

THE SPIRIT OF COMMERCE AND THE AMERICAN REPUBLIC:  
ANTI-FEDERALIST USES OF COMMERCIAL DEVELOPMENT IN THE  
DEBATE ON THE AMERICAN CONSTITUTION

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**Introduction**

The founding moment of a country's political system offers a promising topic of research. On the one hand, it tends to encapsulate, in a condensed form, all the major beliefs, principles and values, cultural as well as political, of a political community that it declares to profess. In this way, investigating foundings sheds light on the sense of cultural and political identity that the people participating in it claim to have their own. On the other hand, the reason is that by understanding such a founding moment one can also understand later developments in that community's history.

The making of the political framework of the United States is no exception to this rule about foundings. The late eighteenth century was both a period of gaining independence for the North American colonies of Britain and laying down the political foundations of the USA as it exists today. Nonetheless, the process was far from being smooth and without jerks and tensions. In a very real sense, this founding moment was about reforming a system as it had been created in the turmoil of the revolutionary war. Looking at it thus offers an excellent opportunity to discover the ways in which debating major issues in the process were informed by the values, beliefs, and principles of Americans.

In the making of the US court of 1787 two standpoints crystallized around the effort to debate the way of creating a political system best suited to the needs of the political community. While the group in support of the proposed constitution intended to allocate more power for the central government, their adversaries, who came to be labeled as Anti-Federalists argued for the danger of such a concentration of power, claiming that it posed a serious threat to the liberties of the states and the people. The story of the debate is well-known, well-related and several lessons have been drawn. Yet, its links with the contemporary cultural context still invite efforts of explorations.

This paper is designed to address one such aspect of the debate, namely the problem of commerce and the way that it informed arguments developed by both sides of the debate. An important phenomenon of the age, commerce often served to structure arguments that went beyond the confines of economy, serving as a platform to scrutinize the interrelationship between society, politics, and economy. The debate on the Constitution also concerned such problems. My argument below will be that despite the view that treats Anti-Federalists as a group unanimously in support of the role of commerce in a republican society, it

can be shown that a significant proportion of the opponents of the proposed document looked upon commercial development as inimical to social stability. In order to see that, first I turn to the broader contemporary intellectual context, then the American scene before discussing Anti-Federalist texts.

### *Commerce in the Eighteenth-Century Intellectual Context*

American notions about commerce, culture and sociability were ultimately connected with a historically informed theoretical framework of human progress elaborated by representatives of Scottish Enlightenment philosophy. Sir John Dalrymple, John Millar, Lord Kames, Adam Smith, William Robertson, David Hume, Adam Ferguson<sup>1</sup> and others regarded social development from the vantage point of their own age, perceiving a pattern that they found ubiquitous throughout the human world. According to the theory, human societies can be understood and studied by identifying the means of subsistence that they are based on. Scholars working within this paradigm generally agreed that there are societies where people are hunter-gatherers, while others are composed of shepherds, still others based on agricultural production or commerce. Those professing this theory were also clear about the ways that these stages were connected with one another, emphasizing how in the history of a given society the various modes of subsistence appeared as successive stages of development. This, at the same time, also implied their relative position in a hierarchical order of development, meaning shift from a lower stage of progress to a higher one, from savagery to civilization, culminating in commercial society. This stadial conception of human social development also made the various institutions of society such as property, government, and law derivative of the particular mode of subsistence associated with each stage.<sup>2</sup>

The stadial developmental pattern, as was presented most articulately by Adam Smith, also rests on the recognition of a growing degree of specialization and division of labor characteristic of each stage moving from self-sufficiency to complexity. Accordingly, commercial society exhibits the highest degree of both, also resulting in the greatest need of co-operation among humans of the same society.<sup>3</sup>

Despite its emphatic treatment, commerce as such occupied an ambiguous place in eighteenth-century Enlightenment thought. It was perceived both as a force with the potential to generate social cohesion and also to undermine it. These two opposing features were related to the dichotomy of passion and reason in a progressive time frame.

