cultural politics and
political thought

the american revolution made and remembered

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Historians have recently written prolifically about the sources and interpretations of the American Revolution.[1] The various interpretations of the Revolution and its political ideas convey a variety of political teachings; they can also serve as indices, at any given time, of the political commitments and cultural visions of the interpreters. This study explores these differing interpretations by showing how the materials used in writing histories of the American Revolution reflect long-standing patterns of cultural-political conflict.

The books and broadsides used by historians today are themselves interpretations of history, containing canons of selection, causality and political value. Moreover, because these source materials imply systematic ways of interpreting history, the histories in turn serve as forms of knowledge used in subsequent cultural-political conflicts. Little wonder, then, that American political thought so often takes the form of history and that the conflict of political ideas in America is usually implicitly historical rather than explicitly philosophical. This feature of our political thought imposes a pervasive cultural dimension to our deepest political conflicts even as it blurs ideological differences. A perplexing result is that we have readily available two co-existing forms of political history. We possess narratives of the great events of our national life full of violence and conflict, while histories of our political ideas and institutions tell of consensus and continuity.

The primary objective of this study is to indicate how political-cultural conflict in early American society divided into these two different ways of perceiving our history and how these perceptions convey con-

flicting theories of politics. The three major issues of conflict before, during and immediately following the revolutionary period 1763-1787 are: 1) questions of the place of religion in political life; 2) questions of the role of law in American political structures; and 3) questions regarding constitutionalism. In the case of religion, the problem concerns the meaning of Reformed Protestantism for Christian prophecy and new world destiny. In law, the issue is the authority of English legal precedent and the relationship between English common law rights and natural rights. In constitutionalism, the conflict revolves around the relevance of major English constitutional settlements to colonial authority and to the fate of liberty.

The political meaning of the past is a crucial dimension in each of these areas of controversy. One pattern of political understanding in all three disputes can be called institutionalist. Political norms and ideas are held to be authoritative because they are embodied in institutions which have endured. Only within stable political, legal and social institutions can rational judgement flourish, becoming adequate to the task of maintaining ordered liberty. The worth of political action is judged by its institutional product; the value of political ideas is measured by the extent to which they attain legal and institutional form.

One can, however, also discern a counter-pattern to this mode of understanding. Events of all kinds are taken to *reveal* political ideas. The most important political norms are not expressible in legal and institutional formulas; their meanings derive from their perceived relationship to *future* events. This perspective makes history a kind of theodicy. Events are symbolic and revelatory; a history of their meanings is periodized and often apocalyptic.[2]

This study also aims at a specific, if tentative conclusion. It seeks to understand the two dominant present modes of understanding the American Revolution—"Whig" and "Progressive" histories—as modern restatements of those institutional as well as anti-institutional forms of self-understanding which have always shaped our deepest conflicts. The contemporary historiographical issue, then, is not simply between an "idealist" consensus history and a "materialist" conflict history. A broad range of political and cultural values is at stake. To see political ideas incorporating institutions is to portray continuity, consensus and intellectual complexity. As political and ideological argument, this perspective tends to favor the prevailing patterns of power and value. Its ideal of political change is change of leadership and institutional reform. As a mode of writing history, it stresses the importance of intellectual tradition and the causative role of the best articulated political ideas. Since political conflicts are perceived as bounded by shared norms, they can be regarded as resolvable through institutional compromise.

A contrasting perspective sees political ideas in and through symbolic events. It focuses on the moral power of a few simple ideals, the prophetic

clarity of heroic actors, and the importance of conflict in revealing future destiny. As political-ideological argument, this view denigrates institutions as obstacles to a future community of belief. It urges that historical understanding requires the exploration of the actions and events behind institutions in order to discover what "really" controls the future. This perspective is at once more "materialistic" and more "idealistic" than its institutional counterpart. In both forms, however, its social theory is inherently radical. Such a mode of understanding stresses the discontinuity of history. Time is marked by conflicts demanding clear moral/political choice. At its extreme, this history equates continuity and even historicity itself with Europe, aristocracy and corruption—an implicit denial of the significance of the New World.

The two conflicting perspectives suggest that the American Revolution was an uneasy alliance of two rather different theories of history and politics. Because two distinct cultural and political foundations of America were proclaimed in the act of founding our nation, two distinct theories continue to define the historiography of the American Revolution.

i religion

With the Great Awakening and the rise of *de facto* "denominationalism" in the 1740s, overt political division began to reflect these religious differences and persisted up to the settlement following the War of 1812.[3] The Great Awakening was an explosion of anti-institutional energies sparked by the belief in a millennium of earthly justice whose first marks would be a rebirth of religious faith throughout the colonies. The stress on the centrality of the experience of conversion and on the unmediated power of the biblical Word posed a direct threat to the structures of both Anglican and "old Dissent" churches in America. Indirectly, the Great Awakening and its denominational products threatened the whole extant social order by devaluating the religious importance of "works." It denigrated standards of good behavior which inevitably are defined by, and serve to buttress, the upper reaches of society.[4] Anglicans in the middle and southern colonies, "old light" Congregationalists in New England and "old side" Presbyterians joined in opposing the Great Awakening. In New England especially, those clergymen urging a latitudinarian theology informed by enlightened views of natural religion and formal (or *pro forma*) standards for church membership were opponents of complete religious equality. The spokesmen for these churches did, to be sure, profess the value of religious toleration but only within the bounds set by parish systems and taxation provisions or by means of exceptions granted to specific groups.

The paradoxical logic of church history in this period is that the increasing liberalization of religion among the educated Protestants in the larger coastal towns deprived them of a major source of identity.

The seemingly progressive movement toward rational theology and legalistic criteria of church membership also constituted a retreat from the millennialist theology of their seventeenth-century Puritan ancestors. Enlightened theology in mid-eighteenth-century America, then, had the effect of making its adherents *more* socially conservative vis-a-vis domestic colonial affairs and *more* attuned to a politics shaped in England.[5]

The other side of this paradox holds true as well. Evangelicals attempted to recapture the centrality of seventeenth-century prophetic themes and to reinstate a vision of America's unique calling in Christian history. In cultural terms, the Awakening revived ideas in America which most separated it from contemporary England. Precisely at the time when English Whig and enlightenment values were coming to dominate a good portion of colonial leadership, the awakened clergy were reasserting the visions of the early Puritans.[6]

Charles Chauncy, a leading light in New England theology, saw nothing but danger in the popular energies released by the Great Awakening. His *Seasonable Thoughts* is obsessed by the dangers of itinerancy and revival; he complains that "women and girls; yea, Negroes, have taken upon them to do the business of preachers" and urges people to "stay in their place, following their calling." For more than thirty years the response of the Anglican clergy in Virginia and the Carolinas mirrored that of the Congregational/Unitarian clergy in Massachusetts and Connecticut. In both cases the appeals to enlightened behavior, along with dark warnings of incipient anarchy, were supplemented by the reliance on fines and imprisonments, oaths and confiscations.[7] Opposition to prevailing colonial patterns of church polity and church-state relationships came from a radical direction. After the Great Awakening, a defense of religious toleration was in fact a conservative position to counter the pietists' demands for complete religious equality. The Enlightened colonial clergy appeared politically radical only from the perspective of eighteenth-century English denominationalism and in opposition to the remote threat of an Anglican Bishop in America.[8]

The larger political import of these religious conflicts becomes evident in the actions of the various religious denominations during the revolutionary period. The only organized religious body to urge independence from England prior to July, 1776, were the Baptist churches—which bore the brunt of repressive measures by those who were spokesmen of resistance to England in the period 1765-76. Members of the churches formed during the Great Awakening were consistent supporters of the "radical" Pennsylvania constitution during the entire war period and after. Moreover, in the South as well as the North, the most democratic features of the first state constitutions were often proposed by the same groups which insisted on oaths asserting the truth of biblical revelation and belief in the trinity.[9] Disestablishment and religious equality were first and most powerfully urged on religious, not philo-

sophical, grounds. The alliance between the few radical deists and the many pietists was practical and temporary; their language and purposes often overlapped, but they remained separate.[10]

These anti-institutional notions of religious order can also be seen as part of a larger theory of political order, one which is quite different from radical Whig and more traditional models of "balanced societies." If one's worth as a citizen is independent of institutional and social location, and defined instead in terms of inward commitment, then all of the "converted" make up the authentic nation, infusing all of its institutions with a common impulse. Americans can neither discover nor undertake the great tasks demanded of them if they are linked together only by institutional ties of "meere Justice" and "Civill pollicy." Experimental religion and the infusion of grace would create one body of men "knitt together by this love."[11] Such distinctions were first articulated by John Winthrop aboard the *Arabella* in 1630. In the more democratic and political idiom of the Great Awakening, they served to condemn the corruptions of both English and colonial institutional life. In the theater of prophetic history, opposition to the imperatives of the elect nation is opposition to God's plan of redemption.[12] Thereby seemingly small conflicts over religious policy turn into major political conflict.

