

A Better Guide than Reason: The Politics of John Dickinson

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I

OF ALL THE MEN significantly involved in the major events leading up to and following from the American Revolution none has been so undeservedly neglected by our political historians as the mysterious John Dickinson. The oversight would seem on its face unlikely. For this planter and prototypal Philadelphia lawyer is as complicated and intellectually interesting as any American politician of his era. Furthermore, the bulk and variety of his political writings (alas, never fully collected) is unmatched by any of his contemporaries. And, contrary to the inference which we might also draw from the silence of the scholars, his voice was always heard. Which is precisely why he has been systematically ignored. What we should recognize is that the very fact of Dickinson's influential career undermines cherished theories of our national origins. If he is more useful in telling us what his times signified than are some of the Fathers we have been taught to reverence as the true progenitors—more useful than Paine, or Madison, or even most of Jefferson (the “advanced,” private opinions)—then the

authority of many components of what we now recognize as the American political religion or *telos* and the manner of thinking which has generated these ends is called into question. *And he is!*

For John Dickinson was one of the best educated, most respected and most eloquent of the public men who brought us, with character and argument, to and beyond the choice for independence. In two states (Delaware and Pennsylvania) his influence was dominant—so great that he was for a few months, in 1782, governor of both at the same time. He was honored in all the colonies. And he is almost without rival in sustaining this influence throughout the new nation's formative years, from the Stamp Act Congress (1765) to the Constitutional Convention (1787). The record of his performance in practical politics alone would require a study of two volumes. From such a book we could learn a great deal about the care and management of republics. However, it is with Dickinson as acknowledged spokesman and apologist, as political thinker, that we are here concerned. For from that Dickinson we can correct our misapprehensions of the bias of our institutional beginnings. And thus

stand ready to recover the patrimony of which we have been so carefully deprived.

Our focus here must fall particularly upon Dickinson's most famous and influential composition, the memorable *Letters from a Farmer in Pennsylvania*.¹ For it was through this work that he shaped the spirit of the Revolution and put his mark upon it long before Paine or Jefferson or the other "radical Whigs" could say a word on the subject: before they could get a chance to give to the American position another (and very different) intellectual base and impetus. Because John Dickinson did not wish to sign the Declaration of Independence when his associates called for the vote, it is easy to forget that this reluctant rebel had said or written *prior to 1776* more to propel his countrymen to the brink of that decision than any other representative of the exasperated colonies who signed the document with ease. And particularly in his twelve performances as what toasting patriots, from Charleston to Falmouth, called with affection "the Farmer." Had indeed done so much that he could not help but know, long before that fateful July day, that a severance was bound to come.²

Yet still he felt obliged to deny the principle of revolution, even as he maintained the right. As he had done in the *Farmer's Letters*. As he had done since his first appearance in public office, as a member of the Delaware assembly in 1760. For, like no other American political thinker, John Dickinson had absorbed into his very bones the precedent of 1688. In abbreviated form, that creed might be abstracted as follows: The English political identity (the Constitution in its largest sense, including certain established procedures, institutions, chartered rights and habits of thought) is a product of a given history, lived by a specific people in a particular place. Executive, judicial, and legislative arms of government are bound by that prescription and must deal with new circumstances in keeping with its letter and its spirit. The same

configuration *qua* Constitution should be available to all Englishmen, according to their worth and place, their deserts. And any man, upon his achievement of a particular condition (freeholder, elector, magistrate, etc.) should find that his rights there are what anyone else similarly situated might expect. Finally all Englishmen are secure against arbitrary rule under this umbrella and have an equal right to insist upon its maintenance. To so insist, even to the point of removing an offending component by force, is *loyalty* to the sovereign power.³ To submit to "dreadful novelty" or "dangerous innovation," even if its source is a prince or minister who came rightfully to his position, is treason.⁴ For the authority belongs to the total system, not to persons who operate it at a given time. Or rather, to such persons as "stand to their post" and attempt with and through it nothing contrary to the purpose for which it has been developed. It was this historic and legal identity, formed over the course of centuries by so much trial and error and with such cost in turmoil, which was deemed to be worth whatever efforts its preservation might require—even the danger of being called a rebel—because it was the best known to man.⁵ And therefore the most "natural" and conformable to reason. To correct any declension from such experienced perfection was thus clearly more than patriotic. Like the Glorious Revolution itself, it could be called an assertion of universal truth.

