



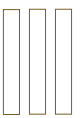
KINDER INSTITUTE  
on CONSTITUTIONAL DEMOCRACY



NEWSLETTER | WINTER 2019



# The COLUMNS



While the line between what constitutes a “public lecture” and what constitutes a “colloquium” is beginning to blur, such is not the case here. Far from the research presentations that typically happen on Fridays as part of the Colloquium Series, the first event recapped in the “public lectures” section was instead a spirited, extemporaneous back-and-forth between scholars of the history and present state of populist politics in America. As for the second event recapped, while it was technically a research presentation, it was nonetheless part of a developing lecture tradition at the Kinder Institute—the yearly talks given by our Distinguished Visiting Research Fellows that provide insight into the larger projects that they’re working on while in residence in Jesse Hall.

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One of the most rewarding (and, not unimportantly, most fun) things about our undergraduate programs is getting to witness the community that students forge through them—each one unique in its quirks, but alike in its bonding spirit of shared intellectual inquiry and energy. For the most part, though, this was a community—or, rather, a community-building opportunity—that first-year students had limited access to. In August, this oversight will be corrected.

The start of the Fall 2019 semester will mark the official launch, or “soft launch,” of what we’re calling the Kinder Institute Residential College, a new program—the first of its kind at Mizzou, in fact—that will bring 40 incoming freshmen together in historic Wolpers Hall and immediately integrate them into the life of the Kinder Institute. During their first year on campus, college residents will co-enroll in four classes from our minor curriculum. They’ll be introduced to Institute faculty through lectures that add contour to their coursework. And they’ll be turned loose to design extracurricular programs—reading groups, debate societies, film clubs—that put their work in the classroom in conversation with their interests outside of it.

And of course, just by virtue of passing through the fourth floor of Jesse Hall every day, college residents will get a behind-the-scenes glimpse at everything that life as an upperclassman at the Kinder Institute entails, from grad school applications, to Journal workshops, to scrambling for D.C. internships, to packing for Oxford.

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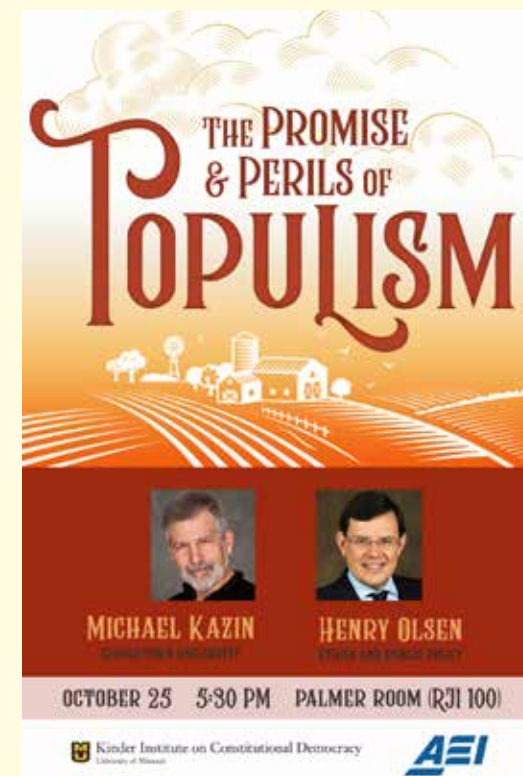
In every discussion we had leading up to proposing the Residential College, this merging of worlds was central to our design. We wanted, that is, to create a four-year, truly collaborative experience at the Kinder Institute where freshmen were learning from juniors, where seniors were studying with M.A. students, where faculty were working with freshmen, and everything in between.

And while the early tea leaves are promising—some of the prospective students we talked with during the fall at Meet Mizzou days have already signed on to be a part of the first class of college residents—every little bit helps, so if you know a student who’s heading to MU in August, send them our way, or better yet, to [democracy.missouri.edu/rc](http://democracy.missouri.edu/rc), where they can read up on and sign up for the Kinder Institute Residential College. And feel free to also direct any questions—or any prospective students with questions—to the Kinder Institute’s Thomas Kane, [KaneTC@missouri.edu](mailto:KaneTC@missouri.edu).

## PUBLIC LECTURES

### *The Promise and Perils of Populism*

Georgetown University’s Michael Kazin and Henry Olsen of the Ethics & Public Policy Center



As it turns out, a free-flowing conversation between leading scholars of American politics and political history is serpentine enough to resist linear recap. But even in bouncing between eras, continents, political figures, and public intellectuals, Georgetown University Professor of History **Michael Kazin** and Ethics & Public Policy Center Senior Fellow **Henry Olsen** provided the capacity audience at the Reynolds Journalism Institute’s Smith Forum with a clear vision of how thin the line is that

separates the talk’s two key terms: promise and peril.

In regard to the sunnier side, in responding to moderator and MU History Department Chair **Catherine Rymph’s** first question, both Kazin and Olsen located promise in how populism’s origins and definition speak to the way in which it importantly empowers politically marginalized groups. In practice, if not in name, Olsen showed how populism traces back to the Greek city-states, where majorities of the demos, motivated by a charismatic leader and a feeling of deprivation, often strove to re-claim government from an oppressive, elite “other.” In terms of definition, Kazin added, little changes when we examine populism’s American iteration. It has historically been invoked as a term that characterizes the politics of a people opposing an immoral elite and has often been rooted in wonderful ideals: the protection of civil liberties, for example, or of rule of the people.

From whence, then, peril? The answer to this question, the speakers discussed, can be located on either side of the oppositional paradigm. Olsen, for example, differentiated “good” from “bad” populism by looking at how the elite ‘other’ is characterized. If as an enemy, populist politics can quickly and easily trend toward violence; characterizing the ‘other’ as an adversary, however, leaves open the ideal outcome of re-integrating the party displaced by populist movements into the fabric of politics on new terms. As Kazin described, the devolution of useful populism into abusive populism can likewise be a function of how the deprived group defines itself, as was the



*... the devolution of useful populism into abusive populism can likewise be a function of how the deprived group defines itself, as was the case with the Civil War and Reconstruction-era populist construction of imperiled personhood around whiteness.*



case with the Civil War and Reconstruction-era populist construction of imperiled personhood around whiteness. And he went on to note that ‘peril’ can take on forms other than violence. There is also a functional pitfall to populism. Its significance might reside in how it gives voice to discontent, but a government can’t be run on oppositional rhetoric alone. You have to make things work, Kazin argued, which populists aren’t necessarily good at.

Bringing the topic into the present, Kazin and Olsen first framed today’s populism in terms of the past 50 years. Specifically, both cited an industrial shift toward automation and globalization, and the subsequent growth of corporate prosperity and wage disparity, as being at the root of twenty-first-century populist politics in the U.S. That said, both also cited how these politics look markedly different on the left and the right in contemporary America. On the left, populist rhetoric pits an undifferentiated working class concerned with unregulated capitalism against an economic elite. On the right, concerns tend to be nationalistic and anti-bureaucratic, resulting in a populist bloc aligned in opposition to immigration, cultural liberals, and the federal government itself.

“Are we in a populist moment,” Prof. Rymph asked in closing. If we are, Kazin posited, is that such a bad thing? That we disagree and how we disagree are vital to American politics, and to critique mobilization around disagreement as an expression of damnable elitism is patently antidemocratic. As Olsen noted in bringing things to an end, there is historical precedent for what we see today. Specifically, the wedding of populism and re-alignment elections is something of a recurring theme in American political history, though he warned that the spirit of hatred currently underlying this precedent seems both abnormal and highly dangerous.

You can hear more from Olsen and Kazin on the subject on the “Thinking Out Loud” page of the KBIA website, [www.kbia.org](http://www.kbia.org), and you can find a rebroadcast of the entire conversation on the C-SPAN website.