Jonathan Mayhew symbolizes the difficult position of anti-revival spokesmen. As a defender of enlightened theology, Mayhew was ambivalent about the puritan past. His famous sermon of 1750 on tyranny exemplifies this ambivalence and highlights the limits of enlightened religion as a source of, and vehicle for, American revolutionary political thought. "A Discourse Concerning Unlimited Submission and Non-Resistance to the Higher Powers" is often used by nineteenth and twentieth-century historians as exemplary of later colonial resistance to England,[13] but it can just as well be read as a plea for acceptance of the colonial gentry by English Whigs.

The occasion of Mayhew's sermon was the Church of England's practice of calling for fasting and humiliation on the anniversary of the 1649 execution of Charles I. Instead of defending the regicide and the English Civil War, Mayhew first distinguishes between resistance and rebellion; he goes on to define the former as an integral part of the British Constitution. He assures his readers that resistance to Charles I was "not by a private junto—not by a small seditious *party;*—not by a few *desperadoes* . . .—but by the LORDS and COMMONS of England." The men who "raised an army . . . and maintained the war" were none other than "the whole representative body of the people;—guardians of the public welfare." When he turns to rebellion and regicide Mayhew's perspective continues to be secular, institutional and Whig. The trial court which condemned the king "was little better than a mere mockery of justice." Cromwell and his allies "might possibly have been

very wicked and designing men," and Mayhew will not be one to justify either Cromwell's "male administration" or the "reigning hypocrisy of those times." Only in its resistence phase is the civil war a reestablishment of the constitutional balance which ultimately made possible the "1688 Revolution, upon the justice and legality of which depends (in part) his present MAJESTY'S right to the throne."[14] Mayhew praises the settlement of 1688 while he condemns the religious energies of the 1640s.

Mayhew's performance drains from the Puritan Revolution all hint of location within a prophetic scheme, all connection to the millennialist energies of his ancestors as well as to the settlement of New England. This detachment is intentional as is clear from the remainder of the sermon in which Mayhew accuses the more aristocratic sectors of the Church of England of carrying the germs of disloyalty to the settlement of 1688. By contrast, Mayhew and his audience are portrayed as the heirs of those who protected and then reestablished the British Constitution. Mayhew—the most "radical" clergyman in Boston—so firmly located "his" ancestors within the rubrics of English Whig history that even the connections between its earlier radical versions and millennialist themes seemed to have been quite forgotten or, rather, seemed too dangerous to recount in an awakened America. The concluding paragraph of the sermon is a celebration of the regnant order "under the government of a PRINCE who is satisfied with ruling according to law." The warning to his colonial audience befits a leading opponent of the religious revival:

> There are men who strike at *liberty* under the term *licentiousness.* There are others who aim at popularity under the disguise of patriotism . . . . There is at present amongst us, perhaps, more danger of the latter, than of the former. For which reason I would exhort you to pay all due Regard to the government over us . . . and to lead a quiet and peaceable life.[15]

Religious conflict in the colonies creates a serious problem for historians of the Revolution. On the one hand, the Great Awakening is the vehicle for democratic and nationalist ideas and its proponents were at the forefront in the battle for complete religious liberty. On the other hand, the most prominent religious spokesmen for resistance to England in the decade preceeding independence are equally noted for their opposition to the religious revival and its consequences. Two 1860 sermon collections, still used today as standard sources, illustrate the problem posed for historians. Thornton's *The Pulpit of the American Revolution* and Moore's *Patriot Preachers of the American Revolution* clearly separate these two warring parties by putting Anglicans, Old Sides and Old Lights on the pre-1776 divide, preparing Americans for revolution, while after 1776, Baptist, New Side and New Light sermons urge the citizenry to give all for new heavens and a new earth.

In one sense, Thornton and Moore are unerringly accurate. Resistance arguments do tend to be couched in institutionalist language, while post-Declaration rhetoric is both revolutionary and strongly anti-institutionalist. But periodization, however accurate, is not explanation. It would be highly misleading for an historian to select as a sample only those sermons on one side of the divide or the other as indicative of the religious component of American Revolutionary political thought. It would be equally misleading, however, for us to conclude that a causal connection exists between the political ideas of the two sets of spokesmen—that the former articulated the systematic ideas of the Revolution while the latter provided the more popular rhetoric to impel the events. In the first place, the spokesmen on either side of the divide were often in open conflict with each other before, during and after the Revolution. Furthermore, in the three decades before the Revolution, churches led by the rationalist and institutionalist clergy were rapidly declining in popularity while evangelical religion was thriving. The conflicts generated by these patterns had the effect of teaching ever larger and more self-confident audiences to distrust the position of the most prominent religious spokesmen for colonial resistance. Indeed, Jonathan Mayhew defended rational religion in part because it would appeal only to the few.[16] Might not the same be said of the constitutional and political arguments intended to persuade his listeners? Be that as it may, the larger audience's distrust made sense. In Moore's collection, all five sermons adduced as examples of American patriotism in the period 1766-1775 were by clergymen who led the opposition to the Great Awakening. Three of those five became Loyalists, while a fourth (Mayhem) died in 1766. All five of the spokesmen during the war years were evangelical products of the Awakening and veterans of struggles for religious equality before, during and after the Revolution.

Periodization accurately suggests that the voices of two distinct political cultures were simultaneously abroad in the land. That at different times the one or the other voice was more clearly heard, however, ought not to suggest causal sequence. The ideas of rational theology and tolerant establishment were culturally anglophile. Their spokesmen and audience identified with Whig counterparts in England; they saw colonial institutions as idealized or purified versions of English ones. Their writings were intended for three audiences: their peers and mentors at home, those in England and their increasingly nondeferential inferiors at home. The resistance theories of these clergymen and their lay counterparts may have been contagious to a more revolutionary audience, but those same theories were often not strong enough to infect themselves with the hope of a new era. For this group, independence was a dangerous but final act to protect established laws and liberties.

The political voice of evangelical and millennialist religion was, paradoxically, both clearer and more problematic. Recent studies have

shown the persistence of strong correlations between radically democratizing political beliefs and evangelical religion in the 1750s in Connecticut and Massachusetts, as well as in the first constitutional struggles in Southern states. Many of the more radical doctrines of the Puritan Revolution were revived via the Great Awakening. The social theories of groups such as the Levellers and Fifth Monarchists were now becoming commonplace portraits of life in the approaching millennium.[17] We do know that political thought in the England of the mid-eighteenth century—even in its most radically Whig versions—did not contain these religious elements. To be sure, radical Whigs in both England and America developed a complex theory of constitutional corruption and an accompanying rhetoric of conspiracy designed to counter the corruptors while restoring constitutional balance. But even the most radical versions of conspiracy theory voiced in America were limited by their constitutionalist origins and context. What is more, the limits are so stringent that the use of this rhetoric cannot tell us with any accuracy whether its user became a patriot or a loyalist. Evangelical religious theories of corruption, however, lacked a politically significant counterpart in eighteenth-century England and were inherently radical in the American context. To the adherents of those theories the source of corruption was not constitutional imbalance, but a condition inevitably flowing from unconverted men. Moreover, they held that corruption exists wherever men's vision is bounded by the institutional limits of "works." Religious revival and prophetic theology in America were thus intensely political from the very start; millennialist doctrine stipulated the sudden convergence of revival, institutional destruction and—most crucially—social unity.

Colonial elites and later historians, both Whig and progressive, had great difficulty in understanding the evangelical side of religious conflict in the pre-Revolutionary period. And because the resulting political conflicts do not parallel those of England or Europe generally, the religious sources are as baffling now as they were to such contemporaries as Benjamin Franklin. Writing in support of establishing Pennsylvania as a royal colony against those who would maintain its proprietary status, Franklin stated that "Religion has happily nothing to do with our present Differences." The two parties were known as "Quakers" (meaning Quakers and some Old Light Presbyterians) and "Presbyterians" (meaning New Light Presbyterians and Baptists). Yet Franklin was not misled by his own claim, for the first two objections which his *Cool Thoughts* addressed concerned the heated issue of religion.[18]

ii law

When our forefathers colonized the wilderness of America, they brought with them the common law of England. They claimed it

as their birthright, and they left it as the most valuable inheritance to their children. (James A. Bayard, 1802)

Our ancestors . . . were possessed of the knowledge of the laws and jurisprudence of /England/; but were free from any obligations of subjection to them. /Their law/ was derived from the law of nature and of revelation . . . is near us . . . is within us, written upon the table of our hearts. (Jesse Root, 1798).[19]

We have seen that religious conflict is not sufficiently accounted for in studies of American revolutionary political thought. Similarly, support for and opposition to the common law, lawyers, and judges is acknowledged but not explained. Spokesmen for late colonial legal culture were in somewhat of the awkward position of their theological counterparts: as they sought approval and intellectual standards from England, they faced charges of betrayal, arrogance and declension at home. And as early leaders of colonial resistance, they tended to divide or become silent as independence approached.

