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Democracy and the American Revolution

Majority Rule, Social Class and the Function of Government

Even if we extend the period of the American Revolution from the beginning of the conflict between Great Britain and the North American colonies in the mid 1760s to the Constitutional Convention of 1787 the term „democracy“ was rarely utilized. The Declaration of Independence of 1776 did underline the equality of human beings, the source of sovereignty in the people and the right of the people to change their governments – all elements of any democratic ideology. In addition, in the triad of life, liberty and property as inalienable rights, the last had been substituted by the pursuit of happiness; the declassing of property could seem to indicate that a defined majority – another central concept of democratic ideology – had the possibility of regulating it.¹

Quite clearly, from the beginnings of the conflict with Great Britain the representative assemblies of the several colonies had been greatly strengthened and their having posed the question of sovereignty did imply something about the rights of a majority, here too. And yet, the real content of the classic Whig concept of sovereignty residing exclusively in the people would only become vital after fighting had begun and after alongside home rule, it also came into discussion *who* should rule at home.

If a general definition of democracy, not specifically rooted in a specific epoch, could be that of self-government through majority rule it would be impossible to describe any of the colonies on the eve of the Revolution with that qualification. Existing charters limited suffrage, those who could vote did

1 For a study of the various drafts of the Declaration see Julian Boyd, ed., *The Papers of Thomas Jefferson*, Princeton, N.J. 1950, vol. 1, 413–433.

so viva voce and those who they could elect were not the sole arbiters of the process of government; nor did those who ruled believe in anything that could be called democracy.² The social structure was evidently more fluid than in Europe but the political elite in all colonies recruited itself from the social and economic elite and everywhere it was accepted that property had a special right to be protected from majorities, usually through an upper house. That the elite also ruled through a combination of deference from the masses and a necessity to listen to their voice when they occasionally rioted changes the situation but little. Not surprisingly, as the revolutionary crisis mounted and a breach with Britain seemed likely, preoccupations, especially of the merchant elite in the North, towards the concept of popular sovereignty, were increasingly felt.³

As a tendency and a concern democracy was in the air but up to the 1790s in America the term generally indicated an abstract form of government. One could, of course, find its use in a pejorative sense as in the words of a British official's report in 1760 which spoke of how „under forms of a democratic government, all mortifying distinction of rank are lost in common equality; and...the ways of wealth and preferment are alike open to all men.“ It would, in fact, only be in the last decade of the century that those fighting against the political and economic outlook of Hamilton and Washington during the first governments under the new Constitution, who had originally referred to themselves as republicans, would accept the designation, assigned with derision, of „democrats“; only then would their political associations take on the name of „Democratic-Republican Societies“.⁴

2 The thesis of Robert E. Brown that Massachusetts was already a democracy before independence (*Middle Class Democracy and the Revolution in Massachusetts, 1691-1780*, Ithaca, New York 1955) has been widely criticized although it is true that between 50 percent and 90 percent of the adult male population in the various counties did have the right to vote. For the social background to the political history of the period a good starting point is Jackson Turner Main, *The Social Structure of Revolutionary America*, Princeton, N.J. 1965.

3 On this point see Arthur Meier Schlesinger, *The Colonial Merchants and the American Revolution 1763-1776*, New York 1918; and for the general questions dealt with in this article Merrill Jensen, *Democracy and the American Revolution*, in: *Huntington Library Quarterly* 10, n. 4 (August 1957), 321-341.

4 Quoted in Richard Hofstadter, *America at 1750. A Social Portrait*, New York 1971, 141; for a documentation on the use of this term in the 1790s see Philip S. Foner, edited with an introduction by, *The Democratic-Republican Societies, 1790-1800. A Documentary Sourcebook of Constitutions, Declarations, Addresses, Resolutions, and Toasts*, London 1976.

Before that, following Aristotle, democracy was almost exclusively used as a „neutral“ description alongside that of monarchy and aristocracy. In the classic Whig formulation each of these forms of government were considered to have specific positive qualities: monarchy, order and energy symbolizing the authority of the state; aristocracy, the wisdom from inherited wealth and status, and democracy, honesty or goodness based on numbers and productivity as well as the promotion of liberty and individual expression. If however, left to itself, each of them tended to degenerate due to a search for exclusive power: monarchy into despotism, aristocracy into oligarchy and democracy into anarchy or mobocracy. The job of political theory and praxis was to find the correct balance and mixture in these various forms; according to many, in Britain and North America such a mixture had been found in the unwritten British constitution through the combination of Crown, Lords and Commons, formally sanctioned by the Glorious Revolution of 1688–89. Before the 1790s these terms were then, with the exception of monarchy, not part of common speech but rather „political scientists‘ words, tools of analysis, closely defined, dry in connotation, and without emotional impact.“⁵

Yet before and during the Revolution, as will be seen, a democratic ideology can be identified even if the word was rarely used. Although connected to the mainstream Whig ideology of the American elite it was something different. It should be immediately noted, however, in order to understand better the context in which democratic ideas developed, that research of the last twenty-five years has indicated that this Whig ideology can no longer be described as unilaterally Lockean with its emphasis on the inalienable right to life, liberty and property as well as that of resistance to any government which no longer guaranteed them (given that this was the only reason for which governments had come into being) nor as being uniquely rooted in Saxon and English history.⁶ A vigorous case has been made for

5 R.R. Palmer, *The Age of Democratic Revolution. A Political History of Europe and America, 1760–1800*, vol. I: *The Challenge*, Princeton, N.J. 1959, 14. The first edition of the *Encyclopedia Britannica*, published from 1768 to 1771, similarly defined democracy as „popular government where power is in the hands of the people.“ For a panorama on the use of the term see Jens A. Christophersen, *The Meaning of „Democracy“ as used in European Ideologies from the French to the Russian Revolution. An Historical Study in Political Language*, Oslo 1966.

