

PEASANTS WITH PITCHFORKS: PROPERTY QUALIFICATIONS AND THE
CONTESTED RIGHT TO VOTE

by

JUSTIN ALBERT MOELLER

(Under the Direction of Keith Dougherty)

ABSTRACT

The removal of property qualifications was the first major expansion of the American franchise and a significant moment in the history of franchise rights worldwide. Existing literature focuses primarily on the state level historiography or the progressive narrative of American enfranchisement. This dissertation suggests that the early franchise expanded not out of altruism, ideology, or social evolution (high politics) but was rather dictated by partisan politics and institutional strategy (low politics). By focusing on partisan politics and strategic behavior we can better understand how property qualifications were removed and also place the events in comparative prospective with other major advances in the franchise.

INDEX WORDS: voting, enfranchisement, property qualifications, voting rights

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CHAPTER 1

INTRODUCTION

The removal of property qualifications in the United States was a seminal event in the history of democratization. The US was not the first country to debate the merits of universal (or near universal) enfranchisement of white male citizens. During the English Civil War, at the Putney debates, Thomas Rainsborough, a leader in the radical pro-democratic “Leveller” faction argued, “For really I think that the poorest he that is in England hath a life to live, as the greatest he; and therefore truly, sir, I think it’s clear that every man that is to live under a government ought first by his own consent to put himself under that government; and I do that the poorest man in England is not all bound in a strict sense to that government that hath not had a voice to put himself under” (Mendle [1647] 2001). In response to Rainsborough’s pleas for enfranchisement, Henry Ireton, Cromwell’s son-in-law, replied, “no man hath a right to an interest or share in the disposing of the affairs of the kingdom – that hath not a permanent fixed interest in this kingdom” (Mendle [1647] 2001). Rainsborough’s radical populist movement ultimately lost the debate, Rainsborough lost his life, and the issue of universal enfranchisement was settled in the English empire for nearly 200 years. The link between property and entitlement to suffrage was codified during Cromwell’s reign, institutionalized by restoration of the Monarchy, and entrenched by the near universal adaptation of Blackstone’s conservative ideology that took root not only in England but also in the colonies. Likewise, universal enfranchisement was debated intensely during the French Revolution but never enacted (Crook 1996).

When debate picked up in the American colonies and later the states, nearly 150 years after the debates at Putney, the rhetoric and ideological division(s) remained relatively unchanged. The American founders, framers, and early generations viewed property qualifications as an essential safeguard against popular democracy and a buffer from the unchecked passions of the common man. Every framer, with three exceptions, Benjamin Franklin, Charles Pinckney, and James Wilson, favored some form or variation of the property requirement. While the framers disagreed as to the magnitude of the property qualification and the long-term trends in property ownership (Hamilton for example, thought westward expansion would eventually render property qualifications moot) they virtually all recognized the importance.

Secondarily, there was also a uniquely American argument focusing on the ‘slippery slope’ of enfranchisement, most notably advocated by John Adams; in Adam’s slippery slope theory, property qualifications were necessary to keep women, children, Catholic immigrants, and blacks from achieving the eventual right to vote. Property might not have been the perfect solution but it did serve as a necessary gatekeeper. In any case, there was an obvious class, ethnic, and racial bias to the limited franchise, indicative of the prevalence of ascriptive distinctions in the United States (Smith 1997). In North Carolina, for example, the landed aristocracy feared that small farmers lacked their commitment to the institution of slavery and economic conservatism. In Connecticut, the institutionalized Congregationalist Church feared that popular franchise would overthrow the elaborate system of state funding (of the Church) and formal recognition. In either case, state elites feared that enfranchising individuals without property posed a risk to cherished and necessary institutions. Property (and the assumed wealth accompanying it) served to mitigate fears over threats to institutions favored by elites.

On the opposing side were those arguing rhetorically for the pursuit of democratic equality. Among the most forceful American defenders of universal adult male suffrage was Benjamin Franklin, who told the story of a man who owned a jackass worth fifty dollars and thus, in states where property other than real estate could substitute, was entitled to vote. Then while the man was learning the principles of government, the jackass died as the man became an expert in the workings of government. The allegory concluded with Franklin asking, “Now, gentleman, pray inform me, in whom is the right of suffrage? In the man or in the Jackass?” (Franklin 1829, 31). While the ideological component to enfranchisement was certainly a relevant part of the discussion, the revolutionary rhetoric that frequently existed in European democratization was notably absent from the early American dialogue. Even when rebellion broke out in Rhode Island over property qualifications, the rebellion was framed as a police action (by both sides) rather than as a democratic revolution.

Between 1790 and 1840 over twenty state conventions were held regarding franchise rules and voting rights. There were periodic fears of public violence, and in one state, Rhode Island, outright rebellion. In virtually every state there was political mobilization of the disenfranchised, legal challenges to the status quo, and broad debate over enfranchisement. From a practical perspective, this era represents a monumental expansion of American democracy. It marked the beginning of the transition from voting as a democratic privilege to voting as a basic right. If one believes the low estimates, the removal of property qualifications increased the size of the electorate by 30%, an increase nearly three times the size of the enfranchisement of African Americans. If one believes the high estimates, then the removal of property qualifications increased the size of the electorate by more than fifty percent. If that is the case, then the removal of property qualifications represents an expansion of the electorate equal to or

greater than the enfranchisement of women. Whatever number one chooses to believe, this represents a significant, if not the most significant, increase in democratic participation in the United States.

Despite the sheer volume of expansion, this era of significant expansion of the franchise has remained a relative mystery to modern scholars. Universal (or near universal) adult white male suffrage was achieved by the Civil War. The outcome of the American debates over the role of property was settled prior to the great movements of democratization in Europe. It is no coincidence that Huntington starts his “first wave” of world democratization, albeit simplistically, in 1828 rather than 1787 (Huntington 1991, 16). Property qualification removal in nineteenth century America not only increased the electorate quantitatively; it also initiated the ideological transformation for the institution of voting from a corporate privilege in to a basic human right, a conceptual necessity for the inclusion of women and others deemed to be on the societal fringe. It is certainly true that the right to vote, at this time, was not viewed as a right to be universally extended. In fact, the removal of property qualifications was frequently accompanied by new and explicit limitations on the franchise. Yet, despite this, the extension of the franchise to those with limited (or no) property was an historic occurrence that deserves analysis and examination. Within the US, it laid the foundation for the fervent and passionate electoral displays that drew foreign observers for parody and praise. Tocqueville, in particular, was fascinated by this new politics “where the people reign without impediment” and he documented quite carefully the various qualifications for voting in the states and their changes over time (de Tocqueville, 1945 I, 206).

Table 1.1: Property Requirement Removal in the United States, 1776-1857¹

1780s	1790s	1800s	1810s	1820s	1830s	1840s	1850s
New Hampshire (1784)	Delaware (1792)	Maryland (1801)	South Carolina (1810)	New York (1821)	Tennessee (1834)	Rhode Island (1842)	Virginia (1850)
Georgia (1789)	Kentucky (1792) ²		Connecticut (1818)	Massachusetts (1821)		New Jersey (1844)	North Carolina (1857)
			Maine (1819) ³			Louisiana (1845)	

Tocqueville's analysis and most historical analysis (Huntington 1991, Wilentz (2005), etc.) miss a critical point, the variation across states in the timing of qualification removal and the politics that accompanied enfranchisement. Three of the original thirteen states followed Pennsylvania and removed property qualifications before 1800, during the period of post-revolutionary enthusiasm. A number of other states removed real property qualifications during the early nineteenth century well prior to the rise of Andrew Jackson, populist politics, and the second party system. The *Northwest Ordinance* of 1787 imposed property qualifications for voting in the western territories, but most new states were admitted to the Union without such restrictions. No new state after Mississippi in 1817 adopted either a property or taxpayer qualification. The last state to repeal its property qualification was North Carolina, in 1857, although, taxpayer restrictions remained in some states beyond the Civil War. Interestingly, the difference between South Carolina (1810) and North Carolina (1857) was 47 years; the difference between Connecticut (1818) and Rhode Island (1842) was 24 years. This variation

¹ Removal dates from Keyssar (2000). Note, Keyssar uses the initial date of removal and not the effective date of removal – this creates discrepancies with other authors (notably Porter 1918). So for example, if North Carolina removed restrictions in 1854 – but removal did not take effect until 1856, Keyssar uses the earlier date.

² Kentucky inherited property qualifications from Virginia.

³ Maine inherited property qualifications from Massachusetts.

across roughly similar states; two from the planation south and two from New England, one in each pair removing the property requirement relatively early and the other quite late is difficult to explain as the result of a romanticized democratic movement or ideological awakening.

Reflecting on the history of property qualifications raises two questions, first, what caused the different decades of enfranchisement between similar states and second, why would entrenched politicians willingly cede power to new voters when they owe their careers to a more limited enfranchisement? While it might be possible that there was a systemic ideological shift in the United States that emphasized greater democratization and more popular participation, if this was the case, why were there significant differences in the dates of enfranchisement between relatively similar states? Why did some states simultaneously remove property qualifications and systematically disenfranchise religious or ethnic minorities? On the historical side, there is a frequent attempt to explain enfranchisement through symbolic politicians. Prior to the Civil War, the historical icons of American Democracy were Thomas Jefferson and Andrew Jackson. If Jefferson or Jackson (or both) was the driving force behind democratization, why did some states remove property qualifications well before Jefferson and others well after Jackson? These theories of ideological shift and popular movement are the traditional answers to the question of why and how property qualifications were removed. Yet these answers fail to hold up to systematic examination. Ideological shifts, very rarely happen to be truly altruistic in nature (Klebs 1970). Likewise, associating societal movements with a single individual creates an oversimplification of complex events. In this case, the association with Jefferson and Jackson is also erroneous. Jefferson actually favored property qualifications so long as property was readily available and Jackson expressed severe reservations about the removal of property qualifications,

as he feared those without property; particularly in the south, lacked a vested interest in the slave system (Keyssar 2000).

This dissertation seeks to better understand the circumstances behind property qualification removal. Specifically, it seeks to address the questions of what caused differences between states and the underlying logic of why entrenched politicians would willingly change the electorate when the current electorate elected them. It does so by using traditional theories in modern political science and a close examination of the events that led to early democratic expansion.

The arguments in the following chapters center around the development of electoral politics and the effect of institutional development on democratization, the combination ultimately leading to the removal of property qualifications. Politicians engaged in electoral competition are primarily motivated by electoral gains, rather than altruism. To answer the question of when an incumbent politician would willingly expand the electorate, the answer is that it is rational to extend the electorate when the anticipated benefit of new voters outweighs the risk(s) or uncertainty of the status quo. For example, in South Carolina, Charles Pinckney did view universal white male suffrage as desirable from an ideological standpoint. However, he did not actually work to remove property qualifications until he viewed the disenfranchised as a way for the Democratic-Republican Party to consolidate power (ideological and partisan) in the face of staunch opposition from conservative factions, ironically led by his cousins, C.C. and Thomas Pinckney. Likewise, in Connecticut, property qualifications were removed when Oliver Wolcott Jr. and the Democratic-Republican Party seized power from the Federalists by literally dozens of votes. As a more conservative Democratic-Republican, Wolcott failed to conceptualize or rationalize enfranchisement from an ideological perspective. For Wolcott, enfranchising those

without land was not a triumph of human rights, but rather was a calculated political decision rooted in securing power. Yet in either case, the lesson is relatively clear, partisan and electoral politics played a prominent role in the removal of property qualifications.

The second question, as to the variation in the years when property qualifications were removed, the answer is that states developed differently. We recognize in other eras of enfranchisement that states cannot be treated as identical entities. The political calculus of women's enfranchisement was very different in a sparsely populated, progressive, western state, like Wyoming than it was in a densely populated, conservative, eastern state, like New York. The same can be applied to the enfranchisement of African Americans. Obviously, we do not treat Mississippi in the same light as Maine or North Dakota. The states vary significantly in terms of political, economic, institutional, and societal development. In the era of property qualifications, states were industrializing, political institutions were developing, populations were changing, and society was evolving. If certain factors and characteristics like economic development, militia service, or the number of disenfranchised did matter in the removal process; it makes sense that similar states would and could have significantly different paths to universal white male enfranchisement. In actual context, take somewhat similar neighboring states like South Carolina and North Carolina. South Carolina from the founding was one of the "model" states. The economy prospered, political institutions institutionalized, and societal divisions were relatively minimal as most residents regarded the status quo fairly favorably. Whereas, North Carolina was the perfect model of a failed state. For nearly 60 years, the economy floundered, political institutions failed to institutionalize or outright develop, and societal cleavages along multiple lines tore the state apart from within. Given those conditions, it should be no surprise that South Carolina removed property qualifications nearly five decades before North Carolina.

Yet existing accounts and theories of property qualification removal fail to address this difference, more less address why it occurred. In doing so, they omit a valued part of the story, political strategy and electoral self-interest.

Part of the reason property qualifications receive relatively little attention in the historical narrative of enfranchisement deals with the fact that the issue never emerged as a significant national debate. While national figures from Franklin to Lincoln weighed in on the issue, they had little impact at the state level, where the local debates actually determined the outcome of the franchise. At the state level, we know that it was one of the most contentious issues that the early Union faced (Riker 1953, 37). State historians have long recognized the importance of property qualification removal, frequently noting the political divisions and societal conflicts surrounding the events that led to removal. Yet despite the quantitative element of democratic expansion, historical significance both for the US and worldwide, misconceptions of this era of enfranchisement are frequently passed off as half-truths and speculative hyperbole.

The theory behind this dissertation argues that property qualifications were primarily removed for political considerations. In some cases, the decisions were purely partisan in nature. Entrepreneurial politicians and parties could use new voters to increase their margins of victory, secure power, and consolidate party fortunes. Therefore, majority parties removed property qualifications when they perceived they would receive a net benefit from enfranchisement. In other cases, the political calculus of enfranchisement was based on co-opting potential threats. If parties and politicians had a reason to fear either a “competing” branch of government or the disenfranchised, it was in their benefit to enfranchise on their own terms. In either case, institutions should want to enfranchise on terms that serve to benefit them. By co-opting a competing institution (or electoral element) they can maintain some control over the process and

attempt to secure more favorable conditions. While the specific conditions varied from state to state, the underlying theories posit that a combination of political incentives were the main factor behind qualification removal.

To answer Franklin's question, in early America it was the jackass and not the man that guaranteed the right of suffrage. By the Civil War, the franchise was more or less guaranteed to all white males regardless of economic status. At the same time, a majority of Americans (women, African Americans, etc.) still lacked the right to vote and there was little reason to suspect that they would gain the franchise in the foreseeable future. While women and ethnic minorities would eventually have their moments of democratic triumph in the twentieth century, it was the evolution from the jackass to the man that represents the most significant shift in democratic principles during the late eighteenth and nineteenth centuries. While the enfranchisement of white males might have lacked the social, moral, and political impact of the enfranchisement of women or African Americans, it was most likely the single greatest democratic expansion the world had ever seen to that point. The reality was that there were no guarantees the new voters would adhere to the status quo. While we know that universal white male suffrage did not produce the progressive revolution that some had expected, at the very least, it represents a significant stage in the evolution of the franchise. A transition that was ultimately necessary for the more celebrated eras of enfranchisement to develop.

This dissertation proceeds as follows. The following chapter will introduce the existing literature relating to American suffrage and democratization. This is followed by the development of the theories of property qualification removal explored and presented in this work. The second step involves a series case studies examining property qualification removal through the presentation and analysis of state historical narratives. These narratives help

demonstrate and place context around the actual events that led to the removal of property qualifications while linking removal to the theories presented. The third step is an empirical evaluation that tests the theories and examines the state histories in a previously unexplored quantitative analysis. Finally, the dissertation concludes by discussing the results and placing the events in the greater context of worldwide enfranchisement.

CHAPTER 2

LITERATURE REVIEW

The literature relating to the removal of property qualifications generally resides in three categories: democratic theory and consolidation literature; suffrage specific literature; and state history literature. Democratic theory and consolidation literature provides the explanation for why the removal of property qualifications was an important moment for U.S. democracy and how it helped democratic consolidation. Suffrage specific literature covers a broad set of works that explore the narrative history of suffrage in the United States. Finally, the state histories provide the backbone for understanding the removal of property qualifications at the state level and make up the majority of the literature used in the case studies.

SUFFRAGE NARRATIVES

While other episodes of suffrage expansion, particularly women and African Americans, is chronicled extensively in political science and the historical literature, the removal of the property qualification is relegated to short chapters of larger works. These asides offer a starting point to researching the removal of property qualifications, but they provide a far from adequate explanation of the events.

The earliest work touching on property restrictions comes from historian Kirk Porter (1918). Porter initially remarked:

It seems to have been taken for granted in this country that well-nigh universal manhood suffrage has existed since the Revolution... Many are surprised to learn that the franchise was so limited when the Constitution was adopted, and the histories give but a scant hint of the fact that in the early decades of the last century the greatest statesmen... were throwing the whole weight of their wisdom, logic, and oratory into the balance in order to stem the tide and restrict

the suffrage to the small group of property owners and landowners” (Porter 1918, vii).

While this is completely correct, Porter fails to expand on the narrative behind the qualification removal process.

Instead, Porter chose to outline removal as a progressive process. While the theory that resistance to removal of property qualifications went in stages from weakening to “at bay” to the gradual acceptance of final removal is most likely true, the theme fails adequately to incorporate time and conditions as variables in the equation. Leaving the real question of why did this process develop at different times and under different conditions across states? When he finally develops his theory of removal, Porter chose to emphasize the ideology of Jacksonian democracy and to a lesser extent, Jeffersonian republicanism. He portrays removal as a societal movement in favor of the common man, stating “the common man on the farm and in the workshop was goaded into a realization that he was part and parcel of a great government, that nothing was too good for him, nothing was beyond his kin, and that all should mix in the vast machinery of the state” (Porter 1918, 77). Notably, this view fails to recognize that states adapted or abandoned property qualifications outside of the Jacksonian and Jeffersonian eras. These states may have been outliers, however, there is no evidence offered to support such a claim or a discussion of how they fit in the general narrative. In fact, the majority of states did not fit Porter’s theory.

While it is inevitably true that the Jacksonian and Jeffersonian visions of democracy played an important role in removal of the property qualification, portraying removal as a romantic victory for the common man goes too far. Yet, despite the flaws, Porter’s work is a milestone in the scholarly examination of suffrage. He makes several important contributions that at the time were previously undeveloped. First, the widely held conception that early suffrage in the United States was irrelevant and uneventful until after the era of reconstructions

was wrong and overly simplistic. Until Porter, there was an interpretation of history that white males had universally dictated early American politics. That view was simply untrue. Second, Porter hints at a notion, that in most cases, the expansion of suffrage was a negotiated and delicate middle ground between competing interests. While he fails to develop this point, this line of thought plays a prominent role in future analysis. Finally, Porter contributes the notion of a rudimentary timeline to suffrage development. While this might seem elementary in nature, it is still frequently ignored in the literature. States developed differently and at different times, to overlook this fact is to neglect the reality in favor of broad patterns that are more generally applicable.

It was forty-two years until the next evaluation of property qualifications surfaced. Chilton Williamson (1960) adds several dimensions to Porter's initial analysis of early American suffrage. He adds for first time a detailed account portraying suffrage as developing differently by region and having a slight element of political party influence and manipulation. Williamson addresses the question of removal dates as a regional explanation, with individual states posing as outliers to regional removal trends.

Williamson argues that regional development played a pivotal role in all early issues of suffrage expansion. He spends a great deal of time chronicling the perceived differences between the north and the south during the age of Jefferson, as well as discussing the role of suffrage in the "new west." But, as important advancement as regional consideration is, the structure is inadequate in explaining differences between states in the regions. Williamson devotes extensive sections detailing the universal suffrage movements in Connecticut and South Carolina, but completely fails to address why their neighbors in Rhode Island and North Carolina were not experiencing similar movements at the same time. If removal of qualifications was determined

by a regional variable (or effect), what about the outliers who again constituted the *majority* of states?

Williamson also examines the relationship between political parties and universal male suffrage. While the “party” Williamson examined, the post-revolution Whigs was not necessarily a party,⁴ they were a collective group that demonstrated specific interests on suffrage qualifications. Williamson’s survey of post-revolution Whiggery provides some insight in to the early situation and arguments made toward establishing property requirements but was limited in scope. What the analysis shows is that on a very limited level, suffrage was a very political/partisan issue. Inclusion or exclusion could serve as a tool to advance an agenda or oppress popular will and sentiment. However limited in scope and application, Williamson’s integration of group and party activity is an important contribution to the literature. Porter paid no attention to the notion of party or groups of interests. Instead he focused on broad movements, specific personalities, and state-level events. Williamson’s emphasis on collective groups and parties emerges as a substantial part of future suffrage literature.

Williamson’s final contribution came in his examination of the classic Fredrick Jackson Turner (1906) theory that democratic growth was due to the influence of the western frontiers.⁵ Turner argued in his *Rise of the New West* (1906) that “It was only as the interior of the country developed that suffrage restrictions gradually gave way in the direction of manhood suffrage.” While Williamson’s analysis concludes the west was not necessarily ahead of the east when it came to universal manhood suffrage, he illustrates the changing dynamics of undeveloped

⁴ The post revolution Whigs are generally classified as the conservative pro-government forces from New England who primarily identified as Federalists during the party era.

⁵ Turner’s work has virtually no foothold in political science. However, historians continue to debate the theory and legacy of Turner’s western hypothesis.

America. It was the development of these western areas both in terms of population and economically that drove much of the social and regional conflict that became important in Connecticut, North Carolina, and South Carolina. Turner's theory about the effects of the west on suffrage is repeated in nearly every volume of literature, and dismissed with relative ease in each case. Williamson's comprehensive examination and ultimate rejection of western ideology as the basis of suffrage expansion serves as the benchmark for the analysis of the Turner hypothesis in relationship to property qualifications.

In the same vein, Marchette Chute's *The First Liberty* (1969) was published nine years after Williamson and provides a relatively minimal addition to understanding of property qualifications. Chute's primary emphasis is colonial development of rules, laws, and constitutions. He pays only brief attention to the specific instances of property qualification removal. Nonetheless, his analysis is significant because it demonstrates that colonial government often played an important role in post-constitutional development and laws. The states of Rhode Island and Connecticut retained their colonial Charters, and the states effectively governed as under the Crown; in states that produced new constitutions after the revolution, charters were the only system of government many citizens were familiar with (and this familiarity led many states to codify numerous aspects of their colonial charters). This included provisions to protect the status quo – since the King had little (or no) incentive to foster societal or governing change. Chute extensively analyzes the events and actions in Connecticut and Rhode Island until they replaced their Charters with Constitutions (in 1818 and 1842). However, his analysis lacks specific development of why the original Charters lasted so long in these two states. Were they popular because they served as a tool of oppression and ensured the continuation of the status quo? Or were they accepted for a more benign reason, like tradition or

symbolism as the only states that still used their initial Charters? Chute's work is certainly narrow and fixates on what many might perceive as rather trivial idiosyncrasies of state governments – on the other hand, if one looks at it in more broad terms; the message that “institutions” matter is something that modern political science generally assumes and something that was relatively unexplored in the existing property qualification literature of the time.

Another work that plays a role in understanding early suffrage is Fletcher Green's *Constitutional Development in the South Atlantic States, 1776-1860* (1930). While Green's work is a constitutional history and only about the south, it provides excellent background surrounding early suffrage issues from Maryland to Georgia. While Green does not connect the history to relevant political science themes, indirectly he makes several valuable additions to the literature. Similar to Chute (1969), Green pays homage to institutional variables and the differences between states – again focusing on institutional design contributing to the timing and procedure of removing property qualifications with some designs more conducive to removal than others.

Through chronicling the state conventions and the convention process, Green shows the complexity of universal male suffrage as a political issue. Suffrage was part of a broader debate of issues and constitutional questions. Issues of partisan politics, social conflict, and other constitutional reforms were often as crucial to the overall debate as suffrage. This theme becomes even more apparent when considered in the context of state histories. Often the literature looks at universal manhood suffrage as a single issue, when it was often part of a much larger debate. This furthers the case that in order to understand suffrage requirements a universal general theme is too simplistic an approach. Individual states must be studied in the context of their own suffrage expansions and contractions in comparison to other states.

Alexander Keyssar's *The Right to Vote* (2000) marks the most recent comprehensive work to delve in to the issue. Keyssar's work is exceptional in its portrayal of removal of property qualifications in a more modern academic context. However, by covering every major expansion and contraction of the franchise, Keyssar is forced to limit the amount of analysis he provided for property qualifications and their removal. Nonetheless, he does a remarkable job of providing a blueprint for closer analysis of the individual state decisions to implement universal manhood suffrage. Keyssar's research is the first attempt to develop a model of removal combining elements of political science and the historical perspectives. Until Keyssar, historical narratives were usually taken at their face value with little analysis of the political implications and motivations as to why democratic decisions were made.

The first reconciliation with political science, Keyssar formally develops is the notion of partisan motivation contributing to democratic expansion. Keyssar briefly examines the role of partisan advantage when discussing the issue of municipal elections. Cities like New York and Philadelphia grew to such an extent that existing property qualifications provided too great of a hurdle for most citizens. It was simply infeasible for even upstanding citizens to control the amount of land necessary to vote. While Keyssar is not clear on what examples were cases of partisan advantage he does note, "State legislatures did [remove property qualifications in large cities], sometimes for partisan reasons, sometimes for the sake of principle – and usually because they were asked to intervene by the disfranchised residents of cities" (Keyssar 2000, 31). Simple as it may sound, this was the first time that "pure partisan politics" entered the debate about early suffrage decisions. In previous works there was an emphasis on either the ideological or the altruistic arguments surrounding suffrage expansion; hardly was there even a hint that partisan

politics might have played a dominant role in democratic expansion. Without going into great specifics, Keyssar concluded:

The significance of political parties in the evolution of suffrage went beyond matters of ideology: the elementary dynamics of electoral competition created a stimulus for reform. Put it simply, in a competitive electoral environment, parties were always alert to the potential advantage (or disadvantage) of enfranchising new voters and potential supporters (Keyssar 2000, 39).

Another addition Keyssar makes to the literature is the focus on the economic explanations of suffrage expansion. While state histories inevitably paid attention to economic development and sometimes linked it with suffrage expansion, the connection between economics and property qualification removal is rarely depicted as being correlated. During the early period, the Republic witnessed an increase in artisans, mechanics, laborers, small merchants, and tenant farmers who in some cases were quite well off by comparative standards. At the same time, their property holdings were often insufficient to meet rigid property qualifications (especially in large cities) designed for more agrarian times. In previous eras it was easy to decry those who did not own substantial “real” property as not contributing to society. The new economic realities of a burgeoning nation did not permit such an easy dismissal. The rise of the American middle class, a group of individuals who were less willing to accept the existing political status quo, who had means, and the ability to challenge conventional norms would radically alter the debate and scope of the suffrage debates.

Tying in with the notion of economic development, Keyssar develops a very distinct theme that class structure and socioeconomic convergence plays a critical role in early democratic expansion. While mobilization and class structure was different in every state, the strong relationship between the two themes and suffrage expansion was enough that Keyssar concluded it belonged as a major factor:

The much-celebrated broadening of the suffrage during the first half of the nineteenth century indeed was spawned not by one change but several, by the convergence of different factors, present in varying combinations in individual states. Among them were three important changes in the social structure and social composition of the nation's population; the appearance or expansion of conditions under which the material interests of the enfranchised could be served by broadening the franchise; and the formation of broadly based political parties that competed systematically for votes (Keyssar 2000, 34).

While Keyssar's work is frequently short in specific examples and testing of the themes he suggests, *The Right to Vote* serves as a landmark in suffrage literature. These concepts of class, parties, and economics that are common approaches to political science questions had previously been underdeveloped or dismissed. However, Keyssar has provided the springboard for future clarifications and case studies in early American suffrage issues. The next step is to expand on the details and themes he developed.

ECONOMICS & DEMOCRATIC EXPANSION

One of the more recent sources of understanding regarding the removal of property qualifications comes from the field of economics (and international political economy). Economic historians have increasingly sought to understand the growth of the American state – particularly the antebellum American state. Research by Holcombe (1993, 2002) has shown that growing democracy (i.e. extending the vote) has the tendency to grow government. Research by Husted and Kenny (1997) and Lott and Kelly (1999) has examined how the removal of poll taxes in the south and the enfranchisement of women were tied to the desire by some political elites to grow the state in various capacities. These works are primarily interested in the growth of government. However, their emphasis on explaining state growth by looking at the politics of the franchise (and subsequent consequences) is a step in the right direction in terms of potential

empirical reasoning for expanding the franchise (at this point their qualitative work is primarily descriptive statistics).

Horpedahl's (2009) work is the most relevant in relationship to property qualifications. While something of an economic history and primarily concerned with understanding why individuals who lacked property pushed for voting rights and why the state grew in the antebellum era – the work offers the usual recitation of historical questions relating to the removal of property qualifications. However, in trying to analyze why individuals sought the franchise and why politicians accommodated or denied these requests he is able to tie in economic angles (particularly economic development) with partisan motivations. If we view the disenfranchised as having economic agendas or preferences on how the state distributes goods and services and if these individuals see politics as the ultimate channel for controlling the distribution of these goods and services – the disenfranchised have incentive to join the political process and demand for inclusion. Politicians who control the means of distributions and have their own sets of distributive preferences have the opportunity to channel the disenfranchised for electoral support. Overall, Horpedahl's contribution from a political science perspective is rather minimal. On the other hand, if one frames politics as being the fight over the distribution of public goods and services – the economic history fits nicely in the political narrative only it is focused on the results (the growth of government) as opposed to understanding the mechanisms for expanding the franchise.

WOMEN & AFRICAN AMERICANS

One of the more interesting and troubling facets of other enfranchisement narratives deals with how later works focusing on African Americans and Women treat the subject of property qualifications. From a practical standpoint, there are significant differences between the enfranchisement of African Americans, Women, and non-propertied males. There was not a national social movement with property qualification removal. The 14th Amendment was not in existence and universal equality or federal protection was rarely if ever a part of the debate. Courts were generally less interested or less willing to adjudicate in enfranchisement during the early period of the American Republic. So there are fewer obvious parallels between African Americans and property qualifications – in comparison to African Americans and women or women and property qualifications. However, there are still lessons to be learned and parallels to be drawn from these movements and this scholarship.

Two themes in particular stand out – one, the reality that high politics of rhetoric is often great in practice but serves little purpose in the reality that is removing franchise restrictions; second, political parties and the necessity of securing, gaining, and maintaining political advantage are the primary vehicles for securing change to the enfranchisement status quo. There is a rich literature for both African Americans and for Women. Harvey (1998) clearly demonstrates that political parties played a prominent role in both enfranchising women and then subsequently co-opting the political agenda of women voters. Keyssar 2000; Andrews 1997; and Hall 2005 seems to suggest that lofty rhetoric relating to the enfranchisement of African Americans was largely secondary in comparison to strategic calculations made on the part of both Democrats and Republicans. There are too many works to go through in great deal – but these themes are prevalent and relevant to all enfranchisement debates. I would argue that an

important part of my dissertation is working to unify these themes across enfranchisement periods – so while it might not be obvious that there are parallels between African Americans, women, and the landless; underneath the surface the themes of partisan politics and competitive advantage has been a part of the enfranchisement narrative since the founding.

DEMOCRATIC THEORY & CONSOLIDATION

Applying democratic theory and consolidation literature to the era of property qualifications shows why removal is an important moment in American democracy. Most historians and political scientists assume incorporating non-propertied voters to the system was far from revolutionary. From a practical standpoint, it was a remarkable achievement for the period. It was also a step towards, depending on your views: democratic consolidation, a more inclusive democracy, further development of a pseudo/non-democracy, or a small progression towards a legitimate democracy.

Within the competing camps of democratic theory, the group that has the least to say about expansion of suffrage is the minimalist theorists. This literature focuses on voting as a mechanism, not a right. The existence of the mechanism alone is the backbone of democracy. Who can or cannot vote is of little consequence, unless it violates or damages the stability of the system. If voting is an institutional privilege as opposed to fundamental natural right, adopting universal white male suffrage changed little. Schumpeter's *Capitalism, Socialism, and Democracy* (1942) espoused the view that democracy is merely a process with electoral competition. In Schumpeter's logic, structured competition for democracy was preferable to Hobbesian anarchy and to the powerful monopolies Hobbes viewed as an alternative. Even before the inclusion of all white males, this very simple criterion for democracy was satisfied in the United States. More recently, Samuel Huntington has advocated a theory of democracy that

is also based on electoral competition. In the Huntington model, a polity is not deemed democratic unless governments have at least twice given up power following electoral defeat (Huntington 1991). Much like Schumpeter's institutional argument of voting and democracy, Huntington's criteria for a fully functioning democracy was well satisfied in the United States by 1828 and perhaps as early as 1801.

At the same time, the more "moderate" approaches begin to reconcile the importance of increased voter participation with the effectiveness and legitimacy of democratic regimes. Adam Przeworski in *Minimalist Conception of Democracy: A Defense* (2001) holds on to the traditional Schumpeterian views of democracy, but with a caveat. Przeworski reaches the topic of voting by noting "Voting is an imposition of a will over a will. When a decision is reached by voting, some people must submit to an opinion different from theirs or to a decision contrary to their interests" (Przeworski 2001, 14). To Przeworski voting serves as "flexing muscles" making the analogy that if all men can vote and if all men are equally strong (or armed) then the outcome of a vote is essentially a proxy of what would happen in a war fought over the same issue. This view of the role of voting provides a problematic interpretation of Przeworski. If the act of voting serves as the imposition of one will over another, should everyone who has a will have the right vote? If so, then any expansion of the franchise should provide added legitimization of enforcement of the popular or majority will. This would mean expanding the franchise to the point where new voters were between one third and one half of eligible voters – would be a tremendous increase in legitimization.

Moving towards the more populist democracy scholars, the importance of universal male suffrage becomes apparent. In order for a populist democracy to develop in the United States, the slippery slope of electoral inclusion was necessary to move from politics dominated by the landed elite to mass participation and inclusion. While many in this group argue that we were not a true democracy until the Civil Rights Act of 1965, increasing the number of eligible voters by one third to one half signified an initial move in the right direction. Within this literature there is an emphasis that individuals cannot be isolated and shut out from the democratic institutions that are supposed to be operating on their behalf and in their interest (Pateman 1970). This means from a practical stand point the notion democracy could be virtual rather than actual is not adequate, since landed elites were the only citizens who had the power to exercise approval or disapproval of government or political actors acting on their behalf at the ballot box. If democracy involves mass participation, what can be said of a democracy where only landed elites possess the franchise? At very best this is the most minimal level of democracy that could possibly exist. At worst a society where only twenty percent of citizens were eligible to vote, is no democracy at all.

Other critics of modern American democracy like Robert Dahl (1972) or more recently Benjamin Barber (2004) would note that while still unacceptable women and minorities did not have channels to which they could access or participate in government, expansion to universal male suffrage was a necessary first step. Without initially breaking this barrier, all forms of a more populist democracy would not only be practically impossible, but would seem impossible to conceive. If landless men were given the right to vote, uneducated men were given the right to vote, why should others not be entitled to this same privilege? Removal of property qualifications is often not discussed in great detail by populist theorists. Yet without this initial

step, it would have been impossible to undertake the bigger and more daunting fights like the battle to include and allow women not only the right to vote but also the right to participate, or allowing all minorities the same democratic opportunities as native-born whites.

Applying democratic consolidation literature to the removal of property qualifications is a difficult task. For one, this branch of political science is still largely in its infancy, and most practical applications have been applied to Latin America, Africa, and Asia. Do the same sets of rules for democratic consolidation apply to the United States? If the answer is yes, then a further analysis is required. If the answer is no, why would democratic consolidation in the United States be categorically dissimilar to that taking place in the developing world? While some that advocate American exceptionalism would claim that we are and always will be “different,” history is full of examples how the early American experience was not all that different from modern struggles taking place around the globe. While no single theory of democratic consolidation is completely applicable to the United States, an evaluation of the literature raises a serious question of just how consolidated a democracy we were during the era of property qualifications.

Within the democratic consolidation literature there are two branches that are most applicable to property qualifications and the United States regime. The first is represented by political scientists like Larry Diamond (1999) who incorporate economic and market development into formulation of democratic consolidation models. According to these theorists, democratic consolidation during the era of property qualifications have as much to do with economic development as with development of any political institution. In the United States, the era of property qualification removal witnessed a shift from an agrarian economy at our founding to a more commercial, commerce, and mercantile based economy by the time the last states

removed any vestiges of property qualifications. The practical application of this line of consolidation theory would lead us to believe democratic consolidation was occurring during the qualification period because of our rapid economic development. This economic shift forced the inclusion of new political classes – not the other way around.

The other major application of democratic consolidation literature is not as directly applicable to the situation in the United States, but still holds some relevance. When political classes expanded from the landed elite to the landless “masses” this was recognition that democracy was established or “consolidated” in this country. Whether “democracy was the only game in town” is debatable, since we know there were threats of violence and secession in numerous states that possessed property qualifications and an actual violent rebellion in Rhode Island (Linz and Stepan 1996). This line of democratic consolidation theory argues that expanding popular participation was an admission by the formal makers of the rules – which democracy was stable enough to expand and function. Confidence must have been so high in the system that legislators knew it could survive an influx of untested voters. This theory largely ignores any political or institutional advantages of expanding the voting class. It none-the-less poses a powerful question of just how secure legislators were in their belief that democracy would continue to function, even with the inclusion of landless voters.

LITERATURE REVIEW CONCLUSION

In summary, the amount of literature relating specifically to the removal of property qualifications is minimal. However, there is a plethora of literature relating to democratic expansion and the franchise in general. In some instances this literature is directed towards other nations. In others, it is directed at other instances of franchise expansion in the American narrative. In either case – part of the job of this dissertation is to address and recognize this

literature while at the same time relating to why the removal of property qualifications is relevant to existing literature and theories.

CHAPTER 3

THEORIES AND HYPOTHESES

This dissertation will test three different groups of hypotheses. First, it will apply several new claims regarding the removal of property qualifications. Second, it will examine several historical hypotheses regarding the removal. Finally, it will also account for a series of controls that could impact the decision and the timeline of removal.

