

# John Adams: America's Original Conservative

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*John Adams—second President of the United States, leader of the Continental Congress in 1776, and one of America's greatest political thinkers—is among the most important of America's Founders, rivaled only by James Madison in constitution-making and constitutional thought and “the man to whom the country is most indebted for the great measure of independence.” Adams was one of the first and most important advocates of bicameralism, separation of powers, and the executive veto as well as principal draftsman of the constitution of Massachusetts, an important model for the federal Constitution. His *Defence of the Constitutions of Government of the United States of America* and “*Discourses on Davila*” are among the most significant Founding-era works on American constitutional theory.*

Second President of the United States, leader of the Continental Congress in 1776, and one of America's greatest political thinkers, John Adams is among the most important of America's Founders.<sup>1</sup> One of New Jersey's signers of the Declaration of Independence, Richard Stockton, called Adams “the man to whom the country is most indebted for the great measure of independence.” “I call him the Atlas of American independence,” said Stockton. “He it was who sustained the debate, and by the force of his reasoning demonstrated not only the justice, but the expediency, of the measure.”<sup>2</sup>

Adams's 1776 “Thoughts on Government” was, according to Gordon Wood, “the most influential work guiding the framers” of the state constitutions.<sup>3</sup>

## John Adams

### Born

October 30, 1735, in Braintree, Massachusetts, oldest child of John and Susanna Boylston Adams.

### Education

- Harvard University, 1751–1755.

### Religion

Unitarian.

### Family

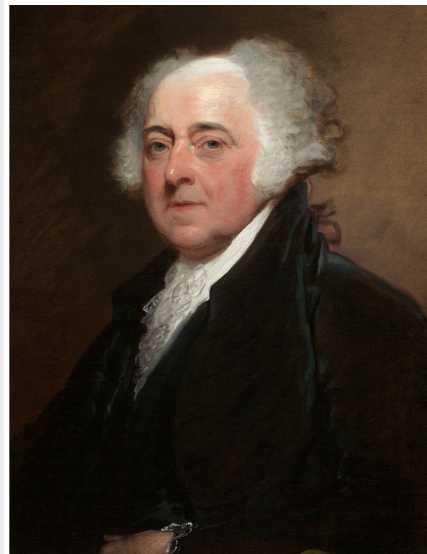
Married Abigail Smith (1764). They had five children: Abigail (b. 1765); John Quincy (b. 1767); Susanna Boylston (b. 1768); Charles (b. 1770); and Thomas Boylston (b. 1772).

### Died

July 4, 1826, shortly after Thomas Jefferson.

### Highlights

- 1774: Sent to the First Continental Congress.
- 1775: Sent to the Second Continental Congress and became a leader of the pro-independence faction and later the leading man in Congress.
- 1776: “Thoughts on Government,” important for the creation of new colonial constitutions, published.
- 1779: Drafts Massachusetts Constitution, an important model for U.S. Federal Constitution
- 1783: Worked with Benjamin Franklin and John Jay in Paris on the treaty peace with Britain.
- 1785: Sent to London to serve as America's first official diplomat at the Court of St. James.
- 1787: *A Defence of the Constitutions of Government of the United States of America*, Adams's major work of political science, published.
- 1788: Elected Vice President.
- 1792: Won re-election.
- 1796: Elected President by three electoral votes (71 to 68) over Thomas Jefferson.
- 1800: Defeated by Jefferson in presidential election. Retires from public life.
- 1812: Resumes correspondence with Jefferson.



### Notable Quote

“It is weakness rather than wickedness, which renders men unfit to be trusted with unlimited power.” (*A Defence of the Constitutions of Government of the United States of America*, 1787.)

Adams was one of the first and most important advocates of bicameralism, separation of powers, and the executive veto. In late 1779, he became the principal draftsman of the constitution of Massachusetts, which would be the first state constitution written by a special convention and then submitted to the people for ratification. It served as a very important model for the federal Constitution.

His *Defence of the Constitutions of Government of the United States of America* and “Discourses on Davila,” published in the second half of the 1780s and early 1790s, are among the most significant Founding-era works on American constitutional theory. James Madison is his only competition for the laurels in constitution-making and constitutional thought.