### *The Genesis of American Indian Constitutionalism*

Truman State Professor of History and 2018-19 Kinder Institute Distinguished Research Fellow Daniel Mandell

As Distinguished Research Fellow **Dan Mandell** noted in opening the Kinder Institute’s Spring 2019 kickoff lecture, the structural framework of the 1621 treaty between the Plymouth Colony and the neighboring Wampanoag tribe drew on a norm of divided constitutionalism that would shape relations with indigenous peoples for centuries to come, both in the British colonies and the United States. Derived from the early conceptualizations of international law and natural rights put forth by Renaissance thinkers such as Gentili and Grotius, the treaty acknowledged Wampanoag sovereignty while simultaneously granting Plymouth courts the jurisdictional right to judge potential conflicts between individuals from the two communities. Variations of this arrangement, Prof. Mandell showed, were emerging during the era as an oft-utilized imperial tool. Spain and Portugal, for example, forged multiethnic empires where the autonomy of indigenous peoples was *to some degree* protected within

larger imperial structures, while Dutch settlers considered themselves as strangers or visitors in lands where native groups remained sovereign entities. In terms of the English standard, the agreement between Plymouth Governor William Bradford and Wampanoag sachem Massasoit reflected British leaders’ growing sense of market-driven ambivalence toward indigenous legal and cultural structures—their calculation, that is, that acknowledging indigenous sovereignty had the potential to enhance Britain’s trade opportunities and neutralize its trade competitors.

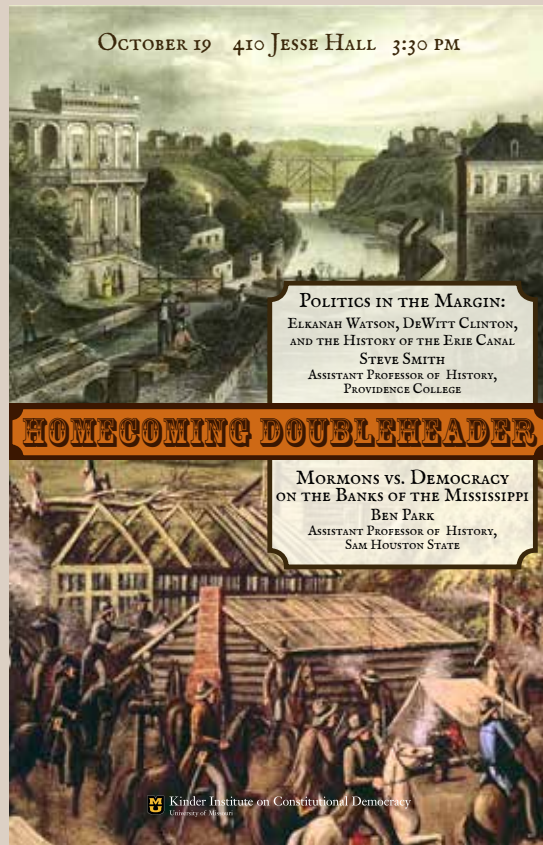
Initially, the post-treaty reality reflected the terms of the agreement that Bradford and Massasoit had reached. In fact, most laws regarding relations with the Wampanoag applied to the colonists—what they could and could not buy and sell, for example—and even the 1652 ruling that prohibited members of the tribe from working in the colony on the Sabbath was directed at Plymouth residents who were trying to side-step theological mandate. Soon, however, ethnocentrism began to creep in and constitutional order began to break down. Perhaps most notably, in 1675, Plymouth courts ordered the execution of three Wampanoag for the murder of fellow tribesman and Christian convert John Sassamon, an egregious extension of colonial authority and violation of the 1621 agreement that was the first trial of its kind to take place in a non-tribal court as well as the spark for King Philip’s War.

Indian policies in the early United States reflected a similar trajectory. Under Secretary of War Henry Knox, Indian affairs became the purview of his office, rather than the Department of State, meaning that tribes retained their political and legal autonomy as foreign nations while the U.S. retained cross-community jurisdictional authority—virtually the same arrangement as in Plymouth. Jefferson would later follow suit, asserting, for example, that all native peoples held the title to their land and could regulate commerce thereon as they pleased, but as jurisdictional boundaries became more fluid, and violent profit-seeking more rampant, American policymakers and courts began to seek out ways to exert more and more control over tribes. As Prof. Mandell laid out in tracing the narrative of American Indian constitutionalism over time, racism was not the only force besieging native sovereignty. In addition, developing sentimentalism regarding individual rights was behind a number of legislative turning points—from the Dawes Act of 1887 to the Indian Civil Rights Act of 1968—that sanctioned the U.S. government’s intervention in tribal life and its reduction of the jurisdiction of tribal courts. And while figures such as John Collier advocated, sometimes successfully, for the restoration of sovereignty, self-government, and resource control to tribes, this push-and-pull between individual rights and the rights

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of tribal communities remains at the heart of constitutional debates to this day.



## COLLOQUIUM SERIES

As our calendar indicates, we picked up in the spring semester right where we left off in the fall, hosting academics far and wide in Jesse 410 to present ongoing and recently completed research projects. Still, we're particularly excited about where, or rather with whom, this round of colloquium recaps kicks off: a pair of Mizzou/Kinder Institute alum who were back in town for homecoming to catch past colleagues and dissertation advisers up on the irons they currently have in the scholarly fire.

### History Department Homecoming

Sam Houston State's Benjamin Park and Providence College's Steven Carl Smith

"It was a gloomy day in Nauvoo, Illinois." So began Sam Houston State University Assistant Professor of History (and inaugural Kinder Postdoc) **Ben Park's** October 19 talk on "The Mormons vs. Democracy on the Banks of the Mississippi River." Following expulsion from Missouri, the Mormon community, led at the time by Joseph Smith, found itself in an existential stand-off of sorts with democratic order. From the perspective of those who had just re-settled in Nauvoo, the political and physical violence they faced in Missouri marked an egregious trampling of minority rights. From the perspective of Missourians and many others in the nation, though, everything from their communal system of finance, to their hierarchical social and religious structures, to their radical theology indicated Mormons' corruption of democratic practices and democratic mores.

In providing an overview of his new book project, *Democracy's Discontent: A Story of Politics, Polygamy, and Power in Mormon Nauvoo* (forthcoming in 2019 from W.W. Norton/Liveright), Prof. Park focused on three explanatory themes regarding how Mormon leadership responded to what they understandably saw as democracy writ large's unmitigated failure to protect the community's rights and liberties.

**Electoral:** Mobilized around and directed by the prophetic authority of church leaders, the Mormon community in Illinois turned to bloc voting in the wake of expulsion from Missouri, delivering significant electoral allegiance (and sometimes success) to state and national candidates who came to Nauvoo with convincing promises of political protection. This strategy, however, did little to sway their opponents, who claimed that sectarian bargains violated democratic processes and that re-locating modes of expression from the individual to the collective violated traditional notions of religious freedom.

**Legal:** In an innovation with close ties to Joseph Smith's alleged attempted assassination of former Missouri Governor Lilburn Boggs—who issued Executive Order 44 while in office, which called for Mormons to “be exterminated or driven from the State if necessary for the public peace”—Mormons used *habeas corpus* as a mechanism for protecting liberties, expanding its jurisdictional purview so to be able to try cases that originally occurred outside of the city or state in Nauvoo, on the grounds that doing so was the only means of ensuring a fair trial by peers, given the pervasive anti-Mormon sentiment of the time and in the region.

**Political:** Internally, the Mormons of Nauvoo turned to aristarchy, or “rule by the wisest,” forming the Council of 50 under the premises that rule of the people only works when the people rule in righteousness and that God's rule should thus dictate—and, if necessary, circumscribe—the parameters of democratic participation. While many outside the community were outraged by the irony of a theocratic council claiming to embody a commitment to democracy, this was not the only moment in the 19th century when individual liberty was understood as being bound by the context of God, rather than protected by federal force. As Prof. Park pointed out, both John Brown and the Grimke sisters appealed to divine order over federal law in advancing the causes of abolition and equality for women, respectively.

And as he noted in ending his talk, the violence that the Mormons faced in Missouri soon spilled across the river into Illinois, where their neighbors came to find in Nauvoo a rejection of any semblance of tenable political order and created the vigilante Committee of Safety, responsible for the assassination of Joseph Smith, to preserve democracy in the state.

[Intermission]

Some 20 years earlier and 1,000 miles east, another former governor, New York's DeWitt Clinton, boarded the *Seneca Chief* in Buffalo and pushed off down the Erie Canal for Manhattan. For Clinton, who was publicly heralded as the father of the Canal, the steamer trip, which culminated in casks filled with Lake Erie being poured into New York Harbor, was a victory lap of sorts. As Providence College Assistant Professor of History (and MU History Ph.D.) **Steven Carl Smith** noted in introducing the key players in his talk on “Politics in the Margins,” for Elkanah Watson, though, the spectacle of DeWitt Clinton marrying the two bodies of water was little more than a “splendid fraud.”