Dickinson, of course, recognized that the adoption of the 1689 Bill of Rights marked an addition to and evolution from the more compact, prescriptive England which demanded the "abdication" of James II: was some sort of change, even if made in the direction of officially recovering "Anglo-Saxon purity."⁶ That any such specification of liberties entailed a potential shift in the relation of people, King, and Parliament could not have escaped his notice. An attempt to shift the balance between the elements of a total political mixture, once initiated by one of its compo-

nents, precludes a precise restoration of things as they were—blocks that path, even if the attempt to force alteration is forestalled! Furthermore, steps must be taken to prevent a repetition of offence to the whole. As in the Great Charter itself, limits of authority must be written down, and these writings given status through institutions. Hence, even before the American counterrevolution within the larger English prescription came down to fighting, before the folly of Lords North and George Germaine led their master, with the “Proclamation for Suppressing Rebellion and Sedition” (August, 1775), to “dethrone” himself in North America, Dickinson moved to preserve the order of things he had known and loved since boyhood.⁷ Acted first to secure inter-colonial cooperation in the Stamp Act Congress. Acted then, when the conflict grew, to replace all or part of what had been the executive power of Crown and mother Parliament, first with a Continental Congress (he was among its earliest and strongest supporters) and then with Articles of Confederation (for which he composed the original draft). The only alternatives to these gestures toward preservation and ordered liberty were something like commonwealth status for the troubled colonies or the internal anarchy of no general government whatsoever—thirteen separate rebellions, each conducted almost unto itself, but in conjunction with local, almost discrete, civil wars.⁸ Yet all that he made before, during, and after hostilities (when he served in the Constitutional Convention at Philadelphia and as the presiding officer at the Annapolis gathering which called for that more ambitious assembly) rested upon what already had being—extant societies, with an accepted culture, law, economy, and government. And he framed these substitutions from necessity alone, *because* familiar arrangements and channels for negotiation had been forever destroyed. In other words, framed them to protect, not “found,” as changes made in discovery but not in creation.

Indeed, discontinuity and raw innovation, “dangerous innovation,” was Dickinson’s antagonist at every turn, throughout his career.⁹ And his name for that novelty was almost always “submission.”¹⁰ Even when, in his first political struggle, he opposed replacement of the proprietary charter and the legal structure of unquestioned liberties established for Pennsylvania by William Penn, his concern was to preserve the protection of law and to avoid rule by fiat. The slender Quaker was, we must remember, a rigid constitutionalist, trained in the Middle Temple. Obedience to King or Parliament, so long as they operated according to law, or, in Selden’s words, “the custom of England, which is part of the law of the land” was “due submission” to the Constitution. And this obligation Dickinson acknowledged at every opportunity. Yet the basis of his argument was consistent. Always he saw his position, prior to the official secession of the colonies, as parallel to that of the common lawyers who opposed excessive Stuart claims of prerogative.¹¹ Or, to narrow the comparison even further, colonial Whigs of Dickinson’s breed came to find themselves standing in the shoes of Falkland and Hyde. The choice of rebellion or submission seemed to them a false dilemma. Both violated the Constitution. But, of the two, the latter course was, in the 1770’s, clearly more dangerous for Americans—if neither party would agree to anything less than all that they asked.

Dickinson called revolution a “poison.” But even as early as 1774 he could add to that definition that the poison of revolution, though terrible, might be an “antidote” to a poison even worse.¹² Faced with the language of vengeance and not sense, of violence and not of reason, with mere survival in doubt, so would any true man say.¹³ And certainly a true Englishman, one proud to declare that “every drop of blood in my heart is British.”¹⁴ Once reduced to the “alternative of chusing an unconditional submission to the tyranny of irritated ministers, or resistance by force,” Dickinson did not draw back from the decision he

had hoped to avoid. And once the Howe expedition had produced in North America a more general "sentiment for independency," he would, later in 1776, probably have proposed a Declaration of his own to mark the division England had made. As I argued above, he had recognized this possibility from the beginning of acrimonious exchange. In 1765 he had written that ". . . we can never be made an independent people, except it be by Great Britain."¹⁵ And he added, at about the same time, that attempts to enforce British views of the taxing power by military means would amount to "a Declaration of War against the Colonies."¹⁶