Enlightenment scholars identified the commercial stage of society as one with a high degree of culture, knowledge, and refinement, facilitating a peaceful

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<sup>1</sup> For the major characteristic features of the Scottish Enlightenment and its influence in the contemporary world, see Broadie 2007.

<sup>2</sup> Meek 1976, 6, 99-130, 136-176; and Onuf – Onuf 2006, 209-10.

<sup>3</sup> McCoy 1980, 20-21.

interaction of members of society. This served as a counterpoint to savage societies characterized by strife and violence.<sup>4</sup> Thinkers from Montesquieu through David Hume held that commerce was instrumental in opening and widening human perspective and knowledge by making thus far unknown goods, objects, and information available for those receptive to them. In this way, it functioned to link passion to reason in a dynamic relationship: the passion to pursue goods and knowledge resulted in the growth of culture, and erudition. Through this feature, commerce clearly strengthened social bonds by promoting liberty, arts, sociability, and politeness in the interaction of members of society.<sup>5</sup>

Yet, there were also critics of commerce and its impact on social relations, arguing that with growing wealth and refinement people in commercial societies, in fact, became conditioned in the pursuit of self-interest and luxury, thereby weakening social ties.

It was believed that, in the long run, passions seemed to pose a threat to the stability of society by means of luxury, which had the effect of corrupting people of the republic. In this way, they were seen to become similar to savage barbarians, whose cultural and social conditions the progress of society was nonetheless to surpass in the commercial stage. The particular example that Smith and others referred to when describing the process was the dehumanization of the new working classes.<sup>6</sup> Even Hume, who was less critical of the impact of commerce on society and culture, linked it with corruption in the form of the accumulation of public debt, and opposed the war that Britain was waging on its American colonies because of the financial burden that it placed on the national budget. Hume further held that too much of refinement was a problem for civilized nations.<sup>7</sup>

Nonetheless, according to J. G. A. Pocock, there was a more profound underlying reason for the discrepancy that thinkers such as Hume detected between commerce and the stability of society. He pointed out that for all its power to generate rationality, politeness, and sociability in developed societies, in the final analysis, commerce, together with culture, is bound to result in the loss of virtue and liberty. Driven by imagination and the passions, it is ultimately detrimental to the public good, and government was needed to compensate for its workings by acts ensuring the rule of reason. According to Hume, the major factor behind the irrational tendencies in culture was boundless imagination prone to generate false, that is, irrational ideas, whose struggle was ensured by "the undisciplined sociability of mankind".<sup>8</sup> Such considerations, as will shortly

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<sup>4</sup> McCoy 1980, 28-36.

<sup>5</sup> Hume 1998, 154-66, esp. 163; and Pocock 1975, 492-94. Montesquieu praised "commercial republics" whose main economic activity was commerce holding their citizens to be industrious, peaceful, and open-minded owing to the beneficial effects of commerce. Letwin 1989, 132.

<sup>6</sup> McCoy 1980, 37, 39-40. On the destructive impact of luxury on societies see McCoy 1980, 23.

<sup>7</sup> Pocock 1975, 496-97; Pocock 1985, 132, 138; Onuf – Onuf 2006, 1982.

<sup>8</sup> Pocock 1985, 131-32, 134-35, 136.

be seen, partly informed the discussion of commerce and its effects in the American scene.

***Sociability, Civilization, and Commerce in Enlightenment America***

Eighteenth-century Americans emphasized the relevance of social ideals that they associated with an appropriate level of civilization, attributing primary importance to the way people treated one another. Thus alongside enlightenment, erudition, and learning, politeness, and refinement as the basis of civilized manners became standard requirements for sociability or acceptable social behavior counterbalancing its opposite, which was associated with barbarism, religious superstition narrow-mindedness and intolerance.<sup>9</sup> All this was connected with the changes that contemporary American society was undergoing.