The goal of the new and modified hypotheses presented in the following section is to add strategic political context to the discussion over early enfranchisement. Historically, most accounts, even by political scientists, have emphasized an underlying theoretical shift, altruism, or some small-scale change or development elevated social anxiety and necessitated mass enfranchisement of white males. While these accounts collectively might provide some explanation, they often ignore the realities of electoral competition, institutional development, and strategic political behavior. The following section works to incorporate themes of strategy into the early enfranchisement speculation.

A central question in the analysis of any extension of the franchise is simply, why? From a rational standpoint, *incumbent* politicians have no inherent reason to expand the potential pool of voters. They owe their career to the existing electorate. They won their last election because the status quo electorate favored them. If the status quo continues to prevail, it would be anticipated that incumbent politicians would continue to enjoy electoral success. When the electorate is expanded there is no guarantee that newly enfranchised voters will support the candidacy, party, or cause of any particular politician. The addition of new voters might also

anger the existing voters who view the newly enfranchised as either diluting their own power or as hostile to the interest(s) of the status quo. Unless one believes in truly altruistic political causes, there must be some underlying logic for adding new voters. Without a driving incentive to enfranchise there is simply no theoretical reason for incumbent politicians to take on the element of risk that is enfranchisement and the subsequent change(s) to the existing electorate.

In order to explain the removal process, it becomes necessary to determine a reason for why the franchise would ever be extended. The very basic premise of this dissertation is that enfranchisement occurs when self-interested office maximizing parties view enfranchisement as a way to gain a strategic advantage from modifying the electorate. To illustrate this point regarding strategic advantage, imagine hypothetical State X, where:

Table 3.1: Two Party Competition (Hypothetical 1)

	Democratic (%)	Whig (%)
Electorate with Property Qualifications	51%	49%
Electorate without Property Qualifications	58%	42%

In this hypothetical electorate the Democratic Party under property qualifications has an electoral advantage of 2%. If property qualifications are removed, the Democratic Party receives a 7% increase in their vote base share. This has the effect of increasing the margin of victory of the Democrats from 2% to 16%.

From a strategic standpoint, it would make sense for the Democratic Party to remove property qualifications. Under the electoral system with property qualifications, the electorate is nearly split between the two parties. Certainly a 2% margin of victory is far from insurmountable. If the majority party perceives that they can generate a benefit from removing

property qualifications, it would behoove the Democratic Party to remove property qualifications in order to increase their vote share.

Now imagine a counter example in State Y, where:

Table 3.2: Two Party Competition (Hypothetical 2)

	Democratic (%)	Whig (%)
Electorate with Property Qualifications	51%	49%
Electorate without Property Qualifications	40%	60%

In this example, the electorate with property qualifications is identical to State X. However, unlike State X, if property qualifications are removed it is anticipated that the vote share of the opposition party will increase while the vote share of the majority party will decrease. If the Democratic Party is strategic in State Y, we would anticipate that they would not opt to remove property qualifications. Simply, if they chose to remove property requirements, they would not only lose vote share but also find themselves as the minority party. In either case, it is fairly intuitive that if a party expects to benefit it should want to remove property qualifications and if it fears losing voters it should oppose the removal of property qualifications. Therefore:

H₁: The probability of removing property qualifications increases as the anticipated electoral benefit increases.

One major development during the era of property qualifications was the founding, development, and institutionalization of political parties. In tracing the narratives of suffrage expansion, it is easy and inevitable to notice the increased role of parties in the political system. At their core, parties seek to maximize office holding (Ferejohn 1986; Riker 1962; Storm 1990). As the first party system (1792 – 1818) brought competition between Federalists and Anti-

Federalists (or Jeffersonians) or as the second party system (1824 – 1850s) brought competition between Democrats and Whigs (or later, Know Nothings) the need to secure, maintain, and protect majorities became an increasing electoral concern for parties and the politicians who comprise them. One way that entrepreneurial parties and politicians can increase their vote share is to enfranchise new voters. New voters offer the opportunity to change the electoral status quo. It is this ability to change and subsequently control the relative terms of this change that ties the element of strategy to enfranchisement. If politicians anticipate greater or continued electoral success with the expansion of an electorate, it is logical that the probability of extending the vote is correlated to the probability or magnitude of anticipated success. On the other hand, if the anticipated result of extending the franchise is a net loss, it is logical to anticipate that the magnitude of the loss would also correlate with the probability of removing franchise restrictions. If parties are truly office maximizing machines, then as the anticipated benefit grows this theory suggests the probability of removing property qualifications should increase from enfranchising non-propertyied citizens.

Now the circumstances that led parties to seek the franchise certainly varied from state to state. For example, in South Carolina Charles Pinckney sought to entrench the Jeffersonian wing of the Democratic Party through the removal of property qualifications. In Connecticut, the Democratic-Republican Party was first able to wrestle a slim majority away from the Federalists in the late 1810s and then viewed property less voters as a way to increase their majority that was in some cases, literally dozens of voters.

Or conversely, in Rhode Island, both the ultra-conservative Democratic and Whig Parties viewed enfranchisement of voters who lacked sufficient property as a threat not only to their electoral fortunes, but potentially their continued existence. Rather than extend the franchise, the political establishment in Rhode Island chose to suppress these potential voters to the point of violent revolt. If we assume that parties (and politicians belonging to those parties) want to maximize office holding, then it is logical for politicians to extend the franchise when they anticipate electoral benefits and conversely, maintain the status quo when they anticipate defections. Therefore, if parties want to maximize their collective power:

H₂: The probability of removing property qualifications increases as the percentage of disenfranchised white males increases.

The second main hypothesis is a modified version of the longstanding revolutionary threat model advanced by comparative scholars like Accemoglu and Robinson (2000; 2006), Boix (2003), and Conley and Temimi (2001). This model argues that suffrage expansion results from a revolutionary threat within a society. As the threat grows, the power structure within the existing status quo balances the cost of enforcing the status quo versus opening the system to the perceived threat. Parties seek to extend the franchise under conditions of threat for two primary reasons. One, it diminishes the chance of violent rebellion within the state. While this might seem trivial from a modern United States perspective, it is important to remember that property qualifications did cause a significant revolt, Thomas Dorr's Rebellion in Rhode Island, and several near revolts in other states. Not to mention, civil unrest had led to several "escalations" of tensions that ultimately created mess rebellion in such episodes as Shay's Rebellion (1786-1787) and the Whiskey Rebellion (1791). Second, expanding the franchise serves as a strategic maneuver by the party in power. By co-opting demands for the franchise, a party can actively

seek to incorporate the new voters into the existing structure as opposed to allowing them (or forcing them) to seek alternative party options. Even if the newly enfranchised were not perfectly in line with the existing political orthodoxy, any mollification of the threat in either a policy sense or a partisan sense represents a net victory if the threat would ultimately *force* inclusion. From a strategic standpoint, if a party (or politician fears the inevitable) then it would be logical for them to seek the best possible available terms for the transfer or dissolution of power.

From a historical context, we know from other episodes of franchise expansion that coercing the disenfranchised to conform to party norms and behaviors is a powerful motivator for otherwise inert parties to seek expansion. Particularly in the case of the women's vote, both Democrats and Republicans viewed state level enfranchisement as a way of cementing party and policy status quos (Harvey 1998). Women through various enfranchisement organizations demonstrated they were willing to work with minority parties to secure the right to vote. In some states these "parties" through the votes of women were able to emerge as major factors (the free silver Republicans, for example). As the movement grew in strength, parties sought to avoid factional and third party defections through co-opting the enfranchisement debate. Even after enfranchisement, the parties sought to co-opt the movement by advocating partisan loyalty over patrician demands. According to Harvey (1998), the initial co-opting of the women's movement by the parties that started with the debates over the franchise continued in to the 1960s and 1970s.

H₃: The probability of removing property qualifications increases as courts exert greater influence.

The third main or new hypothesis focuses on the evolution and institutionalization of courts. Historically, scholars recognize the important “positive” contributions courts made during the era of the civil rights movement and even their overarching involvement in the fight for female enfranchisement and rights. Theoretically, federal courts during the antebellum era should have posed little threat to property qualifications. Simply, without the fourteenth amendment and lacking any federal civil rights legislation, there was no significant federal question that established venue in the federal courts. At the same time, the antebellum era did witness the significant evolution of state court systems. While state courts of this era are generally perceived to have been indifferent, disinterested, and possibly even hostile to the concerns of average citizens. These courts did have the power of judicial review and strong attachments to rigid (or absolute) enforcement of contracts and property rights.

If courts evolved during this era, if they were exercising “significant” authority and autonomy as these powers develop, politicians could view the judiciary as a threat to extend the franchise. From a strategic standpoint, if a politician fears court intervention, it serves as an advantage to enfranchise on their own terms rather than those of a court.

COMPETING HYPOTHESIS

Historically, the conjecture over early franchise expansion is widespread across disciplines. Later scholars have clearly debunked some of these speculative theories, some have been ruled implausible by removal timelines, and others, like altruism, are simply untestable and extremely difficult if not impossible to analyze. The following competing (or potentially complimentary) hypotheses warrant inclusion in the overall analysis for two reasons. First, they appear frequently in the literature as serious explanations for why property qualifications were removed and second, they are “testable” in some capacity or another. These criteria allow this

dissertation to address the most frequent claims over the years and also test the validity of these claims in an empirical evaluation.

H4: The probability of removing property qualifications increases with below average growth in the white male population.

This so-called “Connecticut Hypothesis” is drawn from state history literature primarily from two states, Connecticut and Virginia (Walker 1990 58-63; McDonald 1963). These histories argue that property qualifications were removed in an attempt to increase the white population. The logic argues that states used removal as a strategic ploy to “sway” current residents into staying and recruit potential new residents with the promise of political empowerment. Anecdotal evidence from Connecticut suggests that perceived slow population growth was a legitimate concern for even proponents of property restrictions. This concern over population could have been particularly important at a time when the early stages of New England industrialization was creating a new need for expanded population and cheap labor.

The speculation surrounding the necessity of expanding and growing populations also has a foothold in economic theories of democratic expansion. In trying to explain historical population growth, some economists view citizens and taxpayers as commodities to be competed for amongst different sovereign entities. In this context, states are in competition for these individuals and one such way to entice potential citizens is by offering “enhanced” political rights (Tiebout 1956). Engerman and Sokoloff (2006) provided a more detailed analysis of enfranchisement on the frontier – testing the Fredrick Jackson Turner (1906) “frontier theory.” The long standing theory suggested that enfranchisement in the east was driven by universal suffrage in the west. The western territories and states needed population. Besides offering an abundance of cheap land, they also offered political inclusion. To stop the flow of labor to the

west, eastern states were forced to adjust. In testing Turner's hypothesis, Engerman and Sokoloff (2006) find that western states were more likely to incorporate new voters due to the scarcity of labor and that extended enfranchisement appears to be a positive for general population growth. However, western migration failed to significantly impact the east because western American migrants were generally replaced with foreign immigrants at a rate higher than the westward migration. This created increases in population despite some citizens choosing to relocate to the western frontiers.

While the case for the necessity of population growth appears to encompass multiple (and differing) arguments, ultimately, if states were concerned with slow population growth one of the potential concessions they could make to entice new residents is to offer greater access to the ballot box.

H₅: The probability of removing property qualifications increases as the percentage of white males serving in the state militia increases.

There is a long history of tying franchise expansion to military conflict and service. Riker (1957) in particular stressed the importance of the militia system in the early republic. Prior to the Civil War, state militia service was legally compulsory (non-service was punishable by fine) for all white males between the ages of 18 to 44 (Mahon 1960; 1983). While wealthy individuals typically avoided militia service by paying the fine, most others were forced to serve in some capacity.

There are two possible logics for why militia service might increase the likelihood of property qualification removal. First, if an individual can die in the service of one's country or state, they should at least be able to cast a ballot in the name of the democracy (Rose-Ackerman 1985). If this is the case, then it is logical to anticipate increased enfranchisement demands as the

number of individuals serving increases. Second, militias served as mobilization catalysts. The camaraderie gained through service established individuals with basic tools to mobilize and agitate. If individuals serving in militias both learn political/group skills and find common political purpose, the act of militia service could serve as a springboard for future political activity or policy demands (Putnam 1995; Skocpol et al. 1998). Again, whatever particular justification aside, it is reasonable to hypothesize that higher percentages of individuals serving in the state militia will increase the probability of removing property qualifications.

H₆: The probability of removing property qualifications increases as the number of slaves per capita increases.

The numerous “slave hypotheses” are among the most disputed theories relating to the removal of property qualifications and early episodes of enfranchisement in general. Many, including Riker (1953), suggest that early enfranchisement in slave holding states was an attempt to secure poor white support in the case of a slave revolt (Horpedahl 2009). Historically, the fear and paranoia surrounding the potential for slave revolt was certainly a dominant issue at times during the revolutionary and antebellum eras.

However, the claim of enfranchisement out of fear of revolt runs contrary to some state history discussions that suggest politicians in slave holding states were actually less likely to incorporate poor voters because of the slavery issue (Brady 1972; Edgar 2002; Lefler and Newsome 1973). According to these narratives, poor whites did not own slaves and as laborers themselves, they might favor the working slave over the plantation owning elite (particularly when the working poor were also primarily members of religious denominations that opposed slavery in principle). This was particularly a concern in states like South Carolina where there were large populations of Quakers and Congregationalists who lived in pocket rural

communities; the fear that these individuals might not be eager to engage in putting down a slave revolt was certainly plausible. The argument then posits that these populations created a situation where southern politicians were apprehensive regarding white peasant support for the institution of slavery and were less inclined to grant them the franchise. Whatever side is right, it is certainly possible that the presence of slaves (or lack thereof) could play a role (positive or negative) in the decision to extend the franchise.

H₇: The probability of removing property qualifications increases as state economic fortunes improve.

Horpedahl (2009) demonstrates rather conclusively that as state economic fortunes improved the *demand* for suffrage inclusion increases. While unable to pinpoint the specific trigger mechanism or threshold for increasing democratic demands, in general, economic historians have speculated that economic growth increases the economic fortunes of the “middle class.” These individuals who lack the established wealth of the aristocracy view themselves as decidedly different from the lower classes of peasant workers. One way to differentiate themselves, and in a way announce their presence and relevancy, is to mobilize and seek political inclusion (Gould 2001; Wiebe 1966). From a sociological and societal standpoint, beyond demands for inclusion, the underlying argument suggests that because of the economic development, the hostility between those with property and those without decreases. Socioeconomic data and theory supports claims of reduced societal conflict and tensions during times of economic prosperity (for example, Veehoven 1989). If this is the case, then it is logical to anticipate economic “good feelings” could potentially translate in to greater demands and acceptance of political inclusion and such a possibility can certainly not be ruled out.

CONTROL HYPOTHESES AND VARIABLES

The final three hypotheses are a series of controls. First, I control for partisan affiliation by creating a dummy variable for the “democratic left.” This control is to identify if there is a basic ideological component to partisan removal. Historians and political scientists have long argued that those on the political left are more likely to advocate greater access to the ballot box than their counterparts on the right (Grofman 1992; Guinier 1991; Michelman 1989; etc.). If this is the case, then it is logical to anticipate that states that were controlled by the political right would be less inclined to removal property qualifications.

Second, I control for the necessity of a constitutional amendment in order to remove property qualifications. Any additional institutional hurdle can explain delays for some states as opposed to others. While thresholds and procedures for amending state constitutions varies from state to state, in no instance are thresholds lower to pass constitutional amendments than for ordinary or common legislation. Therefore, by increasing the legislative or procedural hurdles, the requirement of a constitutional change in order to remove property qualifications should decrease the probability of removal.

Third, I control for the necessity of a popular vote either in the form of ratification or referendum in order to modify electoral requirements. Much like a constitutional amendment, the requirement of a popular vote adds a procedural hurdle. At the same time, the presence of the electorate adds another potential veto player to the removal equation. While there was variation between states over who was allowed to vote in enfranchisement referendums (or ratification), the addition of voters to the equation adds more potential uncertainty to the picture.

Institutional factors have frequently been overlooked in the debate and circumstances surrounding early enfranchisement issues. While institutional barriers might be less interesting to observers than purely partisan or political factors, they represent a significant and necessary element of the discussion. Therefore:

H₈: The probability of removing property qualifications increases when the democratic left has consolidated political control⁶.

H₉: The probability of removing property qualifications decreases when a state requires a constitutional amendment to extend the franchise.

H₁₀: The probability of removing property qualifications decreases when a state requires a popular vote to extend the franchise.

THEORY CONCLUSION

This dissertation does not contend that there is a “universal” theory for why states removed property qualifications and when they removed them. If anything, there was most likely a unique calculus for removal in every state. The collection of hypotheses in the preceding paragraphs represents an attempt to incorporate and then test multiple theories of property qualification removal. I make no attempt to claim that any one theory should bear any more weight than the others. Rather, simply, that when the collective whole is evaluated it will provide a better understanding of property qualification removal than a single theory and previous attempts. While I add unique and new theories to our understanding, these theories must be incorporated in to our existing understanding and explanations.

⁶ Consolidated political control is defined as controlling the executive and legislative branches.

CHAPTER 4

INTRODUCTION TO CASE STUDIES

The following chapters present four selected case studies of property qualification removal. These cases are presented in matched pairs in order to highlight differences between relatively similar states. While these case studies represent only four of the thirteen states that removed property qualifications, the narratives are representative of the various socio-economic conditions and political configurations across states. To this point, I purposefully include both northern and southern matched pairs in order to demonstrate that enfranchisement debates were not unique to one particular region of the country.

Historical narratives during the revolutionary and antebellum eras primarily focus on how economic evolution and development generated distinct social classes of workers and capital (or elites and non-elites). It is from these social cleavages that most early political debates, parties, and issues emerged. In order to understand early political development it is incumbent to understand the driving social and economic realities generating the rising tides of partisanship. While in modern times we have fixed views and standardized reactions to partisanship and political debate, during this time there was often no widely accepted belief about existing political structures. Institutions were young and party politics was new. In some cases, it was easy to differentiate sides, in others; members of the same family, with the same goals, often found themselves advocating radically different policies and politics. While different from today in terms of sophistication and understanding, one driving force is at the root of all democratic politics: the *necessity to secure power through popular election*. This necessity to engineer

electoral victories and secure electoral majorities gives rise to the first major era of democratic expansion in the United States, the removal of property qualifications and the push for universal white male enfranchisement.

The case studies presented in the following chapters explore property qualification removal in North and South Carolina and Connecticut and Rhode Island. In South Carolina, property qualification removal occurs after single party consolidation. At the same time, within the single party state, the vestiges of old rivalries and the prospect of new rivalries drive reformers to seek democratic expansion in order to safeguard Jeffersonian democracy. In North Carolina, the absence of early party competition and the entrenchment of an ultra-conservative orthodoxy created an environment where enfranchisement was more or less put on hold until serious two party competition could develop. In Connecticut, a newly minted fragile majority turned to mass enfranchisement in order to safeguard and grow that majority. Finally, in Rhode Island, an oppressive antiquated party system held on to a colonial charter in order to actively suppresses popular will. It was not until there was a near revolution that the incumbent political parties and politicians opened the door to democratic reforms.

In keeping in line with the previously presented theories, these cases demonstrate the complexity of political, economic, and social development. To a degree multiple issues played a role in property qualification removal. However, at the end of the day, what I argue, and what I believe the narratives demonstrate, is that at the heart of property qualification removal (and democratic expansion) was the harsh realities and calculations of partisan politics. In some cases, this political calculus was blatantly partisan in nature, and in others; the factors were primarily ideological rather than partisan. At the same time, institutional issues, development, and concerns also overlap and play a prominent role in removal strategies.

CHAPTER 5

SOUTH CAROLINA

This chapter explores the removal of property qualifications in South Carolina. South Carolina represents a case where party consolidation happened prior to property qualification removal in 1810. In South Carolina, economic development and the introduction of cotton created an environment where by 1800, the entire state was unified behind a common crop and shared a dependency on slave labor. Socially, the economic development helped bridge previous regional divides, while there were still some regional differences, by the early 1800s, historical regional tension between Charleston and the rest of the state was greatly alleviated. With statewide unity on economic and social issues, South Carolina settled on a common political party. With the state unified on most fronts by 1806, and with a governing elite sharing a moderate Jeffersonian Republican ideology – the state was prepared for democratic expansion. When democratic reformers were finally prompted to push for property qualification removal shortly after mass party consolidation in order to ward off more conservative factions, removal proceeded in an orderly fashion and faced minimal opposition.

ECONOMIC DEVELOPMENT

While each colony has a unique story as to why it was founded, South Carolina's story was quite telling. In the words of the colonies founders, The Lords Proprietors "Wee being willing upon all occasions to demonstrate that we aime at nothing more than the Prosperity, ease, security & wellbeing of the Inhabitants of our said Province" (Edgar 1998, 82). South Carolina's founders had one goal and that was to do whatever necessary in order secure vast wealth. While

colonial wealth was initially exclusive to the Charleston region, by all measurable standards, South Carolina was successful beyond the wildest greed-filled dreams of its founders.

The Two Distinct Regions

Historically, the two regions of South Carolina are described as the up (sometimes referred to as high or north) and low region (sometimes referred to as country or divisions). The low region consists primarily of the southern area bordering the Atlantic coast (Charleston) and the upcountry roughly consisting of the rest of the state. The low counties (colonial and post-revolutionary) inhabitation consisted of the English, Huguenots, and Jews who migrated to the region in the late seventeenth century. The upcountry was settled later, primarily by Scotch-Irish and Germans from neighboring states. These later immigrants were attracted to the region by the cheap land and fertile soil. Prior to the Revolutionary War, contact between the upcountry and the low was incredibly rare.

There was little communication with that region (lower region) during the first decade or two; social ties did not bind the sections together. In fact, there was more frequent contact with Philadelphia and Richmond than with Charleston during the early years (Wolfe 1940, 7).

The population of the state at the time of independence is relatively unknown. However, it is generally believed to be anywhere between 45,000 and 93,000 whites statewide (Wallace, Appendix III). The first accurate picture of regional populations emerged from the 1790 census. The census revealed 28,644 whites occupied the low region, while the upcountry had a population of 111,988 whites. However, on matters of wealth, the numbers were reversed. The upper division paid £8,390 in taxes, while the lower division paid £28,081. The city of Charleston paid more in tax than the rest of the state combined (Wallace 1951, 357).

The Early Economy & Economic Progress

By 1776, South Carolina had developed a vast network of indigo and rice plantations. When the early South Carolinians were frustrated by the high costs of processing, refining, shipping, and manufacturing goods from their raw materials – they simply built the infrastructure to do it themselves. The ability to control all aspects of production and distribution allowed South Carolina, and Charleston, to emerge as the single wealthiest colony and wealthiest city in the thirteen colonies. Early American and South Carolina Historian David Ramsey wrote in 1809 that “Few countries have at any time exhibited so striking an instance of public and private prosperity as appeared in South Carolina between the years 1725 and 1775” (Ramsey [1809] 1963, 131). Ramsey was not overstating the enormous amounts of wealth existing within the South Carolina borders. In 1774, Charleston had private wealth estimated at over three times greater than the county surrounding Baltimore, and nearly seven times greater than the counties surrounding Boston or Philadelphia (Jones 1980).

From a socio-economic standpoint, one consequence of South Carolina’s choice of indigo and rice cultivation was a heavy dependency on slave labor. Indigo and rice were the two most labor intensive crops harvested in any of the colonies. The labor demands of tobacco and even cotton were light in comparison. The great need for slave labor caused South Carolina to become the first colony with a slave population greater than white. From 1708 to 1775 the percentage of blacks (as total population) ranged from 50.1% in 1708 to a high of 66% in 1740 (Wallace 1951, Appendix IV). The numbers are more striking when one considers that nearly all the slave population was located in the Charleston region, while only around a third of the white population was located in that same region. The sheer number of slaves and the dependency on them for their economic livelihood made Charleston a bastion of plantation culture, and made

Charleston politicians and voters suspicious of those who did not necessarily show their enthusiasm for the institution of slavery. This included fellow South Carolinians in the north and west who had neither the means nor the necessity to use slave labor. Any attempt at removal of property qualifications, or any other sort of democratic reforms was dependent (assuming they still held significant power) on Charleston feeling that the upcountry did not pose a significant risk to their economic interests, specifically, the continuation of slavery.

Another important development Charleston's enormous wealth produced was a culture that valued and promoted education and literacy. While no formal university existed within the state, it was not uncommon for even middle class Charlestonians to head north or even to England to receive a formal education. In the 1770s, despite a white population of only twenty thousand, Charleston had more students in England than any other colony (Edgar 1998, 176). This educated class in the low country produced a collection of planters, politicians, lawyers, doctors, and entrepreneurs that rivaled the successfulness of not only American elites, but also those in London. Their imprint on South Carolina's economy, politics, and culture is impossible to understate. The wealth, successes, and education all added to the Charleston mystique – and as aristocratic culture entrenched itself in Charleston, the class division within the state became more pronounced. Somewhat predictably, early politics in the state was dominated by regional and class divisions. These divisions while minor during the colonial era would ultimately manifest themselves in the initial post-revolutionary period.

Obviously, by no means were all South Carolina's citizens well off, well feed, and well educated. Those South Carolinians unfortunate enough to not live in the Charleston region faced an everyday fight for survival. The upcountry consisted of hunters, trappers, and yeomen farmers who struggled to produce enough staple crops to survive in a climate favoring exotic exportables.

The region was also isolated from Charleston both economically and socially. There were simply no roads, no river ways, and only a few paths leading to Charleston. Initially, it was far more common to see a man from London in the streets of Charleston than to see someone from the upcountry. It took from two to three weeks for upcountry farmers and merchants to deliver their crops, hides, and wares to Charleston merchants (Schaper 1968, 84). The situation was worsened during the English retreat to the sea and the continued occupation of Charleston during the Revolutionary War. The town of Camden, the only sizeable upcountry outpost, and only place of any notable commerce in the region – was literally burnt to the ground (Edgar 1998, 245). The lack of contact and communication only added to the distrust and conflict between the two regions. It was the lack of familiarity that drove initial malapportionment and disenfranchisement. The Charleston elites simply did not know their neighbors, and democratic reforms entailed empowering a group they did not have frequent contact with – and what they did know about the upcountry was focused on the extreme poverty caused by their isolation.

Beyond the eviction of the English, 1783 also marked an important economic turning point in the state; rice cultivation using tidal waters was first developed. This innovation dramatically cut down the labor required to farm and harvest rice, creating a labor surplus. While initially surplus labor was used to rebuild and cultivate staple crops like wheat and tobacco, other uses would soon be apparent. The decision to cultivate staple crops in the Charleston region was a disastrous blow to small rural farmers who had traditionally supplied the city with basic necessities. These small farmers were simply left unable to compete with large plantations utilizing slave labor. Faced with competition from Charleston and the task of rebuilding regardless, many small northern farmers searched for a new crop to improve their fortunes. What they settled on would change the face of South Carolina forever. Somewhat ironically, thanks to

the decisions made by large planters, in 1783 small rural farmers in South Carolina turned to cotton to save their livelihoods and provide for their families.

While the transition to cotton was difficult and took nearly a decade, it was wildly successful. By 1794, upcountry farmers had mastered the art of cultivation and harvesting. The invention of a workable cotton gin in 1793 made growing and processing cost effective (Edgar 1998, 270). The upcountry also benefited from large cash infusions and easy access to capital from Charleston. What made matters more interesting during this period of upcountry development was that Charleston was suffering through a period of harsh economic transition. While rice was still profitable to some extent, it was increasingly difficult to trade and transport. Continuing hostilities with England and uncertainty in France limited the availability of foreign markets to Charleston rice planters. At the same time, both limited market access and increased international competition had decimated the indigo markets. Ultimately, indigo became so unprofitable, that by 1800 it was not planted anywhere in South Carolina. Faced with the prospect of continued economic uncertainty, Charleston planters transitioned to a crop familiar to their upcountry neighbors – cotton. The statewide universal adoption of cotton marked the end of dueling regional economies. Over the next twenty years, the economics and politics of cotton served to marginally unite the state economically, politically, and socially. Without cotton, it is hard to imagine a scenario where the deep social divides that existed between the upcountry and Charleston would have even been bridged, and without bridging these divides, there was no conceivable path to property qualification removal if it meant Charleston ceding power to neighbors whom they feared.

The first great American “cotton boom” began in 1794 (1794-1819). The boom was responsible for many events impacting the suffrage and reapportionment debates in South Carolina. The events surrounding the cotton boom served as a uniting force in the state; cotton ultimately reinforced the interests of all South Carolina, politically and economically. The upcountry while never able to completely catch up to Charleston; became increasingly independent and prosperous during the boom. Cotton was the gift to the upcountry that diminished wealth disparity; Historian Walter Edgar described the introduction of cotton as, “It [Cotton] was practically the perfect crop for upcountry yeoman farmers. It gave them the chance to produce a staple for cash and with the profits to purchase slaves and become planters. It also gave landless whites who were tenants the chance to become landowners” (Edgar 1998, 271). Charleston would never accept the rising coming upcountry farmers into South Carolina society and government unless they thought that they shared a common dependency and posed no risk to the continuation of slavery. By 1810, thanks to continued economic prosperity there were finally a substantial number of slave owners in the North. In some counties, the number of slaves had doubled or tripled since 1790, and slave ownership was expected to increase as the boom progressed (Brady 1972, 21).

By 1810, the continued difficulties in Charleston and the continued prosperity of the upcountry had put the two regions on nearly level ground. Since commerce in the upcountry was largely founded and operated with Charleston capital, Charleston had a vested interest in the economic success of the region. This dual focus on commerce led to the development of roads and routes that finally connected the two regions. The convergence of economic interests in the two regions closely paralleled a convergence of political interests within the state. The politics of slavery and king cotton transcended any previous regional and class conflict. This convergence

greatly alleviated many of the worst fears that heavily influenced early decisions to limit democratic participation.

POLITICAL AND SOCIAL DEVELOPMENT

Political and social development in South Carolina is categorized by the political and economic emergence of the upcountry. The introduction of cotton served to unite the interests of the entire state; this unification process included the adoption of a common political party. What once was a state that was deep with political division, emerged in the early 1800s as a state that stood in near unanimous agreement on major issues of the day. The merging of interests, common political party, and a set of politicians advocating democratic reforms eventually led to the civil and orderly abolition of property qualifications in 1810.

The 1790 Constitution

When the delegates from the upcountry arrived at the 1790 constitutional convention, it was the disparity in wealth and not their advantage in population that weighed on their minds. From their vantage point, there was a cultural mystique to the Charleston elite. They did not contest Charleston supremacy, if anything, they accepted it. Initially, many in the upcountry were more than willing to cede political authority to those in affluent Charleston.

When a stranger arrived in a Western community and established himself, he was accepted as one of the group already there. A far different reception was given the frontiersman who decided to make their homes in the South Carolina backcountry. They were strangers who were welcomed to the hospitality of the region but who must not expect to participate actively in its government; and, strange as it may seem, a similar attitude was held by the newcomers themselves. They were half apologetic and seemingly conscious of being of a different social group. Since they did not immediately adopt the customs and institutions of their predecessors, assimilation was more difficult when they came to outnumber the dwellers in their original communities (Wolfe 1940, 6).

The 1790 attempt at a new state constitution was in large part the doing of Governor Charles Pinckney. Pinckney (a reformer) attended the United States Constitutional Convention with the intentions of seeking a new South Carolina Constitution shortly after his return. While Pinckney was not successful in having both considered at the U.S. ratifying convention, he was successful in gaining support for a South Carolina Constitutional Convention (Matthews 2004, 57-64).

South Carolina had adopted two previous Constitutions in 1776 and 1778. Both were considered incomplete and short-term stop gaps rather than long-term solutions. Neither was adopted by convention, instead, they were ratified through provisional legislatures with questionable legal or political authority. These early legislatures were almost exclusively composed of the most aristocratic Charleston elite. For the most part, no great controversy existed in either document. They were simply attempts to codify the status quo. This meant power was based in Charleston to benefit Charleston. The deficiencies were clear: there was no Supreme Court; the power of the Governor was ambiguous or nonexistent; and there remained lingering questions over whether the capital was in Columbia or Charleston. For the residents of the upper division, the most disappointing aspect was that representation was entirely appropriated by wealth. The initial post revolution South Carolina Constitution instituted a system of representation based on a ratio of wealth and white population, the specifics of which were to be determined later. However, the “white population” aspect of representation was later reneged upon by the existing legislature and never actually considered for implementation (Wolfe 1940, 44-47).

On May 12, 1790, the convention gathered in what was expected to be a “battle of the sections, the upper division coming to win its rights, the lower division to hold its privileges” (Wallace 1951, 342). When the convention finally convened to conduct business, there were 239 delegates in attendance, with two-thirds of them from the Charleston region. The convention was also held in Charleston to guarantee any popular sentiments held in the upcountry would not alter the votes of the moderates. Some were less diplomatic about the true reason for the proceedings taking place in Charleston. One delegate remarked the decision to hold the convention in Charleston was based on, “Whether we were to meet amongst the opulent at Charleston, which to the upcountry members was a different climate, or amongst those who are styled a plebian race” (Green 1930, 120). There were five major issues debated at the convention. Two issues, a Bill of Rights and improved judicial infrastructure, were supported by both regions, and required little debate. The other three: the abolition of property requirements for voting and office holding; location of the state capital; and a more equal system of representation, were only discussed in terms of conservative minimalist reforms. The limited debate protected the status quo (Green 1930, 119). This was precisely what the Charleston elite favored and what they anticipated when they passed the legislation authorizing a new constitutional convention.

At long last, when upper division delegates dared to propose even a discussion on modifying the representational apportionment in a way that reflected population; the lower division threatened to dissolve the convention and petition to form their own state. That threat quickly ended the push for regional equality during the convention. For all the strength in population, the upcountry was still dependent on the commerce and capital of Charleston. Yet the upper division did not leave empty handed. First, there was a formal agreement the capital would be transitioned from Charleston to Columbia. Officially, Columbia was already the

capital, unofficially; state business was conducted out of Charleston (Wallace 1951, 343-345). The development of Columbia would serve as another important bridge between the sections. Second, the upper division received a two-thirds increase in the number of representatives in the State House and a nominal increase in the State Senate. Because of the emphasis on wealth in apportionment the lower division still had a working majority in each institution, but some significant progress was achieved (Wallace 1951, 343-345). The practical result of this modest increase still demonstrated that the upcountry was subservient to Charleston. To this extent:

In 1790 St. Stephen's parish, with 226 white inhabitants, elected three representatives and one senator, the same as Edgefield with 9,785 whites or Pendleton with 8,731. The entire upper division, with 111,534 whites, elected 54 representatives and 17 senators, while the lower division with 28,644 whites, elected 70 and 20 (Wallace 1951, 356).

When the convention finally ended, both sides came away feeling like they had won something. The upper division had made strides in the pursuit of a fair system of representation. The lower division maintained the status quo for the time being by giving up what they perceived was of minimal importance. The low country had a fundamental belief state government existed for their benefit. As long as the northern region of the state was dependent on their money to fund new projects – political power originated and would always be centered in Charleston. At that time, if power was based in the hands of the Charleston aristocracy, democratic reforms that benefitted the upcountry were off the table. As South Carolina Historian David Duncan Wallace concludes:

The Constitution of 1790 provided South Carolina with just the government which her ruling class were satisfied she needed; and, whatever may have been the errors or shortcomings upon which it was founded, under it and largely by means of it the aristocratic republic attained a phenomenal influence and distinction among her sister States (Wallace 1951, 342).

Emerging Dissent (1790 – 1796)

Not long after Charleston's semi-victory at the 1790 constitutional convention, the Federalist elite was shocked by the results of the first Congressional elections in 1790. Two of the five newly elected members were outsiders, one, a true radical Republican. Judge John F. Griemke, a Federalist political leader in Charleston, described the delegation as a "black list." State Representative Timothy Ford declared South Carolina would not have "as much respectability on the floor of the Congress as this state could have been entitled" (Edgar 1998, 232). The election of Revolutionary War hero Thomas Sumter and Aedanus Burke in two northern congressional districts served as a warning to the low country and threatened the delicate political hegemony. These two Jeffersonian leaning politicians were two of the fiercest opponents of federal ratification – a measure that low country delegates favored 99-1 (Edger 1998, 233). These elections demonstrated that when given the opportunity, the upcountry would vote for their own interests, interests that they perceived as very different from those of the Charleston elite. This initial electoral result was the first dissent that the low country could not control, and it marked the beginning of party competition in South Carolina.

The immediate period following the 1790 elections witnessed a surge in the assertiveness of the upcountry planters, farmers, and workers. In 1794, Robert Goodloe Harper formed the Representative Reform Committee (R.C.C.), a group with the expressed goal of reapportionment and ensuring that all South Carolinians had an equal voice. Within a short time associations formed in every corner of the upcountry (Edgar 1998, 257). Several members of the low country aristocracy joined the movement. The most notable defections from the low country were Charles Pinckney the former Governor and Pierce Butler the soft-spoken sitting U.S. Senator. Federalists renounced Pinckney, the state's most popular politician, as "Blackguard Charlie."

Butler, who married in to the Charleston aristocracy and was never truly accepted, would never win popular election after his term in the Senate expired (he later attempted to run for the House). Both men were denounced as traitors and pariahs to their class, home, and heritage (Edgar 1998, 258). Whether it was a political ploy by two men who sought future political advantage from the north, or whether it was the actions of two men who viewed the situation as being unfair in principle, is debatable. Still these marked the first time that any politician from the low country had admitted there was a “democratic” problem. With two high profile endorsements from Pinckney and Butler, the R.C.C. had the political credibility necessary to advance change and reform. As time progressed, the issue of reapportionment essentially merged with the removal of property qualifications. From an ideological standpoint, suffrage and apportionment were fairly similar issues with both expanded suffrage and fair(er) apportionment increasing the legitimacy of state level democracy. The two issues were both popular and critical to the upcountry, where apportionment held a majority of the population captive to Charleston’s legislative agenda, and the up and coming class of small planters disenfranchised by the rigid property qualifications. The issues also shared common political leadership with Jeffersonian Republicans advocating on behalf of upcountry interests on both issues. While those opposed, located primarily in Charleston, were led by staunch Federalists like the brothers Pinckney (C.C. and Thomas), John Ewing Calhoun, and General Andrew Pickens.