Watson's bitterness was rooted in a competing, if also largely ignored, paternal claim. A traveling northeastern merchant who observed and reveled in the commercial boon of England's canal systems, Watson, the record shows, lobbied George Washington for similar infrastructure in New York's Mohawk Valley long before Clinton began working within state government to secure funding for and oversee construction of the Erie Canal. At the center of Prof. Smith's talk was not so much Watson's ire at being overlooked and un-sung but rather what he transformed this ire into: a mixed media alternate history. For example, Prof. Smith described how Watson affixed pamphlets and newspaper clippings that lauded *him* as essential to the Canal's existence onto the pages of his yearly almanacs,



creating a homemade, collagic archive that told a counter-narrative to the one in which Clinton starred.

And he annotated his copy of Cadwallader Colden's pro-Clinton history of the Erie Canal with similar intention. In the margins, one will find acerbic notes concerning historical accuracy; one will find patronizing rants about language patterns that "support" Watson's claim that Clinton actually ghost wrote the celebratory account of his formative role in the Canal's construction; and one will find repeated references by Watson to where his conspicuous absence from the history should be noted (or, alternately, where his presence in the history should be felt). As was the case with his re-upholstered almanacs, a second material text was inscribed upon another, literally, in some cases, writing over the original. And as Prof. Smith argued in wrapping up his talk, an interesting question of audience arises from Watson's creations. As his marginalia became more voluminous, he ceased to be a reader and became an author, engaged in conversation not so much with Colden but instead with future archivists who might fashion from his notes a corrected history.

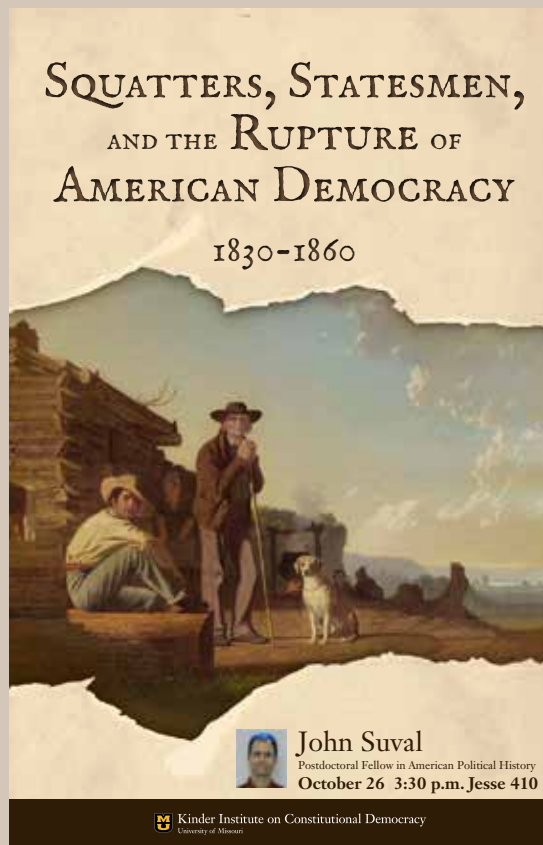
### *Dangerous Ground: Squatters, Statesmen, and the Rupture of American Democracy, 1830-1860*

Kinder Institute Postdoctoral Fellow in Political History John Suval

In assessing the tide-shifting significance of squatter (aka popular) sovereignty, the tendency among many Civil War historians has been to emphasize the what at the expense of the who. What's lost as a result of this, Kinder Institute Postdoctoral Fellow **John Suval** noted in opening his October 26 colloquium, is a narrative of political maneuvering and western land taking that sheds new light on the history of Jacksonian Democracy and on our understanding of what put the United States on a path to civil war.

Central to this narrative, Prof. Suval explained, is a *quid-pro-quo* through which Jacksonian Democrats tethered their collective fate to that of white squatters, initially to astounding success. Specifically, both in rhetoric and policy, Jacksonian Democrats transformed squatters from intruding rabble without legal rights into forerunners of American expansion. Chief among the tools responsible for this makeover was the "settle-first-legalize-later" policy of preemption, which enabled squatters to retroactively—and for a pittance—obtain title to U.S. lands they occupied. Throughout the 1830s and 1840s, this would serve as the symbiotic backbone of squatter democracy. The pioneer got cheap land and the Jacksonian statesmen in Washington got votes. As Prof. Suval showed, however, it was about much more than ballot support. The constituency Democrats stitched together by voraciously preserving preemption rights against Whig attack was made up of white men of all station and place: elite and not, slaveholding and not, Northerner and Southerner. Unifying its base across regional boundaries and class divisions thus allowed the party to expand its power while all the while side-stepping the question of slavery.

The squatter would grow during this era to near mythical status—descended equally of Plymouth Rock and Daniel Boone, a patriotic improver who displaced "the prowling wolf and roaming savage" from the frontier and



who planted and defended the American flag at the nation's vulnerable, ever-westward tending borders. Beginning in the 1840s, though, a number of factors would lead to the unraveling of this marriage of convenience. First came the Wilmot Proviso, which aimed to ban slavery in all territories acquired through the Mexican-American War. Though the Proviso itself failed, it galvanized the Free Soil Party around a platform that would ensure that western lands remained free of slavery and free for white settlers. After years of dodging the question of slavery, Democrats would have to take a stand on its extension, jeopardizing the delicate coalition they had built around spoiling Northerners and Southerners alike.

The party's initial response was to re-double its commitment to squatter democracy, with Michigan Democrat Lewis Cass introducing a policy of popular sovereignty that called for settlers themselves to decide the slavery question. Once put to the test, first in Oregon and then in California, popular sovereignty proved ill-equipped to preserve party unity. White squatters, it quickly became apparent, wanted little to do with slavery; this to the dismay of Southern Democrats like John C. Calhoun, who vehemently challenged the legitimacy of letting squatters determine constitutional order on the fly.

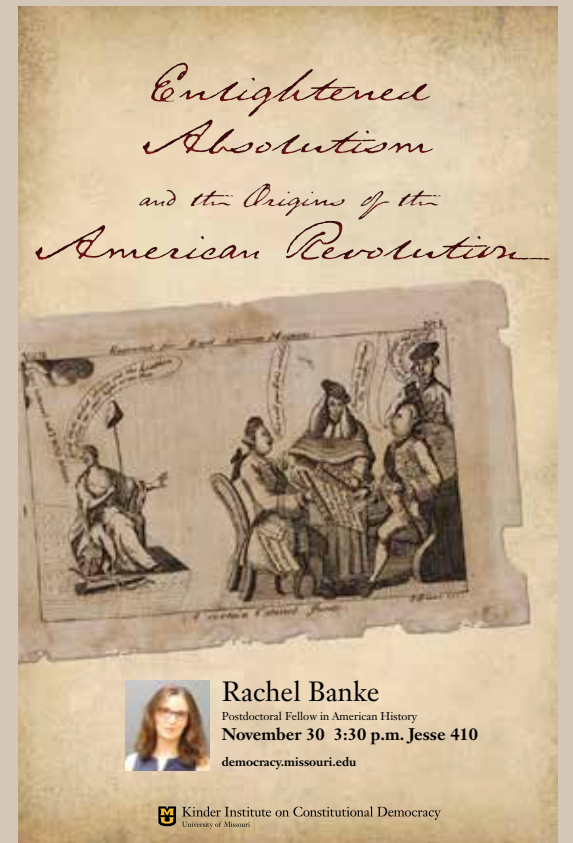
Which brings us to where Prof. Suval's talk began and where, in the mid-1850s, the fire of civil war was being stoked: Bleeding Kansas, where tract skirmishes between squatters escalated into factional battles between pro-slavery and free-state partisans, and where claiming land and deciding the fate of slavery, once cornerstones of Democrats' "never the twain shall meet" party-building strategy, became irreversibly intertwined.