6 Carl Becker, *The Declaration of Independence. A Study in the History of Political Ideas*,

the presence – if not dominance – in the American elite of an alternative source of revolutionary thinking: the tradition of civic humanism going back to Aristotle, Machiavelli and Harrington and developing from the English country ideology of theorists like Bolingbroke. Here liberty meant, as opposed to the legal protection of individual rights in the Lockean tradition, the active and disinterested participation in public life in constant battle against the tendency of corruption.⁷

It is true that aside from *The Federalist*, the collection of essays written in 1787–8 in defense of the ratification of the new Constitution, the Revolution produced no greatly significant theoretical text on the level of *The Social Contract* or *State and Revolution*. Despite this, democratic thought can be documented through countless resolutions of farmer and artisan groups, those

New York 1922, is a classic statement of this position. Although property itself was an inalienable right, specific pieces of property could of course be alienated in the market with the consent of the owner; thus taxation, property taken from individuals by the government, was legitimate if surrendered through consent of owners or their representative in parliament. On the way history – including Saxon and British history – was used by eighteenth-century revolutionaries see H. Trevor Colbourn, *The Lamp of Experience. Whig History and the Intellectual Origins of the American Revolution*, Chapel Hill, N.C. 1965.

7 Bernard Bailyn, *The Ideological Origins of the American Revolution*, Cambridge, Mass. 1967; Gordon S. Wood, *The Creation of the American Republic 1776–1787*, Chapel Hill, N.C. 1969; J.G.A. Pocock, *The Machiavellian Moment. Florentine Political Thought and the Atlantic Republican Tradition*, Princeton, N.J. 1975, are the influential texts which have developed this position while Caroline Robbins, *The Eighteenth-Century Commonwealthman. Studies in the Transmission, Development and Circumstance of English Liberal Thought from the Restoration of Charles II until the War with the Thirteen Colonies*, Cambridge, Mass. 1961, has been extremely important in understanding its sources. The centrality of the Lockean strain has recently been reemphasized by Joyce Appelby, *Capitalism and a New Social Order. The Republican Vision of the 1790s*, New York 1984, and Isaac Kramnick, *Republicanism and Bourgeois Radicalism. Political Ideology in Late Eighteenth-Century England and America*, Ithaca, N.Y. 1990. While some members of the elite have been claimed by both – and for Jefferson, Garry Wills (*Inventing America. Jefferson's Declaration of Independence*, New York 1978) has underlined still another influence in the Scottish Enlightenment – the two sides of the debate have often referred to different protagonists of the Revolution. Given the syncretic capabilities of human beings, including those who read widely, it would not be surprising that elements of these various and at times contradictory strains could be documented in any number of American revolutionaries; all provided „frames of reference“ or „modes of discourse“ which could be utilized for the psychological and material needs felt by both individuals and classes.

of town or county meetings and other legislative organs as well as scores of newspaper articles, the formulations of what Elisha Douglass has called „the village Hampdens and Sidneys“.⁸ Moreover, for both their influence and capacity to enunciate doctrine clearly one can rely on Tom Paine's *Common Sense* as well as the less known pamphlet *The People the Best Governors*, or, a *Plan of Government founded on the Just Principles of Natural Freedom*, both published in 1776. The former was not only a torrent of verbal abuse against the institution of monarchy and a panegyric on what America represented to the world. Paine's republic was democratic, connotated with unicameral legislative supremacy, equal representation, broad suffrage, frequent elections and a general faith in the capacities of the people for self-government. *The People the Best Governors* not only evidences these same positions but opposes all property qualifications for electors and elected and denies that money could be „an essential qualification in the rulers of a free people“.⁹

8 Elisha P. Douglass, *Rebels and Democrats. The Struggle for Equal Political Rights and Majority Rule During the American Revolution*, New York 1955, 213. Many of the resolutions have been published in *American Archives*, 4th and 5th series, 9 vols., Washington 1837-1853, or in individual state editions of the papers of the revolutionary period.

9 Tom Paine, *Common Sense*, Harmondsworth, Eng. 1976, 96-97, 109. In his defense of the 1776 democratic Constitution of Pennsylvania Paine came to oppose all property qualifications for suffrage as incapable of determining the value of a citizen (*The Complete Writings of Thomas Paine*, collected and edited by Philip S. Foner, New York 1945, vol. II, 277-302). Paine's *The Rights of Man*, published in 1791-92 in defense of the French Revolution, was probably more influential on democratic ideas but appeared too late to have an effect on the period here indicated. (For the importance of Part Two in this regard see Gary Kates, *From Liberalism to Radicalism: Tom Paine's Rights of Man*, in: *Journal of the History of Ideas*, vol. L, n.4, Oct-Dec 1989, 569-587.) Extremely revealing is an unpublished letter of Paine to Jefferson in 1787 on the distinction between natural and civil rights (in Boyd, *The Papers of Thomas Jefferson*, vol. 13, 4-5). Essential for understanding Paine's connection with America are Eric Foner, *Tom Paine and Revolutionary America*, New York 1976, which underlines the effect that America had on the Anglo-American revolutionary and his connection with a specific social milieu and Jack P. Greene, *Paine, America, and the 'Modernization' of Political Consciousness*, in: *Political Science Quarterly*, vol. 93, n. 1 (Spring 1978), 73-92, on Paine's role in mobilizing large segments of society previously politically inert and in desacralizing the traditional political order. As to *The People the Best Governors*, it was reprinted as an appendix to Frederick Chase, *A History of Dartmouth College and the Town of Hanover*, New Hampshire, Cambridge, Mass. 1891, 654-663.