As Gordon S. Wood emphasizes, the Revolution in America resulted in the breaking of old social ties, establishing new ones. Hierarchical connections that had existed among the people and their superiors came to be replaced by ones that positioned them more like socially equal members. These new social ties were based on benevolence and affection, the attachment that people felt toward one another, more appropriate to a republican framework of authority. These were bonds that the age presupposed as being natural and therefore stronger than artificial ones. Benevolence and affection became important components of sociability, representing a secularized version of the concept of Christian charity, being it was the outcome of civilization: human beings tended to develop reverence and sympathy for one another as a result of refinement and politeness. Only by participating in society and social life could people develop polite and sympathetic behavior toward one another.<sup>10</sup>

It is no wonder then, that eighteenth-century Americans attributed a great deal of significance to sympathy in human beings. This sentiment enabled people to establish social relations with one another through compassion. Being human was seen as defined by this capacity of feeling affection for others and sympathizing with those in pain and suffering. In the view of Wood, it was a capacity that connected all human beings, all supposed to have an equal share of it.<sup>11</sup>

Commerce came to be seen as an important terrain where sociability could be engendered and was thus regarded as a major cementing force in late-eighteenth-century American society. It started to refer to all kinds of business exchange, no longer confined to international trade. It presupposed an equal relationship between those involved in the transaction and also relied on self-interest and greed. Furthermore, participants in commercial activities, driven by their self-interests were regarded as contributing to the good of American society.

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<sup>9</sup> Wood 1993, 192-94.

<sup>10</sup> Wood 1993, 215-18.

<sup>11</sup> Wood 1993, 239-40.

All this also made people feel equal in terms of their ability to engage in pursuing riches and happiness.<sup>12</sup>

American revolutionaries also drew upon the stadial theory of development when they argued for the need to separate themselves from a corrupt Britain having sunk into a state of moral, political and cultural decline. In their analysis, it had reached the last stage of commercial development characterized by the dominance of luxury, the appearance of manufacturing for distant markets as well as dependent wage laborers seen as a threat to social stability. At the same time, Patriots hoped to be able to avoid such disheartening fate and intended to preserve their society in a state characterized by independent producers – involved either in agricultural or commercial activity. The latter was geared toward marketing agricultural produce without the artificial intervention of the state to promote the development of manufactures and expedite social and cultural development toward the declining stage of commercial society.<sup>13</sup>

In addition to such a negative view, Americans tended to regard commerce as a force of civilization. They held it especially important when it came to the integration of western territories into the Union. By getting involved in commerce through producing surplus and marketing it at distant markets, western settlers could be drawn into the nation's economy. Yet, this commercial involvement meant more than this: participation in commercial transactions facilitated the cultural transformation of settlers living in a rudimentary frontier environment, thus contributing to their civilization. Falling outside the civilizing force of commerce, therefore, meant staying in the state of savagery, and the impossibility of participating in progress, and people moving from the East to the uncivilized West stood a good chance of sliding back into barbarism and becoming dangerous to civilized society. This is part of the reason that the integration of western territories through commercial ties became a curbed concern in the history of the early republic and the building of roads and canals was an important means of achieving that.<sup>14</sup>

### ***The Constitution – Expectations***

The concern that brought about the reform movement Americans also saw problems arising in the 1780s as being related to the development of commercial society and understood the proposed federal constitution as a solution fitting the principles of republican political economy. Some hoped to see it thwart, while others expected it to promote commercial development within the Republic. The American interest in making Spain permit the free navigation of the Mississippi River, an important commercial route for American goods, or the need to have Britain lift the ban on American trade with the West Indies called

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<sup>12</sup> Wood 1993, 218, 336-40.

<sup>13</sup> McCoy 1980, 48-67.