Made is, to be sure, the operative term. If forced into existence on the basis of strict legal arguments, the new nation could hope to keep intact the established order of American life. And if less than independence could, by some chance, serve the same ends, then all the better. What was, however, most important to Dickinson was that difficulties and differences be settled on certain grounds, according to a certain logic or theory of government, either with or without a rupture with England; that the future life of his countrymen follow a set of assumptions neither absolutist nor merely democratic; and that no American's person or property should be secured by so little as "the precarious tenure . . . of will."¹⁷ Even long after the fact of independence, when, as an old man, Dickinson gathered a collection of his political writings, he cited in preface, once again, the authority of Lord Chatham and the British Constitution.¹⁸ We came free, in his view, under no other auspices, no larger structure of abstraction with authority above and beyond the social bond. Rebellion *per se* is not a healthy *method* for reinvigorating society or securing human liberty. Only revolution that is not revolutionary, that is a "child of necessity," can be called American.¹⁹ With these distinctions in mind we can grasp the teaching of his political essays. And particularly of the *Letters from a Farmer in Pennsylvania*.

II

THE *Farmer's Letters* first appeared in colonial newspapers—in all but four of them—during late 1767 and early 1768.²⁰ After serial publication, the set was gathered as a pamphlet in Philadelphia, Boston, New York, and Williamsburg. Later editions issued in London, Dublin, and Paris became a staple of European political conversation. American replies and comments were legion. For colonials Dickinson's work had only one rival among pre-revolutionary documents—Paine's *Common Sense*. And that late work served very different purposes, under very different conditions. I so insist because John Dickinson's performance reached *thoughtful*, literate Americans when the position they as a group were likely to assume, if the quarrel over British authority continued, was very much in doubt. And by settling that question in 1767, insofar as political argument can be said to settle anything, he accomplished a task far more difficult than getting colonials in general, in 1776, to hate George III and to blame him for the disruption of their lives. Here again the scholarship is at fault. Thomas Paine "shot fish in a barrel." He roused the passions and hates. He gave to Anglo-American amity the last little push required to remove it as an impediment to independence. And he engaged as a primary audience an element of the colonial population not, prior to 1775-1776, very much interested in the dispute over law. However, had the legal case not been well established, set in the full context of British history, and long before Paine wrote, he would have thundered out his anger to no purpose at all. For the people who assumed the position Dickinson drew up in reaction to the Townshend Acts (and to the Stamp and Declaratory Acts which preceded them) were the Americans needed to make a revolution work: and to make it (given British stubbornness) inevitable. They, by accepting Dickinson's learned, calm, and deliberate exposition of a case *at law* and *from history*, were, it

turns out, committed to such a revolution, whether they knew it or not. And, because they were, thanks to the deferential quality of colonial politics, the Americans who determined the policy followed by their particular communities. John Dickinson made resistance respectable. With the help of English Whigs educated in the theories he applied to particular disputes with the Crown, he also made submission impossible. Paine simply made a useful noise.

The manner of Dickinson's twelve letters is well suited to their matter. In form they belong to the "high" or "sober" tradition of English political pamphleteering—as does *Common Sense* to its "rough and ready" but popular counterpart. In the one company we find Milton, Swift, Addison, and Burke—plus numerous other deliberate and magisterial considerations of important public questions issued through (or from the shelter of) some usually transparent classical persona: "Cato," for instance, suggesting not personal feeling but public spirit. Cicero's epistles were the archetypes for these performances. For almost two hundred years these pamphlets formed a pattern of serious, intelligent exchange on affairs of the day unmatched in any other free society. The other quasi-prophetic school had its roots in the Puritan revolution and the emotions antecedent to that explosion. It found its model in the Scripture. It tended toward the merely personal, the paranoid, and the pugnacious. Usually its object was to draw the adversary's blood. Some English writers had skill in both veins. But not serious, "old-school" Whigs: not men (ordinarily lawyers) who believed in the prescription of British history and the importance of circumstance in interpreting what a precedent means when a prudent choice must be made. For the deepest teaching of that history was that persuasion, even if incomplete, leaves the social bond intact. Calumny, claims of divine sanction, and rigid arguments from definition (asking, for instance, "What is man?" or "What is a republic?") have a contrary effect. John Dickinson could fore-

see who might listen to a discussion of the sort he had in mind. And he also knew how important their opinions might turn out to be.

