loyalist force. "Slaves flock to them from every quarter," one planter lamented. Unfortunately for the slaves, Cornwallis's forces became pinned down between a French fleet and the Continental Army in the little tobacco port of Yorktown and surrendered in October 1781. The event ended the war, confirmed Tidewater's liberation, and ended any hope of freedom for its quarter-million slaves.[20]

Though confronted by a common threat, the nations had not been united in the conflict. Each fought its own war of liberation, but most in New Netherland, the Midlands, and southern Appalachia fought on the losing side and were vanquished in 1781. The victors—Yankeedom, Tidewater, the Deep South, and northern Appalachia—would fight over the spoils, including the terms under which they would try to cement their wartime alliance.

CHAPTER 12

Independence or Revolution?

By the end of the American wars of liberation, the six nations of the eastern seaboard had forged closer connections to one another than they had ever had before. Forced into a military alliance, the dominant nations had successfully fought off threats to their identities and practices and vanquished pacifist Midlanders and loyalist-minded New Netherlanders. But the effort to preserve their separate cultures had produced two unexpected side effects: a loose political alliance with some characteristics of statehood, and a popular movement demanding "democracy," a prospect the national leaders found quite alarming. In the immediate postwar period, the nations confronted both developments and each had its own take on how to deal with them. The compromises they negotiated or imposed profoundly shaped the American experience.

When the wars began, the only structure the colonies shared was a diplomatic body, the Continental Congress. The Congress was essentially an international treaty group whose member states passed resolutions by a majority vote. If one party didn't stand by its obligations, there wasn't much the other members could do to address the problem, short of imposing their will by military force. To have the ability to achieve the latter, and to better fight off the British threat, the treaty parties created a joint military command, much as the North Atlantic Treaty Organization did a century and a half later. They called this the Continental Army and, with much inter-national bickering, it was placed under a supreme commander, George Washington.

During the wars it became clear that the treaty group needed more powers if it was to provide for the alliance's military needs and, more important, maintain peaceful relations among the member states. In July 1776 John Dickinson of (Midland) Pennsylvania feared New England would part ways with the other colonies, causing a collapse in the alliance. Such a breakdown, he once warned, would unleash "a multitude of

commonwealths, crimes, and calamities—centuries of mutual jealousies, hatreds, wars, and devastations, until at last the exhausted provinces shall sink into slavery under the yoke of some fortunate conqueror." "Disunion among ourselves [is] the greatest danger we have," John Witherspoon of (New Netherland) northern New Jersey, warned his congressional colleagues that same month. Richard Henry Lee of (Tidewater) Virginia argued a formal union was vital for ensuring "internal peace." If the colonies remained separate after the war, Witherspoon added, there would be "a more lasting war, more bloody and more hopeless war, among the colonies themselves."[1]

The response to these fears was the first United States constitution, the Articles of Confederation, drafted in the midst of the war and not ratified until 1781. Due to the distrust between the nations, this document did not create a nation-state, or even a unified federation, but rather a political entity much like the early twenty-first-century European Union—a voluntary alliance of sovereign states that had agreed to delegate certain powers to a common administration. Reflecting the conservative nature of the American leaders, the powers designated were essentially those that had previously been the duty of the British crown: foreign relations and the making and waging of war. The member states themselves could continue to govern themselves as they always had, without taking on new responsibilities. The Continental Congress would take over the role of the British Parliament (or today's European Parliament), passing alliance-level legislation connected with diplomacy and war and leaving most powers with the individual states. Each state could reject any congressional measure with which it disagreed, and each retained "its sovereignty, freedom, and independence." As in the European Union, Confederation institutions didn't derive from or serve "the people," but rather the member states, as represented by their own sovereign legislatures.[2]