## Life

Born on October 30, 1735, John Adams was the oldest child of John and Susanna Boylston Adams of Braintree, Massachusetts. Adams’s father was a modestly successful farmer who made shoes in the winter months. In town, the Adamses were respected. John’s father was a deacon in the town’s church and served several terms as the town selectman.<sup>4</sup>

At first a reluctant student, young John in time became a voracious reader. He matriculated at Harvard in 1751, where he bloomed as a student of science and as a public speaker. In those days, Harvard ranked students not in order of academic distinction but rather by social rank. Adams was in the middle of his class, in deference to his mother’s link with the prominent Boylston family, but as a sign of his academic success, Harvard honored Adams by asking him to give an oration at graduation. The speech impressed a listener from Worcester, and the young man was soon hired to be Worcester’s new schoolmaster.

After teaching for a couple of years, Adams decided to become a lawyer. He was a fearsome law student, mastering Edward Coke’s works and reading deeply across the discipline. Within a decade, Adams became the leading attorney in Massachusetts.

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1. Harold Laski called Adams “the greatest political thinker America has produced.” Zoltan Haraszti, *John Adams and the Prophets of Progress* (Cambridge, MA: Harvard University Press, 1952), p. 46.
  2. Editorial note in *The Works of John Adams* (Boston: Little, Brown, 1856), Vol. 3, p. 56.
  3. Gordon S. Wood, *The Creation of the American Republic, 1776–1787* (New York: W. W. Norton, 1968), pp. 568–569.
  4. Details can be found in biographies of Adams. See, for example, Page Smith’s two-volume *John Adams* (Garden City, NY: Doubleday, 1962), and David McCullough’s *John Adams* (New York: Simon and Schuster, 2001). On Adams’s political thought, see C. Bradley Thompson, *John Adams and the Spirit of Liberty* (Lawrence, KS: University Press of Kansas, 1998); Richard Alan Ryerson, *John Adams’s Republic: The One, the Few, and the Many* (Baltimore, MD: Johns Hopkins University Press, 2016); and Luke Mayville, *John Adams and the Fear of American Oligarchy* (Princeton, NJ: Princeton University Press, 2016).

Marriage to Abigail Smith, daughter of the minister in the town next to his own, in 1764, as well as the arrival of a daughter (Abigail) and a son (John Quincy) in 1765 and 1767 and others in following years, also helped Adams to mature. In marriage, John found a helper, partner, and unwavering friend who encouraged and challenged him and who shared his ambition.<sup>5</sup>

Adams first rose in prominence when Parliament's efforts to tax the colonies without their consent raised the specter of tyranny. Adams used his legal and rhetorical skills to fight for the colonial cause. His influential "Braintree Instructions" of 1765 outlined the legal arguments for the colonies. But Adams's most important essays of the 1760s are known to history as "A Dissertation on the Canon and the Feudal Law."<sup>6</sup>

Adams rejoiced when Parliament repealed the Stamp Act, but Parliament seemed to be determined to tax the colonies without their consent. With the Townshend Acts of 1767, which imposed duties on lead, paper, paint, glass, and tea, Adams found himself once again in the Whig fold. By 1774, Adams had risen to sufficient prominence that Massachusetts sent him to the First Continental Congress. Massachusetts returned him to the Second Congress in the spring of 1775, where he became a leader of the pro-independence faction and then the most influential man in the Continental Congress. Adams served on numerous committees and as chairman of several, including the Board of War and Ordnance, which made him in essence the Colonists' Secretary of War. As 1775 turned to 1776, Adams cajoled, maneuvered, and pushed his colleagues toward the decisive vote. He spoke for independence with, in Jefferson's words, "a power of thought and of expression, that moved us from our seats."<sup>7</sup>

Adams remained in Congress until the American victory at Saratoga in the fall of 1777. Diplomacy was a major undertaking for the budding nation, and Congress sent Adams to France to join Benjamin Franklin and Arthur Lee in Paris to negotiate an alliance. Adams arrived in Paris only to find that the treaty had been signed. After Congress reorganized the American legation, leaving Franklin in charge, Adams returned to America in the summer of 1779.

Adams arrived home just in time for the town of Braintree, Massachusetts, to send him to the state's constitutional convention, where he became

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5. On John and Abigail, see Edith B. Gelles, *Abigail & John: Portrait of a Marriage* (New York: William Morrow, 2009).

6. John Adams, "A Dissertation on the Canon and the Feudal Law," in *Papers of John Adams*, Vol. 1, ed. Robert J. Taylor, Mary-Jo Kline, and Gregg L. Lint (Cambridge, MA: Belknap Press of Harvard University Press, 2003), pp. 111ff.

