

Re-imagining Democracy: American workshop 23/24 June 2008

Present:

Americanists: Seth Cotlar (Willamette), Laura Edwards (Duke), Robin Einhorn (Berkeley), Eric Foner (Columbia), Johannes Gillingner (Oxford Brookes), Donald Ratcliffe (Oxford), Andrew Robertson (CUNY), Adam Smith (UCL), Alan Ware (Oxford)

South Americanist: Eduardo Posada (Oxford)

Britain/Ireland: Ultan Gillen, Amanda Goodrich, Joanna Innes, Jon Mee, Mark Philp

Britain/France: Fabrice Bensimon (Paris 10 – though moving to Paris 4), Michael Drolet (Oxford)

Session I

Introductions

Those present introduced themselves, saying a few words about their research interests and the preoccupations they brought to the discussion: among others

Dillinger – has worked on colonial America; is working on comparative study of representations of peasants

Smith – is working on a collaborative AHRC-funded project on images of nineteenth-century America in Europe and Latin America

Posada – apart from work on democratic practice in nineteenth-century South America, helped to organise a conference on the impact of 1848 in the Americas; is also interested in the history of legalism in South American political thought

Ratcliffe – is particularly interested in exploring tensions between ‘Democrats’ and ‘democracy’ in the American context

Robertson – is very interested in locating American experience in a wider context; has a piece in AmHR with David Bell and Dror Wahrman on national identity; forthcoming book on second American republic, post 1825

Ware – interested in the implications of democracy for what political parties can do

Mee – is taking a ‘manners and morals’ approach to the idea of a republican community of writers in late eighteenth/early nineteenth-century Britain; in this context, interested in their doubts about American culture, whether it was rich enough to sustain intellectual life

Einhorn – tends to be suspicious of political discourse; inclined to look behind it to what’s really going on; not afraid to operate with her own idea of what’s democratic and challenge past practices as insufficient

Joanna Innes – explained that the project was intended to develop through exploratory conversations, whose function was also to develop a network of interested historians, to provide a basis for future collaborative work. She noted that ‘democracy’ had now become a fashionable research focus, in part it seems because of the turn of world events since 1989, whose effect has been to make the institution

of ‘democracy’ a key socio-political project, and therefore also to arouse interest in the history of democracy and conditions under which it has come into being and flourished. This project is more determinedly historical than most, though, in that it takes as one of its central concerns what those who first acted, more or less grudgingly, to revitalise ‘democracy’ as an idea, in the late eighteenth and early nineteenth centuries, themselves understood by this term. This approach is being adopted partly because one aim of the project is to bring together historians of political thought and historians of political practice; this approach also recommends itself because it promises to bring us closer to the perceptions of political actors, and because it has the potential to surprise us: to give us fresh ideas about what the promise and dangers of democracy have been seen to be, and how such perceptions have shaped the form of institutions. This approach makes it more likely that historical work can provide us with a fresh perspective on the modern world, rather than just acting as a mirror in which we look for reflections of ourselves and our own preoccupations. However, contemporaries talked about democracy partly because they thought their own societies and polities were tending willy-nilly to become more democratic: their discussions reflected something they thought was happening in the real world. We are equally interested in what they were responding to: in practices that could be seen as ‘democratic’, whether or not conceived as such by practitioners. ‘Democracy’ is a somewhat paradoxical term, in that it’s a learned word for a popular thing; initially it may have figured more prominently in learned discourse about the political world than in popular praxis, penetrating the popular lexicon at different times in different places; but that does not mean that we wish to confine ourselves to the thought-world of the learned, even when the term was not in wide use.

She surveyed some ideas about the history of democracy as an idea that have emerged from previous sessions. She noted that since the mid twentieth century democracy has commonly been contrasted with dictatorship, and associated with the rule of law; there is also a very strong association between democracy and voting. In the late eighteenth and early nineteenth centuries, neither necessarily applied. Democracy means literally ‘rule by the people’ – but the question of how the people might ‘rule’ and what a democratic polity would be like remained to some extent open questions. It was often supposed that one way of expressing the popular will might be through the rule of a strong leader: far from being antithetical to despotism, democracy was in this period often perceived to be the form most likely to give rise to it. French experience helped to give credibility to this notion. Tocqueville thought that the rule of the first, later of the second Napoleon was an effect of the rise of ‘democracy’: he was interested in ‘democracy in America’ not because he took that to be paradigmatic, but rather because it represented an interesting alternative to French experience.