Even after drafting and endorsing this first constitution, Congress remained starkly divided along regional lines. Between August 1777 and May 1787, Yankee New England faced off against the four Southern states represented by delegates from Tidewater and the Deep South. Over this decade-long time period, not a single delegate from either of these blocs ever voted consistently with a colleague from the other. Delegates from "the middle states" served as the kingmakers, allying with one bloc or the

other; traditional scholars have described these middle delegates as acting like swing voters, but a closer examination shows that delegates from New Netherland, the Midlands, and Appalachia tended to stick with their own. In New Jersey, for instance, voting habits in both Congress and the new state assembly were split into a northern New Netherlander bloc and a southern Midlander bloc, each of which had more in common with its cultural kin in New York City or southwestern Pennsylvania than with its "fellow" New Jerseyians. Similarly, even during the war, two parties struggled for control in Pennsylvania, one (the Constitutionalists) supported by the Scots-Irish of Appalachia, the other (the Republicans) by the Quakers and Anglicans in and around Philadelphia; the Appalachian bloc sided without exception with the Yankees, while the Midlands bloc often sided with the Southerners.[3]

On many issues, economic considerations drove the voting decisions of each region's delegates, but others were related to fundamental values. Take the 1778 vote on whether to raise taxes on the public at large in order to give half-pay for life to officers of the Continental Army but *not* to enlisted men (who had been paid their regular salaries with worthless paper currency). Yankee delegates voted en masse against the measure, because they found it immoral to tax the poor to give a special entitlement to the (generally wealthy) officer class. The aristocrats of Tidewater, the Deep South, and New Netherland enthusiastically supported the proposal, which was in perfect accord with their worldview that society existed to support the privileged. Those from the Midlands and (Pennsylvanian) Appalachia took a practical approach: granting pensions to the officers was a small price to pay to ensure their commitment to defeating the British. (The rest of Appalachia remained essentially unrepresented for the duration of the war, increasing their resentment of the coastal nations.) In 1782 the split was renewed when rumors began swirling that the Continental Army might mutiny against the cash-strapped Congress if debts to military contractors weren't honored immediately and in full; Yankees rejected the demands of wealthy contractors and officers for preferential treatment, but were overruled by a coalition of Southerners, Midlanders, and New Netherlanders.[4]

Regional divisions were so profound that in 1778 British secret agent Paul Wentworth reported there appeared to be not one American republic

but three: an "eastern republic of Independents in church and state" (i.e., Yankeedom), a "middle republic of toleration in church and state" (New Netherland and the Midlands), and a "southern . . . mixed government copied nearly from Great Britain" (Tidewater and the Deep South); the differences among them, he argued, were greater than those among the nations of Europe. Even after the war, London papers were reporting "that the States consider themselves thirteen independent provinces, subject to no other control than their own assemblies. The authority of Congress, to which they submitted but from necessity during the war they have now almost generally thrown off," a development the British considered worrying because they would be easy pickings for Spain. A postwar British spy, Edward Bancroft, predicted the American confederation would surely splinter, leaving only the "question whether [to] have thirteen separate states in alliance or whether New England, the middle, and the southern states will form three new Confederations."[5]

But the leaders of America's nations had another major challenge to contend with outside the halls of Congress: an unexpected wartime upsurge in popular support for a novel idea called "democracy." It proved a great enough threat to their authority to push them toward closer collaboration and stronger central control.

Outside of Yankeedom, most people had never really participated in the political process, having been legally excluded from voting due to lack of wealth. (Nowhere were women or blacks allowed to vote or hold office.) Even in New England, where property requirements were low enough to allow 80 percent of adult males to qualify, voters tended to defer to the region's intellectual and commercial elite, who held a near-total lock on statewide offices. The same families appeared in the colonial assemblies and senior positions generation after generation, particularly in Tidewater and the Deep South, where they openly called themselves aristocrats. In any case, in almost every colony people got to vote only for legislators in the lower house. Governors, councilors, and other high officials were selected by the legislators or the king, to ensure the rabble didn't put the "wrong sort" into office.[6]

