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2015

Review of Corruption in America: From Benjamin Franklin's Snuff Box to Citizens United by Zephyr Teachout

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Corruption in America: From Ben Franklin's Snuff Box to Citizens United. By Zephyr Teachout. (Cambridge: Harvard University Press, 2014. viii, 376 pp. \$29.95.)

In *Corruption in America* Zephyr Teachout contends that the United States was founded as a beacon against the “universal crisis of corruption” (p. 59). Drawing on an impressive array of founding debates and controversies featuring accusations of self dealing, statutes, and judicial rulings, she shows how this revolutionary commitment to fight corruption fused a secular republican glorification of virtue with a religious fervor against sinfulness, only to later become narrowed by the Constitution’s caretakers. There is plenty of blame to go around: politicians have failed to police themselves, and when they have mustered the courage to try, the Supreme Court has thrown obstacles in their way. Teachout insists that due regard for the “anti-corruption principle” can help lift America out of a new Gilded Age.

The author’s argument moves briskly without losing sophistication. Teachout is at her best showing how leaders turned their backs on the anticorruption principle through a refusal to engage complicated facts, a darker view of human nature, and a more pessimistic attitude toward the law’s capacity to deter political iniquity. She persuasively argues that the Constitution’s framers believed that well-designed institutions could foster civic virtue and curb self-interested behavior. Teachout finds remarkable commonalities among diverse features of the Constitution: regular elections, the census provisions, the “takings clause,” and even the design of the treaty-making power. On this last point, more might have been said, for the Senate was envisioned as a check against an avaricious sort willing to enrich himself in exchange for advancing the policies of foreign nations—a concern that flows nicely from Teachout’s focus on gifts to American diplomats.

At times, the author’s portrayal comes across as somewhat overdrawn, pushing other design concerns to the periphery of the founding debates. A shared desire to take advantage of specialized knowledge and experience, sound judgment, and even “secrecy and dispatch,” more fully capture the Federalists’ “enlight-

ened zeal for energy and efficiency of government.” Avoiding corruption in public affairs was certainly an element in the constitutional framers’ theory of virtuous self-governance, but that fear did not shape design choices in a singular fashion. Moreover, while being attentive to modern theory, the author does not always draw sharp differences between her “structure and culture” approach and those of other anticorruption thinkers (p. 35).

Despite these observations, the central point of Teachout’s engaging book remains—whatever the best understanding of political corruption, it is surely broader than the *quid pro quo* scenario that dominates legal definitions today. Many readers will agree that America’s leaders have not done nearly enough to protect “the worthy against the licentious” (*The Political Writings of John Dickinson, Esquire*, 1801, vol. 2, p. 114).

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