7. Peter Shaw, *The Character of John Adams* (Chapel Hill: University of North Carolina Press, 1976), p. 98. Adams was speaking for the independence resolution, not, as Jefferson recalled, for the Declaration.

its leading member. As early as 1775, Adams's peers in Congress turned to him for advice about how to craft new state constitutions. The summation of his advice was published in the spring of 1776 as "Thoughts on Government." Now he had the chance to put his ideas into practice in his home state.

The Massachusetts Constitution was a landmark. It was the first constitution written by a special convention elected by the people and then sent to the people for ratification. It also became a template for the federal constitution in featuring a bicameral legislature, an executive elected by the people and armed with a veto, and judges appointed for life "during good behavior."

Adams finished his draft for the convention and shortly thereafter boarded a ship for Paris to negotiate a peace with Great Britain. Back in Paris, Adams, a man who preferred candor to tact, was a pain in the side of both Franklin and the Comte de Vergennes, France's foreign minister. Much of that was Adams's own doing. His task was difficult as the American interest (a strong and independent U.S.) and the French interest (a weaker, dependent U.S.) diverged. Adams did not make things any easier by his tendency to be frank and candid with his words. He escaped from the tense personal-diplomatic situation in Paris to the Netherlands where, with a big assist from the American victory at Yorktown, he secured official recognition of American independence and obtained credit from Dutch bankers.

Adams returned to Paris to work with Franklin and John Jay on the peace treaty with Britain in 1783. Congress had instructed America's diplomats to check with the French before any negotiating with the British. Adams and Jay, and eventually Franklin, realized that such an abdication of sovereignty was constitutionally wrong and politically foolish. They broke their instructions and negotiated separately with the British. The result was a treaty that secured an America capable of independence—with territory from the Eastern seaboard to the Mississippi.

Adams remained in Paris, where Jefferson and then Abigail and the rest of the Adams family joined him. Both Jefferson and Adams gravitated to the community of letters in Paris, although Jefferson was often in more radical company than Adams. In 1785, Congress sent Adams to London to serve as America's first official diplomat at the Court of St. James. While there, Adams wrote *A Defence of the Constitutions of Government of the United States of America*, his major work of political science.

Adams returned to the U.S. in 1788. In the new nation's first presidential election, he received the second highest number of votes (behind Washington's unanimous support in the Electoral College) and became Vice President. Although Washington consulted Adams on occasion, Adams's

main task as Vice President was to preside over the Senate, but the Senate did not want its “President” to have the kind of powers that the Speaker of the House had, and Adams endured eight frustrating years in the chair. Adams used some of the time to pen his “Discourses on Davila,” a continuation of his *Defence of the Constitutions*, and a critique of the French Revolution. Many Americans, most notably Thomas Jefferson, had grand hopes for the French Revolution, but Adams foresaw from the first that it would most likely produce death, destruction, war, and a return to monarchy.

In 1796, Adams won the presidency by three electoral votes over Jefferson (71 to 68).<sup>8</sup> He took office as France started to attack American ships, and the “Quasi-War” with France would dominate his presidency. Adams thought the U.S. needed to defend its ships and its honor. Jefferson’s party, by contrast, blamed the Federalists for provoking the French. Meanwhile, Adams, who had virtually no executive experience, had tremendous difficulty managing his Cabinet and his party; in fact, Hamilton was often managing the Cabinet behind his back.

Meanwhile, Hamilton and many other Federalists wanted to create a large Army to fight the French. Adams doubted France’s ability to attack American soil and thought building up the Navy would suffice. In the election of 1798, war fever led to a Federalist sweep of Congress. Seeing in the political opposition an echo of the Jacobins terrorizing France, Congress sent the Alien and Sedition Acts to Adams’s desk, and he signed them. Adams’s rhetorical bluster toward France and the success of the U.S. Navy, including support for Toussaint L’Ouverture’s slave revolution in Haiti—a move that did not endear Adams to Southern voters but did show the French that the U.S. had the ability to hurt their interests—drove the French to the negotiating table, and the Adams Administration concluded peace just after the election of 1800.