Early in the imperial crisis, however, American leaders started becoming concerned about unusual turbulence from below. "God gave mankind

freedom by nature," a New Hampshire Yankee had loudly declared. "Let it not be said in future generations that money was made by the founders of the American states an essential qualification in the rulers of a free people." Such thinking seemed particularly virulent in Appalachian sections. In early 1776 Virginia Tidewater lord Landon Carter warned Washington of the "ambition" that had "seized on so much ignorance all over the colony." Among the ignorant masses, he reported, independence "was expected to be a form of government that, by being independent of rich men, every man would then be able to do as he pleased." In upland Mecklenburg County, North Carolina, Borderlanders instructed their delegates to the state's constitutional convention to fight for a "simple democracy, or as near as possible," and to "oppose everything that leans to aristocracy or power in the hands of the rich men and chief men [and used for] the oppression of the poor." Members of volunteer militia units from the Appalachian sections of Pennsylvania informed legislators "that all persons . . . who expose their lives in defense of a country should be admitted to the enjoyment of all the rights and privileges of a citizen of that country." Everywhere the demands were similar: the creation of democratic state governments, in which all legislative officials were directly elected, and most white male adults could vote.[7]

In mobilizing for war, colonial leaders had framed the struggle in terms of fighting tyranny and oppression. They had encouraged common people to organize militia, to participate in mass meetings where they would boisterously approve the resolutions presented to them by their leaders, and to form mobs to enforce those resolutions with clubs, hot tar, and feathers. But the process had led many commoners to realize that they could actually participate in politics and some began reading and writing about democracy. The publication of Thomas Paine's *Common Sense* and the Declaration of Independence in 1776 inflamed these sentiments. Throughout the colonies the wars of liberation were instigating calls for genuinely revolutionary change. Commoners in Boston rioted in 1776 when they learned that the rich could buy their way out of the draft, chanting, "Tyranny is tyranny!" Soldiers from the Scots-Irish backcountry of Pennsylvania deposed their officers and marched on Philadelphia to demand their long-overdue pay in 1781; Washington hastened to meet their demands before their cannon could be trained on the Congress hall.

Poor white agitators in Tidewater Virginia were telling fellow militiamen that they were fighting in "a war produced by the wantonness of the gentlemen" that was of little interest to ordinary people. Free blacks began asserting their citizenship rights from Boston to Charleston, with those in Norfolk pressing to be allowed to testify in court, and a group of seven in Massachusetts petitioning the legislature for voting rights. Such popular pressures forced elites to make uncomfortable wartime concessions. Property requirements were lowered in many colonies and eliminated entirely by Pennsylvania's Appalachia-controlled revolutionary government. Maryland's assembly shifted the tax burden to fall more heavily on slave-holding planters. Disgruntled tenant farmers in New Netherland's lower Hudson Valley were promised their own farms, as were Yankee, Appalachian, and Midland soldiers who agreed to reenlist in the Continental Army. Women were (briefly) allowed to vote in New Jersey, and Tidewater rulers were under pressure to allow free blacks to vote and (in Maryland) to hold office. Meanwhile, impoverished war veterans in western Massachusetts staged an armed rebellion against authorities' efforts to foreclose on the homes of farmers who'd never really been paid for their wartime service; the insurrectionists seized the federal arsenal in Springfield and ultimately had to be put down by federal forces.[8]

Concerned that the "lower orders" were getting out of hand, many of the national leaders came to believe that their safety and hold on power required a stronger union with plenty of checks on the popular will and the independence of the various states. John Adams was shocked by *Common Sense*'s call for directly elected single-chamber legislatures because they were "so democratical" and so devoid of "any restraint or even an attempt at any equilibrium or counter-poise [by wealthy interests] that it must produce confusion and every evil work." Alexander Hamilton of New York City called the confederation a "shadow of a federal government" and predicted that if left in place, there would soon be a "War between the States" over territorial and economic differences. "I predict the worst consequences from a half-starved, limping government, always moving upon crutches at every step," Washington wrote in 1786. "I do not conceive we can long exist as a nation without having lodged somewhere a power which will pervade the whole union in as energetic a manner as the authority of the state governments extends over the several states."[9]

After the rebellion in western Massachusetts, these and other wealthy American leaders urged Congress to call a special meeting of the states to reform the system of government. At this Constitutional Convention, held in 1789 in Philadelphia, the elite delegates from Yankeedom, Tidewater, and the Deep South gravitated around the so-called "Virginia Plan," a scheme modeled on Tidewater and featuring a strong central government with an appointed president and senate. (Alexander Hamilton of New York City carried things even further, calling for a powerful monarch who would rule for life and keep politics out of reach of the great unwashed and local interests.) Their opponents—delegates from the Midlands and New Netherland—coalesced around the "New Jersey Plan," which envisioned only minor reforms to the existing E.U.-like alliance. The Virginia Plan won the day, seven states to five, with Maryland's delegation evenly split between Midland and Tidewater delegates.