Harper chose the pseudonym Appius for a series of pamphlets addressing the grievances of the upcountry and advocating the pursuit of equality. The historical Appius was a Roman official who supported the cause of the plebeians and made it possible for former slaves to vote and serve in the Roman Senate (Edgar 1998, 257). The Appius pamphlets and rhetoric that followed marked the formal beginning of the upcountry Jeffersonian revolution and advanced the

ideological justifications for removing property qualifications. While the initial pamphlets are lost to history, the ideas were relatively simple.

Government had grown out of a compact in which individuals gave up certain rights and became bound by the will of the majority. In the original compact equality of rights was guaranteed to all members. This being the case representation should be equal in proportion to population. The aristocracy had not injured them so far but they feared that it might do so in the future. The argument that property should be represented was invalid, since society existed long before private property. When public property was changed to private property equal political rights were retained. Wealth would always have influence enough without giving it legal weight in apportioning representatives. Instead of having more votes, the rich man should be given fewer in order to balance the undue power his wealth acquired for him. If property must be represented it should not have representatives in more than one house of the legislature. Certainly the lower house be reserved by the people (Wolfe 1940, 49).

With the release, unintentionally, Harper had pushed the button of every low country legislator. He even had the audacity to suggest one of the main differences between regions was that, “One wishes for slaves; the other would be better without them” (Edgar 1998, 257). While there appears to be some lingering questions over the issue of slavery between the two regions (as the Charleston Federalists certainly used the quote for political purposes), outside of this one outburst, there is little evidence of any division on slavery; and slavery was not mentioned in subsequent R.C.C. literature. In fact, every elected official in the upcountry was a slave owner and Charles Pinckney was one of the fiercest advocates of slave owners at the Constitutional Convention (Edgar 1998, 258). To calm the outcry, the R.C.C. adopted the formal position of “tar and feathering any abolitionist” who dared to set foot on South Carolina soil (Wolfe 1940, 74). When the situation finally calmed, the R.C.C. led a petition drive requesting reapportionment and universal male suffrage, collecting 10,000s of signatures statewide. Forced to address the matter, the Federalist controlled Charleston dominated state legislature rejected a

new constitutional convention by a vote of 58 to 53. The vote was primarily a party line vote with most Republicans in favor and nearly all Federalists opposed to reform.

The few Federalists who supported a new convention did so out of a desire to limit the power of the executive, not out of any desire to reform apportionment or remove property qualifications. Pinckney's embrace of populist Jeffersonian politics had generated a deep distrust of the executive branch, which Federalists thought could be solved through weakening the position (Edgar 1998, 259-261). Despite the setbacks and failure to secure a new convention, the R.C.C. and the upcountry continued to fight for democratic equality for all South Carolina citizens. The mobilization efforts set the stage for Jeffersonian Republicanism to emerge as a popular movement in the upcountry and marked the beginning of property qualification removal demands at the institutional level.

The Elections of 1796, 1798, and 1800

This four-year period, and these three elections, effectively marked the decline of the Federalist Party in South Carolina. In 1796, after another failed attempt to change the apportionment of the state legislature, Jeffersonian Republicans made crucial gains in state and congressional elections. Republicans doubled their congressional representation from two to four, forced the appointment of a Republican Senator, and were the driving force behind the reelection of Charles Pinckney as Governor. Pinckney was still formally a Federalist in name, but abandoned the party to throw his support behind Jefferson in the contest to replace President Washington. The Federalists were shocked by the Republican surge. By adding General, Diplomat, and Charleston native son Thomas Pinckney to the Federalist ticket, they expected to secure the South Carolina electoral votes for Adams. Instead, South Carolina cast eight votes for Jefferson and eight reluctant votes for Thomas Pinckney. The votes for Pinckney were

conditional on the fact he was a native son, at best could be described as a moderate Federalist, and was certainly not in the mold of John Adams. Within the legislature, there was virtually no discussion that the electoral votes would ever go to Adams.

While South Carolinians were enthusiastic supporters of President Washington, a Virginian, they were apprehensive when the subject moved to his Vice President. Adams was a Massachusetts lawyer, a committed New England Federalist, and a man who did not own slaves – or defend the plantation lifestyle. These were attributes that made him extremely unpopular with South Carolina voters (and politicians) who feared radical change imposed from the north and who violently opposed infringements on slavery. When it was clear Adams was not under consideration, the South Carolina Federalists attempted, unsuccessfully, to cast the votes for anyone but Jefferson (Wolfe 1940, 95-100). The inability of South Carolina to deliver electoral votes to Adams was shocking to the Federalist elites. South Carolina historically was the lone Federalist stronghold in the south. Yet by 1796, the state could no longer be counted on to deliver Federalist votes.

Because of the lack of remaining records (most were lost during the Civil War), the electoral results of the 1798 elections are confusing at best. What we know is that Charles Pinckney had formally left the Federalist Party to assume the mantle of state Republican leadership and several other founding Federalists sensing the changing political tides, also left the party to join with the Republicans. At the state and national level, Federalists expected to reclaim lost ground following the X, Y, Z Affair. However, unlike their success in other states, including in the south, South Carolina simply opted for “men who were so moderate as to be acceptable to both parties” (Wallace 1951, 348). While Federalists technically won five of six Congressional seats in the 1798 election, by the 1800 election two had switched parties, one had

retired, and Robert Goodloe Harper was considered too radical to caucus with the congressional Federalists.

Much like 1798, the 1800 elections offer confusing results, fluid party movement, and varied interpretations of the results, all pointing to some level of Republican victory. On the Presidential front, both parties viewed South Carolina as a decisive state in a competitive election. At the state level, Governor Pinckney worked tirelessly to ensure a Jefferson victory, while his cousins Charles Cotesworth (C.C.) Pinckney and Thomas Pinckney advocated the election of Adams; although, neither had a fond affinity for Adams personally or politically. It was expected that Adams had a good chance at picking up South Carolina's electoral votes (better than in 1796). While much of the nation wanted war with Europe, South Carolina was grateful to avoid confrontation with lucrative trading partners (Wallace 1951, 350-352). So while neutrality was a national liability for Adams, in South Carolina neutrality was good for business, and what was good for business was good for South Carolina. During the campaign, the rivalry between the Pinckney's became so polarizing that Charles never spoke to his cousins again and after the campaign and they would remain bitter political enemies till their deaths (Wolfe 1940, 155).

What is clear from the election of 1800 was that there was continued political realignment. The Republicans secured enough statewide representation to change the face of politics at the state level. Both Senators were now Jeffersonian Republicans, the Governorship was in Republican hands, and Jefferson and Burr received all but one of the South Carolina electoral votes. This was despite another Federalist attempt to manipulate South Carolina by placing a Pinckney on the ticket, this time C.C. Pinckney. The election also marked the end of the Federalist Pinckney brothers at the state level (C.C. Pinckney would make failed runs at the

Presidency in 1804 & 1808). These retirements effectively marked the end of the organized two party system in South Carolina. Jefferson was so impressed by the transformation of South Carolina from a Federalist stronghold to the Republican column that he rewarded Charles Pinckney by appointing him Ambassador to Spain (Wolfe 1940, 161).

Thanks to party fluidity and a lack of records we cannot get a completely accurate gauge of what happened in the 1796, 1798, and 1800 elections. However, we can tell that there was significant realignment in the state at both the federal and local levels. Republicans controlled the upcountry, and were making crucial inroads in the low country. This made them competitive in every corner of the state and set the stage for expanded majorities. The Federalists that remained in politics, like Edward Rutledge and Robert Goodloe Harper, were so moderate they were acceptable to either party. Following the 1802 elections, Republicans had consolidated power in every state branch, and in every region of South Carolina. The initial class of Federalist politicians consisted of aristocratic planters and Revolutionary War heroes – men who considered themselves above party politics and who never actively built Federalist Party infrastructure at the state level. As these men retired, died, and moved on to other ventures – they were being replaced by Republicans, and throughout the rest of the decade, Republicans continued to expand on their majorities. Even those who held Federalist views, who represented the Charleston elite, now considered themselves Republicans (at least publicly). The consolidation that was taking place now put the tiny group of upstart reformers from the R.C.C. in the governing majority and truly placed the democratic reform agenda on the legislative forefront. With statewide unity on nearly every major issue, and the reformers in power, it was only a matter of time until a progression of democratic reforms was introduced to the legislature.

Jeffersonian Democracy and the Expansion of the Franchise, 1800 – 1810

Thomas Jefferson was loved in South Carolina. Elevating Pinckney to Ambassador of Spain only enhanced his popularity. Even in Charleston, there was grudging support and adoration for the newly elected President. In his first term, it is nearly impossible to identify any area of disagreement between Jefferson and the South Carolina delegation. Formally, the congressional elections in 1802 finalized the South Carolina transformation from Federalist stronghold to Republican upstarts. Five of the seven members of the House were committed Jeffersonian Republicans, both Senators were Republican, and in spite of the apportionment disadvantage, the South Carolina legislature was solidly Republican (Wolfe 1940, 182-83).

A distinguishing characteristic of the South Carolina Republican Party was a commitment to a moderately progressive ideology and a Jeffersonian outlook on governing. On the local level, the new Republican majority initiated a state college, which was founded with the purpose to rival the best in the country. The remaining low county Federalists, who paraded themselves as Jeffersonian, attempted to block its creation, but unlike every other time a state college was proposed, this time they were unsuccessful. Not only was the college created, funding levels initially placed South Carolina at the forefront of public education. The legislature passed a slate of Jeffersonian reforms and projects making life better for all the citizens of the state. These included projects that had long been favored by the upcountry and blocked by the Federalists, programs like: improved roads and waterways; improved communications; and economic support for upcountry development (Wolfe 1940, 197). Letters between Jefferson and South Carolina Republican leaders suggested that Jefferson looked quite favorably at the undertakings transpiring in the state.

By 1806, after easily giving Jefferson all of its electoral votes in 1804, every member of the South Carolina delegation was a Republican. Charles Pinckney returned home for Spain and the generation of Republicans who came to prominence following the 1790 constitution made one last push for reforms. Jefferson rewarded South Carolina for her loyalty. Writing to then Governor Pinckney, during his fourth and final term as Governor, Jefferson commented that he felt welcomer in South Carolina than he did in any state of the Union, outside his beloved Virginia (Wolfe 1940, 198). Jefferson also appointed South Carolinian William Johnson to the United States Supreme Court after the retirement of North Carolina Justice Alfred Moore. This was a move many noted was just a continuation of Jefferson's acknowledgement of South Carolina's prominence in Republican politics.

Despite the one-party nature of South Carolina politics after 1806, it was not necessarily unified. While the low country elected Republicans in name, they were by no means committed to Jefferson and all of his policies. In 1807, after the implementation of the *Embargo Act*, party politics in South Carolina faced the prospect of a serious schism. The low country rice planters were particularly hurt by the embargo, within months; rice lost nearly half its value (Wolfe 1940, 220). Editorials in Charleston savaged Jefferson and embargo supporters in the Congress. Governor Pinckney, "as was characteristic of his policy, used his influence and power in the support of the administration's programs" (Wolfe 1940, 221). But the intensity of the split grew so intense that low country Republicans promised to stage a revolt against Madison if he were to be the Presidential nominee in 1808. They argued that the policies of Jefferson and Madison favored Virginia at the expense of South Carolina, and particularly, the interests of Charleston. Pinckney and Sumter immediately sought ways to mend the split, and insure Madison would receive South Carolina's electoral votes, under any circumstances. Pinckney did this in spite of

Madison's long standing disapproval of him and ignoring the fact that the anti-Virginia candidate was presumably his cousin, C.C. Pinckney (Wolfe 1940, 227-232).

With some members of the party in open revolt of Republican leadership, Pinckney launched a new offensive advocating constitutional reform and upcountry empowerment. While suffrage expansion and reapportionment was long an issue supported by the upcountry Republicans, over the past decade, there was never a pressing need to threaten Republican hegemony within the state and push the issues. But with Charleston threatening to upset the moderate Republican status quo, the internal revolt provided Pinckney and the reformers the perfect opportunity to transition into democratic reforms. For the Jeffersonian elements of the party, reapportionment and removal of property qualifications could guarantee the continued moderate tone and nature of Pinckney Republicanism in South Carolina. This moderation was something that was clearly threatened as long as Charleston held more political power than their population would entitle them under a more populist (or fair) distribution of apportionment and tax based suffrage qualifications.

Democratic Expansion (1808 & 1810)

The years between 1808 and 1810 represent seminal moments in South Carolina history. They also mark the final achievements of Representative Reform Committee and the group of politicians that came to prominence during the early fight for reapportionment based on population over wealth, expansion of suffrage, and commitment to Jeffersonian principles. It was the last time that Sumter, Pinckney, and many others would play a leading role in state politics and affairs.

In December 1807, a motion was made to reevaluate the question of apportionment, the motion passed with only two objections in each chamber. The interests and the politics of the regions had almost completely intersected. The same crops were grown, slavery was not an issue, and the two regions now shared a common political party (Wolfe 1940, 218-19). The only question seemed to be what shape or form the Republican Party would take in South Carolina. Would the South Carolina Republicans continue to be a Jeffersonian party in the mold of Charles Pinckney, or would it become a more cautious and conservative party in the mold of the North Carolina Republicans? At the time, the Jeffersonian faction was clearly winning. However, the more conservative factions still had strong holds, and new leadership (men like John C. Calhoun) was on the horizon. From Pinckney's perspective, enfranchising the upcountry, the people who had long supported him, represented perhaps the best chance to entrench his ideology as the governing ideology.

When the convention met in early 1808, with little negotiation or debate, it was settled that the upcountry should have the majority in the House of Representatives and the Charleston region would maintain a slim advantage in the Senate. The atmosphere surrounding the political climate, was described as:

The whole state was becoming more and more a sort of low country "writ large." Thus, after the population and the interests of South Carolina approached assimilation and in the seventh year of the operation of Jeffersonian democracy, the representation system was sufficiently reformed to remove much of the sectional animosity. The physical nature of South Carolina, the spread of the agricultural system, changes in the Constitution, the later issue of the power of the state against that of the national government and perhaps other influence brought about more harmony and less sectionalism in South Carolina than in her sister states (Wolf 1940, 220).

And that was the end. The vicious thirty-year fight over representation was over. It was decided not by low or high defeating the other side, but by economic, political, and social unification of the entire state. In order to keep the proceedings congenial, property qualifications were not addressed by the 1808 convention. This makes sense, as the issue would be easier to pass after reapportionment. Instead, the single issue debated was the issue of reapportionment of representatives. Yet within a year, there was another near unanimous push for constitutional change, this time with only a small minority of aristocratic Charlestonians holding out against property qualification removal.

Much like 1808, the convention of 1810 had very little on the agenda outside of universal white male suffrage. While many in the low country doubted the wisdom of universal suffrage, it passed easily and effectively removed property qualifications in South Carolina. Just like 1808, Charles Pinckney took the lead and was viewed as the dominant figure advocating the expansion of democracy and expansive Jeffersonian principles. For Pinckney, it marked his final achievements as the leading figure of South Carolina politics. In his final years, Pinckney took extensive pride for his work in the 1808 and 1810 conventions. While some historians have questioned Pinckney's motives and his true intentions – there seems to be little doubt that the man from Charleston who promised to represent the upcountry masses when first elected, was true to his promises (Wolfe 1940, 25).

CONCLUSION

Between the time of independence and 1810, South Carolina went through an incredible economic transformation that allowed the state to bridge substantial social and political cleavages. By the time the property qualifications were removed in 1810, the state was united on most major economic, social, and political issues. These collective interests included a common

political party, the Republicans. While the exact date of Republican consolidation is not entirely evident, by 1806 at the latest – mass party consolidation existed in South Carolina. When democratic reforms became the central issue for the state legislature, reforms proceeded in a very orderly and civil fashion. The end result was that expansion of suffrage rights to all males had a very minor impact on state politics. Republicans had a firm majority before and continued in the majority afterwards. Senator Thomas Sumter commented on the transition, “Since there seems to have been only one actual defeat in the South Carolina Congressional elections of 1810 it is hardly accurate to say that the people were dissatisfied with their representatives” (Gregoire 1916, 263).

From the standpoint of this dissertation, the history conforms nicely to the theory. In reality, after 1796, the Republicans could have at any time proposed modifying the franchise. However, they did not. When enfranchisement finally became a legislative issue it was after internal party strife had caused legitimate concern over the future of the party, in an ideological sense. Pinckney clearly had a governing ideology that he was committed to (as did many other of the R.C.C. members). This ideological disposition was under attack. The disenfranchised had historically supported him, it was logical to anticipate they would be committed Jeffersonians. Historically, we know Pinckney was wrong in the long term. By 1820, these voters were absorbed by a conservative orthodoxy lead by John C. Calhoun, a man Pinckney despised, and a man clearly not supportive of Jeffersonian ideals. Yet while Pinckney was unable to secure a lasting Jeffersonian majority, the motivation and timing was driven by strategy, not altruism.

CHAPTER 6

NORTH CAROLINA

North Carolina serves as an example where single party consolidation first hampered the removal of property qualifications, and then later, the reemergence of party competition served as the catalyst for removal. The state as a whole developed much later than South Carolina. Economically, North Carolina was slower to transition to cash crops, develop a plantation system, and construct the infrastructure necessary for plantation prosperity. It was not until 1835 at the earliest (the 1850s at the latest) that North Carolina could boast of economic prosperity near the level of South Carolina, in 1810. Socially, the state's regions were always fragmented and divided. However, it was not until the late 1820s that serious factional mobilization developed. Politically, conservative Federalists and even more conservative Republicans dominated the initial party system. When the Republicans emerged as the lone political party they lacked electoral incentive or ideological inclination to remove property qualifications.

With party consolidation already occurring, and with the party having no ideological justification for democratic expansion, the issue of enfranchisement was simply ignored for decades. When the second party system evolved, Whigs and Democrats both out of ideological concerns initially excluded reformers and removal advocates. It was not until the Democrats faced an electoral crisis after losing several consecutive elections that qualification removal became a serious issue. When qualification removal was introduced, the issue instantaneously changed the fortunes of the Democrats, and within nine years was successfully passed, consolidating the Democratic Party in the process.

ECONOMIC DEVELOPMENT

At the outset of the Revolutionary War, North Carolina was broke; literally the treasury was bare (Lefler and Newsome 1973, 233). The state was almost entirely inhabited by yeomen farmers with a few upstart plantations in the mid-eastern region. The small class of elites that developed tended to be educated men who came from other colonies seeking political clout or a comfortable retirement. Unlike Virginia and South Carolina, there were no grand plantations in North Carolina, no centers of trade, and no bastions of economic prosperity and development. Regional economies within the state were extremely unequal. What little wealth did exist all tended to come from the central Piedmont region. While extreme poverty existed in the rocky soil of the western region and in the coastal east that was prone to flooding.

Throughout the revolutionary era, the state was “without money, without credit, and with little prospect of gaining it,” legislators were forced authorize paper currency in order to buy provisions, a decision that proved disastrous for an entire generation of North Carolinians (Lefler and Newsome 1973, 233). While most states faced difficulty funding state government, state militias, etc., North Carolina had a particularly difficult time. Immediately after the Revolution the state faced a deep recession and lacked the means and the machinery to pay off debt. They also suffered from a prolonged inflationary period (caused by the worthless paper currency) and general lack of economic capital within the state. The early political system was extremely disorganized, conservative, and lacked coherent leadership and policies. When confronted with these initial economic problems, the state legislature proved to be utterly incompetent and incapable of dealing with the situation. They passed taxes on businesses and yeomen farmers who could not afford to pay and also flooded the state with more paper money that lacked

sufficient backing. This caused the remaining merchants to flee the state and even worse inflation (Lefler and Newsome 1973, 267).

By the turn of the century, North Carolina had gradually recovered from the fiscal ruin and depression. The contributing factors to the rebound were generally natural developments at the local and national levels. In the east, reemerging trade with England and France provided greatly needed trade revenue. The region also started to build ships for the American Navy and commercial shipping interests. Finally, the assumption of state debt by the federal government allowed North Carolina to return to a state of fiscal solvency and sound financial practices. By the election of Jefferson, North Carolina was relieved of many of the pressing problems confronting them immediately after the revolution. However, it was still a poor state, especially when contrasted to its neighbors in Virginia and South Carolina. Yeomen farmers still dominated the state, and the introduction of “cash crops” which transformed the South Carolina economy was yet to happen. Business was slow to emerge in a state that had no population center and no sources of capital. The inability of North Carolina politicians, both Federalists and Republicans to address any of the major structural problems of the state continued to hinder development for decades.

Another major issue of contention within the state, an issue that would persistently limit North Carolina, was the creation of banks. North Carolina was the last of the original thirteen states to open a bank. It was not until 1804 that the first private banks opened in Cape Fear and New Bern (Lefler and Newsome 1973, 304). Even then, these banks were poorly managed, uncoordinated, and flooded the state with notes of varying denomination. Somewhat ironically, the banks were so *destabilizing* that the effects reached as far as Virginia, where action was taken to rid the state of North Carolina notes (Lefler and Newsome 1973, 305). In response to the

internal and external political pressure, the legislature finally took steps towards forming a state banking system. In 1805, the legislature “attempted” to charter a state bank, but ultimately failed to sell enough stock to open the doors. It was not until 1810 that the Bank of North Carolina became a reality. Even then, the legislature was unable to adequately handle the situation. Initially, the capital reserves were set so low that the bank offered little help to local governments and almost no support to residents. Not until corrections were passed in 1814 was the banking system somewhat functional and minimally able to serve the needs of the people (Lefler and Newsome 1973, 306).

By 1815, the state economy was stagnant but stable. There appeared to be few prospects for immediate improvement and even fewer reasons for optimism. Observers of the time noted:

[They use] Primitive methods of cultivation with crude tools and with little fertilization or conservation of the soil, lack of adequate land and water transportation to markets and high prices of necessary articles which could not be produced on the farm – all these resulted in soil exhaustion, low per capita wealth and income (the lowest of all the states in the nation), a low standard of living, and a reputation and a condition of extreme backwardness (Lefler and Newsome 1973, 315).

The extreme poverty created a climate where the poor were so destitute they cared about issues of survival more than any issue of politics and governance. The divide between rich and poor was so great that the eastern and central elites felt no need to offer democratic privileges to their second-class neighbors (Lefler and Newsome 1973, 314).

Regionally, the western Piedmont and mountains were the most economically disadvantaged; little existed in the west outside of subsistence farming. The conditions in the east were slightly more favorable. Waterways allowed for easy transportation of crops and products, allowing small-scale specialization to take hold. There was one isolated area where prosperity existed, the mid-eastern Roanoke Valley. The fertile valley soil led to the area becoming a major producer of tobacco and rice, while cotton was slowly cycling into cultivation. These mid-

eastern counties and the southern area of the Piedmont had substantial connections with South Carolina. These connections were critical since they brought in outside sources of capital and experience in farming and developing “cash crops.” Implementing the South Carolina model included dependency on slavery and slave labor (Lefler and Newsome 1973, 315). By the 1810s, while the situation was still bleak for most of North Carolina’s 638,829 inhabitants, change was gradually taking root in the rocky North Carolina soil. These developments had the potential to lead to deep political divisions. However, with the party system so fragmented, conservative, and controlled by the entrenched Republicans – initially, the potential for political division did not develop.

In 1815, manufacturing in the state was nonexistent. North Carolina possessed only one small cotton mill and three paper mills (Lefler and Newsome 1973, 317). There was no internal infrastructure to support trade and commerce, primarily caused by neglect of the roads and waterways by the conservative state government. While some blamed the political culture of aristocratic indifference, most attribute the lack of internal infrastructure to North Carolinians being at heart a “poverty-stricken, tax-hating people” (Lefler and Newsome 1973, 319). The banking system continued to fail. It was unable to curb inflation, or provide adequate streams of capital to aid development. While this was less of a burden because of increased availability of Virginia and South Carolina capital, it still provided a major burden to a vast majority of citizens.

The economic situation over the next twenty years (until 1835) remained relatively constant with only marginal improvements, but underneath the moderate growth, an economic boom was on the horizon. Conditions continued to improve slightly in the east where many of the coastal swamps were drained and new plantations emerged from the rich soil. In general, the agricultural condition of the entire state improved. However, North Carolina was still hampered

by the lack of substantial internal infrastructure to move goods and crops. This was particularly the case in the western region, by 1835, the most populous. Despite the increase in population they were still isolated economically. Economic isolation prevented western farmers from being able to accomplish anything beyond a minimal existence. While the Piedmont and the mid-eastern counties had continued to develop sound practices of farming and cultivation of cash crops, bringing wealth to the region. The banking situation had stabilized. While still flawed, by 1835, it was at least adequate. Bank stabilization meant new capital could stay in state, rather than go through Virginia or South Carolina banks and markets.

Ultimately, 1835 marked a turning point in North Carolina political and economic history, and in many ways the economic development subsequently mirrored political developments. This includes the debate over universal male suffrage. Party competition and the Whig emergence spurred what was deemed the awakening of the “Rip Van Winkle” state (Lefler and Newsome 1973, 373). The Whigs, who were supported primarily in the far western and far eastern regions of the state, committed themselves to reforms ultimately leading towards a unified North Carolina economy. Specifically, the Whigs championed the development of a statewide railroad system, traditionally underfunded. Whigs used federal funds to continue the drainage of coastal swamplands and convert the areas to agriculture, although, the success of this program was widely debated (Lefler and Newsome 1973, 367). They also established funding of a public school system. Whig politicians contested the appalling illiteracy and intellectual degradation was a hindrance to future political and economic development. From a practical standpoint, all of these programs had the effect of bridging the divides between east and west economically. Unlike the situation in South Carolina where gradual statewide unity on most major issues produced single party rule, North Carolina became increasingly polarized with the

west demanding more democratic inclusion and economic reforms, while the east attempted to secure its power and influence in state politics. On the question of property qualifications, this meant the well-to-do eastern planters favored the continuation of tiered suffrage and the west favored expanded democracy and universal male suffrage.

Through both Whig and Democratic administrations, economic development continued to take place until the eve of the Civil War. This economic development was symbolized by two main themes. The first theme was a convergence of statewide economic interests and activities. The railroad allowed crops and products cultivated in the west to be easily shipped back to the east for distribution. For the first time farmers in the west could grow the same crops that had brought wealth to farmers and plantation owners in the east since the 1810s. These were the same cash crops that brought prosperity to South Carolina farmers and plantation owners five decades earlier. The second major theme was the emergence of a “middle class.” Likewise, this middle class was remarkably similar to what developed in rural South Carolina. The small western farmer had evolved from a subsistence yeoman to a respectable middle class existence. Many owned slaves and through slave ownership were considered pillars of their communities. At the same time, these men could still not vote for every office in the state government because of the tiered suffrage system and high property thresholds for voting for the North Carolina Senate.

Coincidentally, in 1857, the same year universal suffrage was achieved in North Carolina; the state railroad system was completed. The completion of the railroad marked the end of the economic turnaround that transformed the state from the poorest in the nation to one of the most prosperous. Economics played an important role in the political transformation of North Carolina. The newly empowered western farmers radically altered party politics while

championing their own rights and interests. While the resistance to political change by the mid-eastern and southern Piedmont counties framed the battle surrounding the expansion of suffrage.

POLITICAL AND SOCIAL DEVELOPMENT

Political development in North Carolina occurred in three stages: the first stage was competition between Federalists and Republicans; the second stage was Republican consolidation and one party rule; and the third stage was competition between Whigs and Democrats. Social development encompassed the rise of the west (economically and politically) and then western attempts to exercise political power at the expense of entrenched eastern interests. The party systems worked to exclude democratic expansion until the very end, when party competition made removing property qualifications a tool to foster party consolidation. The rise of the west created a situation where qualification removal became viable because of the decreasing gap in prosperity between east and west. When removal demands and political opportunities collided with an opportunistic candidate who needed to reinvigorate party competition and usher in an era of mass party consolidation; removal proceeded in a fairly rapid transition, taking just nine years to go from an issue on the outside of the political debate to final removal of property qualifications.

Regional Division and Class Conflict

North Carolina emerged from the revolution in a similar position to South Carolina. The coastal regions were inhabited by Englishmen who founded the colony and Germans and Scotch-Irish immigrants who had migrated from other states occupied the western regions. Unlike South Carolina, contact between the regions was somewhat more frequent, with western and eastern residents occasionally coming in contact with each other (Gilpatrick 1966, 19). The population

was more evenly distributed than either in Virginia or South Carolina, but entirely rural. In 1790, there was no city with a population of more than 2,000 individuals (Gilpatrick 1966, 13).

In general, there were frequent disagreements but very few serious disagreements between the two regions. Until the ratification of the Federal Constitution, the most contentious issue surrounded the postal system; those in the west complained that the old continental post system was inadequate for their needs and those in the east complaining the state could not afford increased postal services (Gilpatrick 1966, 19). The other prominent controversy between the two regions involved the use of paper money. The more established east favored hard currency. The impoverished west favored paper money that enabled debtors to pay off creditors with greater ease. The paper currency issue was eventually resolved by the Hamilton plan and federal assumption of state debts (Boyd 1919, 8). The remaining tension stemmed primarily from cultural differences between the regions. In the east where plantation culture took hold, aristocratic ideals and slave labor were important parts of everyday life. The easterners also had more contact with England, New England, Virginia, and South Carolina. This led them to be considered more cultured than the westerners. The geographically isolated and sparsely populated western region had a culture that emphasized small farms, tight-knit communities, free labor, and democratic ideals (Lefler and Newsome 1973, 176).

The politics of the regions developed in to division between the radicals and the conservatives, with the radicals primarily coming from the west. However, even then there were very few substantial differences between the two groups during the early revolutionary period. It was described as a situation where “party lines were not so rigidly drawn as at a later period. On a number of important questions the radical leaders voted with the conservatives” (Gilpatrick 1966, 17-20). Conservatives favored a strong executive, independent judiciary, and strict

property qualifications for voting and office holding. The radicals favored “simple democracy” centered on a strong legislature, weak executive, and religious freedom (Lefler and Newsome 1973, 220). Neither side could ever gain a dominant majority in early North Carolina politics. Political power was ultimately held by a number of moderates who tended to balance the positions of both sides. These moderates proved to be the guiding voices of state government from 1776-1790 (Lefler and Newsome 1973, 221). The moderates pursued a middle ground on suffrage and enfranchisement. They advocated requiring property to vote for members of the upper house of the state legislature and requiring tax paying to vote for members of the lower house.

The North Carolina Constitution

The most prominent and obvious difference between the 1776 North Carolina Constitution and the early South Carolina Constitution(s) is that the North Carolina Constitution was a finished product. There was no institutional issue(s) put off to be addressed later. At the conclusion of the state convention, there was no foreseeable reason to modify the document. In fact, there was some question as to whether there was even a way to amend the document. A literal reading provides no way of amending or replacing the constitution.

The institutional and political configuration was actually the second priority of the delegates at the North Carolina convention. It was an unremarkable document offering little change from the colonial government, described as “It [the North Carolina Constitution] can lay claim to originality neither in conception nor expression” (Lefler and Newsome 1973, 221). The main focus and most extensive debates surrounded the creation of an ironclad Bill of Rights. Unlike the 1790 South Carolina convention, which was a struggle between regional factions, the North Carolina debate was a combination of an airing of anti-government grievances and an

attempt to secure that North Carolinians had a fundamental set of individual rights (Green 1930, 63). This ultimately led to the creation of a moderate status quo constitution with a twenty-five article Bill of Rights (Lefler and Newsome 1973, 222-226).

Because of the moderates, the document was not as aristocratic as in South Carolina. Apportionment was initially settled by allowing equal representation based on all counties being equal. Each county was to have two representatives and one senator, with the Governor elected by the legislature. This later became an issue as populations shifted westward, but unlike South Carolina, North Carolina was able to avoid the apportionment debate until the 1830s. North Carolina was also a state that had different requirements for voting for upper and lower house members (Green 1930, 84-86). The lower house required paying taxes. The upper house required property ownership of over 50 acres. It was widely accepted the lower house existed to represent “the people” and the upper house existed to represent the land interests of the elite. At the same time, allowing mass suffrage for one house and not for the other was an important part of the removal argument and debate. On one side of the debate, pro-removal forces argued if small farmers were able enough to vote for one institution, why not the other? While the aristocratic conservatives argued the Madisonian logic that democratic access in the lower house was a right, but access to the upper house was a landed privilege to guarantee fairness and property rights.

Even then, the aristocratic factions of eastern North Carolina were quite frustrated by the moderation. Prominent Federalist and future Supreme Court Justice James Iredell wrote to Pierce Butler of South Carolina deploring the state of affairs in North Carolina. North Carolina elites were weak when contrasted with their southern (South Carolina) and northern (Virginia) neighbors who held a tight grip on power. “You are fortunate in having a great number of

gentlemen of fortune and education to conduct your affairs,” Iredell concluded (Gilpatrick 1966, 27).

Jeffersonian Democracy and the Republican Party

Although the state initially rejected the Federal Constitution, North Carolina Federalists quickly reversed course and ratified the document in 1789, earning the state the distinction of being labeled “reluctant Federalists” (Boyd 1919, 37). North Carolina only ratified after being assured passage of the Bill of Rights; a sticking point for North Carolinians dating back to their own convention. They also disliked the stigma of being linked to Rhode Island in their refusal to ratify. Rhode Island was viewed as having an “unsavory reputation for radicalism and paper money” and North Carolina being linked to this reputation was too much for many of the moderates (Lefler and Newsome 1973, 284-85). During the 1790s, the Federalists and Republicans were evenly split throughout the state. While the conservatives gravitated towards the Federalists and the radicals moved towards the Republicans and Anti-Federalists, little had changed from earlier periods. The House delegation was split 5-5 or 6-4 until 1798 when the Federalists occupied seven of the ten seats (Lefler and Newsome 1973, 294). This was an expected increase over the fallout from the X, Y, Z Affair (Boyd 1919, 51-53). The ability of the Federalists to maintain a strong presence in North Carolina is a stark contrast to South Carolina where the Republicans generally phased out the Federalist Party by 1802.

The elections of 1798 and 1800 were typical of the questionable (or apprehensive) Jeffersonian leanings of the state. Federalists had recaptured the state government, and in 1800 secured a split in the electoral vote for Adams. North Carolina’s earlier (1796) electoral votes for Jefferson were described as being a mild repudiation of the expansion of the federal government under Washington rather than an endorsement of Jefferson (Boyd 1919, 71). North Carolina

Republican, Nathaniel Macon, reiterated that it was timid support of Jefferson and the Virginian should not take North Carolina's future support for granted (Boyd 1919, 81). Jefferson deplored the leadership of his own party in North Carolina. He repeatedly cautioned that they were men without principles. Jefferson described North Carolina as "the most dangerous state" the political class of lawyers were "all Tories, the people substantially republican, but uniformed and deceived by the lawyers who are elected out of necessity because [there are] few other candidates" (Lefler and Newsome 1973, 297). Unfortunately for Jefferson, the ruling Republican elites were so entrenched in power that there was no chance for stimulating change.

By 1810, the year South Carolina had adopted universal white male suffrage, North Carolina had only slightly moved towards Jeffersonian Republicanism. During the decade, nine of the twelve congressional representatives were considered to be safe Republican seats. Ideologically these Republicans were highly inconsistent, showing little to no party loyalty. They did whatever benefited their own interests, and outside of Nathaniel Macon, failed to distinguish themselves in service to party or country. On suffrage issues, the party was united in opposition to any form of democratic expansion. There was simply no need to include new voters in a consolidated party system, where there was virtually no party competition, and what little factional competition existed was between competing conservative factions.

Nathaniel Macon was the dominant political figure in North Carolina from the election of Jefferson until the 1835 constitutional convention. Macon was the perfect example of North Carolina Republicanism and "high priest of the status quo" (Lefler and Newsome 1973, 326). He opposed all public schools, internal improvements, and constitutional reform at both the federal and state level. John Quincy Adams described Macon as "a man of small parts and mean education, but of rigid integrity, and a blunt though not offensive, deportment" who "votes

against all claims and all new appropriations” (Lefler and Newsome 1973, 326). Macon’s presence as the driving force behind the North Carolina Republican party made it Jeffersonian in name but extremely conservative in policy. Republicans offered little to differentiate themselves from the conservatism of the early Federalists.

Grounded as they were in the lingering animosities of the eighteenth century, the early North Carolina parties offered few answers to the new problems that began confront the state during the first decades of the nineteenth century. Federalists and Republicans failed to present the voters with alternatives on important state issues such as constitutional revision, internal improvements, judicial reform, tax policies, and the creation of new counties (Jefferey 1989, 19).

A notable example of the ideology of “Maconism” involved the issue of public education. North Carolina had included a constitutional mandate for public education throughout the state. But during the Macon reign, Republicans in the state legislature blocked funding for the system throughout the period (Boyd 1919, 354). On the issue, they offered no explanations or apologies and never put education or funding up for a vote. From a policy standpoint, it was simply outside of their ideological paradigm to support anything they perceived as an unnecessary expense.

During the 1810s, despite the collapse of the Federalist Party at the national level, Federalists and anti-Republicans still held sporadic majorities in North Carolina. It is hard to quantify this “majority” since this coalition was fluid and not coherently organized. It is also difficult to find differences between Democratic-Republicans and the remaining conservative elements. Both sides were united on the major issues concerning state politics and most national issues. When progressive reformers led by Archibald Murphey attempted to challenge the spirit of Maconism with plans for vast internal improvements from education to infrastructure; conservatives and Republicans united to crush the “Murphey Program” (Lefler and Newsome 1973, 328-333). While the proposed reforms did not directly include democratic expansion, they did emphasize a shift in power from east to west.

Western Discontent

Sectionalism in North Carolina developed (in a political context) much in the same way it did in South Carolina, only 50 years later. In 1790, the western region had approximately 160,000 residents while the east had 234,000. By 1830, the population of the west increased to 374,000 while the east had only 364,000 residents. The increase in population is even greater when slaves are not factored in to the equation. The east was home to most of the slave population, while the west was still dependent on free labor (Boyd 1919, 147). At the time of ratification, the original 1776 North Carolina Constitution provided equal representation based on counties and was generally considered favorable to the west. However, as populations increased, the west became the more populous region and demanded more power. The situation grew so tense that in the early 1830s grand juries in four western counties declared extra-legal action was justified if their demands for Jacksonian democracy were ignored and suffrage was not expanded (Boyd 1919, 157). These grand juries set out to question everything from the legitimacy of the unelected governor to the constitutionality of tiered suffrage.