A split in Federalist ranks, the Alien and Sedition Acts, and (perhaps more important) the taxes that Federalists imposed to build an Army and Navy hurt at the polls. Adams ran ahead of his party in 1800, but Jefferson won the presidency. How close was it? Many state legislatures still selected electors back then, and a switch of a few hundred votes in New York City in the spring 1800 legislative elections would have held the legislature for the Federalists and presumably would have secured re-election for Adams.

Adams lived for another quarter-century. The years were not without trial. John and Abigail’s youngest son, Charles, died in December 1800. Their daughter, Abigail, died of cancer in the Adams house in 1813, and Mrs.

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8. Smith, *John Adams*, p. 914.



Adams died in 1818.<sup>9</sup> During these years, Adams engaged in some newspaper polemics, often in defense of his own record. He also was a regular correspondent of several fellow patriots, particularly Thomas Jefferson, with whom he reconciled at the start of 1812. Meanwhile, Adams proudly observed his eldest son, John Quincy Adams, rise to become the sixth President of the United States. Adams died hours after Jefferson passed away on July 4, 1826.

## Adams's Philosophy: Political Liberty, Constitutionalism, and Conservatism

If one wanted to encapsulate Adams's political thought in one phrase, it would be "a government of laws, not of men." He repeated the phrase, sometimes in slightly modified form, in all of his major writings of the 1770s and 1780s.<sup>10</sup>

Adams thought that "true law is 'a rule of distinction between right and wrong according to nature.'"<sup>11</sup> Laws, however regularly enforced, can themselves be arbitrary. Pharoah's law proscribing the first born, for example, was legal according to the rules of society, but it was also an arbitrary decree: lawless in the higher sense of the term. A good law would not *establish* what is just; on the contrary, it would *reflect*, so far as possible, what is just. For Adams, justice would reflect human equality and the equality of natural rights.<sup>12</sup>

Adams's life's work can be viewed as attempts to institute the proper workings of the rule of law. Adams became a rebel and then a revolutionary when the British government attacked the rule of law; after 1776, he sought to create constitutions that secured the rule of law; with the rise of the French Revolution and the radical Enlightenment, he turned to defending the underlying ideas about God, man, and nature that made it possible to distinguish governments of laws from governments of men.

**Political Liberty.** Adams is often portrayed as a "conservative." Russell Kirk, for instance, makes him the first American conservative in his *The Conservative Mind*. There is much to that portrait. It is important to remember

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9. McCullough, *John Adams*, pp. 613 and 623.

10. John Adams, "Novanglus," in *Papers of John Adams*, Vol. 2, ed. Robert J. Taylor, Mary-Jo Kline, and Gregg L. Lint (Cambridge, MA: Belknap Press of Harvard University Press, 2003), p. 314; "Thoughts on Government," *Works*, Vol. 4, p. 194; *A Defence of the Constitutions of Government of the United States of America*, *Works*, Vol. 4, p. 283; Massachusetts Constitution, *Works*, Vol. 4, p. 230.

11. Edward S. Corwin, "The 'Higher Law' Background of American Constitutional Law," Part I, *Harvard Law Review*, Vol. 42, No. 2 (December 1928), p. 159.

12. "I say RIGHTS, for such they have, undoubtedly, antecedent to all earthly government—*Rights* that cannot be repealed or restrained by human laws—*Rights* derived from the great legislator of the universe." Adams, "A Dissertation on the Canon and the Feudal Law," *Papers*, Vol. 1, p. 112.

that an American conservatism must be compatible with the principles of 1776. The foremost supporter of independence and defender of the Declaration in Congress, Adams certainly was a revolutionary, but he became a revolutionary because of England's attacks on colonial law and liberty.

The Stamp Act, for example, was "inconsistent with the spirit of the common law, and of the essential fundamental principles of the British constitution, that we should be subject to any tax imposed by the British Parliament; because we are not represented in that assembly...."<sup>13</sup> It was a tax imposed on the colonies by a Parliament that had no representatives from the colonies. In English law, taxes could be raised only by consent. Property belonged to the people who created and owned wealth: "[T]he public money of this country is the toil and labor of the people...."<sup>14</sup> Property does not belong to the commonwealth first, with subjects free to keep what is left after paying common expense. On the contrary, men own their property free and clear and agree, through their representatives, how much to give to allow the government to do its job.

Adams also protested the use of Courts of Admiralty to enforce taxes. The Magna Carta ensured that men were judged by juries of their peers, yet the British sought to enforce violations of customs laws in Admiralty Courts without juries. Parliament was trying to govern in an arbitrary, unjust, and lawless manner.