Thereafter, the critical debate concerned representation in the two legislative houses, with the final compromise (seats in the House based on population, those in the Senate divided evenly among the states) passed five states to four. The split, oddly enough, was not between large states and small ones, but rather between Yankees and the Deep South. New Netherland backed the Yankees. Tidewater and the Midlands were split between states with and without territorial claims in the west (as those with such claims were expected to become more populous than those that did not). As usual, Appalachia was all but closed out of the discussion, with only one representative at the convention (James Wilson of Pennsylvania); that region's exclusion from the proceedings would prove a curse to the young United States.[10]

Agreeing to a new constitution was one thing, getting each of the states to ratify it was quite another. Between 1787 and 1790 every state convened its own ratification convention to vote on the measure, while propagandists for and against the Constitution churned out speeches, pamphlets, and newspaper articles, some with outrageous claims. (Opponents warned the wording of the document made it possible for the Pope to be elected president and for the capital of the country to be relocated to China.) New Netherlanders refused to vote on it at all until Congress agreed to add amendments modeled on the civil liberties enumerated in the Articles of Capitulation on the Reduction of New

Netherland, which the Dutch had brokered before turning the colony over to England in 1664. The people of New Netherland had lived under the arbitrary rule of distant powers for a very long time and wanted assurances their tolerant approach to religion and freedom of inquiry would not be trampled on by a new empire. Had the Congress not agreed to these demands by passing the Bill of Rights, the United States would probably not have lived to see its tenth birthday.[11]

A close examination of the geographical distribution of the voting results at the various state ratifying conventions reveals a split along national lines. Delegates from Yankee areas, including those in the northern part of Pennsylvania and on eastern Long Island, generally supported the constitutional changes. They were joined by delegates representing New Netherlanders, Midlanders, Deep Southerners, and Tidewaterites. Opposing them were the people of Appalachia (whose delegates rejected the Constitution everywhere save Virginia) along with Scots-Irish enclaves in New Hampshire, the farmers whose rebellion had been crushed in western Massachusetts, and disgruntled Yankee and Scots-Irish farmers in upstate New York. The vote in New York State was a cliff-hanger, prompting New Netherlanders to threaten to secede and join the new union on their own if delegates from the Yankee interior counties did not ratify the new constitution. The effects on "the islands of [Manhattan], Long Island, and Staten Island will be almost ruinous," one editorialist warned. "If Staten Island were to associate herself with New Jersey and the islands of New York and Long Island with Connecticut, these two respectable states and the new union would be bound to defend them." In the end the threats likely won the day. On July 26, 1788, New York accepted the new constitution by a vote of 30 delegates to 27, ensuring the practical existence of the new union.[12]

In the end, the U.S. Constitution was the product of a messy compromise among the rival nations. From the gentry of Tidewater and the Deep South, we received a strong president to be selected by an "electoral college" rather than elected by ordinary people. From New Netherland we received the Bill of Rights, a set of very Dutch guarantees that individuals would have freedom of conscience, speech, religion, and assembly. To the Midlands we owe the fact that we do not have a strong unitary state under a British-style national Parliament; they insisted on state sovereignty as

insurance against Southern despots and Yankee meddling. The Yankees ensured that small states would have an equal say in the Senate, with even the very populous state of Massachusetts frustrating Tidewater and the Deep South's desire for proportional representation in that chamber; Yankees also forced a compromise whereby slave lords would be able to count only three-fifths of their slave population when tabulating how many congressmen they would receive. People who aren't allowed to vote, went the very Yankee reasoning, were not really being represented, and that fact ought to be reflected in the apportionment of congressional delegates.[13]

The uneasy alliance this new federation represented could not help but be a volatile one, and it would soon face two powerful secession movements that threatened to tear it apart, first from Appalachia, then from Yankeedom.