



Carl N. Degler

## A New Kind of Revolution

### Conservatives Can Be Innovators

Like fabled geni grown too big to be imprisoned in their bottles, wars and revolutions frequently take on a life of their own irrespective of their first purposes. The overarching considerations of survival or victory distort or enlarge the narrow and limited aims for which the conflict was begun. The American War for Independence was such an event. Begun for only limited political and constitutional purposes, the war released social forces which few of the leaders ever anticipated, but which have helped to mold the American tradition.

One such unforeseen result was the rapid and final disestablishment of the Anglican Church, heretofore the state-supported religion in all of the colonies south of Mason and Dixon's line and in parts of New York and New Jersey as well.<sup>1</sup> In knocking out the props of the State from beneath the Anglican Church, the states provided the occasion for wider and more fundamental innovations. Virginia in 1786, in disestablishing the Anglican Church, put no other church in its place and instead passed a law guaranteeing religious freedom. This law, with which Madison and Jefferson had so much to do, prepared the ground for the ultimate triumph of the American doctrine of separation of Church and State.

The ratification of the federal Constitution in 1788 constituted the first step in the acceptance of the principle that a man's religion was irrelevant to government, for the Constitution forbade all religious tests for officeholding.<sup>2</sup> Then in 1791, when the first ten amendments were added, Congress was enjoined from legislating in any manner "respecting an establishment of religion or prohibiting the free exercise thereof." These legalistic and now commonplace phrases had centuries of man's religious history packed within them; upon their implementation western Christendom reached a milestone in its long quest for a viable accommodation between man's religious conscience and *raison d'état*.

For millennia a man's religion had been either a passport or a barrier to his freedom and the opportunity to serve his State; it had always mattered how a man worshiped God. Since Emperor Theodosius in the fourth century of the Christian era, religious orthodoxy had been considered necessary for good citizenship and for service to the state. All this weighty precedence was boldly

overthrown by Americans in 1789-91 when they erected a government wherein "a man's religious tenets will not forfeit the protection of the Laws nor deprive him of the right of attaining and holding the highest offices that are known in the United States," as George Washington said.

In the course of the early nineteenth century, the federal example of a strict divorce of State and Church was emulated by the individual states. At the time of the Revolution many states had demanded Christian and often Protestant affiliations for officeholding, and some had even retained a state-supported Church. Gradually, however, and voluntarily—Massachusetts was last in 1833—all the states abandoned whatever connections they might have had with the churches. The doctrine of separation has been more deeply implanted in our tradition in the twentieth century by the Supreme Court, which has declared that separation is a freedom guaranteed by the Fourteenth Amendment to the Constitution and therefore obligatory upon the states as well as the federal government. Thus the two extremes of the American political spectrum—the popular state governments and the august Supreme Court—have joined in sanctioning this doctrine born out of the Revolution by the liberalism of the Enlightenment.

It was a remarkably novel and even unique approach to the question of the relation between the State and religion. Although the doctrine repudiates any connection between the State and the Church, the American version has little in common with the practice in countries like revolutionary France and Mexico and atheistic Soviet Russia, where separation has been so hostile to religion as to interfere, at times, with freedom of worship. The American conception is not antireligious at all. Our Presidents invoke the Deity and offer Thanksgiving prayers, our armies and legislatures maintain chaplains, and the state and federal governments encourage religion through the remission of taxes. In America the State was declared to be secular, but it continued to reflect the people's concern with religion. The popular interest in religion was still evident in 1962 and 1963 when the Supreme Court invoked the principle of separation of church and state to ban prayers and Bible-reading from the public schools. In both Congress and the public press there was a loud protest against such a close and allegedly antireligious interpretation of the principle. But efforts to amend the Constitution in order to circumvent the Supreme Court's interpretation failed.

In the eighteenth century the American principle of separation of Church and State was indeed an audacious experiment. Never before had a national state been prepared to dispense with an official religion as a prop to its authority and never before had a church been set adrift without the support of the state. Throughout most of American history the doctrine has provided freedom for religious development while keeping politics free of religion. And that, apparently, had been the intention of the Founding Fathers.

As the principle of the separation of Church and State was a kind of social side effect of the Revolution, so also was the assertion in the Declaration of Independence that "all men are created equal." These five words have been sneered at as idealistic, refuted as manifestly inaccurate, and denied as preposterous, but they have, nonetheless, always been capable of calling forth deep

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emotional response from Americans. Even in the Revolutionary era, their power was evident. In 1781 the Supreme Judicial Court of Massachusetts declared slavery at an end in that state because it "is inconsistent with our own conduct and Constitution" which "set out with declaring that all men are born free and equal. . . ." The Reverend Samuel Hopkins told the Continental Congress that it was illogical to "be holding so many hundreds of blacks in slavery. . . while we are maintaining this struggle for our own and our Children's liberty. . . ." In 1782 William Binford of Henrico County, Virginia, set free twelve slaves because he was "fully persuaded that freedom is the natural right of all mankind." Another Virginian, a few years later, freed all his slaves which had been "born after the Declaration of Independence." Such efforts to reconcile the theory of the Declaration with the practices of life represent only the beginnings of the disquieting echoes of the celebrated phrase.

