

in its main themes will want to read these essays. Readers, however, will probably wish that they had a clearer collective message.

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The State as a Work of Art: The Cultural Origins of the Constitution. By ERIC SLAUTER. (Chicago: University of Chicago Press, 2009. 392 pp. Illustrations, notes, index. \$40.)

Ambitious titles both describe and proclaim. Such is certainly the case here. While the title of this book immediately recalls Jacob Burkhardt's study of art, culture, and politics of the Renaissance, Slauter draws his title from Rousseau, who had in turn observed the union of the political and the cultural in the very word "constitution." The subtitle is no less ambitious. It recalls a century of scholarship stretching back to Charles Beard, whose economic interpretation of the Constitution inspired Bernard Bailyn's landmark study of its "ideological origins" and Forrest McDonald's queries into its "intellectual origins." While notable scholars (Robert A. Ferguson, Jay Fliegelman, and Carol Smith-Rosenberg, e.g.) have conducted studies of the cultural context of constitution making, this book suggests a comprehensive methodological approach that may well set the tone for the field. That, certainly, is Eric Slauter's intent.

The book takes as its central problem that of achieving consensus for a national constitution. Given that eighteenth-century political theory concerned itself with discovering how a "people" might be matched with their "natural" government, the obvious diversity of climate, economic relationships, and culture in the thirteen states posed a problem. To overcome it, the founders engaged in "fantasies of unanimity" that either diminished differences or pointed to other cultural means of reconciling the irreconcilable. Chapter 1 examines the construction of the Constitution, paying close attention to the architectural metaphors deployed in its support. Chapter 2 explores the relationship between constitutionalism and philosophical aesthetics. The question of whether taste was a matter of universal principles or individual opinion was of great significance, especially when Noah Webster and other federalists explained the Constitution's worth in terms of its comprehensive beauty rather than as merely a sum of its individual clauses. Chapter 3 looks at a different metaphor—that of a "miniature" or a "transcription" to describe representation. Here Slauter argues that by probing contemporary understandings of these metaphors, while at the same time critically examining our contemporary privileging of Madison's notes of the convention, we get a more complex view of representation that reveals not agreements among the founders, but rather disagreements and differences. These chapters comprise the book's first part, which explains the state as a "work of art."

Part 2 turns to the culture of natural rights, focusing once again on the inherent contradictions of otherwise elegant Enlightenment theory: the place of slavery in natural law, being alone in an age of social contract, and creating a godless Constitution to protect the sacred rights of man. His arguments offer genuine insights into otherwise tired debates. For instance, the notion of a “godless” Constitution, or at least one in which God had no explicit mention, attracted controversy in 1787 just as it does today. A common argument about the Constitution is that it represents the high-water mark of secularization in political thought. Slaughter’s research (qualitative and quantitative) finds instead that an association between “natural right” and “God” in American pamphlets led both concepts to take off in the period between the Revolutionary War and the Constitution’s drafting.

Doing Slaughter’s book critical justice is impossible in so short a review. Suffice it to say that this imaginative interpretation will delight many and irritate more than a few. But it will provoke us all to think more deeply about the Constitution’s multiple meanings, and it deserves serious treatment from a wide audience.

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Slavery’s Constitution: From Revolution to Ratification. By DAVID WALDSTREICHER. New York: Hill and Wang, 2009. x, 195 pp. Note on sources, notes, index. \$25.)

It is not difficult to identify the obviously proslavery clauses of the United States Constitution: the “three-fifths” clause (art. 1, sec. 2, cl. 3) counting only three-fifths of a state’s slaves for purposes of congressional representation; the “fugitive slave” clause (art. 4, sec. 2) providing for the return of slaves who escaped from one state to another; and the “slave trade” clause (art. 1, sec. 9, cl. 1) preventing any elimination of the importation of slaves prior to 1808. Some scholars, such as David Waldstreicher, a Temple University history professor, place slavery at the very heart of the Constitution.

In three brief chapters, Waldstreicher aims for “freshness . . . in the telling as much as in [his] conclusion that slavery was as important to the making of the Constitution as the Constitution was to the survival of slavery.” His mission is to provide “a solution to the interpretive problem of slavery and the Constitution that draws on both the republican and the progressive schools” of Bernard Bailyn and Charles Beard; the former celebrated American virtue while ignoring slavery, while the latter characterized the Constitution as a product of struggling economic interests and remained silent on slavery. The overarching point of the book is that “Slavery, in part because of the U.S. Constitution’s manner of dealing with