The two cases are not exactly alike, of course. Opposition to legal values did not take clear organizational form and opponents to the common law appear weak and without alternatives to the prevailing system. The history of law and lawyers in colonial America is only now being thoroughly explored.[20] Enough is known, however, to suggest grave difficulties for both the Whig and progressive historian. The former is hard put to find intellectual sources for the Revolution in late colonial legal ideas; the latter to explain the causes and extent of legal change in the post-Independence period.

Colonial legal history contains some of the same paradoxical features found in colonial religious history. In the four decades before the Revolution, law and practice throughout the colonies was beginning to adhere more strictly to English models. Thus, the influx and growing prestige of trained lawyers and judges, the institution of strict forms of pleading, the attempts to frame the bar on English models—all these combined to change earlier colonial patterns significantly. Before these innovations, colonial law and practice had diverged widely from the English model, containing many modern features which England was not to achieve for almost two centuries. A number of factors prevented any thorough reception of the common law. Among them were the codification of civil law, the use of written evidence and simple forms of pleading, combined with hostile regulation of the legal profession, the use of lay judges, easy appeals procedures, rights to lay representation and the extraordinary power of juries.[21]

While many welcomed a closer adherence to English models as a mark of colonial economic and political progress, others viewed these changes as a threat to colonial self-definition. For this latter group, the rise of lawyers and the increasing reliance on legal technicality was a sign of corruption. An indication of this foreboding is that many awak-

ened clergymen were lawyers prior to their conversions, thus making a repudiation of their earlier ways a pointed condemnation of a life of law. The call to return to the faith of a purer colonial past was also a call to rid the colonies of present-day corruption. In this call, the promised future had no room for lawyers and the artificial reason of the common law. Both were seen as part of a larger theology of works which had to yield to the power of faith. To be sure, not all opposition to late colonial legal changes came from the ranks of the awakened. The economic interests and habits of many colonists were annexed to earlier legal practices. Others condemned the common law as a relic of feudalism, part of the "Norman Yoke" which caused the death of primitive Saxon liberty. But as in England during the Puritan Revolution, the most radical legal reformers were the most convinced millennialists. It is no wonder that 1776 witnessed an explosion of anti-legal, anti-lawyer sentiment.[22] That there was a short-lived victory of the common law and trained lawyers in America immediately preceeding the Revolution, then, creates a special problem for understanding the legal changes after the Revolution.

The colonial leadership saw the innovations after 1750 as signs of sophistication and maturity, even as the law became less accessible, more archaic and supportive of a more stratified social order.[23] Sophistication in the common law was at once a mark of high status, a proof of one's identity as English, and a weapon against those in the colonies who were inclined to revive a somewhat embarrassing seventeenth-century past. The victory did, however, entail some heavy costs as resistance turned to revolution. Members of the newly-established and highly restricted Suffolk County (Boston) Bar were among the first to pay dearly; an overwhelming proportion of that bar did not support independence and many were forced to flee.[24] Immediate post-independence policies reflected the new power and confidence of an anti-legal culture throughout the colonies. No compulsory bar association and no bar-controlled provision for legal training survived the Revolution anywhere in America. Specialized legal training per se was devalued when complex forms of pleading and other highly technical court procedures were swept away. To prevent or at least to slow down these rapid innovations in law, leaders steeped in English legal culture often made common cause with earlier opponents of the Great Awakening.[25]

Progressive historians have pointed to this anti-legal policy and to the rapid changes in the courts as evidence of a kind of self-generated social revolution. The sudden invention and explosion of "democratic" values against "aristocratic" ones are asserted without seriously seeking to account for the specific origins of that impulse.[26] When stressing the role of ideas at all these historians point to the Enlightenment emphasis on natural rights argument. This stress is to some extent justified because that language was often used to motivate legal reform efforts later

in the nineteenth century. What such a formulation misses, however, is the appeal of this language to evangelical culture and the merging of secular and sacred images in the process. The patterns of innovation as well as the range of political support for change become clearer when they are viewed as an attempted recapture of seventeenth- and early eighteenth-century colonial values, values partly anchored in religious views. Such was the economic and social thrust of millennialist doctrine in America—a thousand-year reign of peace and equality on earth (or only in America) before Christ's second appearance (also in America) —that it is difficult to discern where religious images stop and secular-utopian hopes begin. In the writings of Jesse Root and Joel Barlow, for example, the Christian liberty of the reborn and the natural liberty of the American innocent are conflated into a form of communal cement. The law which is to define one's duties is more a symbolic and didactic reminder of inner virtue than it is of a harsh, external instrument of social control.

The old conflict over law and lawyers was renewed on altered terms after the adoption of the United States Constitution. At first the issue centered on the question of whether the federal courts could claim common law powers of jurisdiction, but it soon became the more partisan one of equating a strong defense of common law with belief in aristocratic or monarchical government. Even after the defeat of the Federalist Party in national politics, this conflict was continued between "moderates" and "radicals" within the Jefferson and Madison administrations, culminating finally in the codification controversies in the 1830s. It is less important to recount the specific history and changing arguments of these conflicts[27] than it is to note the systematically different perspectives of the role of law in America which they reveal. Those who favored codification as a declaration of freedom from the authority of British precedent and a domestic legal elite harbored a vision of America as becoming less complex, more communal, in Joel Barlow's words, becoming as "if the state consisted of nothing more than one great society composed of all the people." External legal authority can never be a product of particular men's wills or knowledge; in the words of the 1798 Connecticut *Reports,* it can only rightfully flow from "the establishment of the citizens who rejoice in being ruled and governed by its laws, for the blessings it confers."[28]

While codifiers and evangelicals were touting America's future freedom from dependence on complex and differentiating legal forms, those defending the continuity of American and English law saw in complexity and differentiation the very foundation of order. The defense of common law precedent and rigorous legal education was tied in turn to a larger doctrine of political institutions. The first response to Jefferson's attack on the Federalist's Judiciary Act of 1801 echoed the response of generations of enlightened clergymen to evangelical demands for religious

equality. The lawyer Jonathan Mason contemptuously inquired of the Jeffersonian Party, "Is the millennium so near at hand?" His view of the American future was the reverse of those who would write codes or rely on affection: "Is not our wealth increasing? And will not controversies arise in proportion to the growth of our numbers and property?" Without the institutional anchors of the common law, authority in an increasingly divided America would dissolve. In the words of a congressional speech of 1802, "Stripped of the common law, there would be neither [Federal] Constitution nor Government." Two decades later, Republican moderates typified by Joseph Story viewed the highly-trained upper bar as "sentinels upon the outposts of the constitution." Among the radicals, the alliance between evangelical culture and democratic legal reform remained firm until the 1830s. The democratic and entrepreneurial individualism of the Jacksonian period broke this alliance by creating the conditions predicted by an earlier Federalist: "there must be much law [and, presumably, many judges and lawyers] or there will be no justice."[29]

Progressive historians are certainly accurate in their emphasis on the periodic conflicts over law, courts and lawyers during this entire period. Less clear, however, are attempts to explain the intellectual origins and continuities of these conflicts. For example, by pointing to geographic and economic causes, one assumes that the ideas of the democratic reformers are simply waiting to be rediscovered each time the occasion arises—or that democratic ideas themselves are the residue remaining when privilege is destroyed. Whig historians, by contrast, slight the seriousness of these conflicts over law by pointing to an enduring intellectual and institutional tradition which has been the hallmark of the upper bar and, to a lesser degree, the appellate court system. Stress on the unity of Anglo-American legal ideas before and after the Revolution, however, makes it difficult to understand the opponents of that tradition. The ideas of the latter are placed in a kind of limbo—as simplified or enthusiastic derivatives of the tradition, or as the tradition modified by material interest and geographic conditions or as general anti-intellectual hostility.

Given these contrasting difficulties, progressive and Whig explanations of the role of ideas tend to complement each other. The progressive grants the power of complex laws and the prestige of intellectual tradition in America, but views that power as a cover for privilege and a betrayal of American national destiny. The Whig, for whom institutional tracks are the only safe trail leading to ideas, sees complexity as proof that articulate ideas lie at the base of American political life—even though he grants that thoughtless multitudes rise up periodically to deny them or, more generously, to prevent their misuse.

> The blessings of society depend entirely on the constitutions of government . . . . (John Adams, 1776)
>
> Where then is our republicanism to be found? Not in our Constitution certainly, but merely in the spirit of our people. (Thomas Jefferson, 1816)
>
> The Declaration of Independence was a social compact, by which the whole people covenanted with each citizen of the United Colonies, and each citizen with the whole people . . . . (John Quincy Adams, 1831)[30]

The conflict over religion and law suggests that American revolutionary thought combines two distinct forms of historical understanding. Moreover, historical interpretations of these conflicts suggest that these two forms of understanding continue down to the present day as Whig and Progressive history. Therefore to ask of these interpretations about the source of the constitutional values of the Revolution is to receive two different answers, both of them perplexing.