<sup>14</sup> McCoy 1980, 122.

for a more powerful government, more effective in the defense of the commercial interests of the Union.<sup>15</sup>

The would-be federal government, then, was expected to pursue an economic policy that would make the west available for commercial expansion and keep foreign markets open for American goods. Achieving both goals was meant to solve the problem of population surplus and employment, thereby delaying America's shift to the commercial stage of development that Britain in decline had already reached with its hordes of poor laborers employed in manufactures.<sup>16</sup>

Around the time of the making of the Constitution, American economic policy exhibited mercantilist features, with strong powers granted to the central government. Labor markets, with indentured servitude, black slavery or set minimum working hours represented strong elements of regulation. Moreover, even consumption patterns were regulated by local authorities in certain states, and state governments often got involved in economic production.<sup>17</sup> In this way, mercantilist attitudes together with the effort to regulate commerce were part of the American economic ethos of the era.

A major rationale behind the issue of commerce as raised in the constitutional debate was also the desire to create a common market within the Union, encouraging trade among the states. Concerns had developed previously over the way and the extent to which individual states imposed taxes and duties on commercial goods carried in interstate commerce. Many agreed that such barriers were to be removed by limiting the powers of states over the free flow of articles. In a similar vein, states were deprived of the power to interfere with private contracts, violating individual property rights by representing debtors' interests through *ex post facto* laws legislating retroactively.<sup>18</sup>

It became the responsibility of the federal government to regulate commerce both at the interstate and the national levels in order to facilitate commercial traffic between states and represent national commercial interests vis-à-vis foreign powers. The regulation of domestic trade by the federal government was part of the effort to limit state power detrimental to commercial intercourse within the country.

The Constitution of 1787 was to establish a system of commerce based on free trade principles within states and also among them. Nonetheless, as far as foreign trade was concerned, serving national interests, it represented a transitory stage between mercantilism and free trade: as a young one, American economy needed the protection of federal power. For people like James Madison, the

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<sup>15</sup> McCoy 1980, 120-21, 123-26. For Madison's urge to deal with hostile British foreign trade policy in connection with the West Indies, see Hobson 1989, 88-89.

<sup>16</sup> McCoy 1980, 131-32.

<sup>17</sup> Letwin 1989, 134-35.

<sup>18</sup> Siegan 1989, 103-106.

federal government with extended power ensured by the new Constitution became more efficient in managing the national debt or foreign trade.<sup>19</sup>

### ***Anti-Federalists and Commerce***

As seen above, the debate on the ratification of the Constitution of 1787 was determined by the opposition of two distinct political groupings, whom, nevertheless, are not to be seen as homogeneous. Anti-Federalists, whom I now turn to, as historian Saul Cornell has persuasively argued, consisted of three main social groups: "elite politicians," "the middling sort," and "plebeian" lower class writers, mainly "backcountry farmers and artisans." Despite the general common thrust of their argumentation, they developed their own distinct visions of the American constitutional order. The main concern for elite Anti-Federalists was the protection of liberty against the concentration of federal power, whose scope they wanted to keep at a minimal level. Popular Anti-Federalists, a category including middling and plebeian writers, at the same time, emphasized the priority of democratic, egalitarian values in American politics and attacked elitism in politics. Middling anti-Federalists intended to strengthen legislative bodies *vis-à-vis* the other branches of federal government. The latter found both wealthy "aristocrats" and debt-ridden plebeian classes dangerous to republican order.<sup>20</sup>

As far as their general views of commerce are concerned, according to Cornell's argument, none of these varieties of anti-federalism were against it, only slightly critical about certain details: while "middling" Anti-Federalists hoped to avoid an "unfair concentration of wealth" plebeian writers, such as the one using the pseudonym "Centinel" voiced similar opinions, calling for riches to be equally spread in society.<sup>21</sup>

On the whole, then, Cornell concludes, Anti-Federalists exhibited an overtly welcoming attitude to commercial development during the debate, regarding it as a positive force. However, a closer look at the representatives of various categories of anti-federalism identified by him reveals a more complicated picture. Also, his classification fails to do justice to the differences that, in reality, existed among the opponents of the Constitution with regard to commerce.

Of the major *elite* Anti-Federalists it was James Winthrop of Massachusetts, writing under the pseudonym "Agrippa" that articulated unequivocal arguments about the positive role of commerce in sustaining the republic. Agrippa argues for free trade, the policy that excludes government intervention with foreign trade. Such a policy is favorable to the performance of American merchants who have a trading surplus *vis-à-vis* other countries.