In the debate over representation, western farmers seemed to feel not so much that they were being disenfranchised but the west had specific interests that were not being addressed in the current institutional structure where the upper house and governor could block reforms. Concerns over internal infrastructure were ignored over aristocratic fears of raising taxes or taking on debt to construct projects. Regional divide was not entirely isolated in the west; it also included several of the coastal countries (with large swamp areas) that were not as economically developed (Boyd 1919, 150-157).

These western and eastern swamp counties launched their initial political protest during the presidential election of 1824. While the eastern and central elites favored William Crawford, a Georgian who promised to protect the plantation hierarchy of the aristocratic south, the west cast their lot with Andrew Jackson. Westerners “supported Jackson not only because of his personality and military heroism but also because they thought that he, like Calhoun, would favor a constructive program of internal improvements” (Lefler and Newsome 1973, 342). Jackson carried North Carolina by a 5,000 vote majority after a nasty campaign and charges a vote for Crawford was a vote for continued subservience to Virginia and South Carolina. Jackson received huge majorities in the west while Crawford carried the east and the Piedmont (Lefler and Newsome 1973, 342-344). However, the popular vote proved to be irrelevant. When the election was thrown to Congress, North Carolina’s delegation heavily influenced by (then) Senator Macon, cast their vote for Crawford (Lefler and Newsome 1973, 343).

The early attempt to improve conditions through national politics proved to be a failure. Macon quickly realized that between the western Jackson and New England’s John Quincy Adams, Jackson was the lesser of two evils and posed little threat to the North Carolina way of life. Jackson who was eager to secure North Carolina’s electoral votes in 1828 was more than willing to reconcile with Macon. By 1828, eastern North Carolina was a Jackson stronghold and the state was nearly united in support for his candidacy.

However, Jackson’s presidency served to only strengthen the political fortunes of the eastern elites. As President, Jackson was unwilling to force internal improvements on the states, instead opting for a state’s rights approach (Lefler and Newsome 1973, 344). Jackson’s stand against nullification, his fall out with Calhoun, dismantling of the Second Bank of the United States, and his continued unwillingness to force internal improvements on uncompromising

states was too much for western Carolinians who had initially supported him. Jackson became a hated figure and opposition to Jacksonian policies proved to be politically popular in the region. Leading the wave of opposition to Jackson was Senator Willie P. Mangum, a progressive reformer in the 1810s, and who in 1834 became leader of the recently formed North Carolina Whig Party (Lefler and Newsome 1973, 344-345).

The disappointment with Jackson also forced the west to reevaluate potential political options. They became increasingly convinced that Washington was not the answer to its fight for equality. Instead, they turned their attention to change at the state level; this meant a constitutional convention and modifications to the apportionment system. This emphasis on state politics was effective for western reformers, although, not entirely out of their doing. There was some support in the east for constitutional change. Many in the east demanded an end to free Negro suffrage, something that was never explicitly denied under the initial Constitution. They also desired to balance regional power by expanding the representation of the central Piedmont. The east viewed the Piedmont that was enjoying a booming population and a burgeoning tobacco crop as essentially sharing their values. If they could create a balance where the west was the single most powerful region but the east and central combined had more representation, it was worth the risk to amend the Constitution and continue planter dominance under a new apportionment scheme (Lefler and Newsome 1973, 349-353).

The Constitutional Convention of 1835

The North Carolina convention of 1835 was a significant event for two primary reasons. First, it showed the Constitution could be amended; a source of heated contention dating all the way back to the signing. Second, it was the first time the West, which had surpassed the East population – asserted its political influence. This transfer of power meant a fundamental change

in the way North Carolina would govern. The people in the West had historically been more democratic than their counterparts in the East. They believed in issues like the popular election of governors, judges, and suffrage expansion for the upper house. They believed taxes must be levied or debt must be incurred to create structural modifications to the state infrastructure. Most importantly, the seeds for the extension of the franchise came from the West where many small farmers were disenfranchised because of the 50 acre property qualification required for voting for the North Carolina Senate (Green 1930, 225-238).

The actual modifications to the Constitution made at the convention were quite minimal. The lower and upper houses were reapportioned to show the western advantage in population. The original suffrage requirement failing to exclude free blacks was modified and the Governor was now to be directly elected by the people, under the lower house tax paying qualification. Universal male suffrage was not even debated or addressed. The issue of removal of property qualifications was formally excluded by the convention authorization passed by the legislature. The calls for democratic reform were strong, but in 1835, revising suffrage qualifications meant asking a conservative upper house to put their own position in peril. Why would the conservative Democrats risk their careers and state hegemony by democratizing the senate? There was no reason, so they limited the democrat process at the convention.

Despite the institutional restraints on reform, after being told by the eastern aristocratic elites the document could not be changed – for nearly 60 years, the ratification vote of 26,771 to 21,606 was an important moment. Many reformers had watched their ideas go down in defeat for decades or simply ignored (Green 1930, 233). This convention serves as their first political victory, albeit a very small one. From that point forward, the needs and concerns of the West would have to be recognized. The west was now the single most politically powerful region, and

the central Piedmont was not nearly as friendly to the eastern aristocracy as they hoped. The balance of power would never again rest in the east and the backwardness of Maconism was soon to be relegated to the history books. While democratic expansion returned to the background of the political debate for the next thirteen years, it never entirely disappeared, particularly in the courts. The economic development transforming the state, national politics, and the emergence of party competition simply overshadowed the issue; at least until it became a significant political tool.

The Whig Ascendancy, 1835 – 1848

The political settlement of the most intense regional disputes set off the birth of traditional mass party politics in North Carolina (Lefler and Newsome 1973, 359). While North Carolina had witnessed its share of politicking and debate, most of the state was disinterested. Prior to 1835, the high turnout in North Carolina elections was 54% of voters in 1828 (Jefferey 1989, 68). This was also quite different in comparison to South Carolina where voter turnout was always high and voting was considered a sacred right. Low voter turnout in North Carolina was indicative of a party system that was conservative, consolidated, and so entrenched that it lacked incentive to seek input from common voters and non-voters. Political actors isolated themselves from popular sentiments and the public was isolated from political parties and governing institutions; this disconnect was reflected in voter turnout.

The Whigs emerged in North Carolina politics from the strong Anti-Jacksonian presence in the state. This is certainly ironic since the individuals who supported early Whiggery were also the most ardent of the early Jacksonian supporters. Whigs promised North Carolina voters many of the same internal improvements the Jeffersonian Republicans had promised voters decades earlier (but did not necessarily deliver on). Whig proposals included: improvements to

the state infrastructure, creation of a railroad, allowing local elections for positions previously appointed, and developing the system of public education promised by the initial state constitution (Boyd 1919, 225-230). These reforms were almost identical to the Republican Murphey program from the 1810s and very similar to the internal improvements package touted in the state by the beloved John C. Calhoun during his failed campaigns for national office. On questions of suffrage and democratic reforms, the Whigs and especially the western Whigs were somewhat sympathetic to the call for removal of property qualifications. However, they were unwilling to act on any expansion; it was simply outside the bounds of Whig ideology to push for a more inclusive system. The status quo was favorable to the uncertainty mass democracy presented, even if there was some legitimate underlying question of fairness.

The Whigs also had an important national issue in their advantage, a cause that struck at the foundation of the entrenched conservative Maconite Democrats. In 1833, Henry Clay introduced a land bill to distribute proceeds of federal lands sales to the states over a five-year period. The bill was passed by overwhelming margins in both the House and the Senate, but was vetoed by President Jackson. North Carolinians loved the bill. It provided a solution to the tax-phobic state's inability to develop a statewide infrastructure – without going into debt or raising taxes. The land bill became the dominant issue of the day, and practically the only issue of the 1836 North Carolina Gubernatorial campaign (Jefferey 1989, 68-69).

Heading in to the 1836 election, some form of Jeffersonian/Jacksonian Democratic-Republicans had held a majority in the state legislature and the congressional delegation since 1818, and with a few minor exceptions, back to 1804. While these Democratic-Republican politicians had primarily been in the mold of Macon, the party was dominant and consolidated if only in name. The Democrats accordingly, failed to take the Whig threat seriously. The

incumbent Democratic Governor, Richard Spaight, refused to actively campaign and never formally accepted the Democratic nomination. The Whigs campaigned vigorously and their nominee Edward Dudley made his platform very public and his desire to be Governor even more public. The end result was a stunning victory for the Whigs, a victory that led them towards majority party status until 1850. Dudley won the Governorship by 4,000 votes, receiving 54% of the vote. Whigs gained the majority in the Senate and came within two seats of gaining control of the House (Jefferey 1989, 79-82).

From 1838 to 1846, the western Whigs solidified their control of North Carolina by gaining and maintaining small but stable majorities in both chambers of the state legislature (with one, two year exception). Whigs also did an extraordinary job of institutionalizing the party by creating a Central Committee of Office-Holders, and local party machinery in every county in the state. The Democrats, stuck in the past, had “No committee, no organization, and relied on truth and truth alone; soberly and righteously administered to the people” (Jefferey 1989, 91). There was also a dramatic increase in voter turnout during this period. In 1840, 84% of possible voters cast their ballots, an increase of over 40% in just four years. Democrats were also hurt by the death of Nathaniel Macon and the nullification failure that made John C. Calhoun increasingly unpopular. With Macon out of the picture, there was no “kingmaker” within the state Democratic Party and with Calhoun (the only national Democrat who unified the state) out of favor – political chaos quickly crippled the state party. Regional and ideological conflicts frequently created situations where different candidates received votes under the same party banner and for the same office.

Ironically, Whig success played a role in their downfall. By 1846, the party had successfully accomplished all of their initial objectives and reforms. Literally, they had passed almost all of the programs their initial platform called for. Whigs had created a system of turnpikes, railroads, and river ways that connected east and west in a way previously never dreamed. They implemented the constitutional reforms of 1835, allowing local officers and local judges to be elected by the people, finished draining and developing the swamp land in the east, and perhaps most impressively, they created a vast public school system throughout every region – including fully funding a public state university. The only remaining major reform was the railroad system, and that was incomplete because of a lack of manpower, not because of a lack of funding or will (Lefler and Newsome 1973, 232).

As successful as they had been during the previous decade, 1846 marked the pinnacle of success and the beginning of the decline of the North Carolina Whigs. The Democrats failed to nominate a statewide candidate for Governor, with their initial choice refusing to accept the nomination. Instead, different counties nominated different candidates and an obscure man named James B. Sheppard emerged with the nomination. Sheppard was a Maconite conservative who campaigned on opposition to the expansion of the railway system, a position held by even a minority in the aristocratic east. Newspapers even forecasted the death of the party after such a disastrous result. The Democrats suffered their worst showing ever in both chambers of the legislature and William Graham, the incumbent Governor, won by a comfortable margin, sweeping nearly every county in the state (Boyd 1919, 281).

The Democratic Rebirth and Qualification Removal

By the 1848 elections, the North Carolina Democrats were still in disarray. For four straight elections the Whigs had triumphed at the gubernatorial level. The situation was so dire that not a single Democrat sought the nomination. David S. Reid, a former backcountry congressman from the north-central Piedmont, was finally nominated by a last minute convention and refused the nomination for nearly a week. Finally, after much pleading, Reid accepted the nomination so that he could campaign on the issue of free suffrage. Reid proclaimed while accepting the nomination:

Gentlemen, this nomination was not sought by me, and it has been my purpose for a long time if I should be a candidate for a state office before the people, to broach one issue, which I deem very important. What I mean is that the state constitution shall be so amended by the mode prescribed by that instrument itself that all voters for the House of Commons shall be allowed to vote for senators (Green 1930, 267).

The incumbent Whigs had no intention of debating free suffrage; while many western Whigs had sympathy to the cause – it was an issue the party as a whole was not willing to embrace. Instead, they planned to run on their record of internal improvements and favorable national issues. From a strategic standpoint, this was the logical course of action. Conditions had improved under Whig rule and popular demands for qualification removal were infrequent at best. However, the Whigs would soon discover that as grateful as western voters were for the internal improvements and increased prosperity, there was a new issue at the forefront of North Carolina politics.

When the Democratic state convention nominated ex-congressman David S. Reid as their gubernatorial standard-bearer in April 1848, the war with Mexico had just ended, and Reid's opponent, Charles Manly, looked forward to the ensuing debate on the unpopular foreign policy of the Polk administration. Few, even among Democrats could have suspected that Reid was about to raise an issue that would unleash the forces of state sectionalism and profoundly transform the politics of North Carolina (Jefferey 1989, 184).

The issue of enfranchisement, raised out of nowhere, became the dominant political question for the next nine years, leading to the abolition of property qualifications. While Reid was narrowly defeated in 1848 election, the Democrats found an issue to break Whig supremacy in the west and reignite party competition statewide. The Whig majority in the state declined from 8,000 in 1846 to only 854 votes in 1848 and the party also lost a substantial number of seats in the legislature (Lefler and Newsome 1973, 378).

Reid returned two years later, and this time the Democratic platform contained only a single plank, “An amendment to the constitution of this state ought to be made, abolishing the land qualification...” (Boyd 1919, 292). This time Reid was successful, winning by a margin of 2,774 out of a total of 86,916 votes. Democrats also gained slim majorities in both houses and when combined with progressive Whigs, there was a sizeable reformist majority. Reid’s victory “marked a revolution in party politics, for never again were the Whigs of North Carolina able to elect a Governor” (Boyd 1919, 292). The next year (1851) a free suffrage amendment passed the House 75-36 but failed to meet the required two-thirds support in the Senate. Still support for the measure steam rolled ahead, with proponents arguing they were already voters, and that expansion was only natural. Why could men who voted for Governor, Congress, and Assembly not vote for the Senate? They already possessed democratic responsibility. What made the Senate different? The Whigs and eastern suffrage opponents had no credible response. Some argued a second chamber with enhanced requirements was necessary to defend property rights. However, by this time the argument was outdated and counter intuitive after the Jacksonian Era and previous suffrage expansion in other states had failed to produce revolutions (Boyd 1919, 269-271). Others argued that the status quo was working, and there was simply no need to risk

uncertainty for a relatively minor change. Neither argument was sufficiently persuasive with any of the existing factional elements.

In 1852, then incumbent Governor Reid headed the Democratic ticket, again with a single-issue platform of free suffrage. Reid also advocated reforms that benefited the West, saying “The farmer and other classes need cheap transportation and convenient markets where they can carry their property with safety. They need commercial and manufacturing towns and cities at home, with shipping to do their own important and exporting, without continuing to pay tribute to the north” (Lefler and Newsome 1973, 378). Not only had Reid introduced the issue of free suffrage that split the Whigs and reenergized the Democrats, he was now advocating enhancing the popular Whig reforms that were previously rejected by Democratic administrations. Reid was overwhelming reelected, nearly doubling his majority to 5,564. Again, the Democratic majority increased in the state legislature, although, Whig strongholds in the east prevented the Democrats from having a two-thirds majority in the Senate. After the elections, again, the House passed a universal suffrage bill while the Senate failed by one vote to meet the two-thirds majority required (Lefler and Newsome 1973, 374-378). It failed when Speaker Weldon Edwards, a Maconite conservative Democrat, defending historic property rights, abstained from voting on the matter.

In the spring of 1854, Reid left the Governorship behind after his appointment to the U.S. Senate. However, he campaigned alongside his good friend, committed Democrat, and handpicked successor, Thomas Bragg in the fall election. Bragg continued to make universal suffrage and rural development the central issue of the election and foundation of the party. Reid for his part raised his rhetoric, expressing the people’s frustration that 50,000 “intelligent, industrious, and meritorious” white men were being disenfranchised (Boyd 1919, 270).

Estimates of the number of votes this was costing the Democrats varied; however, Reid had pegged the number at 40,000 as late of 1853 (Boyd 1919, 272). Bragg went on to win the election and increase the Democratic majorities in the North Carolina House and Senate. Many progressive western Whigs finally abandoned the party all together and many eastern elites who disliked the progressive nature of Reid's Democratic Party voted for the more conservative Whigs (Lefler and Newsome 1973, 378-380). The Whigs were continually hampered by their response to the suffrage issue. If they accepted universal suffrage they risked alienating their current (new) voters; if they tried to co-opt the issue they risked alienating everyone – so they did nothing. The incoherent and factionalized responses allowed the Democrats to increase momentum and majorities while the Whigs looked increasingly irrelevant and incompetent.

At long last, a universal suffrage bill passed in 1854 and 1856 (ratification required the bill to pass twice with two-thirds support and win a popular referendum) with the required majorities in both houses and was “published to the people who awaited it so eagerly” (Boyd 1919, 271). The Whigs who still held a sizeable minority in the state legislature, and whose electoral base had completely shifted to the east, managed to delay final passage and ratification vote on the issue by arguing suffrage expansion needed to resonate from a constitutional convention (Lefler and Newsome 1973, 379). The Whig political gamesmanship bought a year reprieve from suffrage expansion, but cost the party what little support they had left. Fearing total Whig defeat at the polls, even the eastern aristocracy abandoned the party. The 1856 elections essentially marked the end of the Whig Party in North Carolina; the universal suffrage bill was passed by near unanimous majorities in both houses. Then in August 1857, a referendum was held, and by a popular vote of 50,095 to 13,379 the changes were ratified and property qualifications were removed.

CONCLUSION

North Carolina was similar to South Carolina in the sense that they were both southern planter states that initially emerged from the first party system as Republican strongholds. Economically and socially, North Carolina developed at a slower pace than South Carolina. It took decades longer for economic parity to develop between regions in North Carolina, while at the same time; western mobilization was stunted by political exclusion and fragmented parties. Politically, the ideology of the initial Republican class in North Carolina and South Carolina was quite different. In South Carolina, the Republicans had a more Jeffersonian and inclusive method of governing; in North Carolina, the Republican Party was dominated by factional conservatism that had no ideological inclination to extend the franchise.

In North Carolina, property qualification removal was not a serious movement until it was necessary as a tool of both political consolidation and to gain an advantage in political competition. And even then, with the Democratic Party in disarray, it took a political entrepreneur and committed Democrat to raise the issue and start the removal process. When property qualifications were abolished in 1857, the practical implications of removal meant that suffrage was expanded to an estimated 125,000 new voters (Lefler and Newsome 1973, 379). While these 125,000 voters marked an important step in democracy, politically they meant very little. By the time universal suffrage was passed and implemented, the political damage was done and the political rewards already reaped. The issue and the masterful manipulation of the issue by North Carolina Democrats not only revived the party but put the Whigs on the path to extinction. Shortly after the passage of universal suffrage, the state turned its attentions to the national government and the threats of abolition and secession. Similarly to South Carolina, the

Democratic Party was consolidated during the fight for democratic expansion and property qualification removal. For the next 125 years, the state stayed in the Democratic column.

CHAPTER 7

CONNECTICUT

Connecticut (like North Carolina) is an example of where party competition and consolidation were key elements of removal. While North Carolina and Connecticut are complete opposites on many levels, there are parallels in the process and the development of property qualification removal. The states were different in the geographic sense that one was a southern planter state and the other was a northeastern industrial state with a strong connection between church and state. However, the differences went far beyond geography, economics, and social issues. Politically, North Carolina was a Republican stronghold; Connecticut was one of the most committed Federalist states in the nation – although, early North Carolina Republicans and Connecticut Federalists both opposed property qualification removal. In North Carolina, there was popular sentiment and political advocacy of abolishing property qualifications. From a strategic partisan standpoint, removing qualifications served as a way of mobilizing untapped political forces for the sake of gaining advantage. In Connecticut, there was no popular movement for democratic inclusion; instead, the issue of property qualification removal emerged as a tool of political consolidation from a party that historically had no natural claim to power. The other unique factor in Connecticut was the role religion played in state politics and qualification removal. When an alliance formed between the religious “outs” and the political “outs” a slim majority coalition emerged to topple the existing power structure (both political and religious). The political leaders of this coalition used the expansion of the franchise to maintain political power and cement the slim Republican majority.

THE CONNECTICUT CHARTER (1662-1818)

Connecticut was granted a colonial Charter by Charles II in 1662. The colony was established as “a body corporate and politic” with the usual corporate setup of Governor, Deputy Governor, Assistants (later named Senators), and the Assembly. The major difference between Connecticut and Rhode Island was that Rhode Island was specifically granted “full liberty in religious concernments.” This was the complete opposite of Connecticut where the state existed for and was dominated by the Congregationalist Church. The Charters were considered to be the two most liberal of the existing colonies. Each state was relatively autonomous in their design of political and institutional configurations (Chute 1969, 122).

Connecticut had relatively minor interest in the 1662 Charter. Outside the incorporation of the (former) New Haven colony, there was little change in the operation of government. From an enfranchisement standpoint, the Charter made no attempt to develop a system of suffrage and classified voters only as “freemen.” Upon returning from England, the first act of Governor Winthrop and the appointed legislature was to define who had a right to vote. They settled on a standard of 21 years old or upward, owners of at least a £20 estate, and of course, male. This threshold was actually an extension of the franchise; the previous pre-colonial qualification was property worth at least £30 (Johnston 1887, 173-174). The other important aspect of the initial Connecticut Charter was the establishment of the Congregational (Puritan) Church as the official state funded church. This institutionalization meant that every citizen paid a tax that went to the church, regardless of religious affiliation. After the revolution, the Episcopalian Church occasionally received funding for certain projects, presumably, because of an alliance forged with the governing Federalists (Johnston 1887, 179-181).

ECONOMIC DEVELOPMENT

Economic development in Connecticut from the time of the Revolutionary War to the removal of property qualifications was a progressive transition from a rural agrarian economy to a booming combination of commercial and manufacturing interests. More importantly, economic development had both political and religious implications. The decline of the Connecticut Federalists, with their close ties to the Congregationalist Church, and the Church's belief the economy was best served by small home businesses, subsistence farming, and tight-knit rural communities was a constant influence in the debate over property qualifications and their removal. The shift in commerce also spawned a growing vibrant working class that labored in the cities and lacked the franchise. This relationship between the "working class" and the political class became a central part of property qualification removal. By 1818, removing the property qualifications essentially meant empowering the working class since they were the majority of the population. These laborers were assisted in gaining the franchise because of their perceived moderation and their ability to disassociate themselves from the politics and passions often associated with the working classes in other states. At the same time, workers were hindered by what the Federalist elites and Congregationalist Church leaders considered to be a lack of loyalty to the church and the local issues that dominated state politics.

Initially, Connecticut much like other New England neighbors relied on farming, shipping, and small merchants to support their colonial economy. This humble way of life was shaped by the Protestant ethic and the Congregational Church that ruled the state. However, agriculture was the weak link in the economic equation. The limited amount of farmable land and the unwillingness of the conservative Congregationalist farmers to adopt modern farming techniques nearly rendered the state barren. While the conservative farmer eventually adopted

modern farming techniques in the early 1800s, by that time, the damage was done. Later, sheep herding played a minor role in the rural economies of western Connecticut, but overall, the rich tradition of New England agriculture played a relatively minor role in overall Connecticut economy during the period.

The real development of the Connecticut economy started with the 1791 enactment of Hamilton's financial plan. Before 1791, Connecticut had no state bank to provide development capital and money lending was generally disapproved of by the Congregationalist establishment. With the standardization and centralization of American banking and monetary policy ushered in by Hamilton, banking finally emerged as a profitable undertaking. Between 1792 and 1818, eleven banks operated in Connecticut. These banks put Connecticut at the forefront of banking and commercial lending during this early period. The banks provided a vast source of wealth for the shareholders and provided valuable startup capital to the emerging class of small business owners (Purcell 1918, 66-67). Mirroring the rising Connecticut banking class was the Connecticut insurance industry. The early insurance companies were often controlled by the same boards and shareholders as the banks. By 1818, Connecticut insurance agencies were the most recognizable and profitable in the nation (Purcell 1918, 73). The combination of the two industries created a distinguished and pronounced upper class.

Another form of post-revolutionary economic development dealt with the increase in shipping and carrying trade done by Connecticut merchants. This trade was particularly lucrative but was sensitive to international markets and conditions. Shipping development was described as:

The impetus given the shipping business by the foreign wars and the opening of the West Indies to neutrals accounted in large part for the increase in wealth after 1789. Prior to this there had been little gain in shipping or commerce because of the inability to cope with foreign competition. Connecticut thrived

under this stimulus; the Connecticut Valley and Sound towns became the centers of a prosperous trade. Tonnage increased; agriculture was encouraged; and money became plentiful, for profits were large despite seizures and admiralty decisions. Men were convinced that the state's future wealth lay bound up in shipping (Purcell 1918, 74).

As profitable as shipping, banking, and insurance were – these sectors were ultimately overshadowed by the emerging manufacturing and textile industry. Manufacturing in Connecticut developed part out of necessity, part out of the industrial nature of the states inhabitation, and partly because of outside political, cultural, and economic pressures. The political consequence of Connecticut's movement towards commerce and manufacturing between 1790 and 1818 was the development of competing class interests. The working class thrived and grew to such an extent that by 1820 Connecticut had the second highest percentage of “workers” in any of the states, second only to Rhode Island (Purcell 1918, 85). At the same time, the merchant and commercial upper class developed to such an extent that the state went from a relatively modest existence with few men of great wealth before 1790 to an economic power with a distinct upper class by 1818.

The specific manufacturing interests were as diverse as any state in the Union. Leading the way was Yale Graduate Eli Whitney whose cotton gin transformed Connecticut industry and whose firearms factory supplied many of the nation's early rifles and pistols. Firearms manufacturing played a prominent role in Connecticut's economy until the twentieth century. Along with Whitney, the state was also home to Colt and Winchester. Whitney's (other) brainchild – interchangeable parts, was utilized in other prominent Connecticut industries like the clock industry, brass industry, and gunpowder manufacturing (Roth 1979, 29-30). Other sources of revenue came from flax seed oil mills, distilleries, button factories, tanneries, tinworks, and rope walks. The commercial diversity and lack of collective interests made it difficult to find unifying interests. The only possible exception was the need to protect and

develop the state's commercial infrastructure, an interest that strongly tied manufacturers to the National Federalists. Although, Connecticut Federalists were not nearly as "anti-growth" as the Rhode Island conservatives; they were certainly by no means pro-growth, especially if development came against the wishes of the Congregationalist churches (Purcell 1918, 82-85).

As important as the small manufacturers were, the real strength of Connecticut's economy was the textile industry. Connecticut's textile industry was different from Rhode Island's in two primary ways. First, wool was the primary source of textile manufacturing. Wool and especially merino wool was high quality, highly coveted, and expensive. While the cotton market became highly competitive and downward pressures depressed prices; wool remained at a constant price for decades to come. This advantage provided Connecticut with greater economic stability and security than most other states enjoyed. When the nation experienced a sharp economic downturn in 1816 and 1817, Connecticut suffered, but was able to endure with relatively minor setbacks. The other major difference was that instead of having large cotton mills and cloth works; Connecticut relied primarily on small-scale factories that opened in every county in every corner of the state. So while Rhode Island and Connecticut produced nearly identical amounts of goods, they produced those using completely different methods.

By 1818, Connecticut was a state of thriving mills, small merchants, banks, insurance companies, and an occasional small farmer. The citizens were well educated, well off, and comfortably situated within the country. The population of the state had gradually shifted from rural communities to the larger cities, but migration had failed to change the identity or the character of Connecticut. What friction and faction existed was primarily the product of religious tensions between Congregationalists and non-Congregationalists over the funding authorized by the Charter. The emerging working class had a relatively minimal impact on state politics and

governance. Even with the large numbers, the working class did not actively seek political inclusion, including the franchise.

POLITICAL AND SOCIAL DEVELOPMENT

Political development in Connecticut was symbolized by the intense institutional control exhibited by the entrenched Federalists and then the rapid rise of the Democratic-Republicans when political conditions and events ignited party competition. Social development was dominated by the rise of the working class and long standing battle over public church funding. The working class interests and party politics merged when the Republicans captured a slight majority in the 1817 elections. Faced with an uncertain future (there was no guarantee the Republican coalition would survive another election) Republican politicians turned to the working classes to insure their moderate Republican majority would survive. This was unique considering that the working class had never actively demanded or mobilized for political inclusion.

Population Developments (1776 – 1818)

Historically, population issues played a crucial role in the expansion of suffrage in Connecticut. While the native population grew to the point of “saturation” by 1818, more attention was paid to the population lost. The most troubling aspect from the sense of Connecticut’s clergy and politicians was the middle class departures to Vermont, New Hampshire, and Ohio. While the overall population doubled from 1750 to 1800, some estimates place the number of citizens who left the state at over 200,000 (Van Dusen 1961). Around the time of the Revolution, the situation was described as:

The pressure of the rapidly growing population in the colony meant that many families were being driven to cultivation on thin marginal lands, which under the current agricultural practices could not produce crops adequate for a decent standard of living. In the prevailing agriculture economy with serious

soil depletion quite evident, Connecticut was already approaching a population saturation point. When one also considers heavy taxes, restricted commerce, poor markets, inadequate transportation, and growing mania for land speculation, it is little wonder that the availability of far cheaper and more fertile lands on the frontier caused an explosive emigration movement by thousands of Connecticut Yankees (Van Dusen 1961, 91-192).

This issue of population loss prompted the first, although probably not serious calls for suffrage expansion. This call for democratic inclusion came from the clergy and not from politicians. This first argument for removing the property requirement suggested that removal would help to keep Connecticut's native sons home. However, Connecticut's loss was the nation's gain. In 1831, one third of the United States Senate and one fourth of the House of Representatives – was born in Connecticut (Van Dusen 1961, 202-203). Politicians ultimately dismissed the claim. While population was a legitimate concern of politicians, there was simply no evidence that enfranchisement was the solution to the perceived population decline.

The second important population change involved the formation of large cities. Economic development created vast commercial/business/industry centers in New Haven and Hartford. These large cities consisted of working class citizens who worked in the major mills, small shops, and docks. These laborers, fishermen, and builders were often more prosperous than their rural neighbors and many were even educated. The fact they lived in large cities made the acquisition of property impossible for average citizens. The Connecticut working class was distinct in that it reflected the values of traditional Connecticut society, sometimes at the expense of their own political and economic rights. Never were there instances where Connecticut's workers seemed prone to outbreaks of radicalism, or even Republicanism. This moderation made them quite different from their neighbors in Rhode Island and would earn them the begrudging respect of the societal and political elites.

The third population issue centered on the familiar controversy of apportionment of representatives. While this issue is relatively ignored in the literature and the debate, from an enfranchisement standpoint, it is worth mentioning. The initial apportionment by the Charter treated each community equally – regardless of size. Equal apportionment continued even after the 1818 Constitution. However, the consequence was that the city of New Heaven (7,000 citizens) had exactly the same number of representatives (2) that the city of Union had (725 citizens) (Roth 1979, 116). This created conditions where the working population was clearly disadvantaged because of the apportionment, since workers primarily resided in the larger cities. Yet within the state, apportionment received only minor attention until it became a “serious and prominent” issue in the late 1840s. With the state united on most early issues, the Federalists entrenched in power and with a relatively small and conservative voting class – franchise essentially surpassed apportionment as an issue.

Connecticut’s Slow March

Connecticut demonstrated its cautious and extremely conservative nature when it came to the removal property qualifications. Through a series of institutional, legislative, and political regulation -- Connecticut Federalists were initially able to maintain absolute control of the local political agenda. The first and most prominent of the restrictions dealt with how members of the Council (Upper House, and more conservative) were selected:

Each voter was permitted to list the names of twenty persons whom he favored for the Council. In the October assembly meeting, these votes were counted, and the top twenty, on a statewide basis, were declared nominated. At the ensuing April election, about six month later, each voter could vote for any twelve of the list of twenty. However, in listing the names of the twenty Council nominees (members of the Council were called assistants) the current assistants or ex assistants were listed first, regardless of how many votes they had received in the original balloting. Since voting started on the names at the head of the list, it can be seen that the system was stacked against any newcomer breaking into the highly prized sanctum of the Council chambers. It

would require considerable independence, even courage, to cast one's vote for a name far down on the list, and apparently few ever did (Roth 1979, 108-109).

The other major restriction was referred to as a “Stand-up Law.” Stand-up laws required nominations for office to come at town meetings, were conducted by a show of hands, and required this all to be done while standing up. Practically, it meant publically nominating anyone who was not a Federalist was risking the wrath of the local establishment and Congregational Church (Roth 1973, 109).

The first time expansion of the franchise entered the Connecticut political discourse was during the 1800 election, an election suffrage historian Marchette Chute declared, had created an “earthquake” within the state. Although, in reality, the election of Jefferson was not more than a brief disruption of the status quo. Supporters of Jefferson launched the first ever political campaign; previously there was no electioneering in Connecticut. Prior to 1800, voting was a relatively somber civic duty. The Federalist machinery met behind closed doors and the public rubber stamped their candidates and decisions. Republican candidates also emerged in all regions of the state, marking the beginning of basic party competition. While there was never any doubt that John Adams would carry Connecticut, the Federalists launched a strikingly negative preemptive campaign against the new Republican agitators. Republicans were described as “Jacobins” in order to associate them with radical elements of the French Revolution. Noah Webster declared that Republicans (who were advocating suffrage for men who had paid taxes, or served in the militia) were destroying the fabric of the Connecticut way of life (Chute 1969, 286-287). This was all over a handful of upstart candidates who posed a relatively insignificant threat to the Federalists, both short and long term.

While early on, Connecticut and South Carolina were similar in terms of party affiliation, Connecticut set itself apart from South Carolina in one very distinct area, and that was the sentiment of the average voter. In South Carolina, the Federalist elites (and later conservative Democratic-Republicans) from Charleston rabidly opposed the expansion of suffrage. Generally though, the citizens were pragmatic as long as they viewed the new voting class as being amenable to slavery. South Carolina as a whole was considered to be moderately Federalist and the more pragmatic attitudes of the existing electorate showed this. In Connecticut, the “average voter” was more hostile to suffrage expansion than the Federalist leaders and Congregational clergy.

The average voter in Connecticut was a man who had a stake in the status quo and a profound respect for property. No state was more devoted to the Federalist Party, and while a few Connecticut Federalists were willing to consider suffrage reform, the vast majority wished things to remain exactly as they were, with the conservative men of property ruling a land that had no wish for change (Chute 1969, 286).

The early leader of the Connecticut Republicans, a removal advocate, the son of a highly respected New Heaven Deacon, was Abraham Bishop. Bishop held rallies, served as a principal speaker, and was a pamphleteer for Jefferson in 1800. Bishop who had traveled Europe was inspired by the French revolution, and upon his return to New Haven, set out as a committed Jeffersonian Republican. Bishop was also a classmate and friend of Noah Webster at Yale. This “Yale connection” that constantly existed amongst the Connecticut political class, in part, explains why Connecticut politicians were able to keep the debates and rhetoric over suffrage remarkably civil and mostly private, despite the potential for polarizing division (Chute 1969, 286-288). Besides the Yale connection, nearly all of Connecticut’s influential politicians (of both parties) during the period made their fortunes in the banking and insurance industries. This commonality between societal and governmental elites when paired with the secretive practices

of the existing institutions makes studying the micro level debates over enfranchisement and reform difficult since most debates were held behind closed doors.

In 1802, the first trial legislative vote on expanding the franchise was put before the legislature. The vote failed 58-118 with all Republicans in favor and virtually all Federalists opposed (Chute 1969, 285-6). Noah Webster, the Federalist leader, attacked any change to the status quo as radical. Webster on the state house floor gave a rousing speech in which he declared “The principles of admitting everybody to the right of suffrage prostrates the wealth of individuals to the rapaciousness of a merciless gang who have nothing to lose and will delight in plundering their neighbors... We should be careful not to open the avenues which may lead to our destruction” (Chute 1969, 287).

Webster who was a radical during his years at Yale was not always as diametrically opposed to suffrage expansion as he was in 1802. Looking back on his earlier writings, Webster would comment in the margins “charming dreams” and “We grow wiser with age.” As years passed, and party competition and suffrage agitation increased, Webster developed a middle ground between suffrage for tax paying males and a rigid property requirement. He proposed a three tier system where every tax payer received one vote, those who paid a higher percentage on the tax lists could cast two votes, and the very rich and clergy could cast three. While Webster’s “third way” was never seriously considered, it marked the softening of the Federalist stance against universal male suffrage. The Federalists never supported the removal of property qualifications. However, to them, it was a secondary issue rather than their primary concern. Their most heated opposition was saved for ending public funding of churches (Roth 1979, 111). At the same time Noah Webster was evolving, a new but very prominent face entered the debate. In 1806, after settling in New Rochelle, New York – Thomas Paine penned several pamphlets

and articles on the need for a constitutional convention in Connecticut. Paine's alignment with Connecticut's Republican Party briefly stirred up increased democratic agitation. However, Paine's words were unable to inspire Connecticut's working class to actively push for reform (Chute 1969, 288; Roth 1979, 111). Yet it was an important symbolic moment for the state's Democratic Party. It was the first time that any national figure had recognized the party or given it attention.

While somewhat successful in at least mounting some opposition to Federalist policies at the state level, initially Republicans were inept in their message, or so outside of the conservative Connecticut mainstream that they were simply unelectable. Bishop adopted the motto "Our Statesmen to the Constitution and our Clergy to the Bible" (Purcell 1918, 152). He also questioned the legitimacy of the existing Charter government. While Bishop's motto and subsequent rhetoric were certainly consistent with the Republican principles of Jefferson, even reform minded Connecticut citizens were apprehensive about declaring "war" on the clergy and questioning their customary involvement in politics. The Federalist response to early Republican claims was not to deny the allegations, but rather to accept them, and then defend church involvement in state politics as something desirable and honorable. Federalists framed the debate between the two parties as one between "Religion and Infidelity, Morality and Debauchery, legal Government and total Disorganization" (Purcell 1918, 153). The voters accepted these arguments and the testament of Federalist success was that despite the Republican shift at the national level, the state fended off major advances by the Republicans at the local level. Even in comparison to other New England states, the Connecticut Federalists were remarkably successful in fending off Republican agitation.