Two histories written in the 1920s illustrate our point. Charles McIlwain's *The American Revolution: A Constitutional Interpretation* begins with the assertion that "so long as American opposition to alleged grievances was constitutional *it was in no sense* revolutionary" and then proceeds to trace the pivotal role of constitutional argument in the period from 1763 to 1776. He concludes that with "the revolutionary pronouncement of the fifteenth of May, 1776" the entire constitutional argument becomes irrelevant, for on that day American spokesmen "have perforce become revolutionaries and are no longer Constitutionalists . . . . They turn now to another audience and with another appeal."[31]

What are we to make of this conclusion? Does the act of revolution constitute a repudiation of constitutional ideas per se or only of the formal-legal assumptions of the British Constitution? Does constitutional argument become forever secondary in America after the Revolution, or are revolutionary ideas only a brief interlude before a new constitutional foundation completes, and perhaps destroys, revolutionary ideas? Whatever the answers, of two things we can be sure. First, along with large numbers of revolutionary leaders, MacIlwain sees the act of revolution as a momentous break in constitutional ideas. Second, these revolutionaries thought that the constitutional ideas of both British and colonial origin must be of continuing relevance to America after the Revolution was concluded.

The gap between constitutional thoughts and revolutionary deeds is also evident—but in mirror image—in J. Franklin Jameson's *The American Revolution Considered as a Social Movement.* The progressive Jameson agrees with McIlwain in acknowledging the power of constitutional argument in resistance to England until the war began. His denial of the relevance of these same ideas (he calls them "mere political

aspects") after 1776 is an essential preface to his study, for Jameson holds that the "stream of revolution" carried its own ideas which created the predominant reality after independence. The flood of events which "spread abroad upon the land," washed away both English institutions and English forms of thought, leaving in its wake a new and democratic nation.[32] Jameson's study centers on the changes occurring after 1776, but nevertheless prompts us to ask the other side of the questions posed by McIlwain: from where do the new post-revolutionary ideas come? Do the events of the Revolution somehow create de novo a new world of democratic ideas or are these events the outward signs and political forms of thoughts and feelings which have always been vouchsafed a new Jerusalem?

Jameson's history is progressive, not prophetic, but elements of soteriology suggest themselves in the very structure of his story. Like the tradition of prophetic history, Jameson's record of events is also a story of the ideas, spirits and ends revealed by the events. In the stock phrase of the Calvinist clergy, "Prophecie is Historie antedated and Historie is Postdated Prophecie" for "the same thing is told in both." Jameson's concluding chapter, "Thought and Feeling," confirms this impression, for there he points to one set of pre-revolutionary ideas unambiguously connected to post-revolutionary events, the ideas regarding religious freedom and church disestablishment. Despite his assumption of a fundamental discontinuity in formal political (i.e., constitutional) ideas, Jameson posits a "unity in American church history as well as a frequent connection between it and the civil history of the nation."[33] Notwithstanding this hint, Jameson's study leaves one with the impression that democratic ideas are immanent in the material lives and habits, but not in the minds, of Americans, that the Revolution itself forced a sudden act of self-recognition, and that only the events themselves brought about conscious political self-definition.

More recent interpretations of the American Revolution, most notably those of Bernard Bailyn and Gordon Wood, carry the issues raised by McIlwain and Jameson into contemporary scholarship.[34] The current state of the argument between Whig and progressive historiography cannot be explored here, however, for the important issue is not one of deciding whether to locate the meaning of the American Revolution before or after 1776 or even whether to stress ideas or events. Our task is to understand how and why these forms of historical understanding arose and persist to the present day. If the interpretive possibilities illustrated by McIlwain and Jameson can be found in the literature on the meaning of constitutions in the colonial and early Revolutionary period, then the issue is transformed from one of historiography and periodization to one of contending theories of politics.

John Adams' *A Dissertation on the Canon and Feudal Law* (1764) provides an early illustration of this interdependence of historiography

and political theory. Within the confines of one essay institutionalist and anti-institutionalist, proto-Whig and proto-progressive, and constitutionalist and revolutionary are joined in inner battle even as they join together in defense of colonial rights. A revolutionary perspective appears first in Adams' strategy of pitting the heritage of "our first ancestors" against the corrupt values of recently-arrived colonial officials, who descended from "high churchmen and statesmen." These officials now threaten liberty in the colonies just as their forebearers did in seventeenth-century England. According to Adams, the struggle must be seen within the larger framework of the Reformation, and the Reformation must be seen as the liberation of men from the shackles of canon and feudal law. The Reformation, therefore, connects Anglo-American political history not only to religious history but also to biblical prophecy, for "it was foretold" in biblical prophecy that the struggle against religious and political despotism is also "the great struggle that peopled America" and plunged England into two revolutions. Therefore, the American colonies represent two separate principles of religious and political liberty joined together in prophetic and political history. They yield a two-sided colonial heritage of revelation and reason, of religious enthusiasm and respect for learning, and of trust in the prophetic Word and common sense.[35]

Having established a prophetic and revolutionary heritage and having shown its past relationship to a secular and enlightened one, Adams reconstructs that relationship in the service of the contemporary defense of colonial liberty. In the process of reconstruction, however, Adams, the revolutionary progressive, transmutes himself into a loyal resister and radical Whig. Prophecy and revolution are diluted to become "a great spirit of liberty." This spirit, now stripped of ideational content, leaves only constitutional marks. Thus secularized, the early colonists manifested the same English spirit "which denounced hostilities against John till Magna Carta was signed" and brought about the Glorious Revolution of 1688. Institutional history and constitutionalism thus become the chief beneficiaries of both sides of the ancestral heritage. Indeed, prophetic belief and millennialist hope must never become an impulse separate from enlightenment, for then it "would be little better than a brutal rage." Adams concludes that the institutional tradition constitutes the usable past:

> Study the law of nature; search into the spirit of the British constitution; read the histories of ancient ages . . . . In such researches as these, let us all in our several departments cheerfully engage—but especially the proper patrons and supporters of law, learning and religion![36]

In eighteenth-century England and America, Whig constitutional theory rested on a secular history no longer containing apocalyptic elements. Even "real Whigs" who might recall "god's Englishmen" in re-

counting events of the seventeenth century had no intention of emulating them—any more than Jonathan Mayhew did in the 1750s.[37] Constitutionalist perspectives and loyalty to things British are difficult to separate. That may account for the fact that as independence approached so many of those who formulated the most sophisticated constitutionalist argument for resistance fell silent or became loyalists. For example, in his *Letters From a Farmer,* John Dickinson rejected the possibility of independence in 1768 by asking "where shall we find another Britain to supply our loss?" Men as diverse as Dickinson, Daniel Dulaney, Jr., James Iredell and James Wilson seemed unable to shape their constitutional language into support for revolutionary action.[38] And when the call for independence was heard, these men were painfully torn between what Adams described as the two-sided colonial heritage.

On the other hand, it was relatively easy to lose a British identity and loyalty for those whose political ideas were both more parochial and more closely attuned to seventeenth-century colonial versions of constitutionalism. The Connecticut evangelical preacher, Stephen Johnson, opposed the Stamp Act by recalling the fate of Charles I. More than a decade before independence his language was the rhetoric of the patriot: "I am an American born . . . . O my country! My dear distressed country! . . . To save your invaluable rights and freedom I would willingly die."[39] The later appeal of Paine's *Common Sense* was partly based on his use of prophetic and eschatological themes. The connection between these themes and the wholesale rejection of a constitutional theory of "balanced government" was equally apparent to Paine's opponents. James Chalmer's *Plain Truth* treats Paine's uses of Old Testament examples against monarchy with utter contempt and forcefully rejects Paine's attempt to link seventeenth-century English religious struggles to the colonial resistance.[40] To conceive of America as the elect nation operating on the plane of prophetic history is to subvert radically institutional tradition and constitutional authority.

There were other ways of transcending the confines of constitutionalist argument. One was to use English institutional history against itself, by identifying a benchmark period—Jefferson used both a state of nature and eighth-century Saxon England—as the measure of current English corruption and image of future American community. In eighteenth-century England, this mode of argument remained constitutionalist, buttressing the claims of Parliament against the king and his "king's men," not powering a republican revolution against the entire structure of British institutions. In America, images of Saxon democracy and agrarian innocence combined explosively with visions of millennialist community thereby shaking the prestige of Whig constitutional theory and its American spokesman.[41] This combination created a new form of constitutional theory, one radically at odds with ideals of balanced

government. That new theory was in part a rediscovery of the radical implications of seventeenth-century Puritanism.