<sup>19</sup> Reck 1989, 31; Hobson 1989, 89, 96.

<sup>20</sup> Cornell 1999, 48-50, 54, 81, 107-109, 83, 89.

<sup>21</sup> Cornell 1999, 83, 102-103.

Agrippa is also in support of the federal government regulating foreign trade by means of import tariff duties in order to protect domestic producers.<sup>22</sup>

Cornell emphasizes Agrippa's preference for interests and selfishness in a commercial society.<sup>23</sup> Yet, Agrippa also adopts a different attitude to commerce and its impact. He takes the stance of those stadial theorists who regarded commerce as a major cementing force in society. Addressing the people of Massachusetts, he argues that government should be kept at a minimum, while the "spirit of commerce" is to be promoted. Commercial activity tends to breeds "reciprocal dependencies" among members of the same society and, in this way, contributes to its stability and freedom.<sup>24</sup>

For Agrippa, commerce also has a positive role to play in establishing common bonds among the different states of the Union. As he argues, commerce is based on difference in demand and supply, hence it promotes ties among producers who have different produces to offer for exchange: "A diversity of produce, wants and interests, produces commerce, and commerce, where there is a common, equal and moderate authority to preside, produces friendship."<sup>25</sup> In this way, difference and heterogeneity that usually function as an impediment to unity and co-operation, by means of internal commerce, can be turned into virtue and the service of unity through diversity. In abstract terms, in Agrippa's argument, commerce appears as a force that induces sociability among partners of differing interests and characters.

We have seen that when speaking of the integration of western lands, Americans attributed a special significance to commerce. Agrippa also looks upon commercial ties as basic in attaching western settlers to the Union. This "bond on union," then, rests on economic relations for him, determined by supply and demand.<sup>26</sup> He hopes to integrate new, uncivilized territories by relying on the socializing force of commerce.

Despite his emphasizing the liberal, interest-based aspects of commercial society, Agrippa, then, was more on the side of commerce as a social force that would draw upon the diversity of interests engaging in a commercial interaction.

As has been mentioned, Cornell has identified "middling" anti-federalism as being friendly to commerce. Furthermore, he argues, they "favored economic growth" although despising too much disparity of riches.<sup>27</sup> Nonetheless, Anti-Federalists belonging to this strain exhibited a far stronger view of commerce, pointing out its ruinous impact on society at a certain degree of development.

When referring to the issue of commerce in the debate, *middling* Anti-Federalists addressed it in various contexts. One of these concerned the power of

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<sup>22</sup> Storing 1981, 4:81, 4:86.

<sup>23</sup> Cornell 1999, 65.

<sup>24</sup> Storing 1981, 4:71.

<sup>25</sup> Storing 1981, 4: 84.

<sup>26</sup> Storing 1981, 4:84.

<sup>27</sup> Cornell 1999, 83.

the executive and the checks upon it. As one Anti-Federalist, under the pseudonym "Cato," argues in his fifth letter to the citizens of New York, the proposed constitution allows too much power for the executive and provides insufficient control over it, instead trusting the people's republican character to resist encroachments by it. This, says Cato, is a mistaken view, given that the character of the people is liable to change and deterioration, and although today it is capable of resisting executive power becoming tyrannical, with changing character it may not be able to do so as time goes by. The single most relevant factor that Cato mentions in this regard is commerce: it is through "the progress of a commercial society" that the character of a people changes, and it exerts such an influence by means of the major enemy of republican virtue, that is, luxury.<sup>28</sup>

We have seen before that according to one line of argument in republican thought, there is concern that in the commercial stage society easily enters into the phase of decline with development because of the people's growing interest in the consumption of luxury goods and their turning away from serving the public good. Cato reproduces this argument, also blaming growing social inequality and the loss of virtue in society on luxury.<sup>29</sup> In other words, he claims that since there are no institutional guarantees against executive power provided by the new constitution, the danger is that it is liable to turn tyrannical with time, given that commercial progress will automatically bring about the degeneration of the character of the American people, and thus the loss of the only check upon federal power.