During Jefferson's first term, the Connecticut Republican Party was somewhat able to reshape its message and gain a modest constituency in the state. By the 1804 election, the party had 78 out of 233 representatives in the lower house. Instead of attacking the established clergy, reformers found a middle ground in attacking the Connecticut Charter. Bishop urged, "That the people be convened to form a constitution which shall separate the legislative, executive and judicial powers, shall define the qualifications of freeman, so that legislators shall not tamper with election laws, and shall district the state so that freemen may judge of the candidates for their suffrages" (Purcell 1918, 162). By advocating the creation of a constitution, Republicans were able to somewhat dodge the extremely controversial nature of the real reforms they wanted. They accomplished this by strategically masking all the reforms under the single banner of a new constitution rather than on the merits of individual reforms. In a way, the strategy was brilliant because of its ambiguity. At the same time, this ambiguity allowed the Federalists to continually play to the fear of what Republican state government would actually mean. The constitutional demand was skillful in the sense that it offered a little something for all Connecticut reformers, even when it was evident that no natural coalition could exist, the umbrella of "constitution reform" brought opposing interests together.

While the major shift in rhetoric made Republicans more acceptable to a larger percentage of state residents, throughout the rest of the decade (1806–1810), the Republicans actually lost ground statewide. However, the electoral defeats had little to do with actions or politics of the state party. The loss of support was primarily because of intense policy disagreement with the Republican administrations in Washington, especially the *Embargo Act* and the continuing inability to diffuse tensions with England and France. Republican representation in the General Assembly declined to 61 representatives in 1808, to 45 in 1809,

and down to 36 in 1812. By the end of 1812, it appeared the Republicans were destined to be a permanent minority party in Connecticut. They were outnumbered nearly 4 to 1 by Federalists in the state legislature and likely greater amongst the voting public (Roth 1979, 110-112). On the other side, the Connecticut Federalist Party provided the Republicans few issues to campaign on. While in other states, Republicans were able to campaign on a series of internal improvements and neglect of the Federalists to address the needs of the masses; Connecticut Federalists did not neglect the countryside or the unrepresented in such an obvious manner. Instead, the Connecticut Federalists picked a path of conservative moderation that placed them in a delicate balance between the competing needs of workers, the requests of the Congregationalist Church, and the economic elites.

Like any dominant party, the Federalists were often their own biggest enemy. A series of consecutive political blunders ultimately allowed the Republicans to regain a footing in state politics. First, during the War of 1812, the Connecticut Assembly and Governor refused to allow the militia to leave the state. While Washington D.C. was burning, the largest Federalist newspaper in the state declared the war lost. Contemptible as Federalist newspaper editorials were, that was only the beginning of the Federalist contempt for the Madison administration and “Mr. Madison's War.” The Connecticut Federalists joined with other representatives from New England states at the Hartford Convention (1814-1815). While the state Federalists were denouncing the President, hinting at secession, and passing resolutions calling for radical Constitutional (federal) change; the Republicans received an unexpected gift. The news of Andrew Jackson's victory at New Orleans and the positive terms of the Treaty of Ghent hit the state Federalists like a political freight train. Federalists, for the first time, were on the losing side of a national issue in Connecticut. Whatever the popular sentiment towards the war was before

the battle of New Orleans, Connecticut's citizenry was not above an outburst of patriotism. Republicans immediately seized this newfound issue of patriotism, describing the Federalist behavior at Hartford as "treason" and "rebellion" (Roth 1979, 111). One Republican candidate posed the question:

What Federalist can hereafter reflect on the events of the year 1814, and not feel ashamed of his party! What federalist can hereafter read the history of that year, and tell his children "I acted with the party which favored and fed our country's enemy: I was one of that number that discouraged the government and preached rebellion!" (Roth 1979, 111).

While the War did not produce the expected tidal wave of support, the issue did increase Republican seats in the General Assembly back to 57 and reversed an eight-year period of essentially single party rule. This was also the first time the cautious Federalist Party in Connecticut had made a crucial misstep that risked party dominance and the fragility of their coalition was about to show (Van Dusen 1961, 185).

Despite many electoral failures over the previous eight years, Republicans had accomplished some positive results under the radar. The most important was the creation of a state party infrastructure. Through federal patronage positions they were able to build a small but persistent base of loyal supporters and office holders. The Federalists relied primarily on a three-tiered approach to party building, no aspect of which was inherently political, and all would crumble quickly when the party struggled. The Federalists first and foremost means of organization was the Congregationalist Church, where "scarcely a deacon could be found to profess openly republican sentiments" (Purcell 1918, 197). Whenever the Federalists needed to mobilize – such as in their opposition to Abraham Bishop in the previous decade, they utilized the churches to drum up support and turn out voters. The other two major organs of Federalist infrastructure were the ten state newspapers, all touting the Federalist line, and Yale, where President Theodore Dwight was coined "Pope Dwight." Yale was such a stronghold of the

conservative Congregationalist orthodoxy that it was remarked, “In the ecclesiastical carcass of Connecticut, the President of Yale is the grand pabulum, and fountain head of political and religious orthodoxy” (Purcell 1918, 202). These methods of mobilization worked great in a single party environment. However, when true party competition emerged, actors not attached to the party were forced to hedge their bets and moderate their support. That meant when the party needed the greatest level of support, they were unable to get that support from the sources they were accustomed to receiving it from.

In 1816, the Federalists still recovering from earlier setbacks made another damaging and in this case a disastrous blunder. The issue of church funding was long a contentious issue for members of non-Congregational churches. However, the Episcopalians had received some funding under the system, a fact frequently ignored by Republicans who were occupied with disestablishment of the Congregationalists. In February, the Federalist legislature decided to suspend funding for an Episcopalian College while appropriating money for Yale expansion. The Episcopalians were outraged and called for a meeting with Republican leadership. At that meeting, the Episcopalian clergy formally joined the Republican cause. With one strategic miscalculation, the Federalists had made a major tactical blunder. The Episcopal migration to the Republicans came at the same time as the party was making new reform pledges. In the past, when the party had a chance to make tangible gains, Republicans divided up between radical and moderate camps with one side usually abandoning the other (Roth 1979, 118-119; Van Dusen 1961, 188). However, this time, they were united behind a message of moderate toleration and disgust with the status quo. The presence of the Episcopal clergy provided a veil of moderation and guaranteed the party could not be portrayed as primarily secular (or hostile to religion).

The 1817 elections witnessed the new moderate Republican coalition finally achieve success. Republicans had their dream candidate in the Governor's race. Oliver Wolcott Jr. was a son and grandson of former governors, Yale graduate, veteran the revolution, lawyer, Federalist, friend of Washington, Secretary of the Treasury, and federal judge. With a united opposition to the Congregational establishment and Federalist candidates, Wolcott was able to win the Governorship 13,655 to 13,119. The election was decided primarily on the issue of church funding, with the promise of vague reforms cementing the coalition. The Republicans also gained a majority in the lower house, but failed to make substantial gains in the upper house. The following period of divided government led to gridlock and a standstill on all reform legislation. Wolcott proposed reforms (not just constitutional creation reforms but also practical reforms, i.e. Judicial) and the upper house blocked them all. Federalists were successfully able to hold the status quo until the next election, but not without frustrating all reform minded voters, including some moderate Federalists (Van Dusen 1961, 189). Wolcott's remarkably disciplined message was not of radicalism but of pragmatic tolerance and acceptance of all the state's residents. In an address to the legislature, Wolcott cautioned moderation at every turn:

I presume that it will not be proposed by any one to impair our institutions, or to abridge any of the rights or privileges of the people. The state of Connecticut, as at present constituted, is, in my opinion, the most venerable and precious monument of republican government, existing among men... The Governors and counselors have been elected annually, and the representatives semi-annually elected by the freemen, who have always constituted the great body of the people. Nor has the manifestation of the powers of the freemen been confined to the elections. They have ever been accustomed to public consultations and deliberations of intricacy and importance. Their meetings have been conducted with the same order and decorum as those of this assembly... The support of religion, elementary schools, paupers, public roads and bridges – comprising about eight-tenths of the public expenses – has been constantly derived from taxes imposed by the votes of the people; and the most interesting regulations of our police have been and still are enforced by officers deriving their powers from annual appointments (Purcell 1918, 233-234).

The Charter was always regarded as “the palladium of the liberties” of Connecticut, and justly so, he felt, for by it the King’s claims to the territory were surrendered to the people. Wolcott continued:

Considered merely as an instrument defining the powers and duties of magistrates and rulers, the Charter may justly be considered as provision and imperfect; yet it ought to be recollected that what is now its greatest defect was formerly a pre-eminent advantage, it being then highly important to the people to acquire the greatest latitude of authority, with an exemption from British interference and control... If I correctly comprehend the wishes which have been expressed by a portion of our fellow citizens, they are now desirous, as the sources of apprehension from external causes are at present happily closed, that the Legislative, Executive, and Judicial authorities of their own government may be more precisely defined and limited, and the rights of the people declared and acknowledged. It is your province to dispose of this important subject in such manner as will best promote general satisfaction and tranquility (Purcell 1918, 233-34).

The following election (1818) Wolcott and the Republicans were able to fine tune their message (some books refer to the party at the time as the “Tolerationists”) of religious freedom, court reform, a constitution, and various other pragmatic reforms (including suffrage) in to a landslide victory in 1818. For the first time, a party other than the Federalists controlled the Connecticut government (Roth 1979, 111-112; Van Dusen 1961, 190).

The new legislature and reelected Governor immediately called for an August constitutional convention to implement the long promised reforms. Generally argued, a new constitution and the removal of property qualifications could give Wolcott and the Democratic-Republicans two electoral advantages. First, property qualification removal empowered the working class – voters who theoretically should align themselves with the Democratic-Republicans. In a state as closely divided as Connecticut, these voters could hold the balance of power. To this point, Wolcott wooed conservative Republicans to his cause by asserting his belief that over 12,000 Republican voters were disenfranchised by property qualifications (Roth 1979, 118) Second, adding the Connecticut working class to the voting rolls could potentially

insure the continued moderation of Connecticut politics. Wolcott was essentially governing from the middle, with the extremely conservative Federalists and the radical elements of his own party out of power. By adding the working class who had demonstrated remarkable moderation in their attitudes (they did not even demand democratic inclusion) Wolcott was cementing the moderate coalition governing state.

Selection of delegates to the convention is a matter of contested history. Whether or not there was a true Republican majority in the state (in terms of voters), the Republicans managed to secure a slight majority of delegates at the convention. When the convention convened, removal of property qualifications was a secondary issue to the delegates. The main two issues involved the creation of a Bill of Rights that guaranteed individual rights such as freedom of speech and press, trial by jury, habeas corpus, and restrictions on fines or bail. The other contentious issue (and most debated) was the formality of removing the Congregational Church from the state ledger.

The actual convention consisted of a few weeks of debate that was largely dominated by impassioned rhetoric surrounding church and state. When a vote on the new constitution finally happened on September 15, 1818, it was approved 134 to 61. As happy as proponents were, it was still far from a sealed deal that the Constitution would be ratified by popular vote. The document was so moderate that both conservatives and progressive loathed it. When the popular ratification vote took place on October 5, 1818 there was no guarantee that the document would pass. The weeks between the convention and popular ratification witnessed a debate between politicians and newspapers about the pros and cons of the Constitution. The debate largely divided down party lines, and seems to have made little impact on the actual vote. The Constitution did pass, albeit by slim majority on a popular vote of 13,918 in favor to 12,364

opposed. While passage was celebrated for many different reasons, this marked the end of the property qualifications in Connecticut as well as the era of Federalist domination (Chute 1969, 288; Roth 1979, 113-114; Van Dusen 1961, 190).

CONCLUSION

Connecticut's path to qualification removal was dominated by the conservative political culture in the state. Party competition was slow to emerge because of the highly institutionalized nature of the Federalist Party and the instability of the early Republican coalitions. Before the Republicans could compete with the Federalists, they first had to unite behind a common slate of interests. While earlier Republican attempts at unity were compromised by radicalism – in 1816, a moderate coalition was formed after several political mishaps hurt the Federalists, and a unifying leader emerged from the Republican ranks. After Democratic-Republicans scored a narrow victory in the 1817 elections, the issue of enfranchisement finally emerged, but as a secondary issue in the context of greater religious reforms. Property qualification removal gained importance because of strategic political interest in consolidating the Democratic-Republican Party, not because of any mass movement agitating for inclusion. This aspect makes it unique in comparison to any of the other state narratives; there simply was no popular movement advocating qualification removal in Connecticut.

In Connecticut, reform advocacy took place within the political arena and within the context of party competition. When removal finally happened in 1818, the impact of the working class was minimal but consequential. The moderate Democratic-Republican majority remained slight, but it was able to skillfully govern for a decade following qualification removal. When the party finally faced decline, it was primarily because the state realigned to combat the politics of Andrew Jackson and the retirement of Oliver Wolcott Jr. The removal of property qualifications

as a political tool of consolidation allowed the party to rule for a decade – far more than would have been anticipated in an era with property qualifications and without the moderation of working class voters.

CHAPTER 8

RHODE ISLAND

Rhode Island went through an economic transition from the Revolutionary War until the 1850s that transformed the state from a fledgling shipping economy to a textile and manufacturing giant. The economic development radically changed the social composition in the state, and led to extreme ethnic, racial, and religious tensions. The tensions stemmed from the fact that in order to adequately staff and support the mills, immigrant labor was required. The immigrants who arrived to the state were predominately Irish and Catholic and not welcomed in to Rhode Island society, politically or socially. As immigrant numbers grew, hostility from existing citizens increased. This hostility included formal party and institutional exclusion of immigrant and worker demands (including, but not limited to property qualification removal). Politically, the state was slow to develop a traditional party structure. When a two party system emerged in the 1830s, both Whigs and Democrats vehemently opposed property qualification removal. With social tensions on the rise and no political channels to exercise democratic protests, the debate over property qualification removal was pushed to the political fringes and the streets. When the traditional political infrastructure, parties, and politicians involved themselves after Dorr's Rebellion, the issue was solved by a new moderate constitution that balanced class tensions and fears, while continuing to exclude many immigrants.

THE RHODE ISLAND CHARTER (1663-1842)

While the Rhode Island and Connecticut charters were virtually identical, they received completely different receptions from state residents. The Rhode Island citizen's viewed liberal freedoms as the power to set their own course, while in Connecticut, a liberal Charter simply meant a continuation and formal entrenchment of the Congregational Church. The Rhode Island Charter was so beloved it achieved a mythical standing in the state. It was celebrated to such an extent that:

So enamored did the Rhode Islanders become of their new charter that they created a ritual ceremony, a civil religion, for it, not unlike later Fourth of July celebrations. Every year when the newly elected governor was given the charter for safekeeping during his tenure, all the freemen of the colony assembled at the inauguration; the box in which the charter had been sent from England was opened, and the charter was solemnly taken out and held up for all to see. Then it was read publicly, word for word, to the assembled voters. Like the Ark of the Covenant, the charter in its box became the sacred symbol of the colony's special mission in the New World. These headstrong individualists with widely different views on how to worship God had at last found a sense of community in worship of political freedom (McLoughlin 1978, 39).

And this celebratory attitude was the ethos of the state's citizens for the two hundred years the Charter operated as the governing authority in Rhode Island. In later times, the document might have been adored more for oppressive suffrage or rural favoritism than liberal freedoms – but the Charter always held a high position in Rhode Island, even with many members of the working and lower classes who were excluded from its liberal privileges.

The liberal freedom to design its own governmental institutions proved somewhat troubling to the initial Rhode Island political class. There were two important questions that addressed the fundamental structure of the government and the Charter. First, was the issue of amending the Charter. Since the status as a colony existed within the structure of the English Monarchy, it was assumed that amending meant receiving authority or authorization from the

King. So when the state drifted away from the Monarchy, the question of how to amend received prominent attention. Ultimately, Rhode Island decided on an amendment procedure of requiring a simple majority vote in both the houses. Rhode Island, unlike Connecticut, made frequent use of their amendment privileges. The legislature constantly updated and tinkered with the document as they saw fit or as the political winds of the day blew. The other major issue facing the initial political class was the question of suffrage. While there was never any question that some type of property qualification would exist (as they did in every colony), the size and scope were left to the colony. Rhode Island settled on a qualification of £100 and while extending the franchise to the eldest son of a freeholder (Mowry 1901, 8-9). This threshold was extremely high, nearly five times higher than the qualification in Connecticut, and one of the highest in all of the colonies. While the exact requirement changed over time to reflect inflation, deflation, and changes in currency, Rhode Island always maintained very high property threshold(s) up until the ultimate removal of the property qualification by the 1842 Constitution. The effect of the extremely high threshold(s) was that at any given time between 40-70% of the adult male population was explicitly disenfranchised by the rigid property requirement.

ECONOMIC DEVELOPMENT

Economic development in Rhode Island occupies a unique place in early American history. Rhode Island was the only state that never had any significant agricultural presence. The small amount of land, dampness of the coastal soil, and the harsh winters simply made it far more profitable and practical for Rhode Islanders to develop other avenues of financial livelihood while purchasing food and raw materials from fellow states and colonies. This system of commerce and dependency created two major problems for early Rhode Island citizens. First, any interruption of either food supplies or trade routes had the potential to not just slow down,

but to potentially kill off the state, literally and figuratively. The other major problem was a prolonged sense of isolation as a colony and within the early Union. So while many of America's early political founders and many states were living in an agrarian world and advocating a very agrarian American state; Rhode Island was never introduced to the plantation lifestyle or to the yeomen farmer. Thomas Jefferson's America of plantations, family farmers, and yeomen farmers was as foreign to Rhode Islanders as the shores of England. Simply, their way of life was unique in comparison to the rest of the nation.

On the business side, Rhode Island was familiar with an assortment of commercial (both legal and illegal) interests. These activities allowed Rhode Island to achieve a relatively modest state of prosperity. While they were nowhere near as well off as Connecticut or Massachusetts, they were by no means impoverished. Prior and up to the Revolution, activities like spice, molasses, and tea smuggling were all common business ventures. In fact, if the Crown had implemented a tax on an item, there was almost certainly a Rhode Island merchant smuggling it (McLoughlin 1978, 54-55). On the legal side, the four greatest sources of wealth in Rhode Island were the sugar trade, slave trade, fishing, and commercial whaling. All these activities were considered to be somewhat unsavory professions, especially to Rhode Island's neighbors in Connecticut and Massachusetts (McLoughlin 1978, 63). A poem printed in Connecticut newspapers in 1787 proclaimed:

[To Rhode Island]
realm of rogues, renowned for fraud and guile,
the knaveries on your little isle....
the state, the unhallowed ground appears
and a cave for bears....
the snare of law to shun,
from Rhode Island run (Bates 1898, 143).

Hail,
All hail,
Look through
A nest of dragons
The wiser the race,
Like Lot from Sodom,

While the scorn and contempt of neighbors might have been earned and well founded, it only compounded the sense of economic, political, and social isolation.

The commercial activity of Rhode Island was very vulnerable to outside interference. The Revolutionary War devastated the state, and the superior British navy stifled Rhode Island's commercial shipping for the decade that followed Independence. Instead of finding new opportunities or shifting commercial interests, the state sat idle. This caused many residents to either flee to neighboring states or live in conditions of extreme poverty. What little was possible still trickled through Rhode Island ports, but for the most part, they sat empty. Those who could leave left the state permanently to find work in the fields, factories, and mills of neighboring states. To this extent, between 1776 and 1787 the state lost nearly 30% of its native born population (McLaughlin 1978, 41).

The extreme poverty during the revolutionary era caused Rhode Island to reintroduce a system that caused the state much trouble and hostility with the Crown and fellow colonies prior to the revolution, paper money. The long and sorted history of paper money in Rhode Island dates back to 1710 and Queen Anne's War. When Rhode Island was unable to meet its share of the war burden, the tiny and impoverished colony issued paper money to creditors (McLoughlin 1978, 59). The practice was popular as a way to "painlessly" purchase items and stimulate the economy; paper currency was widely used until 1754. The practice was unacceptable because paper money from a colony of such mediocre finances was generally considered worthless to outsiders. However, worthless currency had the unintentional consequence of establishing Rhode Island as the colonies leading currency trading outlet. Because their state currency was worthless, Rhode Island merchants were required to trade with French, Dutch, English, and occasionally Russian currency (McLoughlin 1978, 60-62). This aspect of Rhode Island commerce played a major role in the evolution of the state as an early American banking power.

It created an aristocratic banking class that was extremely well organized and had very specific commerce concerns that needed to be addressed (or overlooked) by state governments.

Economic Transition (1800 – 1843)

As the nineteenth century progressed, Europeans waged their own continental wars, European hostility towards the United States increased, importation of slaves ceased, and as larger American ports opened -- Rhode Island's once vibrant shipping industry gradually declined. While shipping never ceased to operate, for the first time in Rhode Island history, it was acceptable to look for alternative means of commerce. Jefferson's *Embargo Act* in 1807 only served as a catalyst for further development and fundamental change in the structure of the Rhode Island economy.

Rhode Island has a unique history with in the American textile industry. While Rhode Island was ideal for textile production (because of the easy access to water), the textile industry was generally undeveloped prior to 1808. This was despite the fact that Pawtucket was the home to the first successful cotton-spinning machine in 1790. The initial mill was even successful; it expanded to two operating two-story mill buildings within its first decade of operation, and was easily the most productive textile mill in the country. Part of the reason for the lack of mill expansion was the nature of the labor. Dock and ship work was by no means easy labor, but millwork was particularly physical and repetitive. When Alexander Hamilton wrote in his *Report on Manufactures* in 1792, that the man who found work for women and children would be a benefactor of his country, the Pawtucket mill's co-owner, Moses Brown, accepted his proposition (McLoughlin 1978, 117-118). Brown wrote Hamilton, boasting "As the manufactory of the mill yarn is done by children from eight to fourteen years old, it is as nearly a saving of labor to the country as perhaps any that can be named" (Brock 1942, 84). Despite using child

labor for much of the most tedious work, the labor was so dangerous and strenuous that it prompted the first labor strike in American history in 1800 (McLoughlin 1978, 117).

Between 1803 and 1805 four new mills opened, all successful. Following the embargo, ninety-seven new mills opened between 1807 and 1815. The mills employed seven thousand workers directly and thousands more worked in support of mill operations indirectly. Twenty-one of Rhode Island's thirty-one towns were supporting mills. The state's leading import became raw cotton, primarily supplied from the South. The southern economic link provided an interesting twist to Rhode Island politics. Rhode Island frequently aligned with southern interests, including slavery, when it felt that somehow other northern interests threatened the textile industry. This ironic turn of fate came much to the dismay of Moses Brown the man who brought textiles to Rhode Island, and one of the nation's most passionate and ardent abolitionists (McLoughlin 1978, 117-120). The constant connection with southern economic and political interests only contributed to the state's schizophrenic political nature and unpredictable voting patterns.

Over the next thirty years, the textile industry continued to grow at a frenzied pace in Rhode Island. The invention of the power loom in 1815 and steam power in the 1830s dramatically increased production and the profitability of textile manufacturing. By the end of the 1830s, there were over 226 cotton textile mills operating in the state. One in three persons in the workforce were employed by a mill. By this time, women, children, and immigrants did the dangerous and difficult work. While textile manufacturing ultimately slowed during the tumultuous times of the 1840s and 1850s, by 1820, it had clearly surpassed shipping and trade related commerce as the state's leading source of revenue and largest employer (McLoughlin 1978, 119-121). The ramifications of this shift in commerce, and the corresponding population

developments, radically altered all political debate, including suffrage. The tense relationship between the Rhode Island working class (the largest in the nation) and the state's conservative political class set the state on a course of conflict and confrontation.

Other economic developments during the era include the emergence of a vibrant banking and insurance industry centered out of Providence. Banking and insurance developments were primarily the legacy Rhode Islanders inherited as savvy cash handlers dating back to the colonial period. The banking sector also benefitted from textile mill owners searching for ways to diversify their holdings as increased pressure from Massachusetts, New York, and Pennsylvania started applied downward pressure on textile markets. The state was also home to a flourishing precious metals industry that produced some of the nation's finest jewelry. These firms were primarily based out of Providence and dated back to Jabez Gorham. By 1860, there were over ninety-one precious metals workshops in the state, and they employed the second highest number of workers (McLoughlin 1978, 122-124).

The greatest consequence of the economic development, especially such labor intensive economic development, was that the native-born work force could not meet the labor demands of a growing textile economy. While immigrants were an increasing presence in the state since 1810, by the 1820s, foreign labor was desperately needed to fill thousands of openings in the mills. Initially, little attention was paid to the new infusions of foreign workers. However, as immigrants became increasing Irish and almost entirely Catholic, anti-immigrant resentment was an everyday part of Rhode Island life. Immigrant populations continued to grow to such an extent that from 1830-1850 the percentage of foreign-born residence of Providence increased from one to fifty percent of the population (McLoughlin 1978, 121). Matters were made worse by a series of race riots between Providence's whites and blacks in the late 1820s and early

1830s. Hostility peaked when Irish Catholics attempted to form labor unions in the early 1830s, the first such attempt in the United States. While unsuccessful, the mill owners used unionization as an opportunity to portray the values of Catholics as out of line with the hard working individual spirit of native-born Rhode Islanders (McLoughlin 1978, 119). By 1840, the situation was on the verge of a catastrophic breakdown, both politically and economically, the situation across the board was oppressive without precedent. Rhode Island Historian, William McLoughlin, best summarizes the final word on the situation:

The [first half] of the nineteenth century brought great achievements in technology and industry to the state and firmly attached it at last to the rest of New England. But the benefits of modernization were slow to trick down to the factory worker, whether foreign or native-born. Workers were mere commodities of production. While farmers and other rural folk had the social satisfaction of ancestral pride and racial affinity to the rising urban middle class and factory owners, their votes became expressions of frustration, efforts to retain a sense of control over a world passing beyond their ken. Cities, not farming communities, dominated the state. Social tensions mounted almost in direct proportion to prosperity. Rhode Island became as ethnically, socially, and economically fragmented in the nineteenth century as it had been religiously divided in the seventeenth (McLoughlin 1978, 110).

While economic development in other states served to unify social and economic cleavages, economic growth in Rhode Island exacerbated the differences between classes. In part, it was because the working class was largely culturally and ethnically different in Rhode Island and posed a different set of threats to the status quo. In South Carolina and Connecticut, the rising classes were moderately conservative and posed relatively no threat to the existing state hierarchy. Even in North Carolina, where western farmers favored elements of Jacksonian democracy, these farmers did not pose a radical threat to the eastern aristocratic interests. They were progressive in nature and politics but not hostile to existing interests. However, in Rhode Island, the working class was predominately Irish, Catholic, and prone to radical sometimes violent outbursts and populist passions. Whether the political and social exclusion caused the

radicalism or vice versa – the entrenched conservative politicians and voters viewed the working class as an ominous threat to their interests. With the existing political class hostile to every aspect of the working class (ethnicity, religion, and politics) there was no conceivable reason they would consider democratic expansion, so instead, they formally excluded them (from political institutions and political parties) and created a situation of open hostility and warring class factions.

POLITICAL AND SOCIAL DEVELOPMENT

Political development in Rhode Island is symbolized by the inability of parties to consolidate in a normal sense. The inability of parties to function as a proper channel of popular sentiments largely contributed to the social movements that developed during the period. The delay in political development meant there was no chance for moderate inclusion like the development facilitated by political competition and consolidation in other states.

Rhode Island's Population Increase

Rhode Island's growth in population was not spectacular compared to many other states. The state population merely doubled between 1800 and 1840. Yet the ramifications of this population growth did play an important role in the suffrage narrative. Most of the new arrivals from 1776 to 1850 were Catholic European immigrants who initially did not actively seek political representation or widespread "rights." As time progressed, immigrant communities grew larger and more established; the subsequent push for rights created a constant underlying tension in state politics. The one tangible political effect of large immigrant populations was the growth of anti-alien sentiment (McLoughlin 1978, 120). This anti-immigrant sentiment lent itself to Rhode Island playing a leading role in the Know-Nothing movement, but even during the

earlier periods, anti-immigrant and anti-papist bigotry was constantly present in the political subtext.

The other important population development in regards to enfranchisement came in the growth of Providence. Early politics in Rhode Island tended to center more on regional divides than actual political parties. Providence and the area directly surrounding Providence (Bristol County) consisted of slightly fewer than half the state's population, but because of apportionment, and the fact the rest of the state stood in near total opposition to anything or anyone from Providence, historically it had very little political power. An example of this regionalism was the call for a constitutional convention in 1821. The leading advocates of the measure came from Providence and particularly the Providence newspapers. Out of approximately 3,500 votes cast, 1,600 were in favor and 1,900 against. Providence and Bristol counties voted 1,277 in favor and 208 against. While Newport and Washington Counties voted "no" in ratios of 7:1 and 8:1 (Mowry 1901, 30).

The inability of Rhode Island to get past regional conflicts effectively slowed down efforts at both suffrage expansion and constitutional creation. Suffrage expansion, and to a lesser extent constitutional reform, was viewed as a working class Providence issue rather than a statewide concern. The rest of the state clung to the Charter that favored rural over industrial towns and feared what the state would look like if Providence were appropriately empowered. With a party system that was not inclusive, it took the increase in the statewide working class and the development of outsider chaos before the issue(s) fully developed (Mowry 1901, 31-40).

Rhode Island and Political Chaos

Political parties in Rhode Island play a relatively small “active” role in the debate and ultimate adoption of universal male suffrage. This was not because there was not a role to be played, but rather because parties had no desire or incentive(s) to intervene. While parties and politics intersected (briefly) when Thomas Dorr formed his own Constitutional Party in the 1830s and then again when the issue was finally sorted out after Dorr’s Rebellion in 1842; for the most part, the debate over suffrage took place outside the disorganized and disinterested Rhode Island party structure. When a fragile two party system emerged in the 1830s, Whigs and Democrats found themselves catering to constituencies who opposed suffrage expansion and Charter reform for completely different, but entirely conservative reasons. The narrative of political parties between the revolution and Dorr’s Rebellion provides a powerful example of a system so fragmented, polarized, and weak that it became necessary to debate the leading issues outside the framework of conventional political institutions.

The first and most powerful political party in the state (post revolution) was the “Country Party.” They controlled the state from roughly 1785-1790, although, many prominent members continued on under different party banners. The Country Party was a divide and conquer party that pitted rich versus poor, merchant versus worker, and rural versus urban. The party consistently won with bare majorities. This technique that allowed them to rule effectively at first but eventually led to their downfall. Politically, they favored a bizarre system of allowing the poor to pay off their share of the war debt with depreciated paper money, while refusing to accept any responsibility for continental war debt in the state. This effectively meant any debt owed to state merchants authorized by the Continental Congress, was defaulted on by the state government or paid off with worthless currency. This economic policy had the consequence of

aligning the entire merchant class actively against the state government (McLoughlin 1978, 101-102).

The Country Party was also stridently opposed to federal ratification. They did so not out of any set of principle, ideology, or popular sentiment – in fact, most residents were inclined to join. The party simply did not like it was not willing to cede power to a strong(er) federal government. Rhode Island citizens favored Hamilton’s economic plan over the continued use of devalued paper currency. While the poor and small property owners favored Country Party policies, the party let this support inflate their confidence to a dangerous level. George Washington declared Rhode Island politics at the time as “scandalous.” James Madison condemned it for political “wickedness and folly” (McLoughlin 1978, 103). Yet there was no indication the Country Party could lose power in the immediate future, their majority was thin but secure, and their supporters were motivated to keep them in government.

Finally in 1790, a series of events unfolded that knocked the party out of power. However, their ideas and policies would linger on for another twenty years. In May, Providence threatened to secede from the state and join the Union in order to force payment of continental debts. Unable or unwilling to control cities within its own borders, the party did nothing. Sensing weakness and indecision, the United States Congress threatened to treat Rhode Island as a foreign nation and require it to pay duties on products shipped in to the United States. Some Congressional leaders threatened to prohibit all commercial traffic between the state and the Union, and others (notably Alexander Hamilton) even hinted at invasion (McLoughlin 1978, 103-104). All of this pressure from both internal and external sources caused the Country Party to collapse under its own misguided policies, effectively abandoning state government in favor

of local control and autonomy. Ultimately, the state agreed to join the Union and ratify the Constitution. However, the unique nature of Rhode Island politics was by now well established.

The next twenty-one years was typical of the Rhode Island party experience, completely and totally schizophrenic. State level politics was dominated by Providence born Arthur Fenner who was among the nation's most strident Anti-Federalists. Fenner served as Governor from 1790 until his death in 1805, and after his death, his son James served as Governor until 1811. Fenner's approach to governing was something of a novelty. He was committed to allowing extreme regional autonomy in Rhode Island's various counties, a position that made him acceptable to all regions. His years as governor were marked by little controversy and little progress at the state level. He simply did not actively participate in governing the state. What little is known about his reign comes from his criticisms of any and all federal power, Fenner made frequent targets of both Republicans and Federalists.

Over the same twenty-one year period, the state sent a strange and inconsistent mix of Federalists, Anti-Federalists, and Republicans to Congress. Notably, none were of great consequence or ability. Most were selected for regional reasons more than any particular ideology or party identification. Between 1790 and 1811, the state sent seven Republicans and four Federalists to the U.S. Senate. While their representative(s) to the House switched back and forth between parties or were men with no declared affiliation. Since there was initially only one seat in the House of Representatives, two Senators selected for regional balance, and a Governor who was content to allow local governments to administrate their own polices; mass political parties simply failed to develop. Strangely enough, and despite their intense dislike of federal authority, the state usually voted for Federalist presidential candidates. The state voted for Adams in 1796/ 1800, Jefferson in 1804 after the Federalists nominated South Carolinian C.C.

Pinckney as their candidate, rather than a New England Federalist, and then voted for Pinckney over James Madison in 1808.

In the 1810s, as the Federalist Party faded into national decline and eventually disappeared completely, the Federalists evolved as the dominant force in Rhode Island politics. While numerous factors contributed to the ascendancy of the Rhode Island Federalists, all were related to the changing position of Rhode Island in the Union and the unification of state economic interests. The economic transition from shipping to manufacturing (in part due to Jefferson's Embargo) made Rhode Island more favorable to federal economic intervention. This was especially the case when it came to protective tariffs and barriers protecting the infantile textile industry. Republican foreign policy during the *Embargo Act* and the War of 1812 hurt all regions of the state. The disputes with the Madison administration reached a climax when Rhode Island joined with New England neighbors at the Hartford Convention in late 1814 -1815 (a surprising act given Rhode Island's perpetual isolation). Finally, the state's first Federalist Governor, William Jones (1811-1817) and Federalist Senator William Hunter (1811-1821) were both incredibly popular and gifted politicians able to transcend regional divides (McLoughlin 1978, 112-113). Since the men were from different regions (Hunter was from Newport and Jones from Providence) there was cooperation between regions over matters of politics for the first time. Jones was also the first governor willing to use the Rhode Island Governorship to press a statewide agenda (unlike the Fenner's who were content with local autonomy).

The brief alliance between Newport and Providence allowed for temporary Federalist consolidation from 1811 to 1817. By the time William Jones retired due to poor health in 1817, Federalists controlled Rhode Island, occupying every major office. However, when the national Federalist Party ceased to function after the 1816 Presidential election and with the departure of

Jones in 1817, the Providence-Newport alliance quickly ended. Within a year, chaos quickly returned to Rhode Island politics.

The 1820s threw Rhode Island politics back to earlier days; with politics increasing regionalized and conducted at the local level. Symbolic of the state's turn back to an earlier era, was the reelection of James Fenner as Governor in 1824. Fenner previously held the post after the death of his father, only to be swept out of office during the Federalist onslaught during the Madison administration. The only unifying element of Rhode Island politics during the decade was opposition to Jacksonian democracy. The state voted against Jackson in all three of his presidential runs and sent ardent anti-Jacksonians to the Senate and House. In siding with the anti-Jacksonians, Rhode Island was voicing "an expression of its preference for industrial development over western expansion" (McLoughlin 1978, 114). Still, even the staunch opposition to Jacksonian politics was not enough for traditional parties to develop and consolidate. This was unlike North Carolina where anti-Jacksonian sentiment translated into legitimate two party competition.

Party politics changed in the late 1820s when a new radical force entered Rhode Island politics, this movement eventually ushered in the first two party system that emerged during the early 1830s. The Anti-Masons were a strange collection of conservatives, progressives, and paranoid conspiracy theorists that organized under a single party banner in 1828. The only cohesive issue holding the coalition together was a discontent with the political status quo. The party was particularly powerful in New England where they capitalized on the disorganized opposition to Jackson. The other important element of the Anti-Mason Party was that they were tremendous political organizers. Previous party organization in Rhode Island was nonexistent, even with Federalist control in the 1810s, parties failed to adopt any traditional infrastructure

(Vaughn 1983). Anti-Masons were so successful in Rhode Island that they elected Dutlee J. Pearce to the United States Congress. Pearce was an extreme left wing radical and one of the most prominent leaders of the national Anti-Masons. The emergence of the Anti-Masons served as an important transition to the next stage of Rhode Island politics, the emergence of the Whigs.

The early 1830s witnessed the gradual evolution of the Rhode Island party system. While both Democrats and Whigs catered to their own unique conservative bases, they were stable enough to withstand an initial third party challenge from Thomas Dorr and his Constitutional Party. The different bases of conservatism stemmed from different regional interests. The Whigs, who elected representatives in every county, received most of their votes from Providence. Politically, the Whigs dealt with a set of voters who were fiercely anti-immigrant, hostile to abolition, and increasingly isolated from the state's Providence phobic voters. The Democrats who aligned themselves with the anti-Jacksonian branch of the party dealt with a base that was fiercely protective of the Rhode Island Charter. The electoral advantage provided to the rural counties under the representation system was their primary interest. The parties both opposed suffrage expansion, however, again for different reasons. Whigs primarily opposed on the grounds of immigrant inclusion and fear qualification removal would help the Democrats gain working class voters. Democrats because their rural base feared enfranchising immigrants would make them hostages of Providence. The same fears also drove both sides against revising the charter. Local conservatism was increased by downright hatred of Jackson's politics, perceived as hostile to the interests of New England and too focused on the emerging west. With the party system deeply divided and with formal exclusion of suffrage demands, the debate over property qualification removal left the traditional political channels and moved to the streets.