To the Whig doctrine of sovereignty residing in the people, democratic thought added that of an effective rule by the majority in all political decisions. It amplified the desire of the True or Old Whigs for a government more responsive to the people as well as their suspicion that money could subvert such a principle. Democrats however, in addition, showed a natural preference for simple government without the complex balancing and separation of powers on the British model and an insistence on actual representation rather than virtual, i.e. that the elected should as nearly as possible reflect their electors. Moreover they maintained that government was intended not only to protect liberty but also to help the majority which had elected it; and while at least some forms of property were certainly to be defended by government, an upper house based on property was not convincing to them at all. Although Gordon Wood shuns the word democracy for this desire of the masses for more directly controlled government preferring the expression „radical extensions of Whiggism“, a case can thus be made for such a body of thought as distinct from the ideology of the revolutionary elite.¹⁰

Few in the revolutionary elite would not have described themselves as republicans; most, however, were frightened at the implications of the word „democracy“. Even when the words were used synonymously they conjured up different images: in the words of Bailyn, while „republic“ was associated with „the positive features of the Commonwealth era and marked the triumph of virtue and reason“, „democracy“ was generally associated with the threat of civil disorder and the early assumption of power by a dictator.¹¹ To Adams and Hamilton, among others – but not Jefferson whose more nuanced positions will be referred to further on – the people (or the masses or the majority) simply did not appear capable of self-government although it was not denied that they were the source of sovereignty. Incapable of the Spartan self-denying virtue necessary in a true democracy they simply did not have the education – and wealth – to take into consideration both the complexity of situations as well as the implications for the general interest as opposed to mere immediate interests. Moreover their eyes could wander on what they just might consider the excess property of the well-born; chaos would result and a tyrant would arise.

10 Wood, *op. cit.*, 372. For the ideas of the True or Old Whigs see Robbins, *op. cit.*, chapter 1.

11 Bailyn, *op. cit.*, 282.

Not surprisingly fear of the masses brought many of the revolutionary elite far from the previously indicated classic Whig demands for a representative government close to those in which sovereignty was supposedly based. The more conservative republicans spoke against the danger of „parliamentary tyranny“ and „unrestrained popular assemblies“ counterpoising to them „true balanced government“. John Adams' diary entries from the 1760s are filled with such fears; he was willing in fact to award the title „republic“ to any state which evidenced „an empire of laws and not men“. His *Thoughts on Government* was a direct response to *Common Sense* and strongly defended balanced government as a way also of moderating the class struggle between rich and poor. Revealing the gloomy strain of New England thinking he confronted what for him was the depravity of human nature and the resultant propensity of liberty to run to license and concluded that checks and balances had to be written into any stable plan of government. Not really a direct defender of the wealthy he was continually disappointed by his unsuccessful search for a „natural aristocracy“ in America which should not consist simply of those with the best natural endowments „but rather of those who combined high abilities with high birth, advantageous wealth, and a general superiority of upbringing and training“. ¹² At least three specific questions connected to how democratic theory related to and extended Whig ideology can be identified. The first was the question of representation. Often a distinction was made among American revolutionaries – for example by James Madison in *The Federalist*, n. 51 – between a democracy or popular government and a republic where the first was limited to direct democracy, that is of a government of all over all with no distinction between the rulers and the ruled. If a republic was considered to be any state where government was dedicated to the common or public good, a true democracy could only exist in very small states, those where for practical reasons all could be present. Representatives were then perhaps necessary but did they represent their constituents or the entire nation? What was their exact relationship to their electors? Democrats supported electors being able to „instruct“ their representatives, that is, to give them binding orders on how to vote. To quote Douglass „the crux of the matter was whether representative government would be merely a simple means of transforming

¹² Douglass, op. cit., 276. On Adams' constitutional thought see J.R. Pole, *Political Representation in England and the Origins of the American Republic*, Berkeley 1966, 314–322.

the will of constituent majorities into law, or whether it would be a complex mechanism, weighted with checks and balances in such a way as to block unwise or unjust action on the part of these majorities or of any groups or individuals whose wills ran counter to the general welfare."¹³

A second question was that of property and its connection with citizenship. The Whig canon insisted that all rulers derived their power from the people and thus sovereignty resided in the legislature. But as J. R. Pole has so well put it: „Affirmations of the supremacy of the legislative power were neither novel nor daring until one decided precisely where that power was to lodge.“ Not only Montesquieu and Blackstone but even the most radical Whigs – following the Levellers in the English Civil War – excluded from citizenship and thus the right to vote not only those on public assistance but all dependent workers since they no longer possessed „a will of their own“ or had „a stake in society“. In the specific context of the American social structure how were property qualifications for the passive and active electorate to be defined?¹⁴ Moreover, since the government was thought to act on either persons or property many Whigs supported a legislature with two houses, each representing one of these categories. As already noted, democrats opposed this but what limits, if any, did they think could be placed on property itself?