Dickinson's mask as "farmer" thus predicts what kind of discourse he intends before we have begun to read. Also the date assigned to his opening letter: November 5, when "Good King Billy" first landed in England. Like most Whig traditionalists, the Pennsylvania farmer nods toward the example of Republican Rome. In that segment of ancient history the notion of "public virtue" received its original definition and the idea of corporate liberty, liberty under law, was given meaning.²¹ A farming gentry had governed that state, a proud class, conscious of its nation's history, devoted to preserving its laws and customs. And the same kind of men, the "country party," called William III to the throne of England. Furthermore, the voice of the farming gentry is what we hear in most Roman literature. And also in much eighteenth century English writing. Dickinson's self-representation is somewhat more modest than what we get from his English counterparts. And also more the lawyer. This pillar of the Philadelphia bar and Delaware planter was, in fact, a major figure in the unofficial colonial aristocracy. Yet persons not formally aristocratic though possessed of legal training were, from earliest settlement, the accepted leaders of colonial society. And the best respected of the lot were planters well read in law but with a passion for public service, a sense of the communal good: unassuming legal scholars not defined by size of practice or collection of fees. Hence Dickinson's opening lines:

I am a *Farmer*, settled, after a variety of fortunes, near the banks of the river *Delaware*, in the province of *Pennsylvania*. I received a liberal education, and have been engaged in the busy scenes of life; but am now convinced, that a man may be as happy without bustle, as with it. My farm is small; my

servants are few, and good; I have a little money at interest; I wish for no more; my employment in my own affairs is easy; and with a contented grateful mind, undisturbed by worldly hopes or fears, relating to myself, I am completing the number of days allotted to me by divine goodness.

Being generally master of my time, I spend a good deal of it in a library, which I think the most valuable part of my small estate; and being acquainted with two or three gentlemen of abilities and learning, who honor me with their friendship, I have acquired, I believe, a greater knowledge in history, and the laws and constitution of my country, than is generally attained by men of my class, many of them not being so fortunate as I have been in the opportunities of getting information.

The library holdings of colonial leaders speak out plainly: a familiarity with constitutional theory, and therefore knowledge of the history where inherited constitutional rights were developed and are defined, went with public virtue. Men with such discipline were a security to the liberties of those confederated with them. In them the digested experience of a united people survived. And therefore their hope of a future.

We may thus conclude, with little doubt, that the strategy behind Dickinson's rhetoric is to appear deliberate, to project repose, patience, and gentlemanly firmness and to treat his English antagonists as if their persistence to the contrary were a surprising lapse from their ordinary good sense.²² Resting upon this air of mastery, he then builds, from specific (immediate) and theoretical (long term) objections to the Townshend Acts, the Mutiny and Restraining Acts to frame (out of English and Roman history, in particular) an appeal to the honor and patriotic spirit of his fellow Americans. And all of this said disarmingly, as if no rhetoric at all were involved. Only up to a point will he specify where this recommended determination might

lead. Balanced against protestations of loyalty is a small warning of its limits. But the disinterested farmer leaves no room at the end of the spectrum. What Americans cannot do is made very plain. They cannot agree to a revenue tax!

But why such excitement over so inconsequential a matter as duties upon paper, glass, lead, and tea? The crown revenue to be generated by these customs was small indeed. The Stamp Act had been repealed. Parliament agreed that it had been a mistake. And the Declaratory Act, reserving the right to tax, was merely a device for saving face, passed (we should remember) by the strongest Parliamentary supporters of colonial liberty. To see the question as did Dickinson and his countrymen, we must recognize that the danger of a secret conspiracy to consolidate political and economic power, and thus to subjugate all Englishmen, both at home and abroad, seemed altogether possible.²³ Wrote Dickinson, ". . . the passion of despotism raging like a plague . . . has spread with unusual malignity through Europe [and] . . . has at length reached Great Britain."²⁴ That the progress of a tyrannical design should move from the colonies, inward, to attack the Constitution within Great Britain with resources drawn from over the seas was a common speculation. Moreover, no colonial theorist of importance (and I include here many Tories, such as Dickinson's old enemy, Joseph Galloway) doubted that colony and homeland were separate legal entities—made by the charters two branches from one stem.²⁵ Even the wicked ministers of the King conceded this—though to a very different purpose. Hence the vigorously drawn distinction between revenue and administrative tax. Regulation of trade was clearly imperial business. Like the foreign policy of English dominions in general. But every page of Whig history spoke to the question of taxes levied but not voted and enforced by standing armies.²⁶ When these two innovations appeared in company, during a specific reign, the negotiated balance of government and subject was in

peril and conflict just over the hill. Large garrisons, royally appointed judges, and taxes to produce revenue (as opposed to supplies for the small colonial establishment) had not been a part of the King's presence in North America. The colonial assemblies had "granted" to their sovereign what his duties required. That the English parliament, acting under an evil "influence," now relieved them of this responsibility seemed a dangerous precedent—a precedent of the kind against which Lord Coke warned in his *Institutes*—under whose aegis the social family of reciprocal rights and responsibilities might collapse into something arbitrary and oriental; a precedent fatal to liberty, in that word's older English sense. Which is the bottom line in what Dickinson's dignified "farmer" has to say.