Even on matters that were legitimately the province of government, it was necessary to obtain consent. "The very definition of a freeman," Adams held, "is one who is bound by no law to which he has not consented."<sup>15</sup> Elsewhere, he wrote that it was "*consent alone* that makes any human Laws binding."<sup>16</sup> That is because, for Adams, individual governments are not ordained by God. Only consent, issued in ratifying a constitution and passing legislation, gives them legitimacy. In Adams's view, government was natural in the sense that it is inevitable among human beings that there will be governments, but consent alone made any particular government legitimate.

What some Tories, defenders of Parliamentary taxation, denounced as "revolution-principles" were for Adams "the principles of nature and eternal reason. The principles on which the whole government over us, now

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13. Adams, "Instructions of the Town of Braintree to their Representative, 1765," *Works*, Vol. 3, p. 466.

14. *Ibid.*, p. 468. "Printed from the Boston Gazette, of Monday, 14 October, 1765." *Ibid.* 465, n. 1. See also *Papers*, Vol. 1.

15. Adams, "Novanglus," *Papers*, Vol. 2, p. 242.

16. John Phillip Reid, ed., *The Briefs of the American Revolution: Constitutional Arguments Between Thomas Hutchinson, Governor of Massachusetts Bay, and James Bowdoin for the Council and John Adams for the House of Representatives* (New York: New York University Press, 1981), p. 140. Emphasis in original.



stands.”<sup>17</sup> The law, not Parliament, was sovereign, but when the King and Parliament demonstrated a determination to rule the colonies lawlessly, resistance became revolution.

After independence, Adams put these ideas into practice. The Preamble to the Massachusetts Constitution explained this principle and practice with particular clarity, more so than in any other state constitution or even the federal Constitution: “The body politic is formed by a voluntary association of individuals. It is a social compact by which the whole people covenants with each citizen, and each citizen with the whole people, that all shall be governed by certain laws for the common good.” A constitution’s job was to secure for “the individuals who compose it...the power of enjoying in safety and tranquility their natural rights...”<sup>18</sup>

The Preamble was followed by a Declaration of Rights that described the ends of government. By 1779, many states had written declarations of rights. Adams borrowed from Pennsylvania, beginning: “All men are born equally free and independent, and have certain natural, essential, and unalienable rights: among which may be reckoned the right of enjoying and defending their lives and liberties; that of acquiring, possessing, and protecting their property; in fine, that of seeking and obtaining their safety and happiness.”<sup>19</sup> In 1783, Massachusetts’ highest court would declare that those words made slavery illegal in the state.

As Adams understood it, the law, not the government, ruled. Both officers of government and subjects had the right to interpose themselves when the law was being violated. In April 1768, John Hancock discovered Owen Richards, a customs officer, trying to search the ship *Liberty* beyond the legal scope of his warrant. Hancock had his men restrain Richards by force.<sup>20</sup> The customs agent sued, and Adams, Hancock’s attorney, won the case. The Crown’s attorney conceded that “no offence had been committed.” Similarly in *Rex v. Corbet*, Adams successfully defended a sailor who fought back and killed an officer of the Royal Navy who was trying without legal warrant to impress (forcibly draft into service) a sailor.<sup>21</sup> Resistance to Parliament and then revolution grew from the same logic.

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17. Adams, “Novanglus,” *Papers*, Vol. 2, p. 230.

18. John Adams, “Report of a Constitution of Government, for the Commonwealth of Massachusetts,” in *Papers of John Adams*, Vol. 8, ed. Gregg L. Lint, Robert J. Taylor, Richard Alan Ryerson, Celeste Walker, and Joanna M. Revelas (Cambridge, MA: Belknap Press of Harvard University Press, 1989), p. 237.

19. Preamble, Massachusetts Constitution, <https://malegislature.gov/laws/constitution> (accessed March 31, 2020).

20. Editorial note in *Legal Papers of John Adams*, Vol. 2, ed. L. Kinvin Wroth and Hillel B. Zobel (Cambridge, MA: Belknap Press of Harvard University Press, 1965), p. 174.

21. *Legal Papers of John Adams*, Vol. 2, pp. 276ff. See Sanford Levinson, “Embarrassing Second Amendment,” *Yale Law Journal*, Vol. 99, No. 3 (1989), p. 650, n. 68.