In this early period, perhaps the most common antonym of ‘democracy’ was ‘aristocracy’ – meaning rule by some elite group. Traditional European systems giving significant power to the ‘nobility’ represented a form of aristocracy, but at this period ‘aristocracy’ and ‘nobility’ were not synonyms: there were conceived to be many possible forms of ‘aristocratic’ rule. The term came into more common use as a term of political analysis in this period **[it appears from Eighteenth-Century Collections on-line that the derived noun ‘aristocrat’ only came into use in British publications from 1790]**. Jacksonian ‘democrats’ who railed against ‘aristocrats’ were not applying a traditional European term by analogy, but adopting a neologism and applying it to their own circumstances. This usage tended to root

democracy, in contemporary perceptions, in a particular social perspective: the institutional set-up appropriate to democracy was not necessarily clearly conceived.

She reviewed some eighteenth-century uses of the term. Montesquieu's distinction between 'democratic' and 'aristocratic' republics seems to have been especially significant in terms of future usage. Neither American nor French revolutions were undertaken in the name of a democratic ideal, though in both cases the word came into use subsequently to denote elements that had risen to prominence in the course of events.

She asked, What did 'democrats' want? What was the democratic agenda, to the extent that it had a clear shape? In the French case, at least according to Rosanvallon, the point of democracy seems to have been above all to trump sectionalism: what was sought were arrangements that would allow the will of the whole people to prevail over the will of parts. In that context, voting was regarded with some suspicion; consultation with the people – the people sometimes very broadly conceived – might be preferred. Was this also a key concern in the Anglo-American context? It seems to have been so in Jeremy Bentham's democratic theory, in which a key concern was to overcome the machinations of 'sinister interest'. **[In the discussion which followed, we did not make much of American notions of 'monopoly', manifest, among other places, in the Bank War, which might have been a useful theme to explore].**

In the British case, although there certainly was interest in expanding the suffrage, a larger concern was to make government transparent and accountable. She drew attention to the concept of 'self-government', which underwent interesting developments in this period, and sometimes came to be associated with democracy, though this shift seems to have taken place later in Britain than in the United States. In the mid-eighteenth-century, 'self-government' meant something like 'self-discipline': the capacity to govern oneself. Although Richard Price linked this capacity with political capacity, that did not become a common notion in Britain until well into the nineteenth century – whereas, interestingly, in the States the new usage seems to have caught on from early in the century.

In Britain, 'democrats' also tended to favour the wide diffusion of knowledge – a key slogan in this context being 'knowledge is power'. They were also much concerned with concentrations of social and economic power – with patterns of landownership, and the need for there to be safety-nets for the unemployed. Also with religious power.

She suggested that the linkage between democracy and constitutionalism is not entirely obvious and merits exploration. She did not think that in British usage democracy was necessarily closely linked with ideas of citizenship, though several of the American participants, in their precirculated outlines, had suggested that that linkage was an important one in the American case. **[Subsequent discussion did not make it clear whether 'citizen', in this context, was a term used by contemporaries, or rather a term that historians have used to denote the possession of certain kinds of formal right not necessarily conceptualised by contemporaries in this way].**

Another topic for discussion concerns forces making for democracy, and ways in which people responded to those forces. Tocqueville suggested that democracy arose, in effect, out of the attack on sectionalism: the destruction of all forms of privilege. While that may represent a particularly French vision, the idea that democracy rose with the decay of feudalism seems to have been a historical story told about much of Europe; an American variant may have highlighted the absence of feudalism in America. In England, the forces of democracy seem often to have been conceived of as resting on an alliance between marginally educated overconfident men of small property and increasingly rootless masses: two aspects of the new industrial society conjoined to support a new socio-political phenomenon. Should we as historians endorse such explanations. A problem with accounting for democracy in terms of social change is that this doesn't help us to explain why it should have been experienced as a political force in so many different contexts. Perhaps it is better conceptualised as a political tactic: sometimes aspirational, sometimes defensive: a solution that could be addressed to a multiplicity of problems.