Party politics during the decade was characterized by increasing participation, although, participation was limited by the small number of eligible voters. Some techniques of party organization were incorporated from the (by that time) defunct Anti-Mason Party and increasing industrial organization against the workingman's movements. Still with this increase in participation, it was not until after Dorr's Revolution that party politics in Rhode Island resembled a "normal" party system (Gettleman 1973).

Following a fiercely contested Governor's race in 1832, which was inspired by regional disagreements and Anti-Mason intensity, the state remained in relatively static balance. The Governorship throughout the 1830s was held by Democrats from outside Providence. The Congressional delegation was dominated by Whigs and generally regionally balanced. The two leading political figures in the state were Senator Asher Robbins (1825-1839) and Senator (and Former Governor) Nehemiah Knight (1821-1841). Knight a progressive Whig, was seen as favorable to the expansion of the franchise. Early attempts by the Dorr faction, a collection of progressive reformers, to gain a prominent spokesman focused on Knight. However, just this association with the Dorrites was fatal to Knight's electoral career; two times Knight ran unsuccessfully for Governor during the 1830s (defeated both times over fear of his reformist ties).

When the suffrage movement raged out of control in 1840, the parties formed a "unity party" that was dominated by the most conservative elements of both parties. This Rhode Island Party (1840-1843) and later the Law and Order Party (1843-1845) was separate from the Congressional delegation (which remained Whig and maintained a healthy distance on state issues). These "parties" based on a loose coalition of anti-suffragists, anti-constitutionalists, Know-Nothings, and anti-Providence forces were led by Samuel Ward King of Johnston. King

took a militant stand against suffrage expansion. King's staunch stance would endear him to ardent opponents of expansion but ultimately made matters worse during the impending crisis. The Law and Order Party eventually evolved into the Know-Nothing Party as time progressed and the anti-immigrant message gained momentum at the national level.

The Reform Movements

The movement for suffrage expansion in Rhode Island is deeply intertwined with the quest to replace the Rhode Island Charter with a constitution. While not every attempt at constitutional creation was linked to suffrage expansion, the relationship between the two is enough to study the two issues together. The problem becomes what constitutes a legitimate reform movement? Early Rhode Island reformers were so disorganized and of such a questionable nature, it is difficult to pinpoint the exact time serious suffrage agitation started.

Brown President, Francis Wayland, expressed this sentiment in 1842:

It is proper to add that, until very lately, it has been really doubtful whether a change was actually desired by any large number of our citizens. Petitions on this subject were, it is true, several times presented, but they never seemed to arise from any strong feeling, nor to assume a form that called for immediate action. It has really been a matter of surprise to me that the question awakened so little attention (Mowry 1901, 4).

While it might seem preposterous, Wayland was accurate in his critique of suffrage history in Rhode Island. The long sorted history of Rhode Island provided many not so serious attempts at reform (at multiple levels). However, a detailed examination of the history shows an incremental increase in both the seriousness and the participation of these “democratic reform movements” over time.

The first attempt at a new governing document came in 1797. The solitary and lonely figure of the movement was Colonel George R. Burrill, a lawyer, and brother of Senator James Burrill. Burrill himself doubted the chances of his calls for reform, stating, “To petition this

legislature for equal representation is to require the majority to surrender their power – a requisition which it is not human nature to grant” (Mowry 1901, 27-28). Burrill’s motivation was that “Equal representation is involved in the very idea of a free government.” Unfortunately, the Rhode Island General Assembly did not keep records of bills that failed passage, so there is no record of what happened to Burrill’s attempt (outside it failed) or how much support it received. What is known is the next attempt at reforms was not until 1811 (Mowry 1901, 27-28).

The reform attempt of 1811 was unique in that it was a Providence freeman calling for expansion of suffrage. It was the only such attempt until Thomas Dorr entered the scene in the 1830s. The Charter modification proposed was to eliminate the property qualification in favor of a tax and residency requirement. The act was proposed not because of the usual arguments in favor of reform, but the fear of fraud. In order to get around the property requirement, large rural landowners gave “quasi life leases” of property in exchange (at least it was claimed) for votes. The measure was actually passed by the Senate, but tabled by the House. This effectively ended the movement for the foreseeable future (Mowry 1901, 28). The rest of the 1810s spent under Federalist control witnessed no further discussion of suffrage reform. The Federalists by virtue of their nature had no interest in suffrage expansion. Such a radical change was outside of their historical conservatism, so the issue received virtually no attention until the next popular agitation.

The next major suffrage agitation came when Connecticut and Massachusetts debated and implemented constitutional change(s) in 1818 and 1820. For the first time, residents of Rhode Island seriously questioned their governing document. Connecticut (prior to 1818) was the only other state operating under a colonial Charter, when Connecticut opted for a Constitution; they effectively left Rhode Island isolated and alone, again. Enough agitation

existed within the state to prompt a referendum on a constitutional convention in 1821. The referendum was defeated after regional factionalism broke out during the Governor's race, which pitted Providence against the rest of the state. William Gibbs, a Jacksonian Democrat from Newport was elected governor, and the vote for a constitutional convention followed the vote for Governor (with democrats voting against). The following year, the issue was again brought up in the Assembly but tabled for discussion until the next session, with a committee formed to report on the subject (Mowry 1901, 30).

Following the defeats of 1821 and 1822, a bill calling for another convention was inexplicably passed in 1824. Little seems to have changed and the bill was passed with little debate. The freemen of Rhode Island greeted the convention with little enthusiasm. Selection of delegates produced no interest and very few freemen actually participated in any phase. When the convention met in June, delegates produced a conservative Constitution that codified the Charter. There was one change in suffrage, in the form of stripping the eldest son of a freeman his right to vote. A proposition to extend suffrage to all adult males was introduced by David Pearce, but was voted down with only three delegates voting in favor (Mowry 1901, 31-32). When brought before the people the new "Constitution" was voted down 3,206 against and 1,699 in favor. The vote was predictably sectional.

Newport County gave 33 "yes" out of 1,095 votes; Washington County recorded 70 "yes" out of 793; and Kent county 169 out of 777. Providence County gave 677 votes, out of 1,885 against the constitution; the comparatively large negative vote being mainly due to two towns, Scituate and Foster, that adjoined Kent County. Adding the vote of the other eight towns in this county to that of Bristol county, we find 265 "no" votes out of a total of 1,634 (Mowry 1901, 33).

While there is no definitive reason why the Constitution was defeated, there are three primary explanations offered: natural conservatism – there was a feeling the charter was working effectively and change was risky; the rivalry between the northern and southern counties was simply too great to facilitate a major change; and the demand for a constitution was not a statewide concern (McLoughlin 1978, 156; Mowry 1901, 34).

The issue of constitutional reform was again dead for the foreseeable future. Suffrage and constitution advocates had for the first quarter of the eighteenth century, failed to provide a far-reaching and consistent argument(s) in favor of their causes. While they were taken seriously, there was still a long way to go. In order to get the legislature to agree to any change, whether constitutional or by amending the Charter, it was necessary to battle entrenched political institutions. This meant the daunting task of convincing conservatives to go along with what they perceived as radical change. The alternative was potentially moving outside the system. Non-traditional agitation was something that was not possible without widespread mobilization and agitation, something that had not successfully happened previously.

The first attempt at mass mobilization of the disenfranchised occurred in 1829 with a petition drive in Providence. The effort generated 998 signatures (369 from freemen) asking for an extension of suffrage. Similar drives were carried out in other cities netting a few hundred more petitions. While this attempt was noble in principle, it was made into a joke. The Assembly committee examining the petitions found examples of out of state signatories and criticized the manner in which the petition drive was conducted. The “Hazard Report” delivered a black eye to the suffrage movement that would persist for over a decade. The political class made every effort not just to defeat the suffragists, but also to completely and totally discredit and humiliate them. After this latest debacle, the suffrage movement again disappeared for five years (Mowry 1901,

35-36). The Hazard Report and the seeming indignation of political elites would serve as a future rallying cry for expansion advocates who by this time were starting to understand their opponents and their steadfast resolve to maintain the status quo.

Rhode Island government changed forever when Thomas Dorr entered the suffrage debate in 1834. Dorr was a wealthy Whig who came from a well-respected Providence family. Dorr initially joined with Nathan Brown as organizers of a new suffrage “movement.” For the first time, suffrage advocates abandoned the legislature as a means for change and started taking their arguments directly to the people. Dorr was a part of a committee formed to specify the demands of this new group and authored an eloquent manifesto (Mowry 1901, 39-42). The manifesto serves as a perfect transition for the events on the horizon and was symbolic of Dorr as a reformer. Dorr’s passion for suffrage expansion and constitutional reform that drove the events of the next eight years came out clearly and persuasively in the manifesto. From an objective standpoint, his early attempts at mobilization and his decision to move beyond the legislature were remarkable events in Rhode Island history. While some of his later actions draw questions about his character, motives, and even mental health, his initial strategy was most likely guided by principle and logic. In the face of a hostile political hierarchy, Dorr took the only route available, a direct appeal to the disenfranchised majority.

Dorr’s initial literature campaign was so successful the Whig controlled legislature responded without petition, calling for a new convention to consider the issue. Initially, while seeming like a victory for the reformists, the legislature was launching a preemptive strike to co-opt long term support and possibly to appease the “masses.” The subsequent convention was so unpopular that it lacked legitimacy with Dorrites and freemen alike. In February 1835, the convention adjourned, producing absolutely nothing, and it rarely even acquired a quorum. Both

political parties stayed away from the convention and the issues associated with it. This was deeply disappointing to the Dorrites who initially expected that the Whigs would intervene on their behalf. This disappointment led to the next stage, a third way, the creation of the “Constitution Party” (Mowry 1901, 41).

While merely a side note in Rhode Island history, the Constitutional Party was a personal disgrace to Thomas Dorr and another embarrassing failure for the suffrage movement. Running for the House in 1837, Dorr received only 72 votes out of 7,615 cast (.009%). The poor showing by Dorr was also the death of the Constitutional Party. The party existed for only three years – and had no accomplishments that amounted to anything. What electoral failure did was drive some reformers to the Democratic Party after they failed as Whigs and with their own party. The failure also drove others to the streets and to the mobs (Mowry 1901, 43). Although, much like their flirtation with the Whigs, the attempted association with the Democrats produced no progress when it came to advancing the suffrage issue. Both parties were simply too united against suffrage expansion, even if new voters could potentially benefit them, it was too risky for such conservatism. Dorrites did receive some sympathy from national Democrats; but this was proved inconsequential. At the state level, the doors were clearly slammed shut.

The year 1840 marked the tipping point in the fight for suffrage and constitutional reform. In January, a publication on expansion came from the First Social Reform Society of New York. The eight-page pamphlet sparked a heated debate throughout Rhode Island between freeman and the disenfranchised. The pamphlet was both an argument in favor of reform as well as a blueprint for taking extralegal means and creating a “people’s” constitution. It called for an assembly of all state males twenty-one years old and older. If it were true that non-freemen substantially outnumbered the freeman, they would be forced to join the process. If they refused

to join the effort, certainly Congress would recognize a constitution drafted by a majority in the state. It was the assumption that President Van Buren and the Jacksonians would support them in the Congress. It was also the position adopted by many Democrats, most notably former President Jackson. Jackson echoed the sentiments of the Rhode Island reformers commenting, “The people are the sovereign power and agreeable to our system they have a right to alter and amend their system of Government when a majority wills it, as a Majority have a right to rule” (Gettleman 1973, Intro.).

In the fall of 1840, following the success of the First Social Reform Society of New York, the Rhode Island Suffrage Association (R.I.S.A.) was formed. Most of the members were non-freemen and the few freemen within the movement were the same involved in the disastrous reform attempts of the 1830s. Having learned from the previous failures, the R.I.S.A. made clear its goals and resolutions by publishing a declaration/manifesto. The manifesto stated men who could not vote were not free, that any body politic not governed by a bill of rights and constitution was anti-republican and illegal, and the citizens had the right to convene in a democratic assembly (Mowry 1901, 50).

The R.I.S.A. was popular with the disenfranchised and progressive Whigs. Associations quickly formed in every city in the state with the most support coming from Providence and Warwick. Having been disappointed in the political arena, the association made no formal alignment with either the Whigs or Democrats. However, there was continued contact and discussion with national Democrats. The association also started its own newspaper called the *New Age* that became a viable alternative to the ultra-conservative publications that dominated the state. At no time during the initial year of agitation did the association ever attempt to discuss the situation with the existing legislature, by now a “coalition” government with the conservative

elements of both parties participating. However, as effective as it was to ignore the legislature, the R.I.S.A. was heading down a path where serious conflict was inevitable. A path made even more complicated by the defeat of Van Buren and the pragmatic Whiggery of President Tyler. Tyler was at best unsympathetic to the cause of suffrage expansion and was supportive of the calls for law and order within the state.

The conflict came to a collision with the calling of two constitutional conventions in the spring and early summer of 1842. The one called by the R.I.S.A. was deemed the “People’s Convention” and the other, the “Freeman’s Convention.” The two conventions both produced constitutions taken to the voters. The People’s Convention produced a liberal document that was to have established Rhode Island as a leader in progressive democracy, although, not going as far as the more radical proponents would have hoped. The Freeman’s Convention produced a constitution that did give some ground on suffrage, but primarily reflected the status quo of the Charter. The People’s Constitution was brought before all white male citizens of the state and was ratified by popular vote. The Freeman’s Constitution went before the voters (i.e. those who already possessed the franchise) and was rejected 8,689 against to 8,013 in favor. It was defeated by a coalition of ultra conservatives who preferred the Charter and progressives who thought the document was inadequate. What followed was the break down in law and order commonly referred to as Dorr’s Rebellion. While the conflict is a strange, bizarre, and comical event in the suffrage fight, it is hard to ascertain exactly what tangible results the revolt accomplished. Thomas Dorr and the Dorrites were humiliated, punished, martial law was declared, and things quickly returned to normal. Whether Dorr was a martyr for a movement, a nut, or something in between will forever be debated within American and Rhode Island history.

One area of success attributed to the rebellion was the conservative elements, both Whigs and Democrats, finally agreed to push for a real constitutional convention. This attempt was ultimately successful, and was different from any previous attempt. It was a statewide event where the traditional political parties and politicians actively participated. Whig Senator and former Governor James F. Simmons (most likely the most powerful and popular politician in the state) played a prominent role in drafting the new Rhode Island Constitution. The new Constitution was largely a middle ground between the liberal People's and conservative Freeman's Constitutions. Suffrage was expanded (the new requirement was a \$1 poll tax or any property in land) and the electorate was broadened for the sake of ratification. Simmons vehemently opposed (and omitted) the more radical language of the People's Constitution calling for sovereignty of the people. The conservatives also agreed to enfranchise blacks, a move consistent with Whig ideology. In general, the new Constitution was a delicate balance between the two powerful opposing forces in the state (Dennison 1976). The Constitution did not radically transform the political power structure and empower the common man like the Dorrites preferred. However, it also did not swing the state to the conservatives like the Whigs had hoped; instead, politics remained relatively the same only with a new class of voters incorporated in to the mix. Simply, cities and towns remained relatively autonomous, anti-papist and anti-immigrant sentiment continued to surge, and the extreme factionalization between Providence and the rest of the state failed to dissipate.

When the actual vote occurred, the new Constitution was ratified by a vote of 7,024 in favor to 51 opposed. The low vote total was a direct result of the Dorrites refusing to vote. The Constitution did not meet their more radical demands and the battle was lost. There were also accusations of voter intimidation and suppression in the areas that were rebellious. The second

question on the referendum, addressing the question of extending Negro suffrage, passed 3,157 to 1,004 (Gettleman 1973, 147-148). The compromise Constitution was the end of the tumultuous two-year period in Rhode Island history and the effective end of property qualifications (although, severe restrictions against immigrants remained in place). Radicalism forced the state to finally address the issues of reform and representation. When the more skillful state politicians stepped in after the conflict, the process returned to a more normal tone and track, even if it took extraordinary means to get to that point.

CONCLUSION

Rhode Island represents a unique case of property qualification removal. The fact that parties and existing institutions were unable and unwilling to allow for mass enfranchisement demonstrates the importance of political factors in the removal equation. Rhode Island was indeed slow to develop political parties. The backwards political culture and extreme decentralization failed to adequately generate real political competition until the 1830s. When parties finally developed in the 1830s, the socio-economic differences between the existing electorate and the disenfranchised was simply too great to allow for a smooth transition to enfranchisement. Those who lacked the vote were laborers, a majority of which practiced a different religion, and many of who emigrated from poor European countries. When these individuals pressed for inclusion, fearing backlash from existing voters, parties and institutions turned their back towards the disenfranchised. With the political doors closed, the disenfranchised mobilized outside of traditional political institutions to voice their demands and fight for their inclusion. It was not until an actual rebellion broke out that the existing politicians and electorate seriously addressed their claims to the franchise. By that time, the issue was no longer about political advantages or disadvantages but rather public safety and political survival

– the ultimate threats to political stability. When the existing infrastructure finally took on the issue(s), enfranchisement proceeded in a relatively moderate and orderly fashion.

The lessons from Rhode Island are quite clear. In every other state, some party or entrepreneurial politician found potential political gain(s) from enfranchising new voters and removing property qualifications. In Rhode Island, the perception of an anticipated benefit from enfranchisement was simply not there. Rather, any party or politician who advocated or was perceived as advocating democratic inclusion was severely punished by the existing electorate (such was the case of Neimah Knight). Any party that proposed enfranchisement was virtually guaranteed that their existing pool of supporters would dry up and abandon their cause. Given the relative uncertainty surrounding the new voters, that meant, any party in Rhode Island who chose to enfranchise would essentially be starting over. Such risk was not acceptable to the existing political parties. When presented with the choice between extreme oppression and mass inclusion with the potential for extinction, the parties and politicians chose oppression. Like any repressive regime, when presented with mass revolt and the potential for overthrow, they were forced to acquiesce and allow for inclusion of those they had previously deemed unworthy.

CHAPTER 9

LAW, COURTS, AND THE EARLY FRANCHISE

The relationship between civil rights and early federal courts remains something of a mystery to this day. While certainly the federal judiciary lacked some “bite” to their rulings in an era that predated the passage of the thirteenth, fourteenth, and fifteenth Amendments; there were still nonetheless civil rights issues that the Supreme Court and lower federal courts were called upon to officiate. However, the historical examples at the national level are few and far between, and the cases remembered generally place the Supreme Court in the worst possible civil rights light. The most famous of course, Dred Scott v. Sanford (1857) can hardly be considered a civil rights triumph. If anything, the case represents a clear repudiation of civil rights progress and the striking down of the Missouri Compromise an act of breathtaking judicial activism. On the other hand, the very fact that the Court was willing to intervene in the matter demonstrates that when push came to shove the national courts could play a role in civil rights issues.

The analysis of federal courts during this early era and their relationship to the removal of property qualifications raises three important questions regarding the role of federal courts. First, were the federal courts unwilling to intervene in early civil rights disputes? If so, their doors would be closed to potential challenges and they could not be considered a potential venue for property qualification litigation. Second, were federal courts consistently hostile to all civil rights claims? If federal courts were viewed as universally hostile to any and *all* civil rights claims, then we would anticipate potential plaintiffs would turn their attention elsewhere and the volume of civil rights litigation would be consistently low. And third, did federal courts have the

capacity and legitimacy to engage in early civil rights debates in a “positive” capacity? If federal courts lacked the practical authority to facilitate change it would be unlikely for a certain class of issues to be litigated under their jurisdiction. Ultimately, the answers to these questions help to explain why many early civil rights issues and cases (outside the issues of slavery) found their way through state courts rather than in the federal court system.

From the standpoint of the state courts, the relationship with early civil rights and voting rights is much clearer but also slower to develop. At the state court level, the question was not whether the courts had the authority vested in them to exercise judicial scrutiny over local civil and voting rights issues, but rather, whether these courts had the legitimacy to enforce any sort of opinion or ruling that might have challenged the existing status quo or popular orthodoxy. By this I mean that state courts clearly have authority to decide issues within their jurisdiction. However, some courts, in some states, were in a much more developed position to exercise their authority than others.

For example, in Delaware where the *Delaware Constitution of 1776* established a locally oriented Justice of the Peace system, it also established an “independent” judiciary by failing to pay justices of the peace. The result of refusing to pay judges was disastrous. By 1791, upstanding citizens were taking civil disputes to neighboring state courts, some turned to mob justice for solutions, and the *Delaware Gazette*, the state's leading newspaper, declared the judicial branch to be ineffective, incompetent, and a mockery to law and order (Shay 1961, 203). Such disorganized and underfunded courts were not likely to be in a position to challenge civil rights conventions or extend franchise rights. Somewhat predictably, in the two years immediately following the new 1792 Constitution and subsequent legal reorganization, there were three separate legal challenges to voting restrictions in Delaware all arguing that selective

redployment of property qualifications in urban areas was unconstitutional. This story of refinement, experimentation, and development of state courts played out on a state-by-state basis. Some states were more organized than Delaware other states were dramatically less organized. The central question for state courts then becomes at what point did these courts emerge as a viable option for plaintiffs to take civil rights and voting rights claims?

To address the issue of judicial powers, judicial review at the federal level (Marbury v. Madison, 1803) was established long after judicial review at the state level was first exercised. While judicial review was occasionally granted a different title, such as the “judicial veto” or “judicial negative,” the power at the state level had much the same impact it did at the federal. The establishment of judicial review in the states allowed the state courts independent power to declare acts of a legislature and/or governor unconstitutional. Not only did the power of judicial review first originate in the states, state constitutional courts also evoked review far more frequently than their federal brethren. For example, the North Carolina Supreme Court established judicial review arguably in 1781 (Gerber 2009) or at the very latest, in the case of Bayard v. Singleton in 1787. The court then exercised this power of review approximately 16 times prior to the federal decision in *Marbury*. The presence of judicial review is particularly important for expansion of the franchise since a court extending the right of suffrage would typically involve creating, implying, or extending a new right to an existing class of individuals who were purposefully excluded.

As a practical matter, the use of “judicial review” at the state level prior to *Marbury* remains something of a controversial subject. This stems primarily from debates over what constitutes the formal definition and application of judicial review. If one uses a more *formal* definition where judicial review can only be asserted by a court specifically and emphatically to

“strike down” a piece of legislation as repugnant to a *specific* constitutional right or provision – then early judicial review at the state level frequently fails to meet this threshold. Judicial review at the state level was if anything, incredibly informal in its use and the procedures that allowed for review. In some states, grand juries had the power to overturn acts of the governor and state legislature (Matthews 1976, 231-34). In others, state supreme courts routinely overturned cases through bench rulings while issuing no specific or detailed opinions relating to the constitutionality of their ruling. What is interesting is that unlike the federal judiciary where judicial review received significant scrutiny in the wake of *Marbury*; there seems to be much less controversy about its deployment at the state level. In North Carolina, where a grand jury from three western counties was convened to ascertain the constitutionality of the office of the governor (an unelected office that had centralized power) there was a tremendous controversy over the issue but there is no record of controversy questioning the potential unconstitutionality of the office being determined by a rural grand jury (Mathews 254-59). A further historical examination reveals that time after time state courts exercised judicial review under what federal court observers would consider to be quite informal settings. However, unlike the federal courts, these instances of judicial review *appear* to have been accepted behavior on the part of state and local courts. When legislators or governors disagreed with the offending courts they simply passed new legislation or issued new edicts, often with little fanfare. While there are legitimate questions over the enforcement of these rulings and their sustainability; however, from a basic evaluation – they appear to have been perceived as legitimate.

Besides serving as a potential threat to the status quo, the use of judicial review also from time to time formally intersected with the removal of property qualifications. The best example of this occurred in the state of Delaware in 1793. Under the *Delaware Constitution of 1792*, property qualifications were omitted from the document; the widespread presumption was that the omission was formal recognition that property qualifications had run their course. The original Delaware property threshold was so low that it enfranchised virtually every white male citizen with a few exceptions in the larger towns and cities. However, after ratification, several municipalities attempted to enforce the old property qualification or passed new qualifications to be used in municipal elections (*Delaware Gazette* March 12, 1793; White 1937, 103). These “new” qualifications were subsequently challenged to local justices of the peace and their constitutionality was then upheld. On appeal, prior to a hearing by the Delaware Supreme Court, the state legislature intervened and formally eradicated property qualifications once and for all by statute (Davis and McCallum 1958, 114-19). While the final verdict on property qualifications did not come from the Delaware judiciary, it was certainly a central player in settling the issue. This case while not alone certainly demonstrates and serves as an example of when the issue of property qualifications was clearly removed from the judicial arena under threat and uncertainty.

In specific relation to property qualifications, the only serious encounter between property qualifications and the federal courts came in Luther v. Borden (1849)⁷ a case that was primarily concerned with the *Republican Government Clause of Article Four* and the

⁷ Formally, Luther v. Borden established that the “republican form of government” clause was non-justiciable and hence a political question to be determined by the Congress and not the Court. Informally, the case involved the events surrounding Dorr’s rebellion. In this case, Luther, a leading Dorrite, was arrested by Borden during the insurrection. Luther argued that the Rhode Island Charter that granted Borden his powers was in violation of the Republican Government Clause.

idiosyncratic events that proceeded the Dorr Rebellion in Rhode Island. Even then, the Court's majority found the issues at hand to be political questions and asserted that they had no authority to make a decision regarding government legitimacy and the competing governments in Rhode Island. Even in dissent, Justice Woodbury, an early and leading liberal on the court, suggested that representation (and hence suffrage) was not exclusively a justiciable issue for the Court. So even under the most extreme circumstances, the federal courts were not a likely option, even more so after the decision in *Luther*.

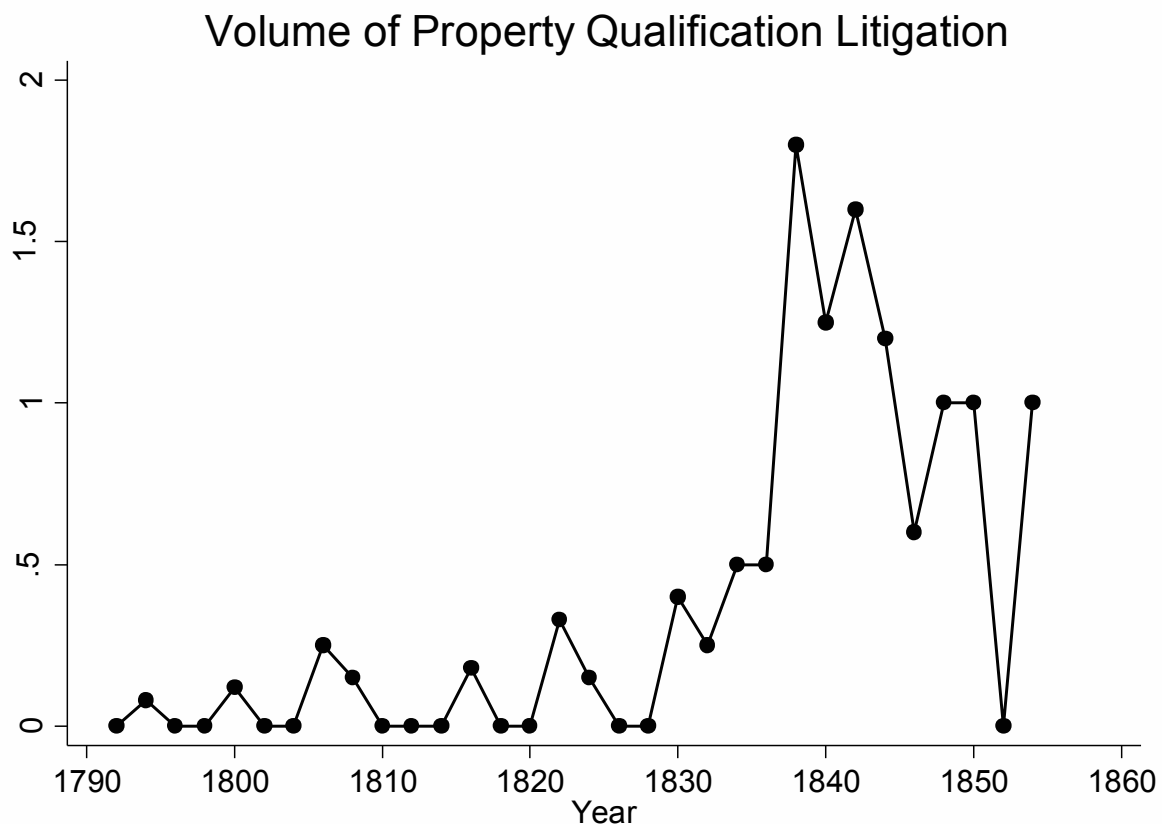


Figure 9.1: Property Qualification Cases Per State

The next stage of analysis is to examine whether or not questions regarding justiciability and jurisdiction kept most or all civil rights claims out of *all* courts. To this point, Figures 9.2 and 9.3 shows the total number of civil rights cases in federal courts (Figure 9.2) and in the state courts (Figure 9.3). The “number of cases” represents the total number of civil rights cases from the original 10 states that had property qualifications after 1792. The limited nature of the analysis (as opposed to using all states) is caused by two concerns. First, as new states entered the union, new courts are created, and old courts are reorganized – this would cause a need to reformulate and account for such changes over time. Simply focusing on the original 10 states allows the analysis to stay relatively constant over time. While populations grew, changed, etc., the status of courts in a given state should be relatively steady (either in a literal sense or in a developmental sense). Also, by population percentages the 10 original states with the exception of missing Pennsylvania consisted of a large percentage of the national population. If population is correlated to the volume of civil rights claims, then this measure should catch the vast majority of claims. Second, coding civil rights cases is done through keyed word searches on Westlaw. The procedure is time consuming and represents a rough approximation rather than the “true” number of civil rights cases.⁸ Narrowing the scope of the analysis made data collection possible and practical. Finally, the case count does not include civil rights cases relating to the issue(s) of slavery. While obviously slavery in practice and execution represents a tremendous civil rights issue, the issue of slavery because of its profile and importance developed in its own unique issue space. Quite simply, issues like property qualifications, catholic rights, and female enfranchisement were indeed controversial and polarizing; however, these issues never brought

⁸ Because of the nature of the searches – certain cases could be omitted, particularly if a civil rights claim was a secondary rather than a primary issue (and hence would not be coded in the key terms for a case).

the country to war and were not inherently tied to the resolution and dispute of the slavery question.

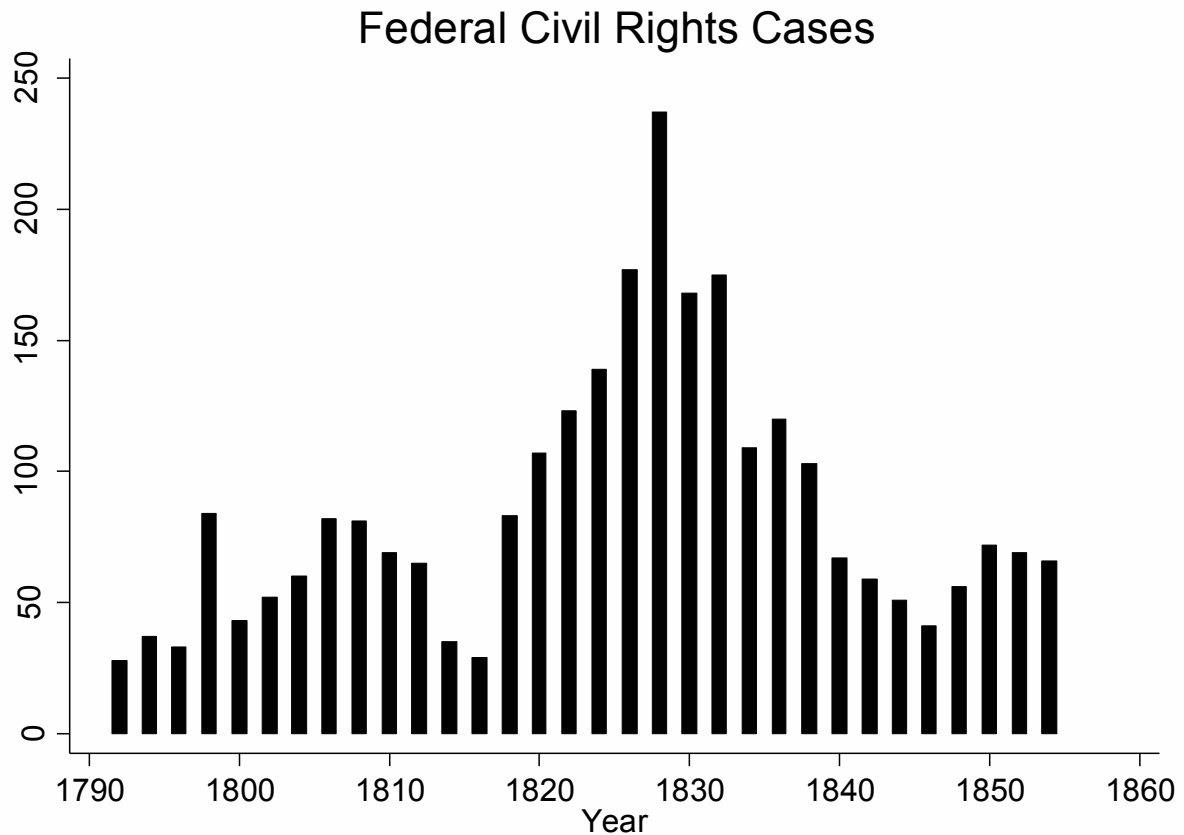


Figure 9.2: Number of Federal Civil Rights Cases Per Year

As Figure 9.2⁹ illustrates, interestingly, even though federal courts provided a less than an ideal venue in the sense that they lacked clear jurisdiction to adjudicate civil rights claims, individuals still turned to the best available courts to resolve disputes and protect their rights. While the number of civil rights cases varied from year to year, between 1792 and 1854 federal courts heard and ruled on thousands of civil rights related cases¹⁰ (and certainly were petitioned

⁹ Note that the dip in cases between 1813 and 1818 was primarily caused by the War of 1812 and subsequent upheaval.

¹⁰ The subject matter of most cases was contractual, inheritance, or property related.

many more times). During this period, on average, federal courts issued rulings on 85 civil rights cases per year with peak activity being in 1828 and generating 286 rulings. It is also interesting to note that civil rights cases in federal courts slowly increased prior to 1830 and then steadily decreased over the following years. This is in sharp contrast to civil rights case development in state courts.

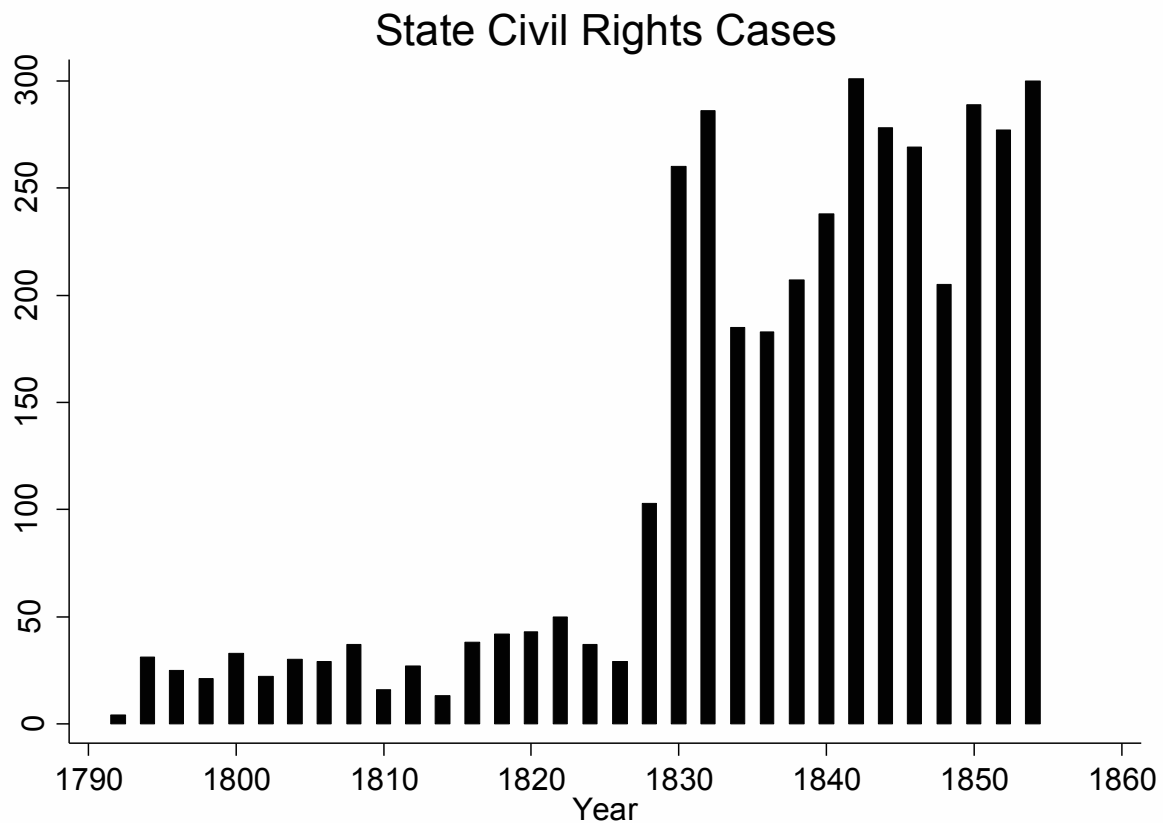


Figure 9.3 Number of State Court Civil Rights Cases Per Year

At the state level, Figure 9.3 illustrates that the role of state court intervention in the civil rights sphere was dramatically more delayed than in the federal courts. Between 1792 and 1826 state courts rarely heard civil rights claims, averaging only 29.2 cases per term (or less than 3 cases per state). However, after 1826, state courts averaged 241.5 cases per term, a dramatic increase. What is also interesting from the figures is that civil rights claims in the state courts

were remarkably stable during this later period. At no point did the number dip below 183 or increase above 301. This suggests that state courts found their niche within the civil rights and voting rights debates and citizens flocked to their local magistrates to resolve their concerns and grievances. The stabilization in number of cases could also indicate saturation of the issue space or the maximum capacity of the judiciary to deal with such complaints.