### *Enlightened Absolutism and the Origins of the American Revolution*

MU Postdoctoral Fellow in History Rachel Banke

Most of us know—just as most of colonial America knew—George III by the sometimes diametrically opposed caricatures of him that emerged around the time of the American Revolution: He was either bull-headed or the pliable shill of his advisors. Either "Farmer George" or a courtly man of gadgets. In her November 30 talk at the Kinder Institute, however, MU Postdoctoral Fellow in History **Rachel Banke** laid out an earlier, pre-caricature vision of the British king as a young, naïve, not-yet-stubborn ruler who was committed to developing a strain of domestic and foreign leadership that was defined by its quality of enlightened absolutism.

Central to this vision was John Stuart, 3rd Earl of Bute and tutor to a young George III, who had a heavy hand in shaping the future king's political philosophy. Elements of this philosophy, Prof. Banke noted, began to become clear in "The Essays," a series of historically contextualized notes and musings on principles of governance. For example, George III was critical in "The Essays" of James I, particularly for how he rooted his notion of royal prerogative in contempt for the people. By contrast, George III presented Queen Elizabeth in his writings as a gold standard of governance for how she raised the kingdom to glory via constitutional knowledge and compassion for her subjects, both at home and abroad.



From Elizabeth's model came the broad tenets of George III's own enlightened understanding of absolutism: that the constitution constrains only those actions which negatively impact the public good, for example, or that sovereignty is best vested in a virtuous king. As Prof. Banke detailed, the practical manifestations of this understanding took various forms under George's leadership (and with Bute's behind-the-scenes direction). He rid the court of self-serving, often deceitful attendants, who acted out of personal ambition rather than principled commitment to the people. He also promoted a balanced treasury and maintained military presence throughout the British empire's colonies. This last act of monarchical justice is especially telling when it comes to George III's particular conception of enlightened absolutism. If, on the one hand, it was an act designed to ensure security, it was likewise an expression of how reforming government in the best interests of the people implied, for the king, the prerogative to steer the state without interference.

As a case study in the king's enlightened governance, Prof. Banke examined the crown's presence in Quebec after the conclusion of the Seven Years' War. Provincial Governor James Murray, she showed, sowed social stability and good will by cultivating relationships with, and preventing British persecution or exploitation of, the defeated French-Canadians. Most notably, he extended French civil law and demanded not only toleration of but also benevolence toward the province's Catholic population. The result was twofold: civic harmony in Quebec but resentment and outrage in the Thirteen Colonies, where, particularly after the 1774 Quebec Act, Murray's protection of the rights and interests of French-Canadians increasingly came to be seen as coming at the expense of British liberties (and British merchants). And though Bute had been retired from politics for some time in 1774, he nonetheless became the target of colonists' ire, serving as something of a proxy for George III in pre-Revolution political cartoons that represented British reforms as designed to disempower the colonies and that foretold the conflict to come.

### *The Persistent Radicalism of 1776*

University of Illinois-Springfield Associate Professor of History Ken Owen

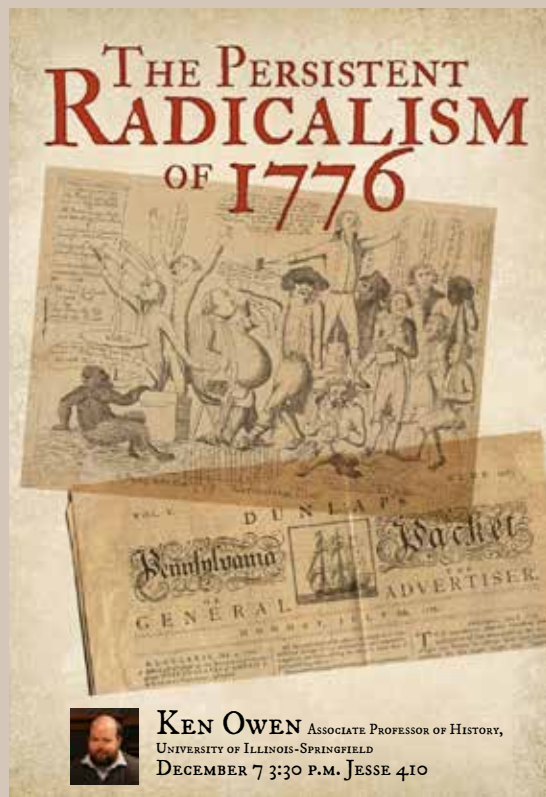
We are all too familiar with one set of revolutionary thinkers who convened in 1776 at Independence Hall in Philadelphia. However, at the center of University of Illinois-Springfield Prof. **Ken Owen's** semester-concluding talk at the Kinder Institute, and also at the center of his recent Oxford University Press monograph, was a second, far less heralded set of Independence Hall radicals: the utopian visionaries who also gathered there in 1776 to draft the first Pennsylvania constitution.

The work of this latter group was short-lived, as their constitution was revised in 1790 to more closely resemble its federal counterpart. And perhaps for this reason, Prof. Owen posited, it has gotten little attention—and sometimes mild derision—from historians. He went on to argue, though, that this dismissal is short-sighted, unduly ignoring the degree to which the spirit of idealism driving the 1776 Pennsylvania Constitution significantly influenced the philosophy of the United States' framing document.

As Prof. Owen described, Pennsylvania's first constitution was unquestionably the most radical experiment of its time, a distinction that was due at least in part to the state's reluctance to declare independence from Great Britain. Specifically, colonial Pennsylvanians' experience with official channels *not* governing in the name of the people had two related effects: the development of extralegal, voluntary organizations opposed to the state's loyalist factions and sentiments and, from this, the intensification of conversations regarding the principled construction of a government that *could* serve communal interests. The 1776 constitution would materialize from these conversations, and its innovations distinguished it from contemporary state constitutions, particularly in terms of the extent to which they ensured that power would, in fact, be derived from the people. For example, its unicameral legislature, combined with the state's uniquely expansive extension of the franchise, guaranteed that, as much as possible, elected officials would resemble the communities they represented. Even more radically, drafts of the state's Declaration of Rights went so far as to attempt to impose legal obstacles to excessive property accumulation in order to introduce a tradition of economic equality.

In practice, and per the framers' design, the innovations of the 1776 constitution would successfully encourage increased public participation in and contribution to the affairs of government. During the Revolutionary era, for example, the various committees that coalesced around the question of price-fixing, and the series of impassioned, often contentious statehouse yard speeches that addressed this topic, revealed citizens' deep commitment to the state's conception of the aims of government. It was not the most orderly vision of democracy, Prof. Owen noted, but it did mark both a public attempt to resolve political tension via inclusive debate and a governing apparatus that could be flexible in responding to the popular will. And this was about more than the singular issue of price-fixing, Prof. Owen argued; bound up in the speeches, pamphleteering, and debates were radical ideas about where political legitimacy is derived from and how claims to such legitimacy are articulated.

These kinds of ideas about legitimacy, Prof. Owen went on to show, were subsequently woven into the fabric of the state's early political history. During the Whiskey Rebellion, not only did the ad-hoc representative structures in place in Western Pennsylvania help the region's townships and counties negotiate with state and federal agents to prevent the escalation of violence; in defying the governor's call to raise militias, and in raising liberty poles instead, citizens of these counties and townships likewise demonstrated the role of extra-governmental activists in shaping the course of state politics. Similarly, in a particularly heated 1799 gubernatorial race, candidates on both sides were deliberate and sophisticated in using committee structures and public meetings to tether the legitimacy of their campaigns to the voice of a consenting public. And while the state's first constitution was at this point technically a relic, its utopian roots were nonetheless evident in these meetings, rebellions, and township representatives, all of which collectively represented how, in Pennsylvania, the actions of the public did often double as an expression of popular control over governmental affairs.



## SCHOLARLY CONFERENCES



We teased this in the Fall 2018 newsletter, and we'll recap it more thoroughly in the spring edition, but we're thrilled to be back this time around with a full schedule for February's "A Fire Bell in the Past: The Missouri Crisis at 200" conference. The conference was the first ever international scholarly gathering devoted entirely to re-assessing the origins and lasting reverberations of the crisis over Missouri statehood, and the book that emerges out of its proceedings, slated to be published in 2021 as part of the Kinder Institute's *Studies in Constitutional Democracy* monograph series with University of Missouri Press, will mark a long overdue examination of this watershed event in light of modern historical scholarship.

And a pair of special thanks: to the Missouri Humanities Council—one of our partners in the state's Bicentennial Alliance (among many, many other collaborations)—who hosted Prof. Stephen Aron's Friday evening dinner lecture; and to the Reynolds Journalism Institute, who graciously let us take over their beautifully-windowed Palmer Auditorium as a conference space.