In that context we might consider again the question of voting. The relationship between voting and democracy was arguably contingent. Voting was an increasingly fashionable political device in the nineteenth century; democrats championed a democratic version of voting. That leaves to be explained why voting achieved this centrality. Also why it took different forms in different places: sometimes only legislators were to be elected; sometimes also officials. Sometimes voting was essentially plebiscitary; sometimes it was a mechanism to allocate power between competitors. We should also look aside from voting to note other political devices that interested democrats: petitioning, for example, or mass demonstration; devices to hold governing bodies to account, including the demand that certain acts and processes of government be public; auditing devices; devices for limiting the powers of governors, or changing the ways in which certain public functions were performed – for example, by contracting them out to the lowest bidder.

Finally she suggested that the ways in which contemporaries theorised the spread of democracy deserve attention. In the eighteenth century, it became common to suppose that early societies had been democracies. But no one had then predicted that democracy would become a common form of government in modern societies. When contemporaries came to think that that was happening, how did they account for it? She suggested that contemporaries also saw the spread of democracy as raising questions about human psychology. Thus, what aspects of human thought and feeling would condition the operation of democratic polities – and how in turn would the workings of democratic polities condition human thought and feeling. Would democratic politics be more or less moral? More or less sentimental? More or less passionate? More pacific or more bellicose? By contrast with the modern notion that democracies are more pacific, nineteenth-century observers often thought that they were likely to be more warlike (again, some contemporary experience supported that view). What notions about collective psychology underpinned this?

Mark Philp – highlighted some methodological issues. He noted that, at least at the start of the period, the terms democracy and democrat retained many negative connotations: democracies were conceived of as characteristically small societies and unstable ones, prone to degenerate into despotisms. The US seems to have been in the

vanguard in terms of widespread, positive use of the term – though even there it could also be used negatively. The effect was to make people reluctant to self-identify as democrats – making it problematic for us to identify them in these terms.

For the term to catch on, much else had to change. The word itself had to acquire new content. In Britain, it came to be associated less with any particular form of government than with a new type of society. The challenge was to create a political order appropriate to this new society – but inasmuch as it wasn't obvious what that was, 'democracy' as a political form was hard to envisage or endorse.

In considering how the term was applied historically, we need to attend to what contemporaries did and did not consider essential to democracy. We may find the idea of a slave-owning democracy paradoxical – but if they didn't, we need to ask why not? What features of their society seemed to them more and less crucial in determining its identity? Equally in the case of women and children: who regarded their exclusion as unproblematic, who thought it problematic, and why?

Broadly, what is in question are the ways people in the past negotiated issues of representation and exclusion. The concept of 'democracy' may have threaded through these negotiations, but what valence it had, and how precisely it operated, may not prove easy to reconstruct.

Eduardo Posada -

From the war of independence onwards, the US figured in Latin American thought as a model to emulate – Miranda is an instance of someone who saw it that way. In that context it was idealised. It was seen to represent a case of a successful transition to independence – while some other states struggled to stabilise new polities.

By 1848, observers who considered the experience of the whole western hemisphere could argue that it provided evidence both for and against the viability of democracy: northern experience suggested it could work; southern experience showed it could fail. The tendency by that time was to explain differences of experience in terms of contrasting colonial legacies.

In recent historiography (influenced among other things by a recent trend away from dictatorship and towards democracy in South American states), there has been a growth of interest in the era of newly achieved independence, in the role of representative institutions at that time, and in the effects of the growth of a mass electorate after 1808. There has been an interest in the emergence of the public sphere and of civil society; some interest in democracy as such (especially in Chile), and some interest in the history of ideas and constitutional history.

There have been some common features to Latin American historical experience. Since independence, most states have been republics (with the exceptions of Brazil and sometimes Mexico). Regimes have legitimated themselves as embodiments of popular sovereignty. The intention was to construct liberal constitutional states – though this was relatively unknown territory at the time. Though states varied in racial

inclusiveness, they were probably generally more racially inclusive than the US. The common pattern was of an expanding franchise, later restricted.

Latin American contrasted with US experience in that the change from pre to post independence regimes entailed more radical institutional change; there was no prior history of parliamentary representation, or experience of managing elections. In the 1840s and 50s, there was a general trend towards universal male suffrage, without racial exclusions. In Brazil and Cuba, however, slavery continued for longer than in the United States. The example of Haiti loomed large.

He argued that the ways in which Latin American experience both did and did not echo North American experience makes it important to keep it within the same frame. Questions that seem worth pursuing include: how did these differences of experience shape the ways in which democracy was retrospectively conceptualised? How was Tocqueville's study received in Latin America? What was the impact of the Haitian experience on both north and south?