Lastly, there was the question of the use of governmental power. In traditional Whig thought, the latter and liberty tended to exclude one another; an involvement in public affairs, motivated or not by the spirit of civic humanism, did not mean approval of strong government action in favor of specific classes or groups. What then was the correct use of sovereignty once it was located in the people and then derivatively in the legislature? What should

13 Douglass, *op. cit.*, viii.

14 Pole, *op. cit.*, 19. C.B. Macpherson's brilliant study, *The Political Theory of Possessive Individualism. Hobbes to Locke*, London 1962, has underlined with vigor and consistency the marketplace mentality, derived from Locke but even sharper in the thought of Hobbes, which so dominated the radical liberalism of the the seventeenth and eighteenth centuries. That the Levellers wished to exclude all wage earners – as Macpherson contended – has however been contested by Roger Howell, Jr. and David E. Brewster, *Reconsidering the Levellers. The Evidence of The Moderate*, in: *Past and Present*, vol. LVI (February 1970), 68–86.

a constitution – written or unwritten – prevent or allow the people or the representatives to do?¹⁵

Connected to this was the concept of the separation of powers which was itself subject to various interpretations. For the Whig canon it was synonymous with mixed or balanced government – monarchy, Lords, Commons – and was to avoid the accumulation of power. This interpretation more or less inspired the Constitution of 1787 where the American Whigs felt the necessity of strengthening the federal government: the separation of powers there became the interpenetration of powers where for functions like law making, treaties and impeachment the concurrence of more than one branch of government (legislature, executive, judiciary) was necessary. For the democratic impulse in the United States of the 1770s and 1780s, separation of powers meant instead an end to plural office holding and thus a limit to the power of the elite which tended to monopolize, often in the same person, several functions (representative, councillor, judge, sheriff, etc.).

The presence of a distinct democratic strain does not mean that it went beyond the general bourgeois character of the American Revolution. As with the Whig elite the problems it dealt with were almost always connected with rights derived from property; such property was in general considered inviolable as well as part of a legitimate market mechanism although at times democrats did speak against an unbridled *laissez-faire* attitude. Most adult white males possessed property but no coordinated body of thought spoke for those without it to say nothing of those deprived of all civil rights within the society (the mass of slaves essential for production in the South and the adult females everywhere essential for reproduction) or those on its margins but subjected to it (the Indians).

Despite these limits, even before the battles of the 1790s carried on by the followers of Jefferson, one can document for the preceding two decades not only debate on the essential questions of democracy but also a direct attempt during the Revolution to make the weight of the people, that is to say the adult white males, felt in the formation of the new political society.

In fact, during the period of the American Revolution democracy, much more than a question of political theory, was an actual impulse from below of

15 On the naturally encroaching nature of power for eighteenth-century Whig thought, see the perceptive summary by Bailyn, *op. cit.*, 55–60.

individuals or groups who demanded participation in government as well as something specific on a material level from the institutions. Such a democratic urge did not for example ask abstractly whether and in what cases the interests, alliances and ambitions of a closed aristocracy would mean a domination of private considerations in political choices instead of public good, but rather reasoned from its life conditions and its interests asking instead what had been and would be the practical effects of one form of government or another. The discussion took place not in a vacuum but closely linked to a specific historical and social situation quite different from that in which Whig thought matured in England and not only because America lacked a hereditary aristocracy. Developing during a revolution it had the urgency of the Levellers rather than the meditative rhythm of those Elizabethans who read Gasparo Contarini's disquisitions on the balance and stability of Venetian rule or the gentlemen of mid-18th century England who read James Burgh on the relations between electors and the Commons.

How successful the democratic ideas developed in *Common Sense* and in *The People the Best Governors* actually were can be seen in the State Constitutions drawn up after the collapse of royal power in the individual colonies. This was the battleground which would demonstrate whether the elite which had seized total sovereignty from Britain would be capable of maintaining its predominance. Despite sharp battles in North Carolina, Massachusetts and Pennsylvania and a temporary victory in the latter, the elite held firm and the constitutions which passed, despite generally weak executives, followed rather closely the recommendations of John Adams: bicameral legislatures and suffrage based on some amount of property with still higher requirements for elected office were everywhere present.

The writing of these Constitutions was not the first time that the „normal“ political process in North America was influenced by the people. Mass political activity including extra legal mob action was a constant factor in the 18th century colonies; if however it was able to influence public policy it was usually manipulated by one faction or another of the elite.¹⁶ The difference in the 1770s and 1780s was not only the greater focusing on questions of political

16 Influenced primarily by the English historians Edward P. Thompson and Eric Hobsbawm, scholars have studied the ideological outlook of the colonial mob finding both consciously political as well as pre-modern elements. See Jesse Lemish, *Jack Tar in the Streets: Merchant Seamen in the Politics of Revolutionary America*, in: *William and Mary Quarterly*, 3rd Series,

democracy but that now this political involvement, especially in that of the states mentioned, was connected to the writing of the fundamental law.¹⁷

In North Carolina the struggle was a continuation of the violent conflict of the Regulator agitation in the late 1760s and early 1770s which pitted the yeoman farmers of the Piedmont against the Tidewater gentlemen planters. The latter had monopolized not only representative government but also the judicial system which they turned to their own benefit; conflict moreover was exacerbated by the increasing wealth of the planters. The many riots which periodically blocked the court system finally erupted into something less than a full scale battle at Alamance in 1771 where the Regulators were defeated by the militia with several killed on both sides. Not surprisingly, continuing opposition to the Whig elite which had begun to contest royal authority brought many of the Regulators to either neutrality or pro-Tory sympathies. Nonetheless the rebellious spirit of the previous period could be clearly seen when in 1776 the farmers of Mecklenburg and Orange counties drew up instructions for their representatives to the constitutional convention. These instructions, with the clear request for a „simple Democracy“ under their direct control, are some of the most important documents of the grass roots democratic surge of this period: not only is the „principal power“ located in the people but government is defined as derivative of this, exercised „by the servants which they employ“.