### FRIDAY, FEBRUARY 15

#### ***Panel 1, 8:30-10:15am: The Origins of the Missouri Crisis***

CHAIR: Jay Sexton (MU/Kinder Institute & History)

WELCOME: Lt. Gov. Mike Kehoe (State of Missouri)

- Bobby Lee (Harvard University), "The Boon's Lick Land Rush and the Coming of the Missouri Crisis"
- Diane Mutti-Burke (UMKC), "Jefferson's Fire-Bell: Slavery in the American Borderlands"
- James Gigantino (University of Arkansas), "The First Compromise: Slavery and the Arkansas Territory, 1819"

#### ***Panel 2, 10:30am-12:15pm: The North vs. Missouri: The Emergence of Antislavery Politics***

CHAIR: Ken Owen (University of Illinois-Springfield)

- Asaf Almog (University of Virginia), "New England and the Missouri Crisis: The Shifting Boundaries of Compromise"
- Sarah L.H. Gronningsater (University of Pennsylvania), "The New Yorkers? What Were They Thinking? The Origins of the Tallmadge Amendment"
- Matthew White (Ohio State), "Under the Influence of the Excitement Then Universal': Pennsylvania's Missouri Crisis and the Viability of Anti-Slavery Politics"

#### ***Lunch Talk, 12:30-1:30pm***

- David Waldstreicher (City University of New York), "How John Quincy Adams Shaped the Missouri Crisis and How the Missouri Crisis Shaped John Quincy Adams"



#### ***Panel 3, 1:45-3:15pm: Founders and Sons***

CHAIR: Lorri Glover (Saint Louis University)

- David Gellman (DePauw University), "Sharing the Flame: John Jay, Missouri, and Memory"
- Gary Sellick (*Papers of Thomas Jefferson*), "Like Quarrelling Lovers, to Renewed Embraces': The Sage of Monticello and the Missouri Compromise"
- Samuel Postell (University of Dallas), "The Political Education of Henry Clay"

#### ***Panel 4, 3:30-5:00pm: The Missouri Crisis in a Wider World***

CHAIR: Alyssa Zuercher Reichardt (MU/Kinder Institute & History)

- Peter Kastor (Washington University), "The Multinational History of Missouri Statehood and the Re-imagining of North American Politics"
- Tangi Villerbu (University of La Rochelle), "Ste Genevieve in 1820: An Atlantic History"
- Martin Öhman (University of Gothenburg), "An Era of a Systematic Contest: Friends of Industry, International Competition, and the Missouri Question"

#### ***Community Dinner & Public Lecture, 7pm (Reynolds Alumni Center, Conley Ave.)***

- Stephen Aron (UCLA), "The End of the Beginning and the Beginning of the End in the Middle: Putting the Crisis over Missouri Statehood in Its Historical Place"



**SATURDAY, FEBRUARY 16**

***Panel 5, 9-10:15am: Before Dred Scott: Practicing and Debating Black Citizenship***

CHAIR: Daive Dunkley (MU/Black Studies & History)

- Anne Twitty (University of Mississippi), “Litigating Freedom During the Missouri Crisis”
- Andy Lang (City University of New York), “A Second Compromise? Antislavery Politics and the Black Citizenship Debate in the Missouri Crisis”

***Panel 6, 10:30am-12pm: The Slaveholders Respond***

CHAIR: W. Stephen Belko (Missouri Humanities Council)

- John Van Atta (Brunswick School), “At War with Equal Rights: The Missouri Crisis in Southern Eyes”
- Christa Dierksheide (MU/Kinder Institute & History), “Slavery, Diffusion, and State Formation in the Era of the Missouri Crisis”
- Lawrence Celani (MU/History), “Missouri and the Afterlife of Slavery in Illinois”

***Panel 7, 1-2:30pm: Cultural Conflicts and Compromises***

CHAIR: Lily Santoro (Southeast Missouri State University)

- Edward Green (MU/Kinder Institute & History), “The Shadow of the British: Western Frontier Diplomacy in the Era of the Missouri Crisis”
- Lucas Volkman (Moberly Area Community College), “Geography of Contention: The Missouri Crisis and the Frontier Dynamics of Religious Strife”
- Samuel Cohen (MU/English), “Manuscripts, Mysteries, & Mulattoes: *Clotel*, *Puddin’head Wilson*, and the Exclusion Clause of 1820”



***Panel 8, 2:45-4:15pm: The Missouri Controversy and Constitutional Democracy***

CHAIR: Jonathan Gienapp (Stanford University)

- Aaron Hall (University of California-Berkeley), “The Missouri Crisis of Constitutional Authority”
- Chris Childers (Pittsburg State University), “The Missouri Crisis and the Uncontested Reelection of James Monroe”
- Jason Duncan (Aquinas College), “Southern Influence and African Slavery: Martin Van Buren, Party Building, and the Legacy of the Missouri Crisis, 1819-1836”

***Panel 9, 4:30-6pm: The Long Shadow of the Missouri Crisis***

CHAIR: Robert Pierce Forbes (Southern Connecticut State University)

- Nicholas Wood (Spring Hill College), “Doughface: The Origins and Political Legacy of an Antebellum Political Insult”
- Ron Hatzenbuehler (Idaho State University), “Lincoln’s Rubicon: Congress’s Repeal of the Missouri Compromise”
- Zach Dowdle (State Historical Society of Missouri & MU/History), “‘For a Few Thousand Slaves...the Whole Continent Shook’: Border State Free-soil Politics and the Long Shadow of the Missouri Compromise”

***Panel 10, 7:30-9pm: Closing Roundtable, Kinder Institute Seminar Room, 410 Jesse Hall***

CHAIR: Gary Kremer (State Historical Society of Missouri)

- Jeffrey L. Pasley (MU/Kinder Institute & History)
- Matthew Mason (Brigham Young University)
- John Craig Hammond (Pennsylvania State University)
- Diane Mutti-Burke (UMKC)







## FACULTY AND GRADUATE STUDENTS

In addition to teaching classes and prepping book and article projects, our faculty were on the move during the fall and winter, presenting their research at destinations near and far. The full list is too extensive for these pages, but the long-distance traveler awards go to **Christa Dierksheide**, who was in Santiago, Chile, in early December to present at the “Independence, Revolts, and the Early Americas” conference co-sponsored by Monticello and University of Notre Dame, and **Jay Sexton**, who delivered a series of invited lectures at University of Tokyo’s Center for Pacific and American Studies in mid-January.

Not to be left out, a number of our Graduate Fellows also got in (or will soon get in) on the action after receiving travel grants from the Institute during the fall award cycle. **Ed Green** and **Joseph Ross** received funds to do work at the National Archives in D.C.; **Aaron Kushner** will make a spring trip to the Oklahoma State University and Oklahoma Historical Society archives to research Cherokee ancestral political thought; and **Jordan Butcher** will bounce between Jefferson City, Lincoln, NE, and Oklahoma City in the coming months to conduct interviews for her dissertation project on the effect of term limits on state legislators and legislative institutions.

Other Fall 2018 award recipients included: Prof. **Heather Ba** (Political Science), for trips to the Nixon, Eisenhower, and Kennedy Presidential Libraries; Prof. **Jay Dow** (Political Science), for travel to the Library of Congress and the Wyoming Historical and Geological Society in Wilkes-



Barre to research Reconstruction-era efforts to introduce proportional representation to the United States; and **Kris Husted** and **Ryan Famuliner** (Journalism/KBIA), to support the six-part, Missouri history and politics-focused “Show Me the State” radio series, which is airing now on our local NPR affiliate.



## FACULTY Q & A

Perhaps a season (or a semester) late, but we finally got a chance to sit down and do a formal Q&A with one of the two new Kinder Institute faculty members who joined our ranks this past fall: Assistant Professor of Constitutional Democracy and Public Affairs **Sarah Beth V. Kitch** who holds a joint appointment with the Kinder Institute and MU’s Truman School and arrived in Columbia following stints as a Thomas W. Smith Postdoctoral Research Associate at Princeton (2016-17) and as a Visiting Assistant Professor of Political Science at Northern Illinois University (2017-18).

In terms of format, we changed things up just a bit this time around, asking Prof. Kitch to introduce herself to *Columns* readers through some brief reflections on the books that shaped her academic and personal life (and that she thinks can do the same for MU students).