From an understanding of these concerns we can move toward a reading of the *Farmer's Letters* as a sequence or design: three papers on the suspension of the New York legislature, the Townshend Duties, the necessity of remonstrance, and the non-intercourse agreements. They serve as an overture to the nine papers that follow. The last two of these function as a peroration for the set: an appeal for unity and a salute to the value of liberty, all of it spun out with some elaboration and elevation of tone. The total pattern turns on letters three and ten. The first of these has to do with the tactics and spirit of a proper resistance: the tactics and spirit which will get the job done. Here he speaks to moderate men of how painless and reasonable his form of resistance (unofficial embargo) will turn out to be. Letter ten is of an opposite, almost inflammatory disposition: concerning the utmost limits of "misery and infamy."²⁷ Here Dickinson aims to frighten with an image of plunder under cover of law and the prospect of immigrant officeholders, consuming, without let or hindrance, the substance of colonial prosperity.

He imagines a history for these developments in the following terms:

Certain it is, that though they had before their eyes *so many illustrious examples* in their mother country, of the *constant* success attending *firmness* and *perseverance*, in opposition to dangerous encroachments on liberty, yet they quietly gave up a point of the *LAST IMPORTANCE*. From thence the decline of their freedom began, and its decay was extremely rapid; for *as money* was always raised upon them by the parliament, their *assemblies* grew immediately *useless*, and in a short time *contemptible*: And in less than one hundred years, the people sunk down into that *tameness* and *supineness* of spirit, by which they still continue to be distinguished. (Letter X)

The letters standing between these two all concern taxes and the probable consequences of altered tax policy. They deal with liberty, inherited rights, and the comprehension of these imperatives within the antipodes of letters three and ten. With that comprehension achieved, the "farmer" is ready to admonish. He has moved his reader from a measured resentment of British policies and their immediate results to a deeper fear of what could be their final costs: from attention or interest, to initial judgment, to consideration in detail, alarm and final full engagement—calling on both head and heart to act. The structure of the entire *Letters from a Farmer in Pennsylvania* is therefore proof of a considerable craft at work. And part of the meaning which that craft has produced.

III

WITH THE evidence examined to this point we may hope to reconstruct John Dickinson's conception of the role of government and its relation to a healthy society. For Dickinson's political writings, though occasional in origin, reflect settled opinions on these topics: opinions in evidence at every point in his long public life. And this teach-

ing at this level deserves careful, un-anachronistic exposition. Indeed, what he says about "natural" and "political" rights alters drastically our perspective on what eighteenth century Americans meant when they invoked such terms. And therefore our view of the corporate identity which is ours by lawful entail.

To begin, government and society were not, in the eyes of our subject, synonymous terms. To encourage men to perform the virtue of which they are capable, and thus pursue their happiness, as persons and as a community, is the final end of government.²⁸ Yet its means to such an end are not social policies or teleological commitments to the achievement of some abstractly conceived state or condition or national dream of grandeur. Enlightened self-interest is only one consideration in this process. The need for fellow feeling and interdependence, for a corporate sense achieved through free choice, counts for just as much. (Remember the constant emphasis on unity of action in the *Farmer's Letters*.²⁹) In the opinion of Dickinson, government is *law*—law which allows society to grow and flourish. Its terms and specific properties derive from an anterior social reality, not the other way around. It is a set of "ground rules" or agreed upon procedures, found in the course of their history to be reasonable and conducive to the general happiness of those whom it binds into nationality. And even the meaning of liberty (clearly, Dickinson's "god term") is restricted by these rules.³⁰