The tension between constitutionalist and (for want of better terms) prophetic and communalist political perspectives is also evident in the first state constitutions. Most remarkably, Connecticut and Rhode Island functioned for decades after the Revolution with charters framed in the 1660s. These religiously inspired charters combined annual elections, a weak judiciary and legislative dominance over the executive—in short, many of the so-called "radical" features stressed by progressive historians as proof of the post-independence "explosion" of democratic impulses and enlightenment philosophy. All of the other colonies reconstituted their frames of government: those documents most faithfully recreating seventeenth-century features were criticized then and now as being products of haste and inexperience because they lacked a clearly structured separation of powers.[42] British theories of mixed government and the complex American variants of separation of powers place primary emphasis on balanced institutional relationships. These political institutions, in turn, are presumed supported by a complex structure of stable social institutions. In this system, liberty is located within institutional relationships; in fact, liberty is the history of those institutions. The "people," according to the same formulation, are only one part of the equilibrium, carefully bounded by other social categories and institutions. Struggles over the shape of early state constitutions evidence deep distrust of such theories. Hostility to an independent judiciary and the power of trained judges, fear of executive patronage, veto powers and extended terms of office, insistence on annual elections and rotation of office, the insertion of oaths of allegiance and religious tests, equality of religious sects, loquacious and didactic prefaces, preambles and bills of rights, and, most crucially, the studied indifference to the niceties of clear distinctions among powers, duties and rights are all found in some degree or another in most of the constitutions framed from 1776 to 1780.[43]

In marked contrast to prevailing eighteenth-century British theories, the controlling element in seventeenth-century colonial constitutions is found in the preambles and bills of rights which constitute the entire community. It is this perspective, and not complex theories of representation or later theories of majority rule, which define the core of democratic beliefs in colonial and post-independence America. The 1677 *Concessions and Agreements of West New Jersey,* for example, contains a chapter entitled "The Common Law, or Fundamental Rights." It stipulates that four times every year the entire community enact a rededication to their common rights by gathering together in each hall of justice and having the document read to them by the chief magistrates.[44] To be ignorant of this early colonial constitutional tradition is to ignore a source of enduring features in most early state constitutions and thus

to leave unexplained the success of constitutional theory which arose in America with the victory of Jeffersonian Republicanism. John Taylor, enlightened deist and anti-Calvinist though he was, nonetheless defends the radical side of Jeffersonian constitutional theory in the early nineteenth century by pointing to Connecticut. The "happiness and good order" and the absence of "the rivalry of orders" obtains in that state, he concludes, because it kept its seventeenth-century constitutional charter after the Revolution. Historians who see only "agreement on fundamentals" in American political thought as constitutional theory tend to see only "where Paine went wrong." To picture him as outside of American intellectual tradition because "he never accepted the theory of separation of powers" is to ignore the ways in which Paine's vision, because it was firmly anchored to a separate American tradition of communal sovereignty, went from victory to victory, encompassing and absorbing the theory of separation of powers by relegating it to second place.[45]

Many strong connections between resistance literature and constitutional doctrines associated with the federal constitution can be discerned. Professor McIlwain's story, which he ends so abruptly in 1776, would seem to begin again ten years later, just when Professor Jameson's flood tide would seem to recede. But these conclusions would leave unexplored the political differences which so quickly developed after the adoption of the federal constitution, and the remarkable shifts in constitutional perspective by men such as Jefferson and Madison in one direction and John Adams in the other.

John Adams' *Discourses on Davila* were intended as the final book of his *Defense of the Constitutions of the United States.* The work as a whole creates an image of a highly structured society which was already an anachronism, but a necessary one to support Adams' defense of the doctrine of separation of powers. Adams saw a future "thickening" of American life where politics would consist at best of "rivalry in the *orders* of society." Only powerful institutions could contain that conflict, even while preserving liberty.[46] In contrast, by the turn of the century, Jefferson and Madison gave up primary reliance on constitutional and legal mechanics—what John Taylor contemptuously called the unreal world of "numerical analysis"—and planted themselves on the solid ground of realism which Taylor, without irony, termed "moral qualities." If, in Jefferson's words of 1799, "The whole body of the nation is the sovereign legislative, judiciary and executive power for itself" then the health of that body and not institutions becomes of central importance.[47]

The two "institutional" innovations which we associate most prominently with Jefferson—his proposal of a "ward system" and the popularly based political party—were in express opposition to Adams' constitutional reasoning and the intellectual tradition behind it. Jefferson's "ward" or "hundreds" system was at once the most radically antinomian

proposal in American secular political thought and a haunting reminder of earlier Great Awakening sermons on what America would be like during the thousand-year reign of justice and community. In each ward rulers and ruled, checkers and checked, authority and liberty are merged to the point of indistinguishability. This is the pure fountain from which higher assemblies and broader governing powers flow. The unique feature of Jefferson's proposal is that in this hierarchy of office *there is no lateral entry;* to rise in power and distinction, every man must first be selected in the community of equals and prove his capacity to earn the trust of his immediate peers in an unstructured, undifferentiated environment. Nature and revelation become one in the most radical strains of Jeffersonian thought.[48]

The obvious objection to Jefferson's ward scheme is that it had no chance of success in America. Like the theory behind it, the plan was too utopian, too levelling, too Painean. The less obvious reply to that objection is that Jefferson's ward scheme is an almost exact description of political party organization as it took shape from 1820. With party, the notion of popular sovereignty dominated constitutional office, just as it already had defined constitutional theory. By 1819, the anti-party author of *Federalist Papers Number 10* and *Number 51* said, "When the individuals belonging to [political parties] are intermingled in every part of the Country, they strengthen the Union of the Whole, while they divide every part." The energy, loyalty, discipline and power which party was able to generate was a cruel revenge on those who saw in the United States Constitution not only a vindication, but a ratification of a long tradition. Like the denominations opposing the Great Awakening, the Federalist Party was first demoralized and then overwhelmed.[49]

John Taylor's writings reveal most clearly some of the cultural dimensions of constitutional debate. Taylor's intent is quite simply to destroy at the outset any reliance on a tradition which did not begin with popular sovereignty, the latter defined as community bound together by a shared belief in equal rights. The first 163 pages of his first book on the meaning of constitutional theory in America are addressed to the fallacies of British constitutional theory. "To contend for forms only, is to fight to shadows," Taylor states in his next book. "If the *acts* of a monarchy, aristocracy and democracy are the same, these *forms* of government are to a nation essentially the same also." His deepest fear was of popular corruption resting on false constitutional theories. The most corrupting theory in the American context is the assumption that "intermediate orders between an individual and a nation" are constitutionally necessary and desirable. Establishments of any kind—"pecuniary, civil, religious, or military"—corrupt the society because they stand "between a nation and a government" by dividing interests and loyalties.[50]

The tradition to which Taylor ultimately repaired was neither the

Enlightenment nor the French Revolution. He begins *Construction Construed and Constitutions Vindicated* by calling for a rededication to the spirit of Republican "puritanism" as exemplified in the English Civil War, the colonial settlement and the American Revolution. Taylor urges his readers to emulate these "civil and religious patriots." To structure a "combination of corporations . . . privileges and . . . speculations" is to tempt all men, even political majorities, to exchange their liberties "for the garbage of aristocracy, and compromise with venality."[51] The American political order must rest on a common morality and natural rights rather than on constitutional law. Abraham Lincoln caught the anti-institutional voice and savored its cultural echoes when he proclaimed in his first Inaugural Address that "The Union is much older than the Constitution."

iv whig ideas and progressive events

> Here English law and English thought / 'Gainst the self-will of England fought. (James Russell Lowell at Concord, 1875)
>
> We have founded for us the most positive of lands. The founders have passed to other spheres—but what are these terrible duties they have left us? /We require/ a sublime and serious Religious Democracy, sternly taking command, sloughing off surfaces, and from its own interior and vital principles, reconstructing, democratizing society. (Walt Whitman, 1867)[52]

In American political dialogue, the meaning of what is said often depends upon the identity of the speaker, the style in which he speaks and the audience he addresses. This is as true in deciphering the Reverend Jonathan Mayhew's seemingly commonplace condemnation of licentiousness in 1750 as it is in Senator Barry Goldwater's seemingly commonplace 1964 call for extraordinary risks in defense of liberty. The dimension of conflicts in the Revolutionary period outlined above is not necessarily "party" division: institutionalist thought wholly defined the Loyalists but was also powerful among many who fought for independence. Studies of the religious and cultural sources of intra-party disputes and changing party alignments in the nineteenth century, however, are evidence that these two forms of thinking form the main contours of later American political consciousness. Political issues framed in these terms are transposed by the different audiences into symbolic cues of ethnic, cultural and religious identification.[53]