### *From the Bookshelves of Professor Sarah Beth V. Kitch*

**KICD:** What was the ur-book for your academic career? The thing you read at some point in your past that made you say, “you know what, I think I will be a political theorist”?

**Sarah Beth Kitch:** My affection for teaching themes in political theory developed with my own questions. Along the way, my friend Amanda Achtman reminded me often of Rilke’s *Letters to a Young Poet* (1929):

I would like to beg you dear Sir, as well as I can, to have patience with everything unresolved in your heart and to try to love the questions themselves as if they were locked rooms or books written in a very foreign language. Don’t search for the answers, which could not be given to you now, because you would not be able to live them. And the point is to live everything. Live the questions now. Perhaps then, someday far in the future, you will gradually, without even noticing it, live your way into the answer.

Live the questions now. At 18, I wanted to know, “What does it mean to be human? How can I become the kind of person I want to be? What kind of person do I want to be, anyway?” I longed for a sense of significance. I had a question we all have: “What’s the meaning of my life?” At the time, themes of my own story found resonance in political thinkers like Augustine of Hippo, Jane Addams, and Albert Camus. The questions develop and shift over time.

In addition to my questions, I found my voice with the help of five teachers who shaped my formal education. These persons taught me that I could make something, that words were beautiful as well as powerful, that dealing carefully with significant themes in human experience could be healing work. My academic career is a way to do something that, as Abraham Joshua Heschel says, involves me; it is a way to invite others to participate in cultivating an ethical awareness.



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**KICD:** Similar sentiment, different life stage, but what was the thing that you read in grad school that had the biggest impact on—that was most responsible for shaping the trajectory of—your dissertation work and/or your current research?

**SBK:** As I approached time to begin my dissertation, I was struggling intently with the theme of integrity. The work I desired to do precluded the career path my father preferred for me. The question of *integrity* is: what does it mean to know and to do what makes one whole? In *Brave New World*, *Nineteen Eighty-Four*, and *That Hideous Strength*, I found characters laboring with the same question: Aldous Huxley's John, George Orwell's Winston, C.S. Lewis' Jane Studdock. I explored the theme of integrity in the face of political violence as a way to illuminate my own questions, but also to move beyond my questions into the authors' questions.

As my questions have developed, so has my research. My recent study of Martin Luther King, Jr.'s political theology shows how King's participation in the prophetic tradition shapes his politics. Partly through King, I began to read more carefully one of his great influences, Abraham Joshua Heschel. I am at work on a project that demonstrates the value for policymakers of Heschel's work on ethical sensitivity in the context of American democracy.

**KICD:** A few years back, Jeff [Kinder Institute Associate Director **Jeff Pasley**] was putting together a "Syllabus of Democracy," essentially a reading list that encapsulates the subject matter at the heart of the KICD mission. What's the reading (or paired set of readings) that would be your first entry on such a list?

**SBK:** The readings my students and I began with last semester set Socrates' reinvention of citizenship, in which moral conscience is the new center of gravity, alongside Tocqueville on the justice of democracy and Jane Addams' reflections on what it takes to make real conditions that support the dignity of every person, including full political participation.

**KICD:** What's the essay/article/lecture/book in your field that's most made you say, "gosh, I really wish I wrote that"?

**SBK:** I've never had that thought, but I have had experiences of, "Gosh, this is so compelling. I wish I could talk about things like that." Those moments happen in essays and longer works: Martin Luther King, Jr.'s "Ethical Demands for Integration," or Heschel's essays on childhood or aging or healthcare, or Hannah Arendt's *The Human Condition*.

Significantly, that moment also happens in poems and stories. When I was in graduate courses, Camus' *The Fall* and *Exile and the Kingdom* cast vivid images for me. I want to learn to talk about hospitality or evil or conflict or hope or healing in the context of politics with Camus' profound conviction that what we do matters. I know, that's not his rep—but that's the joy of entering into his work.

**KICD:** What's the reading that you're always most excited to have students look at and/or the reading that you've been most excited to give to students but that bombed miserably?

**SBK:** One text I enjoy sharing with students is Aristotle's *Nicomachean Ethics*. It's tough reading, but being accompanied can bring it to life. My favorite moment is when somebody says, "Hey, that's my question!" There are many opportunities for that connection, since Aristotle talks about themes like action, habits, friendship. Another work I love to share is Ernest Gaines' *Lesson Before Dying*. It's a surprising journey, immediately relevant to our questions about democracy in America today.

Oh, my most miserably bombed first-time introduction is Flannery O'Connor's *Wise Blood*. (Students from former days, send corrections or contradictions to [kitchsb@missouri.edu](mailto:kitchsb@missouri.edu).) O'Connor is hilarious. I think I didn't prepare students to expect a book that relies on humor to reflect on the best as well as darkest potential in human beings, so we had to circle around a few times to connect with the work. Incidentally, I discovered that O'Connor's essay on "The Nature and Aim of Fiction" works really well for preparing students to interact with fiction as a way of understanding themes in politics.

**KICD:** The three "desert island" books that you could live with for the rest of your life and be happy to read over and over?

**SBK:** Wendell Berry, *This Day: Collected and New Sabbath Poems*; Zora Neale Hurston, *Their Eyes Were Watching God*; Abraham Joshua Heschel, *Who is Man*

Now that I'm thinking about it, I really hope that, if it comes to that, I get to have those books. And Dietrich Bonhoeffer's *Letters and Papers from Prison*. I'm constantly humbled by how low my tolerance is for the human experience of loneliness. The thing that always precipitates my humbled state is remembering the perseverance one glimpses in Bonhoeffer's *Letters and Papers*.

## UNDERGRADUATE STUDENTS

It was business/busy-ness as usual on the undergraduate side of the ledger during the second half of the Fall 2018 semester. In addition to working on the typical run of fall applications—for the Kinder Scholars Program (see below) and the spring "Global History at Oxford" class and trip, as well as for grad school and post-baccalaureate fellowships—members of our Society of Fellows had a handful of other events filling up their dance cards. For regular gatherings, we hosted an October 24 dinner lecture with ranked choice voting advocate **Larry Bradley** and a November 1 screening of the 2018 award-winning documentary *RBG* with Prof. **Catherine Rymph's** U.S. Women's Political History students. To wrap up the semester, on December 4-7 we held our first ever undergraduate research colloquium, with students from this year's *Journal on Constitutional Democracy* staff discussing their work on topics including "Civic Education and the Consumption of the U.S. Constitution," "*The Federalist Papers* in International Perspective," and "Framing the Framers" (see pp. 22-23 for junior History major Jack Schappert's take on this subject). The colloquium was part of—and made possible by—the Andrew W. Mellon Foundation's "Democracy and the Informed Citizen" grant initiative, which was administered by our longtime friends at the Missouri Humanities Council.

And stay tuned for more news on this latter front. The research colloquium went well enough that we plan to run it back in the spring, with students giving presentations on the full scope of the research they completed for their *Journal* articles.



## KINDER SCHOLARS

You will inevitably hear much more about this group in the months to come, but for now, let us simply introduce our fifth class of Kinder Scholars. Made up of former and current Fellows, FIG leaders, Oxford travelers, and students we met for the first time in November, the group will head out to D.C. in June, after a series of spring meetings with 2019 Kinder Scholars Program Coordinator **Luke Perez** and summer R.A. **Jordan Pellerito**.

One name that's not on this list, but almost was, is **Jack Schappert**. A junior history major, Jack declined the invitation to D.C. in favor of helping us launch our newest undergraduate initiative, a summer research fellowship that will provide a rising senior studying history or political science with faculty assistance (and a head start) on developing his or her capstone project. We will make sure to preview the research that Jack completed while on fellowship in the Fall 2019 newsletter.