In Massachusetts the fulcrum of the democratic movement were the farmers of the western part of the state and the artisans of Boston. Given the presence of the established Congregationalist church demands for complete religious freedom, voiced most directly by Isaac Backus, were a part of it. The struggle of the democratic forces had a more solid theoretical basis – *The People the Best Governors* was published in this state – and the opposition to property qualifications was more closely reasoned; it is not without importance that some even objected to denying the right to vote to free blacks and Indians. The entire Whig leadership was hostile to this democratic program: not only

vol. V, n. 3 (July 1968), 371–407; Pauline Maier, Popular Uprisings and Civil Authority in Eighteenth-Century America, in: William and Mary Quarterly, 3rd Series, vol. XVII, n.1 (January 1970), 3–35; Gary B. Nash, The Transformation of Urban Politics, 1700–1765, in: Journal of American History, vol. LX, n. 3 (December 1973), 605–632; and Dirk Herder, Crowd Action in Revolutionary Massachusetts 1765–1780, New York 1977.

17 For the struggles over the state constitutions see Douglass, op. cit., 233–286; Jensen, op. cit., 334–338; Wood, op. cit., 226–237, 244–250; and E. Foner, op. cit., 107–144.

John Adams, the main influence in the 1780 Constitution, but also his cousin Sam, radical mostly in the sense of being willing to mobilize the lower class for the battle against Britain.

The movement in Pennsylvania was the only one crowned with success in that the 1776 Constitution – substituted however in 1790 – practically eliminated property qualifications for voting and office holding; moreover, not only was the legislative body unicameral but there was also a mechanism for submitting laws to the public before being passed by the representatives. The social base for this victory was once again farmers from the western part of the state – equally interested, however, in fighting the Indians as the elite – and the Philadelphia artisans and workers with whom Paine was in contact. Their task was rendered easier by divisions and Toryism among the traditional leadership and by certain democratic elements already present in the colonial charter. The main argument presented in Pennsylvania for the extension of suffrage was the impossibility of denying it to all those who were enrolled in the voluntary militia and thus prepared to defend the Revolution; reference was also made – taken from True Whig ideology – to the supposedly pure Saxon type of government close to the people which was considered to be part of the British heritage.

The general spirit of those who battled for democracy could be summed up by a sentence from *The People the Best Governors*: „The people know best their own wants and necessities, and therefore are best able to rule themselves.“ Or, to quote a petition of New York mechanics in 1776, the people at large are „the sole lawful legislature“ and their task was nothing less than to take back the power – in the form of a simple unbalanced direct representational system – that had previously been delegated. What came to be challenged was a hierarchical view of society which had, up to the outbreak of the Revolution, been more or less accepted. The democratic sentiments had a distinct class base, at least in the sense that they often spoke of rich and poor. Democracy was not an abstract ideal. Government existed not only to protect liberties (as in Whig ideology) and was not only an abstract symbol of majority rule: there is evidence, as with the price control movement among at least a part of the Philadelphia lower classes, that government was understood as having a responsibility to help those from whom – the majority – power had been delegated. The radical democratic

push thus clearly distinguished itself from civic humanism and country ideology in that it was concerned with social justice and economic benefits.¹⁸

If however a Leveller spirit is present in this democratic movement, Diggers are hardly anywhere to be found: there was in fact no generalized demand of the democrats for the confiscation and division of large scale property. And yet one cannot avoid mentioning that the original draft of the Bill of Rights of the Pennsylvania Constitution did contain the following article: „An enormous proportion of property vested in a few individuals is dangerous to the rights, and destructive of the common happiness of mankind; and therefore every free state hath a right to discourage possession of such property.“ That the Convention struck out this passage is undoubtedly the main point; and yet the question had surfaced. It was of course a fundamental intellectual weakness of the democratic movement that there was little reflection on why there were so many debtors and so strong a concentration of wealth. The latter, in fact, was considered by both democrats and Whigs to be a question of individual qualities either to be condemned or praised but certainly not analyzed in terms of a „mechanism of accumulation“.

It may well have been, as John Adams and others complained, that the revolutionary upheaval meant to the less fortunate in society simply the possibility to do as they wished and no longer be dominated by the wealthy. But even intended in its noblest sense, the concept of majority rule in the 18th century was just that: the rights of the majority with no affirmation that this majority in liberating itself would in some way liberate the entire society. Moreover majority rule was essentially a political concept. In the words of Marx's criticism of Bruno Bauer in the next century, human emancipation was confused with political emancipation while the rights of the individual were understood to be the rights of self-interest.

The problem of minority rights – as opposed to majority rule – was far less important. As to ethnic minorities – Indians and blacks – they were implicitly neglected by the democratic movement. The United States was to be a „white man's country“. Slavery was important as a concept and a reality, first and foremost to the revolutionary elite – and not only because it was the economic base for an important part of it. Of course it was a

18 Kramnick, *op. cit.*, 204–205, has made this point with regard to the political activity of the artisans.

contradiction with the ideological tradition of the Real Whigs who, to quote Caroline Robbins, believed in „the natural rights of everyone everywhere“, and the more sensitive and intelligent of the slaveholders, like Jefferson, agonized with this contradiction. Nor were they hypocrites as superficial criticism has often held: that the elite intimately knew what slavery was, encouraged its exponents sincerely and deeply to fear it from Britain. Moreover it gave them the opportunity of exercising hegemony over the white non-slaveholding majority through racism and through the non necessity of their subduing the whites as a subordinate labor force.¹⁹

Essential to the small white farmers of the democratic movement was the availability of land: colonial history is filled with incidents where democratic demands of the whites – as in Bacon’s Rebellion in Virginia in 1675 and in the Paxton Boy’s Massacre in Pennsylvania in 1763 – were linked with the desire to expell or exterminate the Indians. And if slavery was opposed, this was primarily because some democrats saw the slaveholding elite as a political enemy and the institution itself as a debasement of free labor. The elimination of slavery was, however, never to be followed by the construction of a bi-racial society; the solution here, similar to that with the Indians but opposed by most slaveholders for evident reasons, was deportation back to Africa precisely to leave America as a white man’s land. The ambiguities on the racial question – the exclusion of Indians and blacks from the rights which were claimed for the whites – were for the democratic movement in America perhaps no less striking than those of the Leveller movement in England with regard to the dependent