Because twentieth-century progressive (more exactly, populist) historiography is anti-institutionalist, it is the often unwitting image and carrier of evangelical and millennialist forms of political thought in America. Like the informing perspectives of Jonathan Edwards and John Taylor before them, the views of progressive historians are that institutions, establishments and even intellectual tradition are forms of "works"—idolatrous products of declension which periodically must be

destroyed or remade. The ultimate cause of these anti-institutional triumphs may be a redemptive frontier, biblical prophecy or simple hatred of privilege. In any event, each victory is a conquest of native faith which smashes institutional idols as it redeems and reconstitutes the community. And like earlier Jeremiahs, progressive historians portray this conflict as the defense of American uniqueness against imported corruptions. Writers in this tradition have astutely been termed "historians against history." The focus on events—apocalyptic moments, great leaders, signal victories—tends to make democratic ideas appear as if they were immaculately conceived for the birth of each democratizing movement. Time between these definitive moments is marked not only by consolidation but also by inevitable declension. Paradoxically, this manner of periodization serves Whig and progressive historian alike. The revelatory event for the progressive becomes "context" for the Whig, an altered setting within which systematic ideas can then be traced. Conversely, the Whig history of ideas is often accepted by progressives, but only as a prelude to dramatic transformation:

> Truly democratic ideas, defending a concentration of power in the hands of the people, are difficult to find prior to 1774. Most articulate colonials accepted the Whig theory in which a modicum of democracy was balanced by equal parts of aristocracy and monarchy.[54]

This perspective makes it as difficult a task to write a coherent progressive history of American political ideas as it is to write a convincing Whig history of American political events. The result is often a reliance on Whig versions of intellectual history. Parrington's *Main Currents of American Thought* illustrates this dependence. In his discussion of religious freedom, Parrington has such alleged proto-democrats as Charles Chauncy and Jonathan Mayhew doing enlightened battle against Jonathan Edwards, "the last of the royal line of puritan mystics" standing as "the last great defense of the conservatism that was stifling the intellectual life of New England." Fittingly, it was only "a curious irony of fate" that this "reactionary Calvinist . . . became the intellectual leader of the revolutionaries [in church polity and religious freedom]."[55]

Given these difficulties, the most effective progressive solution is to bypass the history of ideas entirely. To Frederick Jackson Turner, the frontier—flowing, purifying, equalizing and unifying—washes back and redeems the ideas, manners and institutions of a people always threatened by declension. On this reading, Turner's frontier thesis is as much a desperate escape from entrapment in "eastern" and whiggish intellectual tradition as it is the daring introduction of geography and economics in historical explanation. In either case the result is an indirect affirmation of a radical Calvinist heritage, enabling Turner to celebrate the power of the one intellectual tradition he barely acknowledged.[56]

For all of the above reasons, Whig historiography in America has

always been the more convincing vehicle for conveying the importance of political ideas. Such is the long-standing relationship between this mode of history and cultural-political conflict in America, however, that the political ideas which seem to loom so large often disappear to become laws, constitutions and establishments. This transposition has the intended political effect of attaching the prestige of intellect and reason to dominant institutions in America. As persuasive history, however, the cost is to disconnect ideas from political action and actors. By equating ideas with institutions, one neccessarily labels leveling social movements as "anti-intellectual," but the equation is considerably less effective in distinguishing, say, a Loyalist from a Whig revolutionary if both share the same constitutional ideas.[57] A second politically powerful but historically implausible result is the tendency of Whig historiography to attribute to institutional elites—John Adams' "proper patrons and supporters of law, learning and religion"—the source of all political ideas which eventually come to dominate—even at the expense of those elites. Thus, the teachers of the principles of religious freedom in America are those who in fact supported religious establishments; resistance arguments voiced by many who became Loyalists taught colonists to fight for independence; English radical Whigs fighting for increased powers of Parliament at home taught resistance to Parliament to North American colonists. Insofar as political ideas are closely tied to a formal or mechanistic story of institutional evolution, this history becomes solidly consensual, marching above the turbulence of political battle and human motive as an enlightened legion of coherence, rationality and tradition. Constitutionalist resistance literature, Joseph Story's *Commentaries,* McIlwain's *Constitutional Interpretation,* Benjamin Wright's *Consensus and Continuity* and Bernard Bailyn's *Ideological Origins* are intimately connected. Their common perspective is that political speech not tied to institutional and legal evolution is more fustian (e.g., *Common Sense*) than a part of a durable history of ideas. And when this rhetoric is tied to major institutional changes (e.g., independence or church disestablishment) the preference of Whig historians is for contagion. That is to say, the rhetoric is viewed as an enthusiastic and often irrational extension of more coherent institutional ideas.[58] Understandably, an inordinately large proportion of the major contributors to American political ideas—before, during and after the Revolution—have suffered grievous electoral losses. Perhaps their consolation and ours is to read histories showing the victors under the intellectual domination of the vanquished.

History remains the single most important source of political understanding and consciousness in America. Conflicts over religion, law and constitutionalism suggest the possibility of writing a coherent "progressive" history of ideas which is also firmly connected to major political events. This possibility would require a much closer look than hereto-

fore at writings on prophetic history, biography, imaginative literature and theology as an important element in American political thought. Such is the present lack of historical analysis of millennialist and populist ideas that we stand amazed at the incredible energy of periodic anti-institutional political movements and perplexed at the persistence of religious styles in shaping party alignments. Without restoring a closer connection between ideas and events, many of our most memorable political actors, actions and "speech acts" will remain mysterious; they will seem to be either a kind of shadow boxing at fragments of Whig ideas or sudden but mindless responses to changing material conditions.

George Bancroft's *History of the United States of America* is the most influential and long-lived story of our Revolution ever written. His history is also the prototype of what later became known as progressive history. Bancroft recorded events with such documentary care because he thought that American political ideas stand revealed in events and through the acts of representative men. His work is an anti-intellectual history which nevertheless draws upon the mind of only one man to lend authority to the entire scheme of his history, Jonathan Edwards.[59] Students of American political ideas today are closer to Jonathan Mayhew than to Jonathan Edwards. Lacking a progressive history of ideas we are necessarily keepers of institutional political values who nevertheless feel that we carry more dangerous and unsettling ideas the origin of which we have long forgotten or never fully understood. Having been taught by the institutional tradition (thinking it the only intellectual one) we, like Mayhew, often use it to keep anxious watch on those who would presume to know and to act on that other tradition without our understanding, guidance or control. In answer to the query "Who then was the author, inventor, discoverer of independence?," John Adams, late in his life, framed a most suggestive but ambiguous reply. Leaders such as Otis, Mayhew, Jefferson and he were not its authors, he said, but "only awakeners and revivers of the original fundamental principle of colonization."[60] Mayhew and Edwards disagreed profoundly on what constitutes the fundamental principle of "the first emigrants" and even today echoes of that disagreement still reverberate through our histories of the American Revolution.

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notes

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1. Discussions of interpretive modes in Jack P. Greene, *A Reappraisal of the American Revolution* (Washington, D.C., 1967); Max Savelle, *Is Liberalism Dead and Other Essays* (Seattle, 1967); Arthur H. Shaffer, *The Politics of History; Writing the History of the American Revolution, 1783-1815* (Chicago, 1975); Gordon S. Wood, "Rhetoric and Reality in the Ameri-

can Revolution," *William and Mary Quarterly,* Third Series, XXIII (January 1966), 3-32. Interpretive possibilities in Ray A. Billington, ed., *The Reinterpretation of Early American History* (San Marino, California, 1966); Donald Fleming and Bernard Bailyn, eds., *Perspectives in American History,* IV (1970); Jack P. Greene, ed., *The Reinterpretation of the American Revolution* (New York, 1968); Stephen G. Kurtz and James H. Hutson, eds., *Essays on the American Revolution* (New York, 1973); Alfred F. Young, ed., *The American Revolution: Explorations in the History of American Radicalism* (DeKalb, Ill., 1976); Alden T. Vaughan and George A. Billias, eds., *Perspectives on Early American History* (New York, 1973).

2. A model 19th-century example of the former is Joseph Story, *Commentaries on the United States Constitution* (Boston, 1833, I. The obvious example of the latter is George Bancroft, *History of the United States of America,* 6 vols. (New York, 1883). See II, 269, 319-327 and IV, 450-452 on themes of prophetic destiny and symbolic events.