- Karlee Adler** (Sophomore, History)
- Aaron Carter** (Junior, Political Science & Journalism)
- Madeline Clarke** (Junior, Political Science & Geography)
- Christian Cmehil-Warn** (Junior, Economics & Statistics)
- Siobhan Connors** (Junior, Journalism)
- Maxx Cook** (Junior, Economics & East Asian Studies)
- Ashley Dorf** (Sophomore, Journalism)
- Josh Eagan** (Junior, Economics & Political Science)
- Kate Griese** (Sophomore, Political Science)
- Gage Grispino** (Junior, Biochemistry)
- Alex Hackworth** (Junior, Biology & Psychology)
- Xavier Lukasek** (Junior, History & Political Science)
- Jennifer Marx** (Sophomore, Biology/Pre-Med)
- Riley Messer** (Junior, Political Science)
- Laura Murgatroyd** (Junior, Journalism & Political Science)
- Andrew Pogue** (Sophomore, Business)
- Ariana Santilli** (Sophomore, International Studies)
- Claire Smrt** (Sophomore, Journalism)
- Sidney Steele** (Junior, Convergence Journalism & Political Science)
- Lauren Wilcox** (Sophomore, Strategic Communication)

## UNDERGRADUATE Q & A

As our list of Kinder Institute alumni expands, and as these alumni go on to do incredible things out in the world, we wanted to broaden our coverage a little bit to account for this growth, touching base not with one student but with a few students every few months for brief updates about where they are, what they're up to, and what's on the horizon. Thanks to **Anurag Chandran**, **Sarah Jolley**, and **Andrew Wisniewsky** for submitting to the first go-around at this new format. Without any geographical rhyme or reason, here's the inaugural installment of "Where Are They Now?"

### *Where Are They Now?*

A Kinder Institute Alumni Update Series

**Sarah Jolley** (Class of 2019, Society of Fellows, Kinder Scholars, *Journal on Constitutional Democracy* Staff Writer)

*Though not technically a Mizzou alum yet, Sarah is officially the first alumnus of our Oxford Fellowship program, having spent the Fall 2018 semester abroad at Corpus Christi College, which she weighs in on below...*

**KICD:** We could start in any number of places, but I'm perhaps most curious about the pedagogical adjustment of being over there. How'd you deal with the culture shock of the Oxford tutorial vs. the MU lecture class (or even seminar), and what do you see as the benefits of the one vs. the other?

**SJ:** My biggest challenge transitioning from Mizzou classes to Oxford tutorials was adjusting to the level of autonomy and independence Oxford students experience. Every week, I received a reading list and a prompt, and seven days later, I was expected to produce a well-researched essay and satisfactorily discuss it with my tutor. There's also a huge difference in contact hours; whereas I might expect to spend fifteen to eighteen hours a week in class at Mizzou, at Oxford I spent only four hours a week in lectures and tutorials. Re-learning how to efficiently manage my time (and balance my sightseeing-to-research ratio) was a struggle. Thankfully, my Mizzou classes provided me with the research, writing, and discussion skills I needed to succeed in tutorials.

I think there are pros and cons to each system. If you're a motivated learner, the independence of the Oxford tutorial system can be very empowering. You dive headfirst into subjects and gain an amazing depth of knowledge in a short period of time. By spending an hour each week engaged in conversations with your tutor and only one or two other students, you really get to know your professors and benefit from their mentorship. However, while Oxford students enjoy an incredible depth of knowledge in their subjects, Mizzou and U.S. universities do an excellent job providing students with a

wide breadth of knowledge. Mizzou students are encouraged to explore their interests, change their majors, and combine different areas of study, which I think produces innovative and well-rounded learners.

**KICD:** As I understand it, the goal of this exchange is kind of threefold: to expose students to a new style of learning and to immerse students in a new culture, both of which you've already touched on, but also to give students a chance to take classes that, at least in theory, might help clarify their post-Mizzou plans. So let's do a status update on that front: Did the time at Oxford magically reveal exactly what your next step is? Did it spark your interest in pursuing further study of a particular subject (or subject matter)? Did it muddle things even more?

**SJ:** This exchange absolutely helped me clarify my next steps. When I left for Oxford, I felt really torn between going to law school and getting a Ph.D. in history. Two months of research and historiographical debate later, I realized the world of professional academia isn't my calling. Thankfully, Oxford does a wonderful job helping you realize the many post-baccalaureate opportunities available to students with backgrounds in the liberal arts and humanities. After this experience, I feel much more confident about my decision to pursue a career in law.

**KICD:** One thing that I particularly liked hearing stories about from the Spring Break trip was how excited everyone got about exploring a place (city, campus, countryside/landscape) from which history just seemed to naturally emanate. Now that you've actually spent more than a week there, does the charm still hold? What new places did you become attached to, what old places did you re-visit, and what's it like to just have day-to-day access to a city with that rich a past?

**SJ:** I don't think I could ever become immune to the charm and history of a place like Oxford. It's surreal to walk down an alley and contemplate that a person one hundred, two hundred, or even five hundred years ago enjoyed the same view. My favorite place to revisit is Christ Church Meadow, which has a beautiful trail that runs past the River Cherwell and the River Thames. My favorite new place is without a doubt the iconic Radcliffe Camera (home to the History Faculty Library), which served as my second home in Oxford.

### *Lightning Round*

1. 25-50 words on bread sauce and other culinary—curiosities? delights?—of the British Isles?

Bread sauce (a dipping sauce made of bread, milk, and assorted spices) was definitely the strangest culinary delicacy I encountered during my time in the U.K. I can also confirm Oxford is a proud sponsor of the three potatoes a day diet.

2. Best thing you read during your term there and 10-15 words on why?

I highly recommend Matt Houllbrook's *Queer London*, which investigates how the urban landscape of London shaped, and in turn was shaped by, queer men during the 19th Century.

3. The thing about British culture that you'd like to bring stateside?

It would have to be the tradition of afternoon tea. After a long day in the library, I would come back to Corpus Christi's Junior Common Room and always find a cup of tea, a quick snack, and a few friends.

4. Most exciting (or mysterious or ridiculous) Oxford social tradition that you got to be witness to?

I got to witness parts of Matriculation, when incoming students are officially initiated as members of the University. Everyone must wear official academic dress, including the "sub fusc" (an unnecessarily mysterious way of saying dark suit with white shirt) and academic gown. While I can't vouch for the actual ceremony, the aftermath involves a hilarious celebration complete with dancing, drinking, and off-key singing of the official college songs.

**Anurag Chandran** (Class of 2016, Society of Fellows, Kinder Scholars, Certificate in American Constitutional Democracy, founder of *The Journal on Constitutional Democracy*)

*After spending 2016-17 as a member of the first class of Schwarzman Scholars in Beijing, Anurag moved to Mumbai, and the rest, as you'll see, is history-in-progress...*

The Schwarzman Scholars Program (SSP) completely changed my life, and it is directly responsible for what I am doing now. Through the program, my fellow scholars, and the incredible host of faculty and global leaders we had the pleasure of interacting with on a daily basis, I realized that I didn't have to, or even want to, wait until I was older to try and work toward creating real impact. Upon graduating from SSP, I moved to Mumbai, India, and started laying the groundwork for my foundation. I had read a lot and seen videos of India's development challenges. However, I never really understood the extent of it. I traveled frequently to rural and tribal parts of the country to understand, experience, and realize what life in rural India is like. What I saw shocked me, and I kept returning to do what little I could in order to help out the people who were soon becoming like family. It started off with visiting schools and talking to teachers and children. Then, on request of one of the teachers, I gathered a couple friends from Mumbai, and we painted a school that had been ignored for over 40 years. This was not only a lot of fun, but

the response we got from the community—the teachers, children, and the parents—was just so heartwarming. I went on to do a fundraising campaign on Facebook, and with a few more volunteers in tow, we painted a couple more schools. Fast forward 10 months, and we are now a legally registered not-for-profit in India called Impact On The Ground Foundation and work with tribal schools in the state of Maharashtra to improve the quality of education by conducting workshops and after-school programs, training teachers, and being an overall resource for schools.

The journey has had its mighty ups and downs, but I frequently think about how impactful the Kinder Institute was in my life. Truly, the Kinder Institute gave me my very first experience and training in leadership, by allowing a seemingly little idea for an undergraduate research journal to grow into founding the *Journal on Constitutional Democracy*. Further, the Society of Fellows and the Kinder Scholars D.C. Program allowed me to couple my leadership skills with an intellectual curiosity and problem-solving mentality.

**Andrew Wisniewsky** (Class of 2017, Society of Fellows, Kinder Scholars, *Journal on Constitutional Democracy* managing editor, 2016-17)

*Andrew parlayed his undergraduate work into acceptance into University of North Carolina Law School, though it looks now like he will have a few letters in addition to J.D. following his name soon...*

I just finished my first semester at UNC law and it's been a wonderful experience. Law school is far from a nightmare, as long as you like (or at least don't hate) reading slightly incomprehensible court opinions. Plus, you can bore all your loved ones by telling them about all the cool stuff you learned in civil procedure class!