It is wrong to assume, however, that the mere inclusion of that phrase in the Declaration worked the mighty influence implied in the foregoing examples; social values are not created so deliberately or so easily. Like so much else in the Declaration, this sentence was actually the distillation of a cherished popular sentiment into a ringing phrase, allegiance to which stemmed from its prior acceptance rather than from its eloquence. The passionate belief in social equality which commentators and travelers in Jacksonian America would later find so powerful was already emergent in this earlier period. Indeed, we have already seen its lineaments during the colonial period. After 1776 the conviction was reinforced by the success of the Revolution and by the words of the great Declaration itself.

It was also supported by the facts of American social life. Despite the lowly position accorded the Negro, wrote the French traveler Jacques-Pierre Brissot in 1788, it still must be admitted "that the Americans more than any other people are convinced that all men are born free and equal." Moreover, he added, "we must acknowledge, that they direct themselves generally by this principle of equality." German traveler Johann Schoepf noticed that in Philadelphia "rank of birth is not recognized, is resisted with a total force. . . . People think, act, and speak here precisely as it prompts them. . . ." <sup>3</sup> And in the privacy of the Federal Convention of 1787, Charles Pinckney of South Carolina urged his fellow delegates to recognize the uniqueness of their country: "There is more equality of rank and fortune in America than in any other country under the sun," he told them.

There were other signs of what an earlier generation would have stigmatized as "leveling tendencies" in the new post-Revolutionary society. The attacks made by the Democratic-Republican societies upon the privileged Order of the Cincinnati, because it was secret and confined to Revolutionary officers and their descendants, were obviously inspired by a growing egalitarian sentiment. French traveler Moreau de Saint-Méry recalled with disgust how Americans proudly told him that the hotel custom of putting strange travelers together in the same bed was "a proof of liberty." By the end of the century old social distinctions like rank-seating in churches and the differentiating title of esquire were fast passing out of vogue. On an economic level, this abiding American faith was translated as equality of opportunity, and here doubt

Federalist Fisher Ames could lock arms with his Republican opponents when he averred that "all cannot be rich, but all have a right to make the attempt."

Though economic grievances seem to have played a negligible role in bringing on the Revolution, this is not to say that there were no economic consequences. The economic stimulus afforded by the war demands and the freedom from English mercantilistic restrictions which victory made permanent provided adventuresome American merchants and entrepreneurs with wide opportunities for gaining new markets and new sources of profit. The expansion of the American economy, which was to be characteristic all through the nineteenth century, was thus begun.

But even when one has added together the new constitutions, the enlightened religious innovations, and the stimulus to equality, it is quickly apparent that the social consequences of the Revolution were meager indeed. In both purpose and implementation they were not to be equated with the massive social changes which shook France and Russia in later years. For the most part, the society of post-Revolutionary America was but the working out of social forces which were already evident in the colonial period.

It is significant, for example, that no new social class came to power through the door of the American Revolution. The men who engineered the revolt were largely members of the colonial ruling class. Peyton Randolph and Patrick Henry were well-to-do members of the Virginia Assembly; Washington, reputed to be the richest man in America, was an officer in the Virginia militia. The New York leaders John Morin Scott and Robert Livingston were judges on the Supreme Court of the colony, while William Drayton, a fire-eating radical of South Carolina, was a nephew of the lieutenant governor of the province, and himself a member of the Governor's Council until his anti-British activities forced his removal. Certainly Benjamin Franklin, citizen of the Empire, celebrated scientist, and long retired, well-to-do printer, was no submerged member of Philadelphia's society—or London's for that matter. Moreover, Franklin's natural son, William, was a Royal Governor at the outbreak of the Revolution. Hancock of Boston and Christopher Gadsden of Charleston were only two of the many respected and wealthy merchants who lent their support to the patriot cause. In fact, speaking of wealth, the Revolution in Virginia was made and led by the great landed class, and its members remained to reap the benefits. Farther down the social scale, in the backwoods of Massachusetts, it has been shown that the chief revolutionists in the western counties were the old leaders, so that no major shift in leadership took place there either, as a result of the Revolution.