**Constitutionalism.** In the Preface to *A Defence of the Constitutions of Government of the United States of America*, Adams noted that “the people of America have now the best opportunity and the greatest trust in their hands, that Providence ever committed to so small a number since the transgression of the first pair.”<sup>22</sup> That was why it was so important to get the constitutions right. To that end, Adams thought, one needed both consent and checks and balances. Consent made constitutions legitimate, but a complicated political dynamic was essential to the more famous part of Adams’s constitutionalism: checks and balances.

Adams supported a government with two tripartite checks: (1) among the legislative, executive, and judicial and (2) in the legislative, among the House, the Senate, and the executive with his veto as the way to ensure that consent was protected. Both sets of checks were essential. Adams explained the logic of checks and balances with a metaphor borrowed from James Harrington: Two girls “have a cake yet undivided.... That each of them, therefore, might have that which is due, ‘divide,’ says one, ‘and I will choose; or let me divide, and you shall choose.’” Self-interest fostered a fair division. The principle applied broadly, “even the whole mystery of a commonwealth, which lies only in dividing and choosing.”<sup>23</sup>

In practice, there had to be three parties for any check to work. One house would not be properly checked: “A single assembly is liable to all the vices, follies, and frailties of an individual.”<sup>24</sup> Two houses would also not produce an enduring check, for if there are but two powers, they struggle until one wins a final victory: “[A] dominant party, when there are but two, and no third power to balance them, is never long restrained by law, morals, or decency.”<sup>25</sup> If no one is watching, in other words, the bigger girl pushes the smaller one and takes the whole piece of cake.

In time, Adams believed, a well-mixed and balanced constitution would make it more likely that decent men pursuing decent goals were in office. Laws, Adams recognized, have an impact upon the mores of statesmen and citizens. Adams noted that “[t]he systems of legislators are experiments made on human life and manners, society and government.”<sup>26</sup> Checks and balances would have a positive impact on America’s character. He summed up his point at the end of the *Defence*:

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22. Adams, *Defence*, *Works*, Vol. 4, p. 290.

23. *Ibid.*, p. 390.

24. Adams, “Thoughts on Government,” *Works*, Vol. 4, p. 195.

25. Adams, *Defence*, *Works*, Vol. 5, p. 115.

26. Adams, *Defence*, *Works*, Vol. 4, p. 297.

Happiness, whether in despotisms or democracy, whether in slavery or liberty, can never be found without virtue. The best republics will be virtuous, and have been so; but we may hazard a conjecture, that the virtues have been the effect of the well ordered constitution, rather than the cause. And, perhaps, it would be impossible to prove that a republic cannot exist even among highwaymen, by setting one rogue to watch another; and the knaves themselves may in time be made honest men by the struggle.<sup>27</sup>

After observing a rough justice out of self-interested necessity forced upon them by checks and balances, men might begin to internalize the behavior as good in itself and, like the highwaymen, “be made honest men” in the process. That would, Adams hoped, help to put men on the path to virtue. Men will behave either because they have good character or due to fear of punishment. The former is necessary if the republic is to be free. The contention over justice in a system of checks and balances fosters mutual vigilance, which makes it more likely that the laws themselves are just and not arbitrary and that the laws are enforced consistently and not arbitrarily and irregularly.

We Americans have grown so used to bicameralism, the executive veto, and separations of power that we forget that they were controversial in the Founding era. French intellectuals, most notably Turgot, disliked checks and balances: “Instead of bringing all authorities into one center, that of the nation, they have established different bodies, a house of representatives, a house of lords, a governor.”<sup>28</sup> As in the system of Civil Law, Turgot wanted the best and wisest men to make legislation in one house, with no political give-and-take in the legislative process. Similarly, he thought, well-intentioned, reasonable men would enforce the law consistently and efficiently.

But Adams understood that few men, however moral or scientifically trained, can resist the temptations of power. Why, Adams asked, are governments necessary? Human nature. Similarly, it is “weakness rather than wickedness, which renders men unfit to be trusted with unlimited power.”<sup>29</sup> The reason to have checks and balances was the same as the reason to have governments: Men tend to abuse power. To ensure that the government follows the law, “power must be opposed to power, and interest to interest.”<sup>30</sup>

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27. Adams, *Defence*, *Works*, Vol. 6, p. 219.