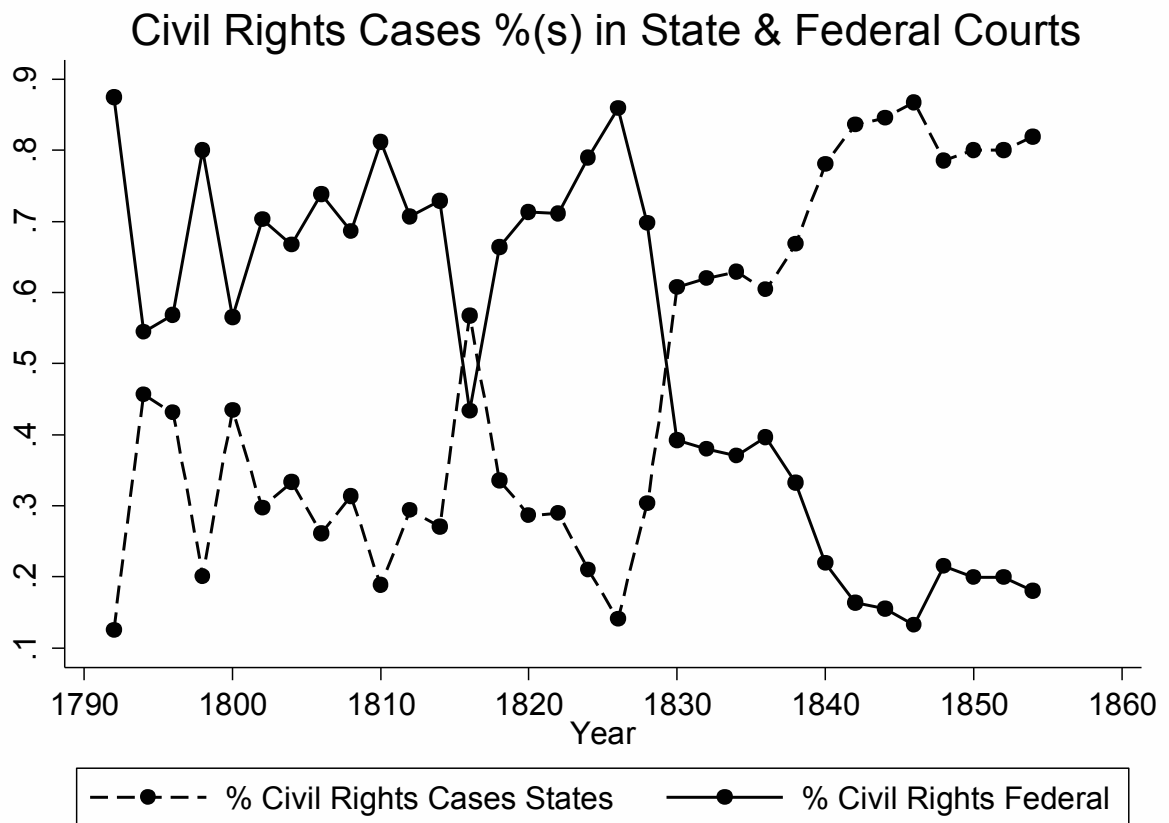


Figure 9.4: Percentage of Civil Rights Cases by Venue

So what explains the rise of state courts in civil rights litigation? Figure 9.4 illustrates that around 1830 there was a dramatic shift from cases being heard and ruled on by federal courts to the state courts. While some reasons for the case shift have been previously discussed, there remains another set of potential issues that could theoretically contribute to the general rise of state courts. Perhaps the most obvious evolutionary aspect of state courts is professionalization

and institutionalization. Particularly in the lower level(s) where federal courts witnessed professionalization of the judiciary almost immediately and in many cases, decades before their state court counterparts (Hall 1976). The same can be said for institutionalization (Hall 1980, Purcell 2000). By 1800, federal courts looked and acted like courts in many of the same respects that they do today. The justices were overwhelmingly selected from the legal profession and the courts operated with rudimentary procedures and in a standardized fashion.

On the other hand, such professionalization and institutionalization was slow to develop on the state side. In some cases, the issue was practical. For example, in New Hampshire a shortage of practicing lawyers left the judicial cupboards bare. At times, justices of the peace volunteered their services and often came to the bench with no relevant (or any) legal experience. Often when parties could not find or not agree on a suitable mediator, local clergy filled the judicial void. Court hearings were frequently held in pubs, churches, and other local establishments (McClintock [1888] 1964). New Hampshire was not alone in their inability to staff, fund, and develop their judiciary. Nearly all of the thirteen original states with the possible exceptions of Virginia, Massachusetts, and Pennsylvania (states with above average resources) faced difficulty in establishing their own judiciaries (Greene 1969 13-41). In many states, formal professionalization and institutionalization failed to develop not for years – but rather for decades. Going back to New Hampshire, by all historical accounts it was not until the 1840s when a series of reform minded governors took office that the state adequately funded and staffed its judiciary (McClintock 1964, 312). By the 1840s, and even in to the 50s, the federal courts were established, institutionalized, and fully functioning at all levels. On the state side, many if not a majority of states still lagged behind.

Historically, from an institutional development standard, again federal courts were clearly well established prior to their state court counterparts. By all measurable standards state courts lagged behind in almost any conceivable measure of stability and effectiveness. The transition of civil rights litigation from the federal courts to the state courts around 1830 could certainly represent the beginning of the institutionalization of state courts. When litigants “shop” for venue, obviously the developmental status of courts would logically play a role in their decision. In order to achieve significant changes to the status quo it is logical that the more professional courts, even if they might have had a lesser claim to jurisdiction, are more appealing than the underdeveloped alternative. However, as the alternative venue increased legitimacy, potential jurisdictional advantages should advance (and the evidence suggests did propel) the state courts to the center of the civil rights debates.

The other part of the developmental equation is the evolution of civil rights as a societal concern. This would help to explain the increasing volume of litigation over time. As some of the state narratives illustrate, early civil right concerns were often secondary concerns. Even those impacted by discrimination frequently had other issues that were of greater personal importance. Simply put, human essentials take precedence to litigation and social movements. Looking at Figures 9.2 and 9.3 demonstrates this point. The volume of civil rights cases (at both levels) dramatically increases after the War of 1812 (approximately 1816). While some of this growth can be explained by increases in population, particularly immigrant populations, the caseload continues to increase over time. Beyond politics, the underlying development during this period of American history is primarily economic. It makes sense that as fortunes improve across the board, individuals look to assert and expend their own rights.

Taking a look specifically at legal challenges related to property qualifications, Figure 9.1 illustrates the number of total cases involving property qualifications by year and standardized by indexing that figure to the number of cases as reflected by total number of states that had property qualifications. To illustrate, if there were three cases from a specific year and there were three states that had property qualifications, that is expressed as a 1.0 (3/3). At the same time, if there was a year where there were three cases filed and ten states with property qualifications, that is expressed as a 0.3 (3/10). Figure 9.1 shows that prior to 1830 legal challenges to property qualifications are sporadic at best. After 1830, the challenges are more consistent and increased in sheer volume. This would suggest that over time, individuals became more aware of the issue and/or were more likely to challenge disenfranchisement in legal venues. This is also in line with general cases involving civil rights but not specifically property qualifications.

Finally, by theory and evidence alone, there is strong support to the claim that courts could play a “positive” role in increasing the probability of removing property qualifications. I argue this result while possibly counter intuitive to many scholars given the perception of courts of the time; it actually makes sense in context. While no state court directly expanded the franchise during the antebellum era, in every state that had property qualifications, there was at least one serious legal challenge. In many states, there were multiple, if not yearly attempts to incorporate courts in to the argument and debates over the franchise. From the standpoint of a politician, the mere existence of these legal challenges was a threat to institutional stability and potentially reelection. It only takes one judge, one court, maybe even one opinion to set off the dominos of change. Once individuals are granted a right by any court, it is a chaotic and controversial event to strip that right and return to the previous status quo. When the individuals losing their rights outnumber those with them, this creates a potentially dangerous situation and

uncertainty. If a politician views enfranchisement by courts as a possibility, even somewhat remote, it makes sense for them to consider co-opting the courts and enfranchising on their own terms. The empirical results do not contest this possibility and the historical examples confirm further this claim.

However, some might still protest including the courts in a study of property qualification removal based on their perceived indifference towards “common” individual rights during the period. While it is certainly true courts were not active in their pursuit of “social justice,” they were not necessarily as hostile to rights and liberties as many might assume. In direct relation to property qualifications, the fact of the matter is that most courts at both levels were still rooted in Blackstonian ideology, the very same ideology that facilitated the original property qualifications. However, the logic behind property qualifications in Blackstone’s view of the world was to create a link or bond between an individual and society. The ownership of property was secondary and possessed no “independent” meaning or value. In fact, Blackstone openly considered the possibility that other factors could bind an individual to their community, making them a stakeholder, and entitling them the right to vote as shareholders in local society (Hall and Clark 2002). As communities evolved and individuals paid tax, contributed to tariffs, obtained licenses, registrations, and small amounts of property, one could certainly envision a world where these Blackstonian adhering courts could find openings to expand the franchise beyond simple ownership of physical property. It is not that it is likely, for analysis, it only needs to be plausible.

At the same time, it is not entirely reflective to suggest that state courts were disinterested in civil rights. Many state courts in New England protected the contracts, inheritances, and property rights of Catholics from infringements by state and local governments (Burke 2010).

Somewhat ironically, the South Carolina Supreme Court even protected the property rights of freed slaves (Morris 1941). Just because these courts did not play an active role in promoting civil rights outcomes does not mean that under the right circumstances politicians could not perceive them as a threat or enforcer. The very fact that they actually decided cases, in some instances a great deal of cases, and the fact that they from time to time they did side with minority factions and issue opinions that were in sharp contrast to the status quo just proves the necessity of their inclusion in this analysis.

On the federal side, prior to *Dred Scott*, probably the greatest known example of the Court intervening in early civil rights issues comes in the form of *Worcester v. Georgia* (1835).¹¹ While the case is famous for executive non-compliance, the sentiment of the Court is relatively clear. Writing on the decision, to his wife, Justice Story proclaimed, “Thanks be to God, the Court can wash their hands clean of the iniquity of oppressing the Indians and disregarding their rights” (Story March 4, 1832). Likewise, in the aftermath of the case, Justice Marshall referred to the treatment of the Native American tribes as “barbarous” and judicial scholars have long posited that the language in *Worcester* was motivated by the cruel and oppressive use of his opinions from the *Fletcher*¹² and *Johnson*¹³ rulings (Burke 1969). Marshall (1804) also argued that state governments were bound to respect the property rights and inheritance claims of Catholics by virtue of universal constitutional rights (Watson 2006). By all accounts, there do appear to be

¹¹ *Worcester* is primarily known for establishing the doctrine of Tribal Sovereignty and Andrew Jackson’s refusal to accept the opinion. However, by establishing tribal sovereignty the Court was also establishing property rights for Native American Tribes.

¹² *Fletcher v. Peck* (1810) was an early Supreme Court decision that hinted Native Americans did not hold legal title to their own lands (as claimed by treaty).

¹³ *Johnson v. M’Intosh* (1823) was a formal extension of *Fletcher* and recognized that individual private citizens could not purchase land from Native Americans since they lacked legal ownership of those lands. The case resulted in the first instances of “Indian Removal.”

times when the Supreme Court did look favorably towards civil rights questions. At the same time, the ability of the Court to play a leading and proactive role, even when it may have wanted to (such as *Worcester*), was limited by the realities of enforcement. However, at the very core this seeming concern for basic rights by the justices at least opens up the door to the possibility that they would entertain involving the court in civil rights issues.

The outcome (real not legal) of *Worcester* also demonstrates the fundamental limitation of civil rights adjudication in the federal courts, particularly during this early period. Ultimately the Supreme Court was unable to enforce its own decisions in the face of political and popular opposition. The desire to facilitate civil rights changes from within society is a constant. In no country is every citizen perfectly content with the status quo set of rights and privileges. Those looking to reform the system systematically (from a rational standpoint) must seek out the venues that give them the greatest opportunity to promote and enact their desired changes, regardless of the issue(s) at hand. What we see in civil rights cases (and within the subset of cases dealing with property qualifications) is that ultimately federal courts despite their more advanced procedures, professionalization, and institutionalization were ultimately unable to facilitate social change through civil rights expansion and protection prior to the Civil War.

The cautionary tale of this analysis (and following empirical evaluation) is that unfounded historical impressions of the judiciary often carry more weight than perhaps they should. Once judicial review was established and courts whether state or federal were institutionalized to the extent they could engage, the judiciary whether conscious of it or not, emerged as part of the political calculus. If this analysis demonstrated nothing more, it suggests that any evaluation of early civil rights debates should at the very least include a basic analysis of the role of courts in relation to those issues. However, it shows much more, it shows that courts

in the early Republic could serve as weapons by those championing the status quo and those advocating for reform.

Specifically in relation to property qualifications, in North Carolina, Jacksonian sheriffs frequently convened grand juries to challenge conservative eastern orthodoxies long since institutionalized by law and practice. These “conventions of the people” as they were frequently called engaged in a high stakes game of cat and mouse with the state legislature and governor. Sometimes they forced concessions, sometimes they forced political escalations, and at other times they generated iron fisted repression and a further erosion of rights. When a successive number of grand juries challenged everything from the legitimacy of the governor to the use of property qualifications for selecting the upper house in the early 1830s, the North Carolina political elite had no choice but to react (Matthews 311-34). Literally, grand juries were chipping away at the existing political institutions. The end result of this judicial agitation was a constitutional convention that led to the *North Carolina Constitution of 1835*. The resulting constitution, while still reserving property qualifications for the State Senate, was a radical step towards democratization. It allowed for direct election of the Governor and completely removed property qualifications for the General Assembly as well as for all local and municipal elections (Greene 1969, 74-93). This loosening of the reigns created the opening that finally permitted two-party political competition to emerge. This competition between Whigs and Democrats, as the narrative shows, would ultimately lead to the removal of property qualifications when the out of power Democrats used the issue to sway poor rural voters to their camp. Without the initial agitation created in the courts, it is unlikely that North Carolina would have removed property qualifications prior to the Civil War. Prior to the involvement of the grand juries there was no

evidence to suggest that the establishment had any intention of instituting political reform, in any sense or capacity.

On the other side of the coin, in Rhode Island, during the initial stages of the Dorr uprising the Dorrites assumed they could use the state courts to their advantage. After all, they figured, these courts had protected some of the basic rights of Catholics in the late 1820s even with the onslaught of Know-Nothing anti-immigrant sentiment. These protective rulings had led to Providence riots but by all accounts were accepted as binding and were subsequently enforced. Part of Thomas Dorr's initial strategy was to argue in the Rhode Island courts that the Rhode Island Charter was unconstitutional. Dorr's argument centered on the belief that any document that disenfranchised 70% of white males could not satisfy the Republican Government Clause of the United States Constitution (see Mowry 1901 for an extensive discussion of Dorr's Rebellion and the courts). When Dorr attempted to implement his legal strategy, what he encountered was hostility not accommodation. Rhode Island courts and judges who owed their jobs to the entrenched political elite were willing to extend property and contractual rights to Catholics; however, they were simply unwilling to extend political rights to all white males. The rejection of the Rhode Island courts after the earlier political embarrassment suffered by the movement further radicalized Dorr and his followers. The continued radicalization of the movement of course ultimately led the Dorrites to take arms, establish a new government, and ultimately collapse as a political movement. While historians remember Dorr's Rebellion for the oddity of the event, one can hardly ignore that in their time of perceived need, the disenfranchised of Rhode Island did seek refuge in the state courts only to be denied. If courts played no role in property qualification removal or broader civil rights debates, this effort to adjudicate should or would have never happened.

CHAPTER 10

DATA, MODELS, AND RESULTS

The following three sections contain an empirical analysis of the removal of property qualifications. What makes this analysis unique is that to this date there has never been a comprehensive evaluation of property qualification removal that utilizes more advanced methodology. The following empirical research represents an attempt to expand on and enhance the case studies while testing my own theories along with previous theories of others. The idea that politicians seek advantage from a narrative standpoint is visible through the narratives, the next logical step, is to put that motivation to an empirical test. The goal, at a very basic level, is to incorporate a basic complimentary empirical analysis. The following pages will proceed with a discussion of the models utilized, the data, and a discussion of the results.

MODELS AND METHODS

This dissertation utilized two primary models, the more basic displayed in Table X.YZ and the more comprehensive displayed in Table X.YZ. The specification for Table X.YZ is as follows:

$$enfranchisement_{it} = f[\beta_0 + \beta_1(expectedvote_{it}) + \beta_2(disenfranchised_{it}) + \beta_3(judicialreview_{it-1})] + \varepsilon_{it}$$

And the specification for Table X.YZ:

$$\begin{aligned} enfranchisement_{it} = f[\beta_0 + \beta_1(expectedvote_{it}) + \beta_2(disenfranchised_{it}) + \beta_3(judicialreview_{it-1}) + \beta_4(militia_{it}) \\ + \beta_5(revenue_{it}) + \beta_6(wtemalepop_{it-1}) + \beta_7(slavepercap_{it-1}) + \beta_8(demleft_{it}) + \beta_9(constamend_i) \\ + \beta_{10}(popvote_i)] + \varepsilon_{it} \end{aligned}$$

Where the β 's are the parameters to be estimated, t is the year, and ε_{it} is a random error term. The dependent variable, *enfranchisement*, is the year by year decision a state faced whether to maintain or remove property qualifications. This is a binary variable where 1 = to remove and 0 = to maintain. The independent variables are fully described and documented in the methods section.

Three central problems confront the empirical analysis of voting rights during this period. First, the data contain relatively few cases/states (9) and there are a modest 100 observations for these nine states. Because of the need for both demographic and political data, data from the 1780s-1810s is very difficult to find, and in many cases, impossible to obtain. This forces the empirical analysis to begin in 1816, rather than 1780s when the first states started to remove property qualifications.¹⁴ This “late start” could impact any theory that is particularly interested in explaining early removal rather than later.

Second, while the data is time series in nature, the theory is not time sensitive, meaning that time alone contains no predictive information. From a theoretical standpoint, a state that had property qualifications in place for two years was equally likely to remove property qualifications as a state that had property qualifications for twenty years. The central issue is the conditions that led to removal, not the accumulated time before removal. In order to address this, my first four models (Table 2) utilize the Binary Time Series Cross Sectional (BTSCS) analysis proposed by Beck, Katz, and Tucker, hereafter BTK (1998). This serves as an alternative to traditional survival analysis; where time is a factor or predictor rather than a control. Natural cubic splines are calculated in STATA using the BTSCS package following the procedure

¹⁴ 6 states removed property qualifications prior to 1816 and 1 state that removed after 1816 (Maine) had no independent data since it was previously incorporated as part of Massachusetts.

suggested by BKT.¹⁵ This solution is ideal because the other traditional option of adding temporal dummies to the logit specification in order to control for a particular year(s) is impractical since that approach significantly reduces the degrees of freedom with a small or medium number of observations. It should also be noted, as BKT point out, that the choice of using splines over temporal dummies has virtually no consequences for the estimation of coefficients in most cases. As a final note, I also ran identical models using the t , t^2 , and t^3 method advocated by Carter and Signorino (2010). This produced virtually identical results to the BTSCS logit regressions. This according to Carter and Signorino is as expected in most model specifications, but adds further support for the general models.

Finally, there are important substantive covariates within the data that perfectly predicted the removal of property qualifications. For example, the variable “Democratic Left” is a perfect predictor of when a property qualification was removed because Whigs, Conservative Democrats, or Federalists never eliminated a property qualification. In order to address these issues, rather than omit or modify the specification in an ad hoc fashion, I utilize the “firth logit” model advocated by Zorn (2005) and Heinze and Ploner (2004). The firth logit introduces a bias term in to the standard likelihood function that produces a “penalized likelihood.” Generally, the penalized likelihood model can be thought of as “splitting each original observation i into two new observations having response values Y_i and $1-Y_i$ with iteratively updated weights $1+h_i/2$ and $h_i/2$, respectively” (Heinze and Schemper 2002, 2412; Zorn 2005, 11) This ensures that parameter estimates exist and are non-degenerate for all independent variables; thus, a valuable attribute of the penalized-likelihood approach is its ability to yield consistent parameter estimates in the presence of complete or quasicomplete separation. Firth’s consistency results provide that

¹⁵ Multiple iterations, the number of splines (1, 2, or 3), and the auto generated knot settings produced near identical results, as would be anticipated.

with a sufficiently large number of observations the penalized-likelihood estimates converge to the MLEs under the usual regularity conditions (Zorn 2005, 11-12). The result of implementing the first logit allows for “comprehensive” models of competing theories that is not possible using the standard BTSCS or other more common binary models.

I analyze the collected data in eight separate regressions. The first four regressions (Table 10.1) utilize the standard and straightforward BTSCS approach advocated by BTK and are designed to isolate the main three hypotheses while allowing for a more simplified logit model that is very similar to the logit most political scientists are familiar with. Because the expected vote share of the governor and upper house is highly correlated, these variables must be placed in separate regressions with the first two regressions (A & B) serving as legislative models¹⁶ and the fourth (D) regression serving as an executive model. With the exception of different expected vote share variables, the remainder of the model is identical. The last four first logit regressions (Table 10.2) serve as comprehensive models that test not only my theories but also include variables accounting and controlling for other hypotheses. The first three comprehensive regressions (I, II, and III) are identical with the exception that each contains only one institutional anticipated vote share variable. Again, this is done to avoid the correlation issues with the upper house and governor. The fourth column (IV) averages the expected vote share of all three state level variables into a single measure and provides a baseline for overall effects.

¹⁶ Running the lower house expected vote share projections with either the upper house or governor projections does not produce dramatically different results. The combined legislative model (C) is utilized for graphical presentations in the figures.

DATA SOURCES & CONSTRUCTION

Data for this project spans from 1816 – 1856 and covers nine states that removed property qualifications from 1818 (Connecticut) to the last state to remove qualifications in 1856, North Carolina. This allows for a total of 100 possible observations (per variable) over 40 years. The binary dependent variable for all models is the decision to remove property qualifications (= 1 if removed, = 0 if otherwise). The removal of property qualifications is treated a terminal variable (meaning once it happened it could not happen again) since no state that removed qualifications ever considered reinstating them. Effectively, this means that the observations for a given state stop when that state removed property qualifications.

The challenge of using historical data is well chronicled (Franzosi 1987; Pierson 2002; etc.). Because of the early nature of this research in many cases multiple sources were required to complete single measures and variable selection was frequently impacted by data availability. When possible, actual data rather predicted, estimated, or inferred data, is used. While these measures may be far from perfect, they do represent the best data available.

In order to empirically test H_1 and H_2 it is necessary to create measures of political gain and disenfranchisement. There are two practical ways of anticipating “political gain.” One is to identify the total aggregate number of anticipated voters gained or lost by enfranchisement. The other is to identify the number of seats (or offices) held or lost. Because of the era, it is extraordinary difficult to predict voter intent and then translate that in to electoral outcomes for individual districts and offices. In some cases, district data is not available and in others, district borders and boundaries were imprecise, in constant flux, or unknown. There are also limitations in regard to knowing what district(s) the disenfranchised actually resided in. Because of these

practical limitations, the only plausible measurement available of political gain is the number of expected voters at the aggregated state level.

To start, it was essential to estimate the total number of disenfranchised voters in a two-step process. First, it was necessary to collect data for voter turnout. In post 1824 elections, Burnham et al.'s 1824-1972 data is utilized to determine turnout in Presidential election years. Prior to 1824, and in off year elections, turnout data is collected from the *Atlas of U.S. Elections* (2011), *The Federal Elections Project* (2011), and McCormick (1953; 1958). The turnout data during this time period is somewhat fragmented by modern standards. A majority of states did release an approximation of voter turnout, yet some did not. In states that did not release voter turnout, in most cases, newspaper estimates of voter turnout are the best available counts and often the only available count. Historically, the presumption (at least from McCormick) is that newspaper accounts of voter turnout were generally accurate during this time period. Interestingly, outside of McCormick, there appears to be little to no discussion of newspaper projection validity despite the fact that most analysis of early voter turnout relies (at least partially) on these estimates. Unfortunately, what these newspaper estimates were based on, in many cases, is lost to history. Despite the limitations, these sources do provide a fairly clear approximation of voter turnout during the era of my analysis.

Second, after voter turnout was established, the procedure to determine the number of disenfranchised voters is relatively straightforward. Using the turnout percentage and number of votes cast (Burnham [1982-89] 2009; Dubin [1998] 2007, [2001] 2010) it is possible to estimate the total number of eligible voters in a given state. After the total number of eligible voters was calculated, the total number of disenfranchised is then simply the adult male population over twenty-one (established by the census; Coulson and Joyce 2003) with the number of eligible

voters subtracted. This produces a total number of disenfranchised voters. In order to standardize the number of disenfranchised voters across states, the number of disenfranchised voters is expressed as a percentage of the total number of white males aged twenty-one and older.

As an important side note, it is relevant to mention that the total number of disenfranchised also includes some individuals excluded for reasons other than property requirements. The other two main culprits of disenfranchisement during this time period were character clauses¹⁷ and felon disenfranchisement. Because there are no specific records relating to enforcement of these provisions, there is no way to be precisely certain of how many individuals were disenfranchised by character clauses or by virtue of criminal record. However, most estimates suggest the number was extremely small (Porter 1918; Keyssar 2000). Despite the inclusion of a handful of other disenfranchised voters in the estimates, the end result is an *approximation* of the total number of disenfranchised voters.

In order to test H_1 it is also necessary to estimate the political effect (votes gained or lost) of enfranchisement. Given the knowledge of the total number of disenfranchised, it then becomes necessary to speculate how those disenfranchised voters would vote if enfranchised. Now in an era that predates polling, establishing this figure is an important endeavor. In my analysis, I chose to use three separate measures of voter intent. Two of these estimates are first hand or direct estimates and the third are historical estimates established by Farm-Labor Economists and Historians in the 1940s (and updated in the 1980s). Combining the three sources also alleviates potential issues involving missing data and projections.

¹⁷ A character clause was the ability for a voter to be disenfranchised on the “basis of character.” The exact mechanics of such a challenge varied from jurisdiction to jurisdiction and the use of such character challenges was exceedingly rare (Porter 1918; Keyssar 2000).

Since I am attempting to measure the expectations of politicians at the time, when possible, estimates established or available at the time of decision are favored over the historical/economic estimates (which were used to fill in missing observations). There are three primary sources of voter intent utilized in my data. First, in a handful of cases, state parties and politicians maintained actual estimates or projections of their anticipated gains or losses. For example, in Virginia the Democratic Party frequently touted that removing property qualifications would result in 50,000 new Whig voters, enough to give them a working majority in the ever powerful House of Delegates. As late as 1846, four years prior to the 1850 removal of property requirements, then Virginia Governor “Extra Billy” Smith opposed a possible constitutional convention on the grounds that removal served no benefit to the party and was likely to cost the Democrats “several senators” in the Senate of Virginia (Bruce and Tyler 1924). Somewhat ironically, when the Whig Party imploded after the 1848 elections, the electoral calculus of voter intentions shifted in the newly one-party state of Virginia and a convention was held two years later. Likewise, as previously mentioned in Connecticut, Oliver Wolcott Jr. kept election-by-election estimates of how many Democratic-Republican voters were suppressed by stringent property qualifications. While only 27 of the 100 total observations are derived directly from politician and party estimates, when available, these estimates are incorporated.¹⁸

¹⁸ Interestingly enough, in comparison to the later Farm-Labor history estimates, the projections by the parties and politicians were actually slightly lower. I would argue this could be caused by two factors. First, if the parties and politicians were risk adverse, strategically, they would want to use the “safest” estimate possible in order to safeguard their fortunes. Second, it could also be caused by an informational advantage possessed by the later scholars. Whatever the cause, the fact that the estimates were universally lower should actually bias the numbers against my hypotheses.

The second source of direct estimates comes from what I will refer to as “over votes.” An over vote exists when individuals can vote for one office (or multiple offices) but not for others. In this study for example, individuals who lacked property could vote for the State Assembly but not for the State Senate in North Carolina. This hierarchy of voting creates differing vote totals. For example, in a state with a potential electorate of 20,000 white male voters, if Democrats running for the State Assembly received 13,000 votes out of 20,000 cast and in the State Senate received 8,000 out of 15,000 votes out of I can approximate that removing property qualifications would result in the gain of 5,000 Democratic votes for the State Senate. One important thing to mention, is that the assumption of the actual “transfer of votes” from one office to another is reasonable because split ticket voting rarely if ever occurred during this time period (Bensel 2004). This over vote then establishes a baseline of what politicians could have perceived as the net effect of enfranchisement given the current political conditions. The actual over vote is an observable phenomenon even given the standards of the time, certainly politicians could tally vote totals and make the inferences on their own based on the differing institutional results.

The third sources of voter intent are estimates of the “working mans” or Farm-Labor vote. In the 1930s and 1940s many New Deal historians and economists interested in labor and agricultural history tried to explain the effect of early disenfranchisement on the growth of the state and progressive reforms. In attempting to establish how many “Democratic” votes were lost to disenfranchisement these historians used demographic and economic matching criteria in order to ascertain the intent of disenfranchised voters by comparing them to similarly enfranchised voters (Moreski 1941; Moreski et al. 1944). The end result is that by using these estimates of voter intent in relation to the total number of disenfranchised it is possible to create an

anticipated net gain or loss of votes for the institutional majority party based on these percentages. These estimates were utilized when no direct historical estimate or calculation was available, approximately, 43 of 100 observations.

Having established the number of anticipated votes gained or lost, these numbers are then standardized to reflect their impact on the current majority size of the majority party (in terms of voters) in state institutions, as a percentage of the total electorate in order to control for relative electorate size.¹⁹ These percentages are then calculated for the state lower house, state upper house, and state governor. So for example, if State Z had 10,000 voters who were disenfranchised and 20,000 potential total voters (i.e. the existing prior electorate was 10,000 voters), if it was anticipated that 7,000 votes of the newly enfranchised would go to Party A and 3,000 would go to Party B. That means that the expected vote gain for Party A would be 4,000 votes. Those votes are then expressed as a percentage of the advantage (or disadvantage) that party has for a particular institution or office. So in that example, for a generic office, if Party A held a majority of 1,000 voters, if they anticipated to receive an additional 4,000 votes, that was expressed as 4,000 divided by 20,000 (measured as 0.20) in order control for size of the electorate while accounting for anticipated political gain.

Obviously these measurements are imprecise in their nature, as are all measures of voter intent, to a degree. On the other hand, what is validating is that using only the historical estimates or the direct estimates ultimately produces nearly identical results (as discussed later). This lends support to the general validity of the approach. In an era that was frequently dominated by “wave elections” and stalemate, these estimates of voter intent are helpful in establishing a baseline for expected voting behavior of the disenfranchised. Given the relative modest proposal

¹⁹ I also attempted to incorporate expected increases or decreases of Presidential vote share. However, as would be anticipated, the results of this analysis were rather nonsensical.

of H_1 then these estimates of voter intent should at a basic level help to establish when parties reasonably expected to gain or lose ground in the event of enfranchisement.

The other primary variable(s) for my analysis deals with the institutional development and increasing presence of courts, particularly state courts, in the political arena. In order to gauge the presence of courts I use instances of judicial review per 100 cases, lagged by one term in models. Since virtually every state incorporated judicial review by 1856 (and most by 1800), a simple dummy variable is insufficient for analysis. Using case counts (i.e. # of cases heard or decided) can also include cases that have no particular importance to politicians.²⁰ In order to capture judicial “activity” uses of judicial review emerges as the best way to measure “significant” activity by the courts, at the same time, in order to use this measure, it must be standardized to control for caseload and population.

So for example, if the Virginia Supreme Court (a large state) heard 50 cases and used judicial review once, that would be quite different than if a court in New Hampshire (a small state) heard 15 cases and utilized judicial review three times. Since there are many factors that can potentially determine caseload (including things like statutory authority, population, procedures, judicial norms, etc.) the judicial review variable is established simply as number of uses of judicial review per 100 cases decided. Because of the breadth and time period, all court data (both federal and state) is collected using Westlaw on a per term basis. The end result of this judicial data mining is a series of measurements relating to the use of judicial review and general court activity. These include (along with the judicial review variable) the total number of civil rights cases heard in the federal and state courts, as well as, the total number of cases involving property qualifications per state.

²⁰ For example, it would be unlikely a civil case involving a carriage accident would be perceived as a threat to the law making power of the legislature and executive.

Other variables of interest include the percentage of white males serving in the state militia, lagged one term. This data was originally collected by Riker (1953) and supplemented by Horpedahl (2009). The value for militia participation is lagged one year in order to account for a natural lag between service and reward or benefit for that service.

Perhaps the most difficult variable to account for was measuring state economic fortunes. Quite simply, quality economic data at the state level during this time is nearly non-existent. Some states failed to keep basic records and others lost many records during the Civil War. While measures like a state GDP or average income might be ideal measures of state economic health; these measures are not available throughout the duration of my analysis. Instead, the only measures that are readily available from 1816 to 1856 are state revenues and expenditures (Sylla et al. 1993). Because expenditures also include debt (future and past) the figure might contain spending that is not directly related to the current economic “prosperity” of a particular state. On the other hand, total revenue should be reflective of present conditions. If economic conditions are improving, overall revenue(s) should increase. If economic conditions are worsening, then total revenue should decrease. In order to account for the relative size of a state, revenue is standardized to account for population.²¹

Population estimates for white male population and slave population is derived from census data collected from Coulson and Joyce (2003). Since H₄ specifies that states removed property qualifications over concerns of slow or lagging population growth, it becomes necessary to account for “slow growth.” In order to account for growth trends I utilize population growth (or loss) at the individual state level in comparison to the national average (all other

²¹ In order to attempt to account for a “delay” in reaction to improving economic fortunes I tried a variety of different lags and scales. However, because of the nature of the variable (further discussed in the analysis section) no configuration produced significant or unexpected results.

states). So, for example, if Connecticut experienced a 5% increase in white male population but the national average was 8% then the actual measure reflects -3% since Connecticut lagged behind the national average by 3%. This observation is then lagged one year in order to account for the fact that states likely lacked the capacity to monitor true population trends in “real time.” Slave population is measured as slaves per capita, and also lagged, in order to account for the delay in the flow of population information and estimates.

In order to account for ideology, I use the presence of a consolidated state government controlled by the Democratic Left. Ideally, there would be a more precise measure to account for the ideological factions in power at the state level. Unfortunately, there are no antebellum era DW-NOMINATE scores (Poole and Rosenthal 1997) to fall back on for state politicians. Since federal politicians rarely engaged in state level enfranchisement debates, it is inappropriate to use existing federal level ideological estimates. Therefore, because of these limitations, the best control for ideology comes in the rough form of party placement and rule. In order for a state to count as being controlled by the Democratic Left, it must meet two criteria. First, a single party controls the Governorship, Upper House, and Lower House. Second, that party has to be the Democratic Party, and if occurring before 1832, the wing of the Democratic Party in power was the Jacksonian wing. These institutional determinations are made utilizing Dubin (1998; 2003) or state histories when Dubin’s analysis is inconclusive. In the event that it was impossible to ascertain governing majorities, the state was not classified as having a unified government. The presence of a unified Democratic Left is then coded as a simple dummy variable (= 1 if in power). While certainly imperfect, this measure allows for some basic control over when the political left held broad power in a state.

Finally, there are two primary institutional variables that needed to be accounted for, these variables being the necessity of a constitutional amendment to extend the franchise and the requirement of a popular vote to either ratify or statutorily extend voting rights. These variables are determined by literal readings of the state constitutions (Keyssar 2000) and charters. In some cases, particularly in states that maintained their original colonial charters, the rules relating to voting and institutional configurations were somewhat vague (since they were established by an authoritarian King). Since it is often impossible to figure out the precise steps necessary for a state to change franchise laws (in fact many debated the procedure for change as much as the actual change) the only way to uniformly make a determination is to utilize literal readings of the documents. The presence of these institutional characteristics is then coded as a dummy variable.

Ultimately, while not perfect, this data represents the best possible data available to empirically test theories surrounding the removal of property qualifications. These variables account for 9 states and cover the years 1816 to 1856. Each variable had 100 possible observations and there are no more than 5 missing observations for any variable. In most cases, data is tested in variety of formats and scales, generally producing similar results across scales, classifications, and coding schemes.

RESULTS AND DISCUSSION

Table 10.1: Limited Model Results, Standard BTCS Logit

	Lower House (A)	Upper House (B)	Combined Leg (C)	Governor (D)
Expected Vote (Lower House)	0.399 (0.26)		-0.095 (0.68)	
Expected Vote (Upper House)		4.010** (0.99)	4.159** (1.96)	
Expected Vote (Governor)				1.26** (0.41)
Disenfranchised Voters	8.324 (4.78)	5.106 (3.44)	3.942 (12.29)	10.020* (5.74)
Judicial Review	0.948** (0.35)	1.366* (0.69)	1.362** (0.56)	1.004** (0.36)
Log Likelihood	-17.155	-8.204	-8.194	-12.802
N	100	100	100	100
Pseudo R²	0.43	0.73	0.72	0.58

* p < .10 ** p < .05

Table 10.2: Firth Logit Model(s) (all inclusive)

	Lower House (I)	Upper House (II)	Governor (III)	Mean (IV)
Expected Vote (Lower House)	0.587 (0.62)			
Expected Vote (Upper House)		1.944* (1.11)		
Expected Vote (Governor)			1.331* (0.71)	
Expected Vote (Mean: All)				1.405* (0.72)
Disenfranchised Voters	9.945 (8.98)	3.140 (3.62)	18.541 (11.70)	15.245 (10.17)
Judicial Review	1.026** (0.43)	1.069* (0.65)	0.733* (0.42)	0.717* (0.42)
Militia	5.899 (3.77)	6.040 (4.027)	5.885* (3.05)	5.192* (2.87)
Revenue	-0.001 (-0.01)	-0.004 (-0.01)	-0.005 (-0.01)	-0.003 (-.005)
White Pop Inc/Dec	17.776 (21.03)	21.736 (16.92)	1.986 (23.34)	6.963 (24.52)
Slaves Per Cap.	-1.488 (1.05)	-0.318 (1.10)	-1.130 (1.22)	-0.755 (1.25)
Democratic Left	3.694** (1.72)	3.411* (2.07)	2.521* (1.60)	2.147* (1.66)
Constitutional Amendment	-0.430 (1.45)	5.500 (4.22)	1.790 (1.96)	2.659 (2.44)
Popular Vote	-0.364 (1.70)	-6.318 (4.21)	-4.026 (3.52)	-4.509 (3.94)
N	100	100	100	100
Penalized Log Likelihood	1.034	1.727	1.231	1.295

* p < .10 ** p < .05

The primary hypotheses for this dissertation involved the relationship between enfranchisement and political gain (H_1). In both sets of regressions, the coefficients for political gains are positive and always significant for the upper house and governor. This suggests that as politicians in the upper house and governorship viewed enfranchisement as a positive for their electoral success, the probability of the removal of property qualifications, increased. Still, the

combined result might raise some eyebrows (see Table 10.1 and Table 10.2) for the *anticipated political gain hypothesis* (H_1).