Dickinson, like many other colonials and English "Old Whigs," speaks at times of "rights essential to human happiness" that are not "gifts" of princes but "are created in us by the decrees of Providence which establish the laws of our nature."³¹ But between these and the "historic rights of Englishmen" he marks no distinctions.³² And about the latter he speaks incessantly.³³ The reasons behind this conflation are not far to seek. The paradox is in our minds, not in the thinking of our subject: in the deductive, rationalist habits we have bor-

rowed from the *philosophes*, not in the prudential calculus of the Whigs. Like others with his education, Dickinson does not think of natural rights apart from their incarnation *in* historic rights, as logically prior to the social matrix where they took root. That incarnation, they recognized, might be imperfect—even, as I said above, where human liberty was concerned. But to destroy the continuum where historic rights can survive by reaching for an *a priori* definition is to risk a sad declension from what *real* ancestors under *real* difficulties have achieved: to risk, as Dickinson expressed it with one forceful analogy, making oneself into an illegitimate son.³⁴

Men are made social, to exercise their abilities *in* society and *under* the conditions of government which, given the flaws in their nature, come closest to making that exercise possible. Those rights which produce a balance of liberty and order, the highest in human felicity, are most natural. When government acts against that balance, there is difficulty. So history reveals, telling us by negations for what condition we were made. And when government misconceives of its function, behaving as if men existed for its sake and not the other way around, the error is absolute. The natural or "inherent" right of self-preservation figures in this conception. Positive law, when it renders a whole people absolutely subject and thus destroys society, can expect to engender a rebellion. Yet, apart from such mistakes, the specific rights which prevent statist denial of man's providential destiny are not "parchment guarantees" of *Justice* or *Equality* or *Freedom from Fear*. Dickinson talks instead about trial by jury, self-taxation, petition, local responsibility for judges, and a well-ordered militia. Consider the particulars of his "A Petition to the King from the Stamp Act Congress" and all of his other statements in behalf of his countrymen made thereafter, up to and beyond the "Declaration and Resolves of the First Continental Congress, Oct. 14, 1774."³⁵ That his "inherent rights" are thus defined, when we

recall how typical of American sentiment he was, should encourage us to ask again what occasional use of broad general terms meant in the great documents of the era of our Revolution: meant to those who assented to their promulgation. And I include here the Declaration itself!

IV

JOHN DICKINSON continued the same sort of non-theoretical Whig after independence had been achieved. That his objection to the timing and vehement language of the Declaration of Independence did not contradict his emphasis on concerted action he proved under arms in New Jersey and at Brandywine. And thereafter in political service in Delaware, Pennsylvania, and the Continental Congress. We needed an official instrument, linking the free commonwealths in their recalcitrance before we severed their connection in the older Constitution: and thus destroyed their roots in that deposit of liberties. Furthermore, there was a danger from "mobbish Boston" and the "licentious elements" in New England.³⁶ Alienation from the precedent in those quarters might produce a complete collapse of law into mere democracy: "the precarious tenure of will." Two American republics could result from the release of such forces; and neither would survive.³⁷ According to Dickinson's apology for his conduct in those days, he had always a horror of performing "experiments" upon the body politic.³⁸ And for the same reason he signed and then affirmed in print the Federal Constitution which he, as a delegate from Delaware, had helped to compose.³⁹ In his eyes it preserved both the "sovereignty" of the states *and* their union, allowed for no judicial review, no imperial president, no expensive establishment, and no "democratical excess." Was, in other words, no "experiment" or arbitrary construction doing violence to the larger Anglo-American identity. And when, once in office, other ostensible Federalists found in the document an authority for "energetic,"

centralist construction of the government's power, Dickinson went over to Jefferson as its true expositor. Finally, in his last days, he thundered against the French Revolution and the would-be Caesar it released upon Europe as a "reign of monsters" likely to swamp all Christendom with a terrible synthesis of "atheism and democracy."⁴⁰ In the Constitutional Convention his constant theme was "warm eulogiums of the British Constitution," dread of innovation, and devotion to corporate liberty.⁴¹ And nowhere more forcibly than when the sanction of mathematical logic was invoked against the predominance of the House of Representatives in the initiation of money bills. His address on that occasion may properly serve as a summary of his entire political career.

In response to the cunning Mr. Madison, Dickinson declared:

Experience must be our only guide. Reason may mislead us. It was not Reason that discovered the singular and admirable mechanism of the British Constitution. It was not Reason that discovered or even could have discovered the odd and in the eye of those who are governed by reason, the absurd mode of trial by jury. Accidents probably produced these discoveries, and experience has given sanction to them. This then was our guide.⁴²

The eminently reasonable lesson that John Dickinson offered that day is one that he followed to the end. He belonged to the party of memory; and nothing very important in the political history from which we derive was, in his public conduct, ever forgotten. Of the generation which shaped our form of government and then set it in motion, few speak to us with such corrective force. His life embodies the American political prescription. As each new wave of political geometers pours in upon us, his is an order and sophistication of experience which we shall very much require. And a teaching needed to guide us on our perilous way.