3. On relationships between political divisions and denominations, Richard Bushman, *From Puritan to Yankee* (Cambridge, Mass., 1967), Chs. 15 and 16 on pre-Revolutionary Connecticut; William Gribbin, *The Churches Militant: The War of 1812 and American Religion* (New Haven, 1973), Chs. 1-4 on foreign policy; Alan Heimert, *Religion and the American Mind* (Cambridge, Mass., 1966), Chs. 5-10 on revolutionary ideology; Edward Frank Humphrey, *Nationalism and Religion in America, 1744-1789* (Boston, 1924), Chs. 2-6 on denominational support and opposition to the revolution, Chs. 7-12 on the effects of the revolution on religious dominations, especially in Virginia. Owen S. Ireland, "The Ethnic-Religious Dimension in Pennsylvania Politics, 1778-1779," *William and Mary Quarterly,* Third Series, XXX (July 1973), 423-448; Rhys Isaac, "Religion and Authority: Problems of Anglican Establishment in Virginia in the Era of the Great Awakening and the Parsons Cause," *William and Mary Quarterly,* Third Series, XXX (January 1973), 3-36; and "Preachers and Patriots: Popular Culture and the Revolution in Virginia," in Young, ed., *The American Revolution;* William G. McLoughlin, *Isaac Backus and the American Pietistic Tradition* (Boston, 1967), Chs. 6-8 on the Baptists and the revolution; Harry S. Stout, "Religion, Communications, and the Ideological Origins of the American Revolution," *William and Mary Quarterly,* Third Series, XXXIV (October 1977), 519-541; Theodore Thayer, *Pennsylvania Politics and the Growth of Democracy* (Harrisburg, 1953), Chs. 8-12 on Quaker-Presbyterian divisions in colonial Pennsylvania. On religious revival and denominationalism, Franklin H. Littell, *From State Church to Pluralism* (New York, 1962), 21-33 and 39-62; Sidney Mead, *The Lively Experiment* (New York, 1963), Chs. 1 and 7; Isaac Backus, *Isaac Backus on Church, State and Calvinism, Pamphlets, 1754-1789* (Cambridge, Mass., 1968), William G. McLoughlin, ed., Introduction, 1-64.

4. Backus, *Pamphlets,* Nos. 2-5; M. Darrol Bryant in *Religion and Political Society* (New York, 1974); Bushman, *Puritan to Yankee,* Chs. X-XVI; Heimert, *Religion and the American Mind,* Chs. IV, V and IX; Alan Heimert and Perry Miller, eds., *The Great Awakening* (Indianapolis, 1967), Nos. 2, 4. 9, 27, 45, 47 and 52; Perry Miller, *Errand into the Wilderness* (Cambridge, Mass., 1956), 153-203; and "From Covenant to Revival," *Nature's Nation* (Cambridge, Mass., 1967); Ernest Lee Tuveson, *Redeemer Nation: The Idea of America's Millennial Role* (Chicago, 1968), Chs. I-III; Eugene E. White, *Puritan Rhetoric, the Issue of Emotion in Religion* (Carbondale, Ill., 1972), Part I.

5. Carl Bridenbaugh, *Mitre and Sceptre* (New York, 1962), Chs. IV and VII-IX; Heimert and Miller, *Great Awakening,* Nos. 25, 28, 31, 34, 49. Compare Phillips Payson's *Election Sermon,* 27 May 1778 (Boston), 6-8, 12-15 and 18-20 to Isaac Backus' rejoinder, "Government and Liberty Described" in *Pamphlets,* No. 6.

6. On the revival as a restoration of early puritan values, Backus, *Pamphlets,* Nos. 3, 4 and 5; Sacvan Berkovitch, *The Puritan Origins of the American Self* (New Haven, 1975), Chs. 4 and 5; Heimert, *Religion and the American Mind,* Chs. II, III and VII; in a broader context, J. G. A. Pocock, *The Machiavellian Moment* (Princeton, 1975), Chs. I, II, XI and XV.

7. C. Chauncy, *Seasonable Thoughts on the State of Religion in New England* (Boston, 1743), 226; on legal and rhetorical opposition in various states, Bushman, *Puritan to Yankee,* Ch. XIV (Connecticut); Humphrey, *Nationalism and Religion,* Ch. XIII (Virginia); Andrew G. McLoughlin, *American Pietistic Tradition,* Chs. II-V (New England); and see Chauncy, *Seasonable Thoughts,* 366-369 and 413-424 on the need for reasserting civil and religious discipline.

8. Alice M. Baldwin, *The New England Clergy and the American Revolution* (New York, 1928); Bridenbaugh, *Mitre and Sceptre;* Harold T. Colbourn, *The Lamp of Experience, Whig History and the Intellectual Origins of the American Revolution* (Chapel Hill, 1965). For a rhetorical exploitation of the ambivalence of liberal opposition to an Anglican bishop in America, see Backus, *Pamphlets,* No. 3, 175-179; Heimert, *Religion and the American Mind,* Ch. VII.

9. Backus, *Pamphlets,* No. 9; Elisha Douglass, *Rebels and Democrats* (Chicago, 1965), 115-161; Humphrey, *Nationalism and Religion,* 116-123 and 363-367; Ireland, "The Ethnic-Religious Dimension in Pennsylvania Politics"; Isaac, "Preachers and Patriots"; McLoughlin,

American Pietist Tradition, Ch. VI; Griffith J. McRee, *Life and Correspondence of James Iredell* (New York, 1857), I, 339.

10. Mead, *Lively Experiment,* 34-36; and see James Madison's careful balancing of evangelical and natural right argument in his 1785 "Remonstrance," *The Papers of James Madison,* eds., William T. Hutchinson and William M. E. Rachal (Chicago, 1962), VIII, 299-301.

11. On radical Whig institutional and social assumptions in the colonies, Bernard Bailyn, *Ideological Origins of the American Revolution* (Cambridge, Mass., 1967), Chs. II and III; and Gordon Wood, *Creation of the American Republic* (New York, 1972), Ch. I. John Winthrop, *Winthrop Papers* (Boston, 1931), II, 283-293.

12. Jonathan Edwards, *The Works of President Edwards* (10 Vols., New York, 1829), "A History of the Work of Redemption," III, 165-444, and "The Visible Union of God's People," *Ibid.,* 445-547; Joseph Bellamy, *The Millennium* (Boston, 1758), 43-70; Berkovitch, *Puritan Origins,* Chs. II-IV; Christopher Hill, *Anti-Christ in Seventeenth Century England* (Oxford, 1971), 98-123; Pocock, *Machiavellian Moment,* Chs. II, XI and XV; Reinhold Niebuhr, *The Kingdom of God in America* (New York, 1937); Tuveson, *Redeemer Nation,* Ch. III.

13. Charles W. Akers, *Called Unto Liberty, A Life of Jonathan Mayhew* (Cambridge, Mass., 1964), calls the sermon "A Catechism of Revolution"; Bernard Bailyn, *Pamphlets of the American Revolution* (Cambridge, Mass., 1965), I, 204-211; Baldwin, *New England Clergy,* 44-45; Bridenbaugh, *Mitre and Sceptre,* 99-103; Colbourn, *Lamp of Experience,* 61-62.

14. Jonathan Mayhew, *A Discourse Concerning Unlimited Submission* (Boston, 1750), 44-48.

15. Mayhew, "Discourse," 54-55; and see Heimert and Miller, *Great Awakening,* 302-304.

16. Jonathan Mayhew, *Seven Sermons* (Boston, 1749), Sermons I and II, 1-40.

17. See notes, 3, 4, 6 and 12, above, and W. Coates, "A Note on the Diggers," Sylvia Thrupp, ed., *Millennial Dreams in Action* (New York, 1970); Christopher Hill, *The World Turned Upside Down* (London, 1972); Austin Woolrych, "Oliver Cromwell and the Rule of the Saints" in Robert H. Parry, ed., *The English Civil War and After, 1642-1658* (Berkeley, 1970).

18. Benjamin Franklin, *Papers,* ed., Leonard W. Labaree (New Haven, 1967), 11, 161 and 162-169. On the religious dimension to the dispute see editorial notes in *Papers,* 11, 123-126 and 151-169; and Thayer, *Pennsylvania Politics,* 89-110.

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23. Murrin, "The Legal Transformation," 425-442.

24. Gewalt, "Sources of Anti-Lawyer Sentiment"; McKirdy, "A Bar Divided"; Murrin, "The Legal Transformation," 442-445; H. B. Zobel, "Law Under Pressure: Boston, 1769-1771," in Billias, ed., *Law and Authority in Colonial America.* Of the seventy-two prominent judges, lawyers and law students active in Suffolk County between 1758-1774, fifteen clearly supported independence, J. Adams, *Legal Papers,* I, xcv-cxiv.

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28. Joel Barlow, *Advice to the Privileged Orders in the Several States of Europe* (London, 1792), Part II, 25; Root, *Reports,* xiii.

29. Jonathan Mason, *Annals of Congress,* 7th Congress, 1st Session, Senate (1802), 34; J. Bayard, *Ibid.,* House, 613; John Rutledge, Jr., *Ibid.,* House, 744; Joseph Story, "Address Delivered Before the Members of the Suffolk Bar," *Miscellaneous Writings* (Boston, 1835), 429. On the relationship between entreprenurial energies and law, Maxwell Bloomfield, "Law vs. Politics: The Self-Image of the American Bar" and "Lawyers and Public Criticism," *American Journal of Legal History,* XII (October 1968), 306 and XV (October 1972), 152; Ellis, *Jeffersonian Crisis,* Chs. XV-XVII; Bray Hammond, *Banks and Politics in America From the Revolution to the Civil War* (Princeton, 1957), Chs. 9-14, 18 and 19; Willard Hurst, *Law and the Conditions of Freedom in the Nineteenth-Century U.S.* (Madison, Wis., 1956); Miller, *Life of the Mind,* Book II.