28. Turgot to Richard Price, March 22, 1778, in Adams, *Works*, Vol. 4, p. 279.

29. Adams, *Defence*, *Works*, Vol. 4, p. 406.

30. *Ibid.*, p. 557. This might be a translation of Montesquieu’s “le pouvoir arrete le pouvoir.” See Hanna Arendt, *On Revolution* (New York: Penguin, 2006), p. 302, n. 19.

In some ways, Adams's language is remarkably similar to Madison's in *The Federalist*: "Ambition must be made to counteract ambition"<sup>31</sup> echoes "power must be opposed to power," and "If men were angels, no government would be necessary"<sup>32</sup> echoes Adams's comment that it would be folly to say that "the law of nature is enough, if you do not obey it, it will be your own fault, therefore no other government is necessary."<sup>33</sup> Yet there are important differences between the two men. In Madison's view, checks and balances, meaning separations of power, were merely "auxiliary precautions." In *Federalist* No. 10, Madison argued that in a territorially large republic, elections would ensure that unfit men would seldom win office.<sup>34</sup> In other words, for him, the size of the nation was primary, and checks and balances were secondary.

Jefferson also believed that elections would suffice. Free men, he thought, would tend to elect wise and virtuous men.<sup>35</sup> Adams disagreed. Checks within the legislative were no less necessary than checks among the branches. Adams was disinclined to believe that larger districts would select men of better character than smaller districts would. Checks and balances, in Adams's view, were fundamental. In the political play inside the government, combined with the regular consent of the governed, a well-designed republic trained the character of the ambitious men who were likely to win office. By doing that, it would foster the rule of law, rightly understood.

**A Conservatism Grounded in Human Nature.** Beneath Adams's political theories was a clear understanding of human nature. For the epigraph to the third volume of the *Defence*, Adams quoted Samuel Johnson:

[S]ome philosophers have been foolish enough to imagine, that improvements might be made in the system of the universe, by a different arrangement of the orbs of heaven; and politicians, equally ignorant, and equally presumptuous, may easily be led to suppose, that the happiness of our world would be promoted by a different tendency of the human mind.<sup>36</sup>

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31. Alexander Hamilton or James Madison, *The Federalist* No. 51, [https://avalon.law.yale.edu/18th\\_century/fed51.asp](https://avalon.law.yale.edu/18th_century/fed51.asp) (accessed April 1, 2020).

32. Ibid.

33. Adams, *Defence, Works*, Vol. 6, p. 141.

34. James Madison, *The Federalist* No. 10, [https://avalon.law.yale.edu/18th\\_century/fed10.asp](https://avalon.law.yale.edu/18th_century/fed10.asp) (accessed April 1, 2020).

35. The best way to separate natural aristocrats from pseudo-aristocrats and put them in office, according to Jefferson, was "to leave to the citizens the free election and separation of the aristoi from the pseudo-aristoi." Thomas Jefferson to John Adams, October 28, 1813, *The Adams-Jefferson Letters: The Complete Correspondence Between Thomas Jefferson and Abigail and John Adams*, ed. Lester J. Cappon (Chapel Hill: University of North Carolina Press, 1959), p. 388.

36. Adams, *Defence, Works*, Vol. 5, p. 333.

If progress—the desire to transform human life to a higher moral level—demanded transforming human nature, two conclusions followed: Progress is impossible, and the desire for such progress is therefore misanthropic. That the ideas of the “Prophets of Progress” fostered the shedding of oceans of blood was not a coincidence.<sup>37</sup> Adams thought Europe’s *Philosophes* (mostly notably Condorcet, Rousseau, and Turgot, and their friends in America), whose intellectual heirs still influence American political thought, could not grasp two fundamental aspects of politics: the limits of equality and the causes of war.<sup>38</sup>

*First*, Adams objected to the Radical Enlightenment’s promise to establish universal and perpetual peace throughout the world. Adams viewed their ideas as “shortsighted, frivolous romances.”<sup>39</sup> For Adams, the balance of power in the area of foreign policy was the international proxy for checks and balances. It was, however, less stable, and war must therefore remain forever a tool of policy:

Wars are the natural and unavoidable effects of the constitution of human nature and the fabric of the globe it is destined to inhabit and rule. I believe further that wars, at times, are as necessary for the preservation and perfection, the prosperity, liberty, happiness, virtue, and independence of nations.<sup>40</sup>

Because we are passionate creatures, because disagreements about what is justice will never cease, and because our idea of justice will inevitably be connected to our tribal instincts, conflicts are inevitable so long as men walk the Earth. The wise policy is thus for government to follow the ancient wisdom: “If you wish peace, prepare for war.”<sup>41</sup>

*Second*, Adams thought that hopes for greater and greater equality were illusory and imprudent. He supported “a moral and political equality of rights and duties” but thought that society errs in expecting equality in all things:

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37. Zoltan Haraszti, *John Adams and the Prophets of Progress* (Cambridge, MA: Harvard University Press, 1952).