19 Robbins, *op. cit.*, 383. On slavery and political discourse see Bailyn, *op. cit.*, 232–246, and David Brion Davis, *The Problem of Slavery in the Age of Revolution 1770–1823*, Ithaca, N.Y. 1975; specifically on Jefferson see Winthrop D. Jordan, *White Over Black. American Attitudes Toward the Negro 1550–1812*, Chapel Hill, N.C. 1968, 429–481, and John Chester Miller, *The Wolf by the Ears. Thomas Jefferson and Slavery*, New York 1977. On the centrality of slavery for the debate and passage of the Constitution see Staughton Lynd, *Class Conflict, Slavery, and the United States Constitution*, Indianapolis, Ind. 1967, 135–213, and Lawrence Kaplan, *The Origins of the Constitution: Thoughts on a Marxist Paradigm*, in: *Less than Perfect Union*, edited by Jules Lobel, New York 1988, 85–90. Edmund Morgan, *American Slavery – American Freedom. The Ordeal of Colonial Virginia*, New York 1975, has lucidly shown how the slavery of some was intimately linked with the freedom of others. In passing it might be noted that the gross underestimation of slavery by Hannah Arendt (*On Revolution*, New York 1973, 71–72) has rendered rather dubious her positive estimation of the American Revolution in comparison to the French one.

laborers. If it cannot be sustained that such ambiguities were an element in the defeat of the democratic movement during the Revolution, racism was certainly a continuing problem for all mass movements in the next two centuries.

In addition to the excluded races some religious minorities were also rejected by democratic majorities. If the separation of Church and State was a constant demand, this was almost always accompanied by religious tests for office holding aimed primarily against Roman Catholics. The question is not how real the threat from Rome was, that is whether Catholicism truly menaced a democratic – and republican – society. Rather, having identified this as a genuine threat, democratic majority thought had apparently no hesitation about sharply limiting its right to expression.

Even more pertinent to this distinction between liberalism and democratic thought is that the Pennsylvania Constitution of 1776 prescribed an oath of allegiance to it on the part of all prospective voters; it was thus permissible that the recently won right of the majority to rule could limit – without any spirit of contradiction and similar to the question of religious tests – the political rights of those who presumably opposed the democratic principles contained in this document. Liberalism or moderate Republicanism was concerned with protecting individual rights including those of property; democracy, on the other hand, was the implementation of the will of the people, that is of majority rule. Quite clearly the various Bills of Rights which would be affixed to most state constitutions as well as the federal one were in the line of liberalism, that is of the protection of minority rights against the power of the state, and did nothing for majority rights.

The fears generated by this democratic surge surfaced rapidly and an offensive was mounted to block it.²⁰ Most of the elite believed that true merit was not advancing in the newly independent states and that the people were showing a distinct incapacity for self-government. „Democratic despotism“ was leading not only to anarchy but to injustice. On a general level, Madison had noted that only a minority of the population was interested in protecting property; specifically the question was the mass of economic legislation – even where the democratic forces had not won the constitutional battle – which sought to help the poorer farmers against the wealthier merchants through the issuance of paper money and the erection of various barriers to the collection of

20 For the intellectual bases of this attack see Wood, *op. cit.*, 376–383, 393–467.

debts. Forgetting that the wealthier classes had economic projects of their own, selfishness and narrow-mindedness were located by the elite theorists primarily among the farmers. The defense of genuine republican virtue was thus identified by the moderates with the defense of the economic prerogatives of the traditional economic elite.

As might be expected, the Pennsylvania Constitution of 1776 was a main object of attack: separation of powers, a second upper house, the non-election of judges and their independence together with the right of judicial review of legislation were all thought to be necessary changes to be instituted. The Constitution was wrong in pretending that the state was a sort of a „simple Republic“: Pennsylvania society possessed great distinctions and differences which all had a right to be protected. The Whig theory of the dangers of a concentration of power was quite naturally again brought into play. The conservative onslaught was essentially based on two propositions: firstly – and in this contravening much Whig reasoning – that the legislative representatives should not be so close to the electorate; and secondly, that the power of these representatives was to be limited and specifically unable to act against the right of property.

The democratic surge had managed to leave its mark on the political history of the country but the counteroffensive that it generated was everywhere victorious, also in Pennsylvania where, as noted, the Constitution was changed in 1790. The series of explanations advanced by Douglass for this defeat seem convincing enough: a lack of leadership among the democrats given the possibility of social advancement from below (Franklin being a perfect example); the fact that government itself was not seen by many a prime problem due to the availability of cheap or even free land; the predominantly agrarian character of all states which emphasized cohesion between the farmers and the large scale planters (similarities in their problem of indebtedness were evident); and lastly, that Whig government, although against majority rule, did manage to evolve forms which were somewhat responsive to the people.²¹ In addition, there persisted a feeling that the Whig leadership was necessary: after all, it was a popularly elected convention in Massachusetts which wrote a Constitution in 1780 substantially raising property qualifications for suffrage, a Constitution moreover ratified through a more or less correct procedure. As

21 Douglass, *op. cit.*, 317–319.

to North Carolina, it is easy to imagine the continuance of deference given that many of the possible supporters of a democratic movement were illiterate or semi-literate and thus incapable in any case of full self government.