30. John Adams, *The Works of John Adams* (Boston, 1851), IV, 193. Thomas Jefferson, *The Writings of Thomas Jefferson,* ed., Paul Leicester Ford (New York, 1899), X, 39. John Quincy Adams, *An Oration to the Citizens of the Town of Quincy* (Boston, 1831), 17.

31. Charles McIlwain, *The American Revolution: A Constitutional Interpretation* (Ithaca, N.Y., 1958), 1 and 191-192 [emphasis added]. Compare to Colbourn, *Lamp of Experience,* 189: "Had the Founding Fathers remained totally true to the English Whig historical tradition, they would never have produced a revolution . . . ."

32. J. Franklin Jameson, *The American Revolution Considered as a Social Movement* (Princeton, 1967), 9.

33. Nicholas Noyes, *New England's Duty and Interest* (Boston, 1689), 43; Jameson, *The American Revolution,* 95.

34. Compare Bailyn, *Ideological Origins,* 175-198, and Wood, *Creation of the American Republic,* 306-389 and 567-615, on constitutional theory.

35. John Adams, *Works,* III, 456, 449-451.

36. *Ibid.,* 462.

37. Colbourn, *Lamp of Experience,* Ch. IV and 189-190; Pocock, *Machiavellian Moment,* Chs. XIII-XIV; Caroline Robbins, *The Eighteenth-Century Commonwealthman* (New York, 1968), 222 and 231-232, on separation of English republican theory from denominational disputes.

38. John Dickinson, *Writings,* ed., Paul Leicester Ford (Philadelphia, 1895), I, 326, and see *Ibid.,* 266-268. McRee, *James Iredell,* I, 245-246, 321-322, 335-336. C. P. Smith, *James Wilson, Founding Father* (Chapel Hill, 1956); Aubrey C. Land, *The Dulanys of Maryland* (Baltimore, 1955).

39. Stephen Johnson, *New London Gazette,* 1 November 1765, reprinted with five of his previous articles on the Stamp Act in Appendix B, 144-169, in Bernard Bailyn, "Religion and Revolution: Three Biographical Studies," *Perspectives in American History,* IV (1970).

40. James Chalmers, *Plain Truth* (Philadelphia, 1776), 11-12, 13-14, 27-29, 43-44 and 60. On the democratic appeal of "plain style" rhetoric, Miller, "An American Language"; Isaacs, "Preachers and Patriots"; Stout, "Religion, Communications and the Ideological Origins of the American Revolution"; and White, *Puritan Rhetoric,* 40-64.

41. J. Barlow, *Privileged Orders;* John Taylor, *Inquiry into the Principles and Policy of the Government of the United States* (Fredericksburg, Va., 1814); Jefferson, *Writings,* II, 79-80.

42. Allan Nevins, *The American States During and After the Revolution, 1775-1789* (New York, 1924), 164-170; Benjamin Wright, *Consensus and Continuity, 1776-1787* (New York, 1967), 12.

43. F. N. Thorpe, ed., *The Federal and State Constitutions,* 7 vols. (Washington, D.C., 1909), for the varieties of institutional arrangements and use of preambles and bills of rights in early state constitutions.

44. A Leaming and J. Spicer, eds., *The Grants, Concessions, and Original Constitutions of the Province of New Jersey* (Philadelphia, 1752), 393, 394.

45. Taylor, *Inquiry,* 124. Celia Kenyon, "Where Paine Went Wrong," *American Political Science Review,* XLV (Dec. 1951), 1091 and 1098. Wright, *Consensus and Continuity,* 4-20; Bailyn, *Ideological Origins,* 285-291, and "Central Themes of the American Revolution" in Kurtz and Huston, *Essays on the American Revolution,* 25; Wood, *Creation of the American Republic,* Chs. VI-IX and XV.

46. John Adams, *Works,* VI, 276. Italics added. See *Ibid.,* 232-281 on the role of family,

wealth and social institutions. Wood, *Creation of the American Republic,* 580-587, on Adams' anachronisms in social and constitutional theory.

47. Taylor, *Inquiry,* 423 and 75-81; Jefferson, *Writings,* III, 384.

48. Jefferson, *Writings,* X, 37-45; and see J. Bellamy, "The Millennium"; Berkovitch, *Puritan Origins,* 136-186; George Duffield, *Sermon Preached in Philadelphia, December 11, 1783* (Philadelphia, 1784); Miller, "From Edwards to Emerson," in *Errand into the Wilderness;* Tuveson, *Redeemer Nation,* Ch. III.

49. James Madison, *Writings,* Gaillard Hunt, ed. (New York, 1910), IX, 12. On the difficulty in accepting competing parties in Jeffersonian ideology, see Richard Hofstadter, *The Idea of a Party System* (Berkeley, 1970); and Richard Buel, Jr., *Securing the Revolution, Ideology in American Politics, 1789-1815* (Ithaca, N.Y., 1972), Chs. III and V.

50. John Taylor, *Construction Construed, and Constitutions Vindicated* (Richmond, Va., 1820), 13 and 19. Wood, *Creation of the American Republic,* Part IV.

51. Taylor, *Construction Construed,* 16-20; and see Barlow, *Privileged Orders,* 6-7.

52. James Russell Lowell, *The Complete Works,* 11 vols. (Boston and New York, 1910), XI, 69; Walt Whitman, *Complete Poems and Prose* (Philadelphia, 1882), 243-244.

53. On Party conflict over the meaning of institutions, Ellis, *Jeffersonian Crisis;* George Frederickson, *The Inner Civil War* (New York, 1965); Major Wilson, *Space, Time and Freedom: The Quest for Nationality and the Irrepressible Conflict 1815-1861* (Westport, Conn., 1974). On religion and radical reform movements, Whitney Cross, *Burnt-Over District* (Ithaca, N.Y., 1950); Timothy Smith, *Revivalism and Social Reform in Mid-Nineteenth-Century America* (New York, 1957). On religious styles and party division, Ray A. Billington, *Protestant Crusade,* 1800-1860 (New York, 1964); Walter Dean Burnham, *Critical Elections and the Mainsprings of American Politics* (New York, 1970); Ronald P. Formisano, *The Birth of Mass Political Parties, Michigan 1827-1861* (Princeton, 1971); Gribben, *Churches Militant;* Richard Jensen, *The Winning of the Mid-West, Social and Political Conflict 1888-1896* (Chicago, 1971); and Paul Kleppner, *The Cross of Culture, A Social Analysis of Midwestern Politics 1850-1900* (New York, 1970).

54. David Noble, *Historians Against History* (Minneapolis, 1965); Main, "Government by the People," 391. According to this interpretation, inarticulate colonials quickly invented a new vocabulary sufficient to democratize the first state lower houses. Those who stress continuity of ideas from a common Whig opposition source confront the difficulty as a mirror image. Thus, R. E. Shalhope, "Toward a Republican Synthesis: The Emergence of an Understanding of Republicanism in American Historiography," *William and Mary Quarterly,* Third Series, XXIX (January 1972), 72, "This was a consensus (of republican ideas) that promoted discord rather than harmony"; Pauline Maier, "Review Essay," *Journal of Interdisciplinary History,* VI (Winter 1976), 731-732, on "geography" limiting ideological consensus interpretation of the Revolution; and Shaffer, *The Politics of History,* 7-9, on the sudden discovery of a national identity by historians in the period following the Federal Constitution, "after a sleep of more than twenty years."

55. Vernon Parrington, *Main Currents in American Thought* (New York, 1927), I, 152, 157, 161-162; Bailyn confronts an analogous difficulty in "Political Experience and Enlightenment Ideas in Eighteenth-Century America," *American Historical Review,* LXVII (January 1962), 339-351, in seeking to explain disestablishment and post-independence democratization generally. Contrast 339 and 350-351 to 345-349.

56. Frederic Jackson Turner, *The Frontier in American History* (New York, 1921), 1-38 and 67-125. Noble, *Historians Against History,* Ch. III; Richard Hofstadter, *The Progressive Historians* (New York, 1968), Part II; Wood, "Rhetoric and Reality."

57. Pauline Maier, *From Resistance to Revolution* (New York, 1972), xiv-xv, and "Review Essay," 715-716; Bailyn, *Ideological Origins,* 285-291, and "Religion and Revolution," 87-100.

58. Bailyn, *Ideological Origins,* Ch. VI, and "Political Experience and Enlightenment Ideas."

59. Bancroft, *History,* II, 269.

60. John Adams, *Works,* X, 359.