So far (other than studying...), I've worked with a local lawyer on a death penalty case and with UNC's Innocence Project on a post-conviction appeal. It's great helping with real cases in the community and making a difference. Public interest lawyers are overworked to say the least, and UNC really pushes students to help out when they can.

I'm also part of UNC's dual JD/Masters in Library Science program—which means next year I'll be in library school and working at the law library. The two years after that, I'll split my time between the law school and the library science school. Law librarians do a bunch of interesting and really important stuff, including, but not limited to: helping professors and students with their research, managing the law library catalogue, writing research guides on important legal sources, and helping the general public find the legal information they're looking for.

*Framing the Framers*

by Jack Schappert

What does it mean?  
What did he mean?  
“Write something worth reading”

The documents of the American founding have been mythologized and themselves become source material for everything from public discourse to Supreme Court rulings. But what’s often lost in the celebration and admiration of these documents is that they were written by individuals with their own ideas and influences, the meaning, complexity, and extent of which aren’t decipherable in the brief excerpts from these works that we tend to quote. This essay is an attempt to achieve a better understanding of the intent behind the opening words of the *Declaration of Independence* by analyzing Benjamin Franklin’s earlier writings, with a particular focus on passages from *Poor Richard’s Almanack* and “The Way to Wealth.”

“We hold these truths to be self-evident, that all men are created equal, that they are endowed by their Creator with certain inalienable Rights, that among these are Life, Liberty and the pursuit of Happiness.”<sup>1</sup> “Life, Liberty, and the pursuit of Happiness”: a powerful triumvirate of ideals, but how did the Founders envision citizens living out or up to them? It is an easy sentiment to support and aspire to, but less easy to realize in daily action, particularly because it comes without instructions from the very people who conceived of it, not so much as a single line of guidance for how one might effectively embody it. So where might one turn to better understand the directive underlying this message? It was written by three men, and two became president, but only one came to be called the First American. In his early work, this First American, Benjamin Franklin, constructs a framework for living a proper life of liberty and happiness through an adherence to numerous virtues, but especially *frugality* and *industry*.<sup>2</sup>

The motivations of a person writing for profit may seem dubious to some, but Franklin writes with a self-awareness, humor, and candor that all speak to his sincere intention to write not (or at least not primarily) for his own gain but rather for the benefit of his fellow man. For example, consider his introductions to the first edition of *Poor Richard’s Almanack*, written in 1733, and “The Way to Wealth,” an essay from 1758. In each, Franklin writes with a quiet celebration of his own success but is careful to make clear that success is truly measured by the actions of his readers—by the good they do for themselves and others in regarding his instruction.

I might in this place attempt to gain thy favor by declaring that I write almanacks with no other view than that of the public good, but in this I should not be sincere; and men are now-a-days too wise to be deceived by pretenses, how specious so ever. The plain truth of the matter is, I am excessive poor...The printer has offered me some considerable share of the profits, and I have thus begun with my dame’s desire [to write and earn enough money to buy her new stockings].<sup>3</sup>

I concluded at length, that the People were the best Judges of my Merit; for they buy my works; and besides, in my Rambles, where I am not personally known, I have frequently heard one or other of my Adages repeated...this gave me some satisfaction, as it showed not only that my Instructions were regarded, but discovered, likewise some respect for my authority.<sup>4</sup>

In the first passage above, from *Poor Richard’s*, Franklin establishes his credibility with and expresses his concern for his readers by anticipating their criticism of his intent and undercutting it with humor (and a dose of harmless deception). Franklin’s Poor Richard persona, a down-on-his-luck every man just trying to make ends meet, is a total reversal of who Franklin really was and why he was really writing: an economically successful, well-established printer and author writing nobly for the betterment of society.<sup>5</sup> But it is precisely this paradox that enables Franklin both to deflect the possible skepticism of his readers and to get their buy-in. Whether Franklin’s readers know his identity or not, he is self-aware enough to recognize that a well-to-do printer lecturing to his less successful audience would be patronizing and that the lessons of such a lecture would be immediately dismissed. However, the poor and desperate almanack writer who admits his capitalistic motivations evokes a chuckle of acceptance: one that acknowledges that pursuing “some considerable share of profits” and “writ[ing] almanacks with [a] view of the public good” (and a sincere desire to advance it) are not mutually exclusive endeavors.

Franklin’s down to earth nature and what it reveals about his motivations for writing resurface twenty-five years later in “The Way to Wealth,” this time even more directly. The occasion for the entire essay is that Franklin witnesses a stranger giving a speech about personal improvement in which the speaker cites Franklin’s almanack. This incident certainly illustrates the extent of Franklin’s fame and how quickly he had become a figure of authority on betterment. However, Franklin’s language in painting the scene evokes the image not of a famous man but one with a modest disposition...<sup>6</sup>

<sup>1</sup>Spalding, Matthew, ed. *The Declaration of Independence*. Washington, DC: Heritage Foundation, 2010.

<sup>2</sup>*Franklin: Essays, Articles, Bagatelles, and Letters, Poor Richard’s Almanack, Autobiography*, ed. The Library of America (New York, New York: Literary Classics of the United States, 1987) 1384-85.

<sup>3</sup>*Franklin: Essays, Articles, Bagatelles, and Letters, Poor Richard’s Almanack, Autobiography*, ed. The Library of America (New York, New York: Literary Classics of the United States, 1987) 1185.

<sup>4</sup>Larzer Ziff, *The Portable Benjamin Franklin* (New York, New York: Penguin Books, 2005), 208.

<sup>5</sup>Poor Richard’s Almanack.” Benjamin Franklin Historical Society. 2014. Accessed November 01, 2018. <http://www.benjamin-franklin-history.org/poor-richards-almanac/>.

<sup>6</sup>*Franklin: Essays, Articles, Bagatelles, and Letters, Poor Richard’s Almanack, Autobiography*, ed. The Library of America (New York, New York: Literary Classics of the United States, 1987) 1185.

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Supports student participation in one of four transformational opportunities for MU undergraduates: our academic internship program in Washington, D.C., Society of Fellows, “Global History at Oxford” study abroad class, and Honors College course series.

### **Kinder Institute Endowment**

Allows us to expand the scope of programming designed to engage our constituents in thoughtful dialogue about the nation’s experience with democratic governance, from the founding of the United States through the present day. These programs are essential to attracting the very best students and scholars to the University of Missouri and to heightening the quality and civility of discourse about matters of the utmost national importance on our campus and in our community.

For more information about contributing to the Kinder Institute, please feel free to contact Institute Director Justin Dyer, [DyerJB@missouri.edu](mailto:DyerJB@missouri.edu)



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Constitutional Democracy**

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## NEWS IN BRIEF

Congrats to former Kinder Scholar and recent MU graduate **Claire Reiling** on being selected to take part in AEI’s Fall 2018 undergraduate leadership conference . . . and also thanks to Claire Reiling who, along with **Christian Cmehil-Warn** and **Mackenzie Elliott**, will serve during Spring 2019 as the Institute’s first undergraduate ambassadors . . . Thrilled to announce that inaugural Kinder Research Fellow **Armin Mattes** is back stateside, happily (and newly) married, and was recently named Assistant Editor of UVA’s *The Papers of James Madison* project . . . In a well-earned (and then some) honor, MU History Chair and KICD faculty affiliate **Catherine Rymph’s** *Raising Government Children: A History of Foster Care and the American Welfare State* (UNC Press) was named a 2018 Choice Outstanding Academic Title . . . Kinder Institute Associate Director **Jeff Pasley** was among the contributing authors who were on hand in early January to talk to a capacity audience at the Kansas City Public Library about the new book, *Wide-Open Town: Kansas City in the Pendergast Era* (and visit [pendergastkc.org](http://pendergastkc.org) for more info about KC’s prohibition-era history) . . . And we’ll end where we started: If you know any undergrads heading to Mizzou in Fall 2019, tell them to get in touch with Kinder Institute Communications Associate **Thomas Kane**, [KaneTC@missouri.edu](mailto:KaneTC@missouri.edu), for more information about our new residential college