Yet another – and even larger – defeat was in the offing, this time on the federal level. The struggle of the moderate political forces, representing large scale property of one sort or another, to defeat those of democracy and to establish what they called more stable governments – that is, less responsive to the immediate needs and desires of the masses – had its most dramatic denouement in respect to the national government. Despite the economic upsurge at the middle of the 1780s, a historiographical tradition has painted the period of the Articles of Confederation – the first federal Constitution adopted by the Continental Congress in 1777 and finally ratified four years later – as „critical“: according to this view the country was descending into chaos and lawlessness and was thus incapable of utilizing the potential which had been released by the Revolution. Whether this was objectively true or not, certainly it was the dominant view of the elite and Shays' Rebellion in 1786 – an attempt of indebted farmers in western Massachusetts to stop the functioning of the court system which was seizing their land – only confirmed this view.²²

The American Whigs did not deny that the Republic would be an instrument of social mobility: self-made men would however have to rise from their class and enter singly the world of educated, cultivated – and propertied – gentlemen. After the Revolution such a naturally differentiated aristocracy failed to appear and the Federalist thought behind the Constitution of 1787 – most specifically in the writings of Madison who is the true „founding father“ – saw the people as less and less „possessing virtue in the classical sense“; this led to „an increasing recognition of the importance, and the legitimacy“ of factions which would pursue not collective but particular interests, something rejected in True Whig thought. The constitutional device of checks and balances served multiple purposes: it limited the possible effects of majority rule, it controlled the corruption that the prevalence of this interest-oriented politics would normally bring and especially it would increase the capacity of the system to absorb the conflicting interests which were based on varying distinctions in

22 Merrill Jensen has strongly criticized the description of the period of the Articles as one of decline and chaos in: *The New Nation. A History of the United States During the Confederation 1781–1789*, New York 1950. For Shays' Rebellion see David P. Szatmary, *Shays' Rebellion. The Making of an Agrarian Insurrection*, Amherst, Mass. 1980.

property. Moreover, such property was now better defended against both, the propertyless as well as any who would covet the property of others.²³

To this, Hamilton – surely the number two „founding father“ – added the certainty that the people would tend to make mistakes in their political choices. Not declassified as the source of sovereignty, the people were to exercise it only indirectly. Numbers, in short, would not be allowed to prevail over property and the people would remain at an arms length from political power.

The net result of the drawing up of the state constitutions and the federal one of 1787 was thus that property had been reestablished as an order with specific rights, a situation sanctioned by the existence everywhere – with the exception of Pennsylvania until its new Constitution – of an upper house. On the federal level the Senate had also served as a way of guaranteeing a form of equal representation of each state but the second chamber had a deeper meaning. „The old and feeble idea of estates had crumbled away. But property had risen in its place. Property, in this sense, was not a mere attribute of individual ownership, but was an ingredient of the social order. Property emerged from the confusion as a sort of independent ‚estate‘.“²⁴

The Federalists had put through nothing less than a grandiose project: a Constitution for the entire country which came to be ratified by the people's representatives in the several states. The victory of this project – ratification was accomplished not primarily through fraud which did however exist – was through an alliance in which wide strata of the people, more artisans and laborers than farmers however, participated.²⁵ Given the principles of what has been called the democratic movement, it is impossible not to consider the victory of the federal Constitution as a defeat.

The democratic movement was defeated in terms of its objectives but it did have an effect on the development of the new nation. Bailyn has reminded us that the American Revolution was not undertaken as a social revolution in that no one „deliberately worked for the destruction or even the substantial alteration of the order of society as it had been known“. And yet the extension

23 On the Constitution and property see Pocock, *op. cit.*, 520–523; Wood, *op. cit.*, 469–564; and William B. Scott, *In Pursuit of Happiness: American Conceptions of Property from the Seventeenth to the Twentieth Century*, Bloomington, Ind. 1977, 44–50.

24 Pole, *op. cit.*, 342.

25 On the political tactics of the Federalists see Jackson Turner Main, *The Antifederalists. Critics of the Constitution 1781–1788*, Chapel Hill, N.C. 1961, 187–281.

of small agricultural property and an abolition of primogeniture and entail, a separation of church and state, a widening of suffrage, etc. were all tendencies pushed forward not only by the general convulsion of the Revolution and the war but also specifically by this democratic movement. Merrill Jensen has sustained that the significance of the democratic movement was „in its tendency to elevate the political and economic status of the majority of the people“.²⁶ One can however wonder if the real significance was not the way in which the elements of democratization were integrated into a synthesis carried out by the ruling social elite thus impressing upon the nation a vision quite different from that of the democrats.

The ruling elite learned during the colonial period and the Revolution to operate with flexibility and through the art of consensus. If the democratic movement helped to force this elite to understand the need for responsiveness to the masses, part of the genius of American politics will be the capacity of political leaders to absorb the shocks originating from below. In the last decade of the eighteenth century and the first of the following one the best example of this capacity was represented by Thomas Jefferson: it is not impossible to imagine that his relationship to the democratic movement born in the 1770s and 1780s was similar to that of Franklin D. Roosevelt to the upheaval of the nineteen thirties. The statesman and political philosopher from Virginia who became the leader of the „democratic-republican“ movement under the new Constitution and was victorious in the election of 1800 was the most democratic of the elite in the sense of being the most open to the desires of the mass of small farmers and artisans as well as the one who most believed – despite his support for a Senate and his fears about legislative tyranny – in their capacity for self-government. And if Jefferson was not always convinced, as were the revolutionary democrats, that majority will and public welfare were the same, he was confident that through sound primary education and a free press one could have confidence in the people.²⁷

26 Bailyn, *op. cit.*, 302; Jensen, *The Articles of Confederation. An Interpretation of the Social-constitutional History of the American Revolution 1774–1781*, Madison, Wisconsin 1940, 15. The classic statement on the multiple social effects of the Revolution is in J. Franklin Jameson, *The American Revolution Considered as a Social Movement*, Princeton, N.J. 1926.