*Plebeian* Anti-Federalists formulated the most critical view of commerce and commercial development. It was not simply the economically discriminatory impact of trade that disturbed them, as one should think on the basis of Cornell's argument. At the center of their argument was a critique of luxury, a concept that they intimately connected with commercial development and selfish interests.

Trade with foreign partners will also pose dangers related to the precious metal reserves of the nation. As a Pennsylvania writer using the pseudonym "Alfred" claims, the consumption of imported foreign luxury goods results in the outflow of gold and silver from the country. All this process, in turn, is ultimately the outcome of the pursuit of private interest, the greed for foreign luxury items. In Alfred's words, "May not *our manners* be the sources of our national evils? May not our attachment to foreign trade increase them? Have we not acted imprudently in exporting almost all our gold and silver for foreign luxuries?" Then he concludes speculating: "it may be said that this deficiency arises from the want of public virtue, in preferring (*sic*) private interest to every other consideration."<sup>30</sup>

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<sup>28</sup> Storing 1981, 2:117.

<sup>29</sup> Storing 1981, 2:117.

<sup>30</sup> Storing 1981, 3:142; emphasis in the original.

Also addressing the issue of luxury, Charles Turner of Massachusetts links it with the deterioration of patriotism and morals among the people. Having been exposed to the corruptive tendencies of luxury, they have lost interest in public affairs as well as the capacity of governing themselves.<sup>31</sup>

"The Impartial Examiner" of Virginia also discusses the impact of luxury on the people's character. He argues that the historical memory of subjugation keeps a people recently having gained liberty in a healthy mental condition, protecting them from tyrannical tendencies in government. However, with the fading of such historical experience, their character becomes prone to transformation, and vigilance about liberty diminishes. Once this process is coupled with growing standards of living, new "objects of desire" appear, and the people turn to "riches and luxury." All this results in corruption, and finally a tyrannical government is erected with the people losing their liberty.<sup>32</sup> In the argument of the Impartial Examiner, it is the appearance of luxury, then, that serves as an impetus to the decline of republican morality, expediting the process of decline.

Using the critical framework of luxury, one Virginian Anti-Federalist writing under the pseudonym "A Delegate who has caught cold," connects the issue of progress with the problem of republican government. As he argues, even though made perfect, republican government needs revision from time to time in order to become adjusted to changing society. Undergoing progress, republican society keeps changing: commercial development and population growth, accompanied by the impact of luxury bring about a growing degree of corruption and discrepancy between society and government. Hence revolutions break out in order to close the gap between the two.<sup>33</sup>

Plebeian Anti-Federalists, thus, against Cornell's contentment, are more problematic to be seen as being on the side of commercial development. Breeding wealth and luxury, which tend to change the character of a republican people, commerce is not a friendly force for them, since it is inimical to republican order.

### *Conclusion*

Even though, as Cornell argues, Anti-Federalists adopted a generally supportive attitude toward commerce, many of them also developed awareness of the possibly negative impact of commercial development on the society.

With the only exception of the elite variety, whose members gave wholehearted support to commerce because of its power to generate sociability and ties of affection among trading partners, Anti-Federalists tended to regard it as a major force in the degeneration of the political community. Middling and plebeian Anti-Federalists equally complained of the subversive force of luxury

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<sup>31</sup> Storing 1981, 4:219.

<sup>32</sup> Storing 1981, 5:187-88.

<sup>33</sup> Storing 1981, 5:271.

that was bound to shatter the virtuous bases of societies. They were not so much interested in the ties that commerce would establish among heterogeneous interests; they were more anxious over the damage that it would do to homogeneous republican societies. It is no coincidence that Agrippa, that is, James Winthrop, a representative of the elite opinion, spoke in praise of commerce: his discourse was meant to appeal to the merchant class of an economically developed community, which was nonetheless was not so developed that it had been corrupted by luxurious consumption.

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