This emphasis on position and wealth among the Revolutionary leaders should not be taken as a denial that many men of wealth and brains left the colonies in the exodus of the Loyalists. Certainly few patriots were the peers of Jared Ingersoll in the law, Jonathan Boucher in the Church, and Thomas Hutchinson and James Galloway in government. But the Loyalist departure did not decapitate the colonial social structure, as some have suggested—it only removed those most attached to the mother country. <sup>4</sup> A large part of the governing class remained to guide the Revolution and reap its favors. It is true, that in the states of Georgia and Pennsylvania, where the radical democrats

held sway in the early years of the Revolution, new men seemed to occupy positions of power. But these men were still unknowns on the periphery of government and business, and generally remained there; they cannot be compared with the Robespierres and the Dantons, the Lenins and the Trotskys, of the great continental eruptions.

A convenient gauge of the essential continuity of the governing class in America before and after the Revolution is to be found in an examination of the careers of the signers of the Declaration of Independence. Surely these fifty-five men are important patriot leaders and presumably among the chief beneficiaries of the Revolution they advocated. Yet they were by no means a disadvantaged lot. Fully 40 percent of them attended college or one of the Inns of Court in England at a time when such a privilege was a rarity. An additional 21 percent of them came from important families of their respective colonies, or, like Robert Morris and Joseph Hewes, were men of acquired wealth. Over 69 percent of them held office under the colonial regimes; 29 percent alone holding some office within the executive branch; truly these were not men held at arm's length from the plums of office.

Most striking about the careers of these men is the fact that so many of them held office before and after the dividing line of the Revolution. Of those who held an office under the state governments after the Revolution, 75 percent had occupied offices before 1774, proving, if need be, that service in the colonial governments before the Revolution was no obstacle to political preference for a patriot afterward. If those who held no office before 1774 are not counted—and several might be considered too young to be expected to have held office—then the continuity shows up even more clearly. Eighty-nine percent of those who filled an office before the Revolution also occupied an office under one of the new state governments. And if federal office after 1789 is included, then the proportion rises to 95 percent. Add to this the fact that other leaders, not included in the group of signers, had similarly good social backgrounds—men like Washington, Robert Livingston, Gouverneur Morris, Philip Schuyler, and a dozen more—and the conclusion that the Revolution was a thoroughly upper-middle-class affair in leadership and aim is inescapable.

A further and perhaps more important conclusion should be drawn from this analysis of the political careers of the signers after the Revolution. These conservative, upper-class leaders who proclaimed the Revolution suffered no reudiation in the course of the struggle; no mass from the bottom rose and seized control of the Revolutionary situation to direct the struggle into new channels. Rather these men merely shifted, as it were, from their favored status under the colonial regimes to comparable, if not improved, positions after the Revolution.

As a colonial revolt against an alien power, such a development is not surprising. But certainly—for better or for worse—the continuity brought a degree of social and political stability to the new nation rarely associated with the word "revolution" and serves, once again, to illustrate the truly conservative nature of the American revolt.

Similarly, in the redistribution of land, which played such a crucial role in France and Russia, the American Revolution set no example of social motivation or consequence. The Crown's lands, it is true were confiscated, and—of greater

import—so were the lands of the proprietors and those of the literally thousands of Tories. But the disposition of these lands hardly constitutes a social revolution of major proportions. One can collect, of course, examples of the breakup of great estates, like the De Lancey manor in New York, which was sold to 275 individuals, or the 40,000-acre estate in North Carolina which was carved into scores of plots averaging 200 acres apiece, or the vast 21,000,000-acre proprietary lands of the Penns. But the more significant question to be answered is who got the land. And, from the studies which have been made, it would appear that most often the land went to speculators or men already possessing substantial acreage, not to the landless or even to the small holder. To be sure, much Tory land which first fell under the auctioneer's hammer to a speculator ultimately found its way into the hands of a yeoman, but such a procedure is a rather slow and orderly process of social revolution.

Furthermore, it is obvious from the Confiscation Acts in the several states and the commissioners who operated pursuant to them that the motive behind the acquisition of Tory lands was enhancement of the state revenues—as, indeed, the original resolution from Congress had suggested. Under such circumstances, pecuniary motives, not democratic theories of society, determined the configuration distribution would take. And it is here that we begin to touch upon the fundamental reason why the confiscation of the royal, proprietary, and Loyalist lands never assumed crucial social importance. Land was just too plentiful in America for these acres to matter. Speculators were loaded down with it; most men who wanted it already possessed it, or were on the way toward possession. One recent investigator of the confiscations in New York, for example, has pointed out that land there could be bought cheaper from speculators than from a former Tory estate.

Even the abolition of primogeniture in all the southern states by 1791 cannot be taken as a significant example of the Revolution's economic influence. The fact of the matter is that primogeniture had never appreciably affected land distribution, since it came into play only when the owner died intestate. Considering the notorious litigiousness of eighteenth-century Americans, it is hardly to be doubted that partible inheritance was the practice, if not the theory, long before primogeniture was wiped from the statute books. Furthermore, in almost half of the country—New Jersey, Pennsylvania, and all of the New England states—primogeniture never prevailed anyway.