38. Haraszti highlights these three in particular in his book. It is a good start. Adams also criticized Diderot and singled out Thomas Paine and Mary Wollstonecraft for criticism as well.

39. John Adams to Benjamin Rush, July 3, 1812, in *The Spur of Fame: Dialogues of John Adams and Benjamin Rush, 1805–1813*, ed. John A. Schutz and Douglass Adair (Indianapolis: Liberty Fund, 2001), p. 249.

40. Ibid.

41. John Adams to Benjamin Rush, December 19, 1808, in *ibid.*, p. 135, n. 41. Adams quotes the Latin. The translation the author gives is “If you wish for peace, prepare for war.”

Are the citizens to be all of the [same] age, sex, size, strength, stature, activity, courage, hardiness, industry, patience, ingenuity, wealth, knowledge, fame, wit, temperance, constancy, and wisdom? Was there, or will there ever be, a nation, whose individuals were all equal, in natural and acquired qualities, in virtues, talents, and riches? The answer of all mankind must be in the negative.<sup>42</sup>

Jefferson's hope that Americans most of the time would elect the true "natural aristocrats" (the "wise and good") in free, fair, and open elections was a fantasy. Such "talents," as Adams called them, of beauty, height, or having a famous ancestor, among others, would inevitably persuade men over the qualifications of wisdom and virtue—the true qualifications. In a simple representative democracy with no checks, legislators would inevitably write self-serving and arbitrary laws. Checks and balances, if well made, would make that less likely.

Adams also recognized that human beings do not actually like equality. The "passion for distinction" (to be unequal or superior) was nearly universal among men. This "spectemur agendo" (the desire to be seen in action or to be honored) was the fundamental political passion. It drove political men, sometimes for good and sometimes for bad, but it could not be eradicated.

Ultimately, Adams thought that the *Philosophes'* desire to transform human life, to purge the world of tragedy, was a mask for misanthropy. As human nature is robust, the desire to change it reflects a kind of hatred of man. Adams also thought that their philosophy was ultimately unmoored from any coherent or defensible idea of right. In today's vocabulary, the term "nihilistic" would apply. He asked in "Discourses on Davila":

Is there a possibility that the government of nations may fall into the hands of men who teach the most disconsolate of all creeds, that men are but fireflies, and that this all is without a father [God]? Is this the way to make man, as man, an object of respect? Or is it to make murder itself as indifferent as shooting a plover?<sup>43</sup>

Adams's views began with the belief that Creation was good. "The fundamental principle of all philosophy and all Christianity," he wrote, "is 'Rejoice always in all things. Be thankful at all times for all good, and all that we call evil.'"<sup>44</sup> Somehow the tragic elements of human life were part of the

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42. Adams, *Defence*, *Works*, Vol. 4, pp. 391–392.

43. John Adams, "Discourses on Davila," *Works*, Vol. 6, p. 281.

44. John Adams to Thomas Jefferson, December 25, 1813, *The Adams–Jefferson Letters*, p. 409.



divine design. Perhaps for our freedom to matter, we need to have such tragic choices before us. The desire to transform human life was, in other words, inhumane. Adams was not surprised when the Jacobins in France went off the rails, and he would not have been surprised when future leaders of the international “Left”—to us a term from the French Revolution—were similarly barbaric.

### “A Memorable Epoch”

On June 7, 1826, Adams wrote what might be his coda. Independence would be “a memorable epoch in the annals of the human race; destined in future history to form the brightest or the blackest page, according to the use or the abuse of those political institutions by which they shall in time to come be shaped by the *human mind*.”<sup>45</sup> The future would be what Americans chose to make it. Only time would tell whether America would become a better and greater Rome.

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45. John Adams to John Whitney, June 7, 1826, *Works*, Vol. 10, p. 417. Emphasis in original.