27 The relationship of Jefferson to democracy is extremely complex. One can begin with Richard Hofstadter, *Thomas Jefferson: the Aristocrat as Democrat*, in: *The American*

The destiny and development of the democratic movement in America was however not only linked to and limited by the flexibility of the ruling elite: such a capacity was itself based on the material possibilities of the country, that is its natural wealth and its seemingly endless possibilities of expansion. In the battle over the ratification of the Constitution of 1787 the Federalist vision was two-pronged. On the one hand it certainly was a repudiation of the principles of 1776: after a period of chaos, or in any case democratic challenge, their Constitution represented a successful attempt – in the words of Wood – „to restore and to prolong the traditional kind of elitist influence in politics“. They were however able to put this through because the national vision of the Federalists of an ever-expanding commercially oriented republic was able to win a substantial following: Paine, for example, supported it because such a government seemed best suited to the fortunes of democracy and the common man while others – primarily the urban artisans – were perhaps more prosaically convinced that such a vision of the country's development was in their material interest.²⁸ The new Constitution generated a strong opposition. There was, however, no unified Antifederalist thinking which had in fact various motivations: the Antifederalists feared what a growth of national government would do to both liberty and local interests; they were suspicious of forms of representation that detached the elected ever more from their constituency and of forms of government ever more complex and distant; and if they were not all democratically oriented they did see the proposed Constitution as aristocratic in that it passed power from the many to the few with the consequent danger to personal freedom. But specifically relevant to the question of national vision they were, as their opponents maintained, thinking on a smaller scale.²⁹

Although the Constitution was ratified by only a narrow majority – if indeed there was such a majority – it would come to be genuinely rooted in the

Political Tradition and the Men who Made It, New York, 1948, 18–43, and Richard K. Matthews, *The Radical Politics of Thomas Jefferson. A Revisionist View*, Lawrence, Kansas 1984, keeping in mind however the annotation of Douglass, *op. cit.*, 289, on the need to distinguish between his political praxis „which in many respects made impossible the realization of his political philosophy“.

28 On Paine's developing free trade economic ideas see E. Foner, *op. cit.*, 145–182.

29 On Antifederalist thought see especially the introduction to Cecilia M. Kenyon's anthology, *The Antifederalists*, Indianapolis, Ind. 1966, xi–cxvi and Herbert J. Storing, *What the Anti-Federalists Were For*, Chicago 1981.

masses precisely because such a vision came to be more and more accepted, also by the small farmers, as that which offered the most: a government which not only protected their freedom as in the True Whig concept, but also aided them in their economic endeavors. In this, Jefferson was undoubtedly essential. His victory showed that such a national vision – which Jefferson had gradually adopted even before his election as president – could be held by friends of democracy and assured that the fruits of national development would at least be shared among social strata and not monopolized by those who had dominated the federal government in the 1790s.³⁰ One can sustain that the historic bloc, to use a Gramscian expression, already emerging among the Federalists during ratification – an expanding white man's republic with ample room for the common man – will be decisively strengthened once Jefferson has emerged victorious.

The liberalism which was codified in the new Constitution and acutely defended by Madison in *The Federalist* with its emphasis on interest group politics instead of the common good was something quite different from the civic humanism of traditional country ideology. But with its accentuation of the representative quality of the republic, with the elected ever further from their electors, it was equally distant from the democratic movement. The perspective of an expanding commercial capitalism as the destiny of the country was something which would link Hamilton, Jefferson and Jackson beyond their different views of the capabilities of the masses and of acquisitiveness as a human quality. That such a perspective corresponded to a reality – the country would in fact be able to expand within and without over the next centuries – is what would provide a basis of mass support for the ruling elite even among future wage earners, among all those, in short, who could reasonably hope that their material group and individual aspirations could be satisfied within the framework of a bourgeois system of property.

30 A case can be made that up to the 1790s Jefferson's model of society was – to use Macpherson's distinctions (op. cit., 46–61) – more of a simple market society as opposed to a possessive market society. Once president – pushed forward by the Napoleonic wars – he also accepted as part of his outlook a limited industrial development despite previous strictures on the incompatibility of the city and healthy republicanism. Jefferson had, however, always favored commercial agriculture undoubtedly counting on the possibility of non-subsistence farmers being both acquisitive and concerned for the public good.

On the other hand, unless we radically redefine democracy, it is a vision and a reality which has little to do with that held by the previous democratic movement, that is the active exercise of political power by the directly interested masses (even if primarily for their immediate economic interests). In the political model which emerged at the end of the eighteenth century liberalism with its protection of the rights of the individual against the interference of government (and the protection of property) came to substitute democracy although this liberalism would function with a base of mass consensus.

It is quite easy to document that the tendency in the United States towards political passivity, especially present in the second half of the twentieth century, has had its basis at least partially in the new Constitution. Expanding authority and power of government has been accompanied by an ever more distant possibility of control by the people. Political power has indeed even passed from elected representatives – chosen by increasingly voluntarily reduced electorates – to executive or thoroughly independent agencies. The Real Whigs of the English tradition, the Antifederalists and the more democratic wing of the ruling elite of the eighteenth century, would, together with the American democrats of the revolutionary upheaval – those in short fond of stating that „Liberty is lost by decay of virtue, slavery is preceded by sleep“ and that „The price of freedom is eternal vigilance“ –, all feel rather uncomfortable in a Washington dominated by the National Security Council, the Central Intelligence Agency and the Federal Reserve Bank. Such considerations are not a mere reedition of the jeremiads of the 1600s. There is a real question as to what could happen to the country politically if the universally accepted vision of an ever expanding economy – that contained in the Constitution in substitution of the democrat thought of the late 18th century – no longer corresponded to reality.