In an era where split ticket voting was relatively rare, how could one institution (the lower house) significantly differ from the other two institutions? I would point to two somewhat logical and natural explanations. First, electoral cycles for lower houses are (and always have been) significantly different from those of upper bodies and executive branches. During this time period, virtually all states had either a single year or two year electoral cycle for lower house membership. Upper houses at the time traditionally had four or six year terms of membership. This means that lower houses were usually quicker to adjust (or reflect) to partisan tides; this “adjustment” could occur through partisan realignment by an incumbent politician, retirement, or even defeat. This phenomenon is no different than the federal House of Representatives being more responsive (or susceptible) to partisan tides than the Senate. To this effect, institutional design theories of the day (and dating all the way back to the Magna Carta) stressed upper houses should fortify entrenched interests, buffer against popular democracy, and generally be more supportive of elites than lower houses. The lower house is the peoples’ house and the upper house serves as a buffer from the people. Virtually identical arguments can be made for the executive branch in relation to electoral cycles and sense of purpose (or institutional intent).

The second, some states had different voting requirements for different offices. In some instances, this meant higher property thresholds for different offices; in other cases, it was different selection criteria in terms of ballots, appointments instead of direct elections, candidate selection vetoes by parties or institutions, or even early forms of gerrymandering or “rotten boroughs” to influence institutional composition. While each state was unique in terms of its electoral, political, and institutional composition; the overall set of conditions suggests that any

potential combination of factors could lead to differences between lower houses and the other branches or institutions of state government (I make no particular claim for any one justification).

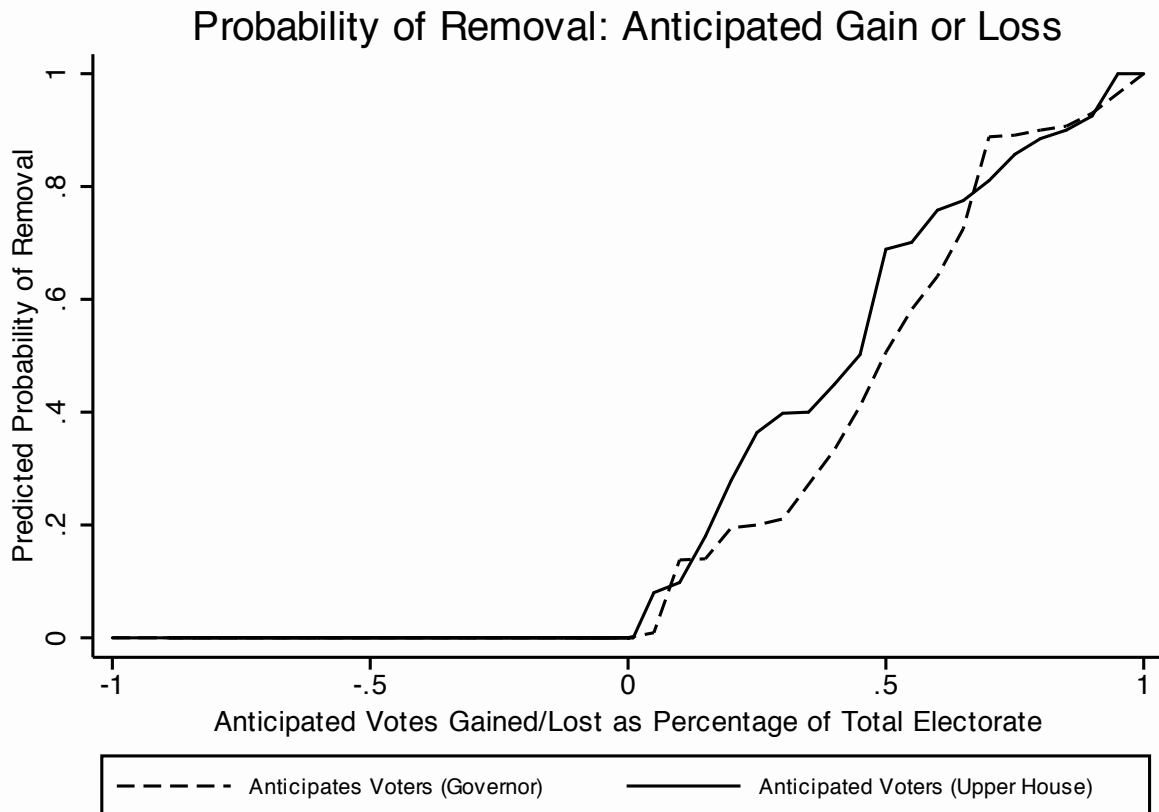


Figure 10.1: Predicted Probability of Removal (From ExpectedVote)

Using the results from Table 10.2, the predicted probabilities for anticipated vote gain for the Upper House and the Governorship are shown in Figure 10.1. The predicted probabilities for these variables (Figure 10.1) demonstrate the dramatic impact of anticipated gains on the probability of removal. Looking more specifically at the probabilities, a clear picture emerges. At an expected vote gain of 0, a neutral outcome, the probability of removing property qualifications for the Upper House is .0001 and for the Governor it is 0. This suggests that a

neutral outcome was simply not enough to warrant enfranchisement. Most likely, this would indicate that the level of risk (in terms of uncertainty) outweighed maintaining the status quo. Increasing the expected vote gain to 0.20 (remember this is the anticipated vote gain or loss over the electorate) is perhaps more insightful. For the Upper House, an anticipated increase of 0.20 voters corresponds to a 27.9% probability of property qualification removal. For the Governor, an increase of 0.20 corresponds to a 19.5% probability of removing property qualifications. This is an important finding. It demonstrates that gains not only had to be positive, but also had to be significant in magnitude to increase the probability of enfranchising new voters. The fact that an opportunity to significantly increase majority size results in such low probabilities speaks volumes to the potential risk aversion of legislators and the entrenchment of property requirements.

Establishing the importance of magnitude of gain is critical, so at what point did probabilities begin to favor or predict property qualification removal? In this case, there are some interesting differences between the Upper House and Governor. For the Upper House, when the expected vote gain is increased to 0.30 and then to 0.50 the probability of property qualification increases from .398 to .683. On the Governor's side, the numbers are slightly depressed. When anticipated vote gain is increased to 0.30, the predicted probability of removing property qualifications is only .211, a -.187 disparity in comparison to the Upper House. At 0.50, when the Upper House predicted probability is nearly 0.70 (.698 to be exact) the Governor's predicted probability lags behind at 0.53, a 0.17 disparity. This finding empirically suggests that while both governors and upper houses intended to increase their majorities, when enfranchising new voters, the governors apparently required greater returns for the assuming the risk and uncertainty of new voters.

This predicted probability analysis raises two important questions. First, why was a neutral result or a minimally “positive” result not enough to facilitate the removal of property qualifications? Why did the increase (or gain) need to be so great? Part of the explanation includes a discussion of risk assumption. Given the uncertainty of adding new voters (both in terms of how they will vote and the potential to upset the existing voters) strategic politicians likely built in a “margin of error” in their decision making rationale. The worst case scenario for an incumbent politician was that their understanding of voter intent is wrong, meaning they enfranchise a new group who they think will vote for them but instead they vote against them. In order to offset the probability of miscalculation, it is logical to raise the threshold for inclusion. For example, if a politician expected a 25% increase to their majority, if they want to buffer for potential error they might instead require a 35% increase in order to guarantee at least 25%.

Another part of the equation might be our perception of numbers rather than any factual or structural cause. In modern politics, frequently when we talk about “winning margins” we think in terms of 10,000s, 100,000s, or even millions of votes in some cases. However, during this time period, because of the relatively small size of the electorate, winning margins of such high proportions rarely existed. In lower state houses and even in upper state houses, the number of total votes rarely exceeded 10,000. This meant that winning margins were frequently in the hundreds or low thousands, rather than in the tens or hundreds of thousands. Because of these tighter margins and smaller electorate, the percentage of vote increase appears “elevated” by modern standards because the addition of a small number of new voters could greatly increase the relative size of majorities. In other words, this elevation is an issue of relative scale over substance.

As far as the *revolutionary threat hypothesis* (H_2) is concerned (i.e. the percentage of disenfranchised voters as a total of the male population), in this limited context, there is no significant support establishing that enfranchisement was effected by the prospect of “mass revolt.” Across regressions in both tables (Table 10.1 and Table 10.2) the coefficients for the percentage of disenfranchised are always positive but only significant in one of the eight regressions. This would suggest, that while the association between the percentage of disenfranchised and probability of enfranchisement is positive, it does not rise to the level of statistical significance in a vast majority of cases.

One primary data issue could explain this disparity. The data for this analysis is limited (in terms of time period) and does not encompass all states that removed property qualifications. It could be that a larger more inclusive data set might capture the revolutionary threat model in better perspective, either through increased efficiency of the estimates by having more observations or because the effect was more important early in the historical removal process (temporally) rather than later. Barring a sudden increase in the impoverished population or a general decline in wealth, if property qualifications in a state were so out of line that they disenfranchised such a huge majority, and that majority then became a revolutionary threat; by all reasonable logic this threat needed to be dealt with sooner rather than later. If this were the case, the states where the revolutionary threat was greatest would have removed property qualifications first, temporally. Given the late start of my data, I could simply be missing the states where this theory would most likely have applied. However, given the data, there is simply not a lot of support for this hypothesis when other factors are controlled.

I would argue that the regression results in Table 10.1 and Table 10.2 demonstrates that in a bubble, the sheer number of disenfranchised played a relatively minor role in the decision to enfranchise based on the data available from this time period. The narratives do not completely embrace or disprove this conclusion, but there as well, the support for the revolutionary threat hypotheses is tempered at best, at least, in the American experience. Whatever one chooses to believe, empirically, the hypothesis cannot be fully validated. However, given the totality of the evidence, in context, suggests that at the very best, this theory is a relatively poor predictor of property qualification removal when other factors are controlled and accounted for both quantitatively and qualitatively.

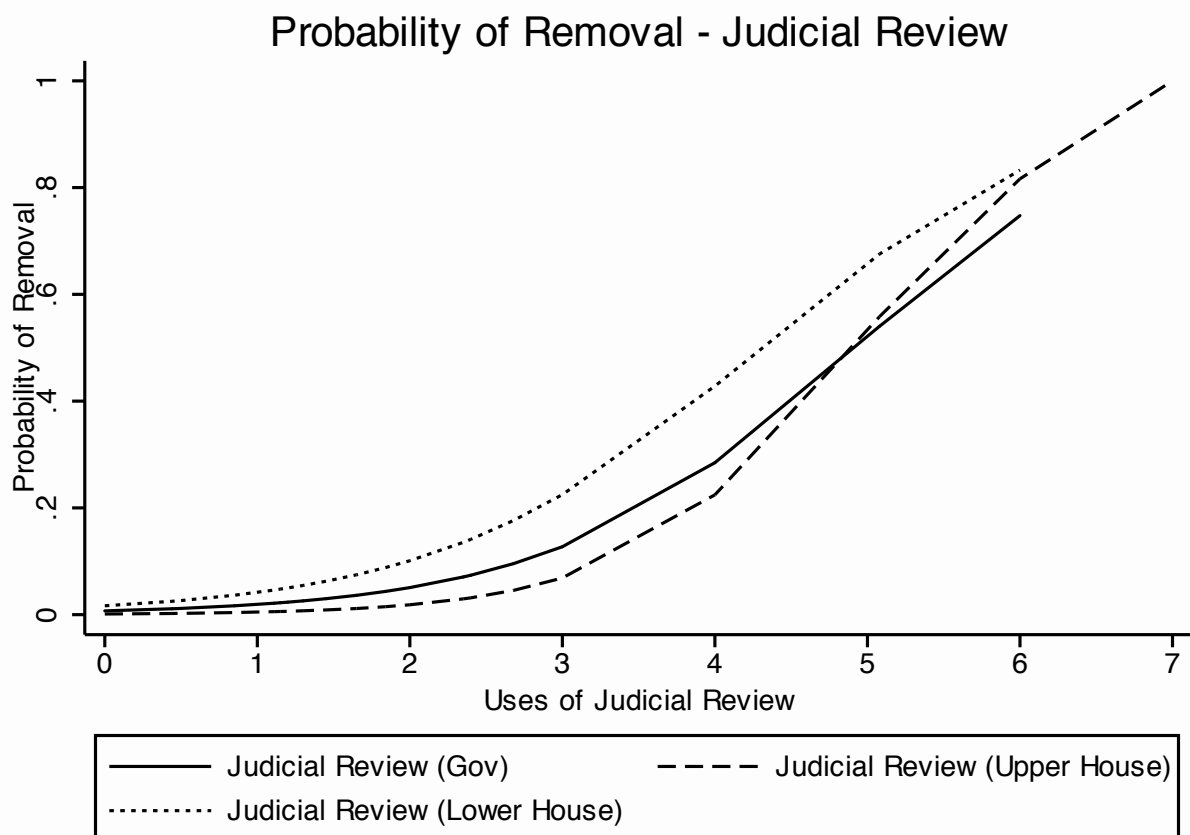


Figure 10.2: Predicted Probability of Removal (From Judicial Review)

Moving on to the impact of judicial review on property qualification removal (H_3), the results in Tables 10.1 and 10.2 show a clear statistical relationship between the use of judicial review and the removal of property qualifications. In every model, the relationship is significant (at the .10 level) and always positive. Meaning in practical terms, that when other factors are controlled for, the use of judicial review positively increases the probability of removing property qualifications. Looking at a graph of predicted probabilities in Figure 10.2, there is a clear trend in relation to the use of judicial review and the removal of property qualifications. As a cautionary note, the numbers are keyed to rate of judicial review per 100 cases. This appears to heighten the use of judicial review for visual purposes. No state court(s) was declaring 6 pieces of legislation unconstitutional per term. If we reduce that figure to a “normal value,” there certainly are years when a court heard 15 cases and used judicial review once (approximately the same percentage as 6/100). As a final control, I also incorporated the total number of cases per term, in order to account for judicial workload in general. While the result produced a positive coefficient it lacked statistical significance in all regressions. This suggests that the mere presence of an active judiciary was not enough to scare or coerce legislators in to action; rather, the judiciary had to be in active in a way that potentially threatened the domain of the political elite (i.e. through the use of judicial review).

In order to isolate the effect of judicial review, an examination of predicted probabilities is useful. With all other variables set at their means, the effect of one use of judicial review increases the probability of removing property qualifications to less than 1% (from the combined model). What makes the analysis more interesting is when multiple uses of judicial review are factored in to the removal equation. When the number of instances of judicial review is increased to three, the probability of removal increases to nearly 14% and as the number increases the

probability of removing property qualifications (Figure 10.2) moves closer one (i.e. guaranteed removal). This suggests that highly active courts in a statistical sense did contribute or could contribute to the removal of property qualifications. While these probabilities represent a “blind” estimate on the effect of judicial review, they confirm the general regression results of a positive association between judicial review and the removal of property qualifications.

To put this in perspective, it is important to remember that the original hypothesis for this dissertation only asserts that the development of courts, predominantly but not exclusively at the state level, increased the probability of removing property qualifications. The logic being that if politicians viewed courts as having the capacity to remove property qualifications, it was beneficial to the political class to remove qualifications on their own terms (co-opting the issue, if you will). Two issues complicate this analysis. First, state courts historically are perceived to have been indifferent, disinterested, or hostile to the concerns of average citizens. This historical perception of state courts certainly limits the amount of information, data, and literature that exists on their operation during this time. The second concern is that the courts involved were state courts rather than the federal courts. While federal courts played prominent roles in later eras of franchise expansion (Harvey 1998; Keyssar 2001; etc.) since the removal of property qualifications occurred prior to the Civil War there was no Fourteenth Amendment and no federal civil rights legislation generating a viable federal question, or so many would assume.

At the very least, the empirical evidence supports the basic claim that the presence of active courts, and increasingly active courts, could promote the removal of property qualifications. The state-by-state narratives and the theoretical logic demonstrate why this finding is plausible. Why certainly courts played less of a *direct* role in the removal of property qualifications than they did in female enfranchisement and certainly the enfranchisement of

African Americans, the power of judicial institutions to facilitate social change directly or indirectly is something that deserves attention in the Pre-Fourteenth Amendment era. At the very least, if this analysis proves a basic premise, the courts held the power to promote an agenda or impact the debate over rights, liberties, and the power to vote.

As far as other theories and controls, most results are in line with what could be anticipated. Riker's theory that *militia service* (H_5) served as a catalyst for social movements and organization receives some support and is positive and significant in two of four comprehensive regressions,²² including the mean expected vote share model (Table 10.2). What is interesting is that if early data was included, it is logical to anticipate the relationship between militia service and property qualification removal would only strengthen. Militia service peaked around the time of the War of 1812 (1812-1815), an era not captured in my data. Higher levels of service in the revolutionary era might counter act the later era of data (post Jackson) where federal troops gradually usurped the powers and role of the state militia. Therefore, while it is hard to declare the hypothesis as the primary force behind removal since many states removed property qualifications long after their militias lost vital significance, the empirical evidence generally indicates that militia membership did have some positive and significant effect on the timing of property qualification removal.

Other proposed hypotheses fared far worse in the empirical analysis. *Revenue* (H_7) that is frequently championed by historical economists as an explanation for qualification removal shows no definitive sign or significance (Table 10.2). This result is logical in the state context because states did not spend a lot of money during this time period. When states did spend, large

²² It only narrowly misses significance at the .10 level in the other two regression specifications.

expenditures tended to be fairly sporadic in nature.²³ At the state level, there was in most cases, no prolonged or linear progression of spending during the antebellum era. When states did need to raise revenue beyond basic operating expenses, it tended to involve infrastructure or public works and was almost always funded at once rather than over time. Without the need to increase revenue incrementally over time, it is hard to justify enfranchising individuals under the expectation that this adds legitimacy to presumed tax, tariff, or license increases. There is no evidence to suggest that state politicians considered the need to legitimize long term revenue gathering in such a fashion. The data and empirics support this assertion.

As for the other part of the theory, that economic prosperity creates an “era of good feelings” that emphasizes inclusion and minimizes social tension. Perhaps revenue is unable to adequately capture that trend. It is conceivable that personal economic conditions could improve and this might not directly correlate to increases in revenues for the state(s). If the ideological and political disposition of a state were to not expand, then the necessity of revenue is not inherently linked to individual level prosperity. Unfortunately, given data constraints, it seems unlikely that there is any measurement available (for this time period) that could accurately and broadly assess personal wealth and well-being. Given this limitation, I cannot completely dismiss this aspect of the theory; however, the evidence based off state revenue receipts indicates that it was not directly linked to the removal of property qualifications.

²³ Large expenditures would typically include appropriations for infrastructure like improvements or the creation of dams, roads, canals, and later railroads; other more general large appropriations included things like purchasing land for state universities, capital development, or militia training, to name a few.

The same null result holds for the white males, which is included to test the *Connecticut hypothesis* (H_4). Empirically, there appears to be little support for the notion that states without property qualifications experienced population growth at rates greater than those with qualifications (Table 10.2). While politicians might have viewed population growth as a legitimate concern, or were at least willing to bring it up, the results provide little support for this assertion. While the coefficient is positive it comes nowhere close to significant in any regression (Table 10.2). Again, in context, this result should be anticipated. The theories of competition for population in the United States were first developed in regards to later westward expansion (i.e. after the Civil War). I would argue most historians would not compare the decision to migrate from North Carolina to South Carolina or even from North Carolina to Massachusetts with the later migration from East to West of the Mississippi. The calculus was simply different. In the west, land was abundant and there were driving factors like gold rushes and the Homestead Act (Turner 1906). In the East, especially early in American history, migration was generally a cold hard economic decision based on perceptions of opportunity (Greenwood 1975). Given the vast disparity of wealth between states, political rights might have played a very minimal role, but most individual decisions and most migration was driven by economic conditions and labor necessity. This does not necessarily mean that states were insincere in their desire to increase population, regardless of circumstances; rather, it suggests that this concern in comparison to others was a lesser issue.

Similarly, the *slave revolt hypothesis* (H_6) also receives virtually no empirical support. The fact of the matter is the ratio of slaves to whites actually decreases over time as the white population stabilized and grew during the antebellum period and the slave population generally grew at a significantly slower rate (or in some cases, declined). The fear of loyalty during a slave

revolt likely played some role in the first southern states removing property qualifications (i.e. when the slave per capita ratio was at its highest) but there is little evidence of this in the data, no support in the empirical findings, and virtually no discussion in the historical record outside of later conjecture. Ultimately, it could be that the threats of slave revolt were simply highest during an era when we have very limited data (Pre-1790). When the slave populations in Georgia and South Carolina were greater than that of the white population, certainly fear of revolt played a role in political decisions. On the other hand, the decision to enfranchise if made at times of “peak fear” would have occurred prior to when my empirical analysis begins.

Interestingly, but not surprisingly, the *democratic left* variable, which tests H_8 , is both positive and significant across the comprehensive models (Table 10.2). Given the ideological dimension of property qualifications, this result is far from surprising. Theoretically, if a party expects to receive political benefit from the inclusion of new voters, it should not matter whether it is a progressive or a conservative party. Practically though, we know historically that parties on the left have almost always been more likely to support expansion of the electorate to “out” groups. During the antebellum period there were certainly times when more conservative parties anticipated gains from removing property qualifications. In states like North Carolina and Rhode Island, conservative parties actively contemplated extending the vote because they perceived it would be to their benefit. Yet when push came to shove, neither did. It might be something of an obvious control but both empirically and in terms of state narratives, the evidence suggests that parties on the left are more likely to remove property qualifications than parties of the right when confronted with similar or identical circumstances.

Finally, the last two variables are institutional controls for the *necessity of a constitutional amendment* (H₉) in order to remove property qualifications and/or the *necessity of popular ratification or referendum* (H₁₀) in order to extend franchise rights. Neither popular vote nor constitutional amendment produces significant results in any regression. While it might seem that any institutional hurdle should significantly diminish the probability of removal, given the magnitude of the political earthquake necessary to facilitate removal, institutional hurdles could largely be seen as problematic barriers to be overcome rather than roadblocks to reform.

The empirical results indicate a clear relationship between certain variables and the removal of property qualifications. The concept of political advantage across regressions seemingly indicates that for most offices, particularly offices that were somewhat disconnected from popular consent, there was a strong relationship between anticipated political benefits and the decision to remove property qualifications. When combined with the earlier narratives, this theory fares well when other theories are controlled. Likewise, the emerging presence of courts, no matter how defined, seems to play a positive role in property qualification removal. The strong support for these two theories across models adds some clarity to the removal picture.

On the other hand, some theories that are frequently proposed in order to explain removal ultimately fall short in support. Issues like slave revolts, slow population growth, economic expansion, and institutional hurdles fail to register statistical significance, but generally, their coefficients fall in the anticipated direction. This indicates that statistically these theories are not well supported. This does not mean in all states were they not important, but across the board, during my time period of analysis, they were not significant in comparison to other variables and theories.

Finally, some theories show limited support. The revolutionary threat hypothesis in an extremely limited context receives some empirical support, at the same time, when more factors are controlled for it falls short of statistical relevance. Could a revolutionary threat have played a role in the removal of property qualifications? Certainly. However, given a collection of other factors it was not a priority concern, at least statistically. Likewise, Riker's militia theory (H4) hovers at the edges of statistical significance across models. Did militia service ultimately contribute to the removal of property qualifications? Most likely, to a degree. However, again, when other factors are accounted for, it appears to have played a much more minor role in comparison to other more prominent issues and concerns.

These models and these results are meant to be used in conjunction with the state narratives and historical theories. While the models might be broad and the available data certainly limits the empirical examination, at the end of the day, the importance of institutional development and political gain also show significance in the empirical sense. While because of limitations it would require a leap of faith to completely discard or completely confirm any theory based on empirics alone, I can say that using the best empirical data available, adds clarity and support for many theories while failing to find support for others.

CHAPTER 11

CONCLUSION

The removal of property qualifications did not set off the second great American Revolution like Thomas Paine had hoped (1792) or John Adams had feared (1776). There was no mass murder of the aristocracy, as Hamilton had speculated, nor was there a radical redistribution of wealth or property as predicted by Madison (Dahl 2002). Removing property qualifications was not the immediate precursor to the enfranchisement of women, the removal of restrictions against religious minorities, or the inclusion of freed blacks and eventually, slaves. So what were the effects and why does the era matter?

From a political standpoint, the impact of removing property qualifications is difficult to isolate. The two national politicians historically viewed as most likely to see an electoral benefit from mass white male enfranchisement were Thomas Jefferson and Andrew Jackson. An examination of Jefferson's Electoral College victory in 1800 demonstrates the murkiness of this claim. In 1800, there were a total of 39 electoral votes available in states that had removed property qualifications. Jefferson received 19 of these electoral votes and John Adams received 20. In states that had removed property qualifications Adams actually outperformed his national average (51% versus 47%). This suggests that the "farm labor vote" provided very little electoral benefit to Jefferson in translation to the Electoral College. Continued analysis of electoral outcomes gets far more complicated after 1800 as the Federalist Party enters a death spiral of decline, essentially becomes a semi-regional party, and a competitive party system fails to exist until 1824/1828 when the second party system develops.

The evidence that property qualification removal benefitted Jackson is more evident than the case of Jefferson. In the election of 1824, Jackson won 56% of the electoral votes from states without property qualifications. In comparison, he won only 31% of the electoral votes from states with such qualifications. The numbers are even more staggering in the popular vote. Jackson won roughly 62% of the popular vote in states without property qualifications while winning only 28% of the vote in states with qualifications. The numbers are virtually identical for the 1828 rematch between Jackson and John Quincy Adams. Now, unlike Jefferson's election where Jefferson was a "national candidate" in the sense that he had a strong base of support in the north and the south – Jackson, especially in 1824 was primarily a regional (southern, western, and mid-Atlantic) candidate. So part of the disparity could be based on regional vote (as the North was more likely to have property qualifications than the south and the west). However, a *prima facie* examination seems to demonstrate that Jackson did significantly better in states without property restrictions. This suggests at the very least, part of Jackson's electoral advantage was his ability to maximize his vote share in states with universal white male enfranchisement, particularly in the west. Whether or not this vote share was pivotal in Jackson's electoral success is less clear, but he certainly benefitted and enjoyed an advantage from the working class vote.

At the state level, the removal of property qualifications had a more profound and visible effect. In Connecticut for example, where Oliver Wolcott had anticipated newly enfranchised voters would secure the narrow Democratic-Republican majority – they in fact did secure that majority for a decade after enfranchisement. While other states in the northeast fell back or continued their Federalist (or Adams's Democratic-Republican) ways in the 1820s, Connecticut unlike her neighbors, held to the moderate center at the state level. The party of Wolcott and his

heirs only fell when Anti-Jacksonian sentiment and Anti-Mason intensity unified behind the Whig Party in 1828. Likewise, in Rhode Island, after Dorr's rebellion and with the adoption of the new Constitution – after years of suppression, in the three following state elections, there was an 86% turnover in the lower state house and 67% of the upper house. A new political party formed, later dubbed the Know-Nothings, and the state political class was turned upside down. Clearly, mass enfranchisement radically altered the political composition of Rhode Island institutions. These are just two examples. The effects between states varied in terms of severity and term (years) of effect but most states exhibited a similar short-term readjustment or stabilization of partisan composition after removal of property qualifications.

At the same time, there were important changes in policy emphasis as new and old politicians sought to win over those recently enfranchised. In Massachusetts, in the two years following the removal of property qualifications, the state legislature adopted more favorable laws for debtors, increased access to public education, and extended militia pensions to widows²⁴ (McDermott 1968). In South Carolina, immediately following the removal of property qualifications in 1810, the state reformed inheritance laws, reduced penalties for debtors, and chartered a bank with the express purpose of aiding small farms in the up-country. Now it is certainly possible that these states would have eventually instituted reforms geared towards the lower classes; however, the enfranchisement of the lower classes seems to have provided them accelerated incentive to capitalize these projects and reforms.

²⁴ Militia pensions (or bonuses) were generally only directly paid to those who actively served. By the 1830s, most states allowed the widow of militia member to continue to collect their pension or bonus. While these were very small amounts, for the impoverished, it was an important political issue.

Not all policy changes associated with the removal of property qualifications were positive or progressive in nature. In some cases, state politics lurched to the right (or became more conservative) after qualification removal as newly enfranchised voters sought to take out their economic frustrations and find a source of blame for their condition. In Rhode Island, after the initial flurry of democratic enthusiasm, the Know-Nothing movement stripped voting rights from free blacks, imposed draconian segregationist policies against Catholics, and repealed most legal rights for women. In South Carolina, as Charles Pinckney faced financial ruin and ill health, his Jeffersonian-minded party was cannibalized by the Calhoun lead factions. Pinckney viewed mass enfranchisement as a way of buffering against what he perceived to be the radical conservative elements of South Carolina society, it turned out, the new voters he enfranchised were indeed loyal to him but not in his ideological mold. For the next forty years after the removal of property qualifications, with the brief exception in the late 1810s when Pinckney himself made a return to politics, South Carolina transformed itself from one of the most progressive state in the Union, to arguably the most conservative. Again, in both these cases, one can make the argument that these events would have eventually happened. Rhode Island historically had spells of anti-immigrant, anti-papist, and racist sentiment. South Carolina might not have been ideologically progressive but their adoration for Charles Pinckney was so high they went along with his ideological leanings. However, at the end of the day, the near immediate ideological transformations that happened after property qualification removal cannot entirely be written off as coincidence.

From an enfranchisement perspective, the removal of property qualifications represents a significant step towards universal enfranchisement. In the United States, in order for African Americans, women, ethnic, and religious minorities to be enfranchised the barriers to voting codified by voting laws needed to be torn down. If the fundamental justification for the vote was independence and by definition women, minorities, and those without property could not achieve this standard of independence – once this theory was abandoned, the proverbial voting floodgates could potentially open. Without poor white males receiving the vote, the thought of other “out groups” receiving the vote was difficult to see. It was part of the expansive progression. When John Adam’s bantered about the “slippery slope” of enfranchising white males without property, Adam’s was indeed correct, this change of course would lead to eventual near universal enfranchisement. What Adam’s failed to understand was that the newly enfranchised white males without significant property feared women, ethnic, and religious minorities in the same fashion that the founding elites had feared them. The slippery slope to mass enfranchisement was real, but the shift was protracted. The road to the universal enfranchisement was built inch-by-inch not by the mile. It took 189 years (1776-1965) for the franchise to reach near universal status, and the issue of enfranchisement remains far from settled today.

From a social perspective, the removal of white male enfranchisement as a political issue, allowed for new issues to bubble over in to the limelight. In some cases, the mobilization and agitation existing for and against property qualifications simply morphed in to new issues and causes. For example, the New York Suffrage Association initially formed to advocate universal white male enfranchisement transitioned to advocacy for abolition and the female vote, eventually, being displaced by National American Woman Suffrage Association in 1870 (Harvey 1998, 231). More directly, Thomas Dorr’s 1824 work on “Universal Suffrage” was circulated

amongst the leaders of the emerging women's suffrage movement after Dorr's failed rebellion and rise to national prominence in the early 1840s. Dorr for his part directly corresponded with both Elizabeth Cady Stanton and Susan B. Anthony after his pardon (Guss 2010). The lesson of white male enfranchisement was carried over in to the future battles over franchise rights. The structure of the movement, in terms of suffrage associations was adopted by the women's vote advocates. The legal strategy of engaging courts to pick away at loopholes and loose language in voting laws – was also adopted by the women's vote movement (Brown 1993). The fight for the women's vote had unique aspects of its own merit – however, if you look at the structure of the movement, it has a very similar appearance to the white male enfranchisement movement. From a natural standpoint, social movements build upon what came before. If we look at the women's vote movement – there are two natural sources of guidance, abolition societies and the white male suffrage movement.

From an institutional standpoint, the era of property qualification removal witnessed significant changes in how citizens perceived the role of their governing institutions and how institutions perceived themselves. From a legislative standpoint, the conventional wisdom that at least one house of the legislature needed to act as a “safeguard” for elite interests was thrown out. As property qualifications were removed institutional barriers to upper houses were also removed and by the end of the era of property qualifications, there were no longer distinctions in voting criteria for upper and lower houses. The executive branch witnessed a similar transition. The executive branch in the early republic was traditionally an afterthought harnessed by fear of consolidated power in a single individual. The executive branch was traditionally subservient to the legislature and lacked significant authority outside the veto. The fight for property qualification removal frequently put the Governor in the center of the storm as either

championing or opposing the removal of property qualifications. With the spotlight on them, Governors were able to harness these early social movements to solidify their base, create a new base of support, demonstrate their commitment to the status quo, and generally raise their profile or standing with the electorate (present or future). While formal powers of the executive branch might have been slow to evolve, the public perception of the role of governors was greatly changed by the removal of property qualifications. By the end of the process, Governors frequently used the issue to place the executive branch at the center of the state political universe.

Finally, the greatest institutional change during the era of property qualification removal came in the state courts. Courts that were ill defined, under staffed, and in some cases lacking authority, gradually started to change the perception of the role of courts in relationship to civil liberties, civil rights, and institutional authority. Courts did not play a vital role in the context of *actively promoting* white male enfranchisement in the same sense that they promoted and protected African American enfranchisement in the 1950s and 60s; state courts also failed to meddle with existing enfranchisement laws in the same way that they frequently used loopholes to allow (or disallow) the enfranchisement of women. However, state courts were frequently petitioned by those who lacked property. In virtually every state, property qualifications were tested in the courts. As courts evolved ideologically, institutionalized through the use of judicial review, and increased their presence in terms of caseload – they posed an indirect and overarching threat to property qualifications. This “threat” of potential action placed the courts in the enfranchisement arena and made them a player in the narrative.

This dissertation has challenged the perceptions surrounding the removal of property qualifications and provided some new claims relating to their removal. Specifically, most old claims involving the removal of property qualifications do not hold up to closer examination. For example, economic justification(s) for expansion, slave revolts, and slow growth in the white male population, to name a few, receives very little support empirically or in case study analysis. A few historical theories provide basic support, militia service as speculated by Riker did statistically contribute to removing property qualifications – as might be expected, the Democratic Party left was more likely to remove property qualifications than any other party (or branch of party) more ideologically conservative. However, in context, these theories provide only a small fragment of the overall explanation of property qualification removal. Specifically, this dissertation tested two claims regarding revolutionary threats and strategic political behavior. It also found support for a third exploratory hypothesis regarding the changing role and perceived threat(s) from courts.

To summarize briefly, I find limited support for the concept of revolutionary threats influencing property qualification removal and strong support for strategic political advantage influencing the decision to remove property restrictions. In many senses, this is what would be anticipated. Mobs can rule. A large group of angry citizens can certainly pose a threat to the status quo and public safety. In a bubble (or limited regression) there appears to be some statistical support for the notion that large numbers of the disenfranchised did impact the timing of property qualification removal. On the other hand, as more controls are added, the statistical effect of revolutionary threats diminishes.

The strategic advantage theory fares better across cases and models. Politicians enfranchised when they perceived a benefit in expanding the electorate. In some cases, this benefit was increasing a majority, in others, it was creating electoral stability. What adds support for this relationship is that institutions that were perceived to be more out-of-line with public sentiment were statistically more responsive to potential changes in electoral composition. Finally, courts have been long established as playing an important role in both establishing and maintaining franchise rights. In the analysis of property qualifications, the increasing role of courts had a “positive” but not proactive role in the removal of property qualifications. This squarely places the courts in line with later eras and instances of enfranchisement – and perhaps cemented their evolutionary path to establishing themselves as guardians of the franchise.

Social scientists traditionally treat the earliest eras of enfranchisement as something of a footnote in the democratic narrative. We frequently rely on old standard bearers like de Tocqueville, Andrew Jackson, and Thomas Jefferson to explain the initial democratic expansion in the United States. These tales of democratic triumph are more fiction than fact. The reality of development is much different picture. Early enfranchisement was the product of calculated political entrepreneurship, rudimentary social movements advocating reform, and evolving political values. Ultimately, universal white male enfranchisement failed to produce the political earthquake some feared and others welcomed. Those who gained the franchise during this era no longer celebrate the achievement. While women still celebrate the nineteenth Amendment, African Americans hold sacred the Voting Rights Act and the greater civil rights movement – poor white males no longer cheer these initial achievements. There are no parades, commemorative stamps, or even discussions of this early era and what it accomplished. In some respects this makes sense. This early extension of the franchise was an extension of a subgroup

(white males) not an extension to an entirely new group that had previously been excluded. Likewise, it failed to produce significant shifts in cultural and political values like the enfranchisement of women and African Americans. However, just because it failed to live up to later eras does not make the removal of property qualifications an era rightfully written off, footnoted, and ignored. Property qualification removal was a significant step in the evolution of the franchise, not just in the United States, but worldwide.

The adage goes that Rome was not built in a day. The same is true for mass enfranchisement. The universal franchise that many take for granted today was not established with the wave of a wand, a single passage of legislation, or through instantaneous enlightenment. Rather the franchise was established piece-by-piece with the last pieces put in to place resting on everything that had come before. Property qualification removal is the foundation of mass enfranchisement in the United States. Without understanding the foundation of a structure we cannot understand and appreciate the collective work.

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