts of natural rights also change.

Rights are nothing more than demands made by groups; if these groups are successful in imposing their demands on the community, then the rights will be protected. But there is no reason to protect these rights except that the power of the state is behind them. If Beard

28. Ibid., 6.

29. William Beard, *The Republic* (New York: Viking Press, 1944) 38,

believes that there are no real rights, then why should one care whether or not the Founders were motivated by economic interest? Why should we care whether or not judges interpret the law? It is as if Beard has rewritten Socrates' image of the cave. Socrates argues that those chained to the floor of the cave think that the shadows on the wall are real people and objects, and they refuse to believe anyone who suggests otherwise.

Beard, on the other hand, argues that we now know that the shadows we see are nothing but shadows, and he seems to think that this knowledge will not diminish our interest in discussing them.

Charles Beard's work is important because it is an example of what could be called the academic translation of modern political philosophy. He offers an academically respectable combination of the economic determinism of Marx and the historicism of Nietzsche. He argues both that our Founders were motivated by economic interest and that truth is actually a willful creation of time-bound beings. The problem that Beard faces is that his historicism undermines his economic determinism. If all truth is nothing more than personal and arbitrary creation, then we can never know anything about our Founders. In addition to this, it follows that we can never know anything about ourselves. Beard denies that the search for truth is possible, and therefore undermines his own credibility. In a way, he represents the dilemma now facing academia. It has lost its way; and at the same time it denies that the search for a new way is possible.

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