As for the abolition of entail, it was frequently welcomed by owners of entailed estates, as was the case in Jefferson's Virginia, since it would permit the sale of otherwise frozen assets. These laws had not created a landed aristocracy in America and their repeal made no significant alteration in the social landscape.

Instead of being an abrupt break, the Revolution was a natural and even expected event in the history of a colonial people who had come of age. It is true that social and political changes accompanied the Revolution, some of which were destined to work great influence upon American institutions in the future, but these had been implicit in the pre-Revolutionary society. Moreover, important social institutions were left untouched by the Revolution: the class structure, the distribution of property, the capitalistic economy, the ideas of the people concerning government.

This lack of profound and widespread social and economic change is not surprising. These Americans, for all their talk, had been a contented and prosperous people under the British Crown and they were, therefore, contented revolutionaries who wanted nothing more than to be undisturbed in their accustomed ways. They are in no wise to be compared with the disgruntled lawyers, the frustrated bourgeois, the tyrannized workers, and the land-hungry peasants of the *anciens régimes* of France and Russia.

Yet in conclusion, it is perhaps fitting to recall that America was born in revolution, for this fact has become embedded in our folk and sophisticated traditions alike. It was apparent in the self-conscious, often naïve enthusiasm displayed by American statesmen and people in support of the colonial rebellions in South America and in Greece in the first two decades of the nineteenth century. Revolutionaries of the middle of the century, like Louis Kossuth [Hungary] and [Giuseppe] Garibaldi [Italy], garnered moral and material benefits from this continuing American friendship for rebellion. European exiles and revolutionaries of 1848 were entertained at the London residence of United States Minister James Buchanan. And it is still apparent today. The declarations of independence of Ho Chi Minh's Democratic Republic of (North) Vietnam in 1945 and Ian Smith's Rhodesia in 1965 both begin with quotations from the United States Declaration of Independence! And [President Gamal Abdel] Nasser of Egypt, at the time of the United States intervention in Lebanon in July, 1958, taunted Americans with their revolutionary tradition. "How can the United States, which pushed off British colonialism many years ago, forget its history?" he shouted to a crowd in Damascus.

An anticolonial tradition of such weight could not fail to leave its stamp upon American attitudes. . . . It was invoked again and again in debates over American foreign policy, and its continuing influence is evident in the movement of former colonies like Hawaii and Alaska into statehood and the Philippines into independence. Long before, in the era of the Revolution, American leaders, profiting from the lessons of Britain's imperial problems, agreed in the Ordinance of 1787 and the Constitution that newly acquired territories could attain, in the natural course of events, equal constitutional status with the original thirteen states. Thus, in a single stroke, Americans sidestepped the tensions and divisions attendant upon a colonial empire and laid the enduring foundations for an expanding and united country.

Constitutional devices, however, no matter how clever or farsighted, cannot of themselves create a new people. The forces of economics and geography can wreak havoc with the best laid plans of Founding Fathers. Whether Americans would retain their independence and become a truly united people was to be determined only by time and the people themselves.

## Notes

1. This is not to say, however, that disestablishment of all churches was brought about by the Revolution. All of the New England states, with the exception of Rhode Island—still loyal to Roger Williams in this respect—continued to support the Congregational Church.

2. Just because the so-called conservatives dominated the Constitutional Convention, such religious indifference was possible. Generally the radicals during the Revolutionary era were in favor of state support or recognition of some religion. Thus in the states where the radicals dominated, religious tests were part of the Constitution: Georgia (all members of the legislature had to be Protestants); North Carolina (no one could hold office who denied "God or the truth of the Protestant religion"); and Pennsylvania (the test oath demanded a belief in one God and his rewarding and punishing, and the acknowledgment that the Old and New Testaments were "given by Divine inspiration"). The contrast with the Constitutional Convention of 1787 is striking. The Continental Congress, which had been dominated by the radicals, always opened its deliberations with chaplain-led prayers; the Convention of 1787, however, failed to have either a chaplain or prayers, though Franklin made an eloquent plea for both. He wrote later that "the Convention except three or four persons thought Prayers unnecessary." Whereas the Declaration of Independence refers to "God" and "Divine Providence," such words are completely absent from the "conservative" Constitution—much to the mystification of modern conservatives.
3. Schoepf, interestingly enough, discovered in the economic opportunities available in America the source of the social equality. "Riches make no positive material difference," he wrote concerning Philadelphia society, "because in this regard every man expects at one time or another to be on a footing with his rich neighbor, and in this expectation shows him no knavish reverence, but treats him with an open, but seemly familiarity."
4. William Nelson, *American Tory* (Oxford, 1961), suggests in his last chapter that America lost an organic or conservative view of society with the departure of the Loyalists. Insofar as that is true, it would reinforce the liberal bias that has been so characteristic of American political and social thought.