South American experience is also worth bearing in mind when it comes to considering the detail of electoral institutions and practices. How were these similar and different? Insofar as they were similar, how can we explain why similar practices had different outcomes? How similar or different were the factors that led to suffrage being expanded or restricted?

It is sometimes supposed that elections help to contain social and political tensions. The Latin American experience suggests that the opposite can be the case: contested elections can provide the trigger for wider civil conflict.

Latin American also presents different models in terms of the political role of churches and religion. Religious leaders played an important role in the winning of Latin American independence. Visitors to the US were struck by the different place of churches in North American society.

Discussion: the organisers asked if there were things that people felt we had not covered in the introductory remarks which they would like to highlight as worthy of discussion.

Robertson suggested that the effects of the growth of mass communications, and differing official responses to their development, would be worth attention as one variable differentiating the experience of different states.

Mee suggested that contemporary commentators saw American democracy as importantly conditioned by its setting in a commercial society, and suggested we consider the implications of that. **Goodrich** noted that the effects of this could be seen to be positive or negative: commerce could be associated with prosperity and liberty, or with luxury, corruption and decline.

Edwards urged that we not operate with too narrow an understanding of politics. Lots of governance takes place through the law. American governance was extraordinarily decentralised, and any realistic account of how this polity functioned must factor that in.

Innes noted that some historical sociologists had suggested that one important variable to consider in thinking about forms of democracy is the degree of 'stateness'. Perhaps a feature of the period we're considering is that central state machinery had not commonly amassed for itself as much power and initiative as it would subsequently possess. Perhaps in that context, early debates about democracy are taking place in a fundamentally different context from that which would later appertain.

Robertson – suggested that in the US political partisanship provided a shaky form of bridge between local and national identities.

Ratcliffe – noted that what would become the US was exceptional before the revolution in terms of there being a wide franchise (though turnouts were not always high). Elections could serve as mechanisms of change. 'Democratic' practice existed before democracy was valorised.

Foner -- pointed to an old argument among American historians about whether the revolution was democratic, or (as Charles Beard argued) did the constitution represent a form of counterrevolution.

Ware – suggested that the Canadian case should be instructive. British North America had its own history of turbulent popular politics.

Edwards – stressed how much pressure to be heard came from people who didn't phrase their demands with reference to democracy.

Innes – it could be that important parts of the history of democratic institutions and practices involve redescription as much as change

Dillinger -- continuity in formal institutions shouldn't however conceal changes in practice: colonial elections sometimes in practice mobilised only small groups of interconnected people, e.g. selectmen and their relatives.

Ratcliffe – though not always the case; the system made it possible for large numbers to mobilise when there were contentious issues..

Smith – rhetoric could suggest that voting should allow a single popular will to triumph; elections are not necessarily associated with tolerance of difference.

Einhorn – stressed that it was not the wish of the Americanists present to idealise past American 'democracy'

Mee – European visitors sometimes did go with expectations that the reality disappointed; invoked commercial society to account for this.

Cotlar – as form of government 'for the people by the people' democracy aimed to replace less institutionalised forms of popular power, such as that exerted by the mob

Gillen: we also need to think about the relationship between the conception of citizenship and the role of the militia – and armed citizenship seems central to the American case – and has parallels in volunteer movements in Ireland.

Cotlar: - militia leadership was important in local power structures in the 1790s; both sides developed militias; opponents might be beaten up at the polls

Robertson – indeed, we need to recognise the way that a great deal of the vocabulary of elections and contests is essentially military in form – such as party mobilisation

Edwards (picking up on Innes' earlier remarks about citizenship) – doesn't see much discussion of citizenship on the ground in the 1790s

Innes, maybe citizenship is also a learned word – not so much a popular issue

Cotlar: but did become a form of address within democratic republican societies in the 1790s.

Einhorn: the really big change in voting rights, other than the restrictions on non-white suffrage in the 20s and 30s, came in a later period, in the early twentieth century with the introduction of the Australian Ballot, and the rise of Women's suffrage.

Before the institution of a process for putting people on the ballot, this was a fairly anarchic process: anyone could get ballot papers printed and hand them out at the polls. Together, women's suffrage and women's suffrage help transformed the polling place into something more decorous. At the same time, you also get a big drop in voter turnout.

Innes – we seem to agree that we need to avoid teleology – ascribing