¹⁷The last convenient edition (now out of print), with a perceptive introduction by Forrest McDonald, was printed with Richard Henry Lee's "Letters from the Federal Farmer" under the general title of *Empire and Nation* (Englewood Cliffs, N. J.: Prentice-Hall, Inc., 1962).

¹⁸See John C. Miller, *Origins of the American Revolution* (Boston: Little, Brown and Company, 1943), p. 477; also H. Trevor Colbourn, *The Lamp of Experience* (Chapel Hill: University of North Carolina Press, 1965), p. 118.

¹⁹Dickinson cites Lord Camden and the statute quo warranto 18th of Edward I. See *The Political Writings of John Dickinson, 1764-1774* (New York: Da Capo Press, 1970), edited by Paul L. Ford (originally published 1895), p. 485. From Lord Coke to Chatham ran the argument that law bound King and Parliament. See the famous Dr. Bonham's Case, 8 Coke 118a (1610). Also Herbert Butterfield, *The Englishman and His History* (Hamden, Conn.: Archon Books, 1970).

²⁰See Colbourn, p. 115 and Charles H. McIlwain's *The American Revolution: A Constitutional Interpretation* (New York: The Macmillan Co., 1923), p. 23. Also *Works*, p. xvii.

²¹On Dickinson and the Whig legal tradition, see Charles J. Stillé, *The Life and Times of John Dickinson* (New York: Burt Franklin, 1969), pp. 21-34 *et seq.* This is a reprint of the 1891 biography by a representative spokesman of the Philadelphia bar, and a great adversary of New England "isms." Puzzlement that there is no modern biography of Dickinson is frequently expressed in the scholarship. See Frederick B. Tolles' "The Historians of the Middle Colonies," pp. 70-71 in *The Reinterpretation of Early American History*, ed. Ray Allen Billington (New York: W. W. Norton & Co., Inc., 1968).

²²See Clinton Rossiter, *Seedtime of the Republic: The Origin of the American Tradition of Political Liberty* (New York: Harcourt, Brace & World, Inc., 1953), p. 398. William Henry Drayton speaks of George III as having "unkinged" himself.

²³Colbourn, p. 116; also Carl Bridenbaugh's *The Spirit of '76* (New York: Oxford University Press, 1975), p. 99, where he quotes the young Dickinson in England speaking of Pennsylvania as "our country" which can "bear no comparison [to] any other place."

²⁴Like the elder Pitt, Dickinson always considered commonwealth status as the most desirable solution.

²⁵In his "Essay on the Constitutional Power of Great Britain" (1774), he speaks of "dependence on the Crown" or "on Parliament" in analogy to "the engine of the Greeks for the destruction of Troy." Dependence is the opposite extreme of independence. Dickinson's object, at every point, was to defend ancestral walls against the breach of such innovation.

²⁶The only peril given an almost equivalent importance was that of anarchy.

²⁷See C. V. Wedgwood, *The King's Peace* (London: William Collins Sons & Co., Ltd., 1955). In using this analogy, Dickinson echoed the best of contemporary English Whig opinion. Dozens of attorneys trained at the Inns of Court led the Southern and Middle colonies to adopt the "Old Whig" position during our Revolution. Almost no New England lawyers had that training. Hence their political thought, under the influence of Puritan political theory, tended toward a "natural rights" position. See Stillé, pp. 26-27. Also W. H. Greenleaf, *Order, Empiricism and Politics: Two Traditions of English Political Thought, 1500-1700* (New York: Oxford, 1964).

²⁸*Works*, p. 491.

²⁹General Henry Conway, in a 1776 debate in Commons, is the source of this language, quoted on p. 199 of Thomas Fleming's *1776: Year of Illusion* (New York: W. W. Norton & Co., 1975). Conway is typical of the "Country Whig" in connecting "fundamental" or "natural rights" with simple self-preservation. The American reaction to the Howe expedition that he predicts (and he was correct) parallels what Lincoln got from moderate Southerners when, in 1861, he prepared to call for 75,000 troops to invade Dixie.

³⁰*Works*, p. 267.

³¹*Ibid.*, p. 241.

³²See p. 15 of *The Making of the American Republic: The Great Documents, 1774-1789* (New Rochelle, N. Y.: Arlington House, 1972), ed. by Charles C. Tansill. From "Declaration of Causes for Taking Up Arms."

³³*Works*, p. 469.

³⁴*Ibid.*, p. xvii. G. H. Guttridge in his *English Whiggism and the American Revolution* (Berkeley: University of Calif. Press, 1963), p. 34, writes that "the Whiggism of Chatham was of that old order which placed the fundamental law of the Constitution beyond the reach of Parliament."

³⁵See David L. Jacobson, *John Dickinson and the Revolution in Pennsylvania, 1764-1776* (Berkeley: University of California Press, 1965), p. 109.

³⁶Page 241 of Merrill Jensen's *The Founding of a Nation: A History of the American Revolution, 1763-1776* (New York: Oxford University Press, 1968).

³⁷See my "A Teaching for Republicans: Roman History and the Nation's First Identity," *Intercollegiate Review*, XI (Winter-Spring, 1976), 67-81.

³⁸Jacobson, p. 89. The same use of the pastoral overtones of a rhetorical mask appears in his "Song of the Farmer," the anthem of the Revolution. See Kenneth Silverman's *The Cultural History of the American Revolution* (New York: Thomas Y. Crowell, 1976), p. 114.

²⁰The best feature of Bernard Bailyn's *The Ideological Origin of the American Revolution* (Cambridge, Mass.: Harvard University Press, 1967) is his account of this "conspiracy theory." See pp. 144-150 *et seq.*

²¹*Works*, p. 494.

²²See p. 96 of Carl Becker's *The Declaration of Independence* (New York: Vintage Books, 1958). Becker gives Dickinson credit for announcing what Lawrence H. Gipson says had long been, in 1774-1776, true: that the "colonies, in actuality if not in theory, had become states within the Empire." See p. 223 of *The Coming of the Revolution, 1763-1775* (New York: Harper & Row, 1962).

²³Guttridge, pp. 6-7.

²⁴*Empire and Nation*, p. 58.

²⁵Contrary to much early comment, Dickinson stood at a great distance from the commercial Whigs of Philadelphia. He censured them explicitly in "An Address Read at a Meeting of Merchants to Consider Non-Importation" (April 25, 1768), *Works*, pp. 409-417. He cites Locke rarely. Property is important to him as a precondition of responsibility. But the property which makes for virtue is land: "A landed interest widely diffused among the mass of the people, by the personal values of honest industry, fair dealing, and laudable frugality is the firmest foundation that can be had for the secure establishment of civil liberty and national independence." Quoted in Jacobson, p. 125.

²⁶See especially *Empire and Liberty*, pp. 77-79 and 83-85.

²⁷Christopher Hobhouse in his *Fox* expresses the moderate Whig view of liberty with a certain finality: "Liberty, like happiness, is most perfect when least remarked. As most misery is caused

by the pursuit of an abstract happiness, distinct from the occupations that make men happy, so most tyranny springs from the struggle for an abstract liberty, distinct from the laws and institutions that make men free." (Quoted by Sir Arthur Bryant, *The Years of Endurance, 1793-1802* [London: William Collins Sons & Co., Ltd., 1975], p. 33.)

²⁸*Works*, p. 262.

²⁹Jacobson is always to the contrary on this point—and always wrong. See *Works*, pp. 183-187 and 193. For further support of my view see Douglass Adair, "Experience Must Be Our Only Guide: History, Democratic Theory, and the United States Constitution," pp. 129-150 of Billington, *op. cit.*

³⁰See Colbourn, pp. 107-119.

³¹*Works*, pp. 274-275. Obviously, if liberties come to us as does our name, then equality has nothing to do with the idea. Neither do certain arguments from a definition of *Man*.

³²*Works*, pp. 193-196; also Tansill, pp. 1-9.

³³See Miller, p. 365; also Gordon Wood's *The Creation of the American Republic, 1776-1787* (Chapel Hill: University of North Carolina Press, 1969), pp. 45 and 205.

³⁴See Jensen, p. 509. Also John H. Powell's reconstruction of "Arguments Against the Independence of these Colonies—in Congress," *Pennsylvania Magazine of History and Biography*, 65 (Fall, 1941), 468-481.

³⁵Stillé, p. 370.

³⁶See his *Fabius* letter (1788)—a neglected counterpart to *The Federalist*.

³⁷Stillé, p. 282.

³⁸See pp. 56 and 77 of James Madison's *Notes of Debates in the Federal Convention of 1787* (Athens: Ohio University Press, 1966).

³⁹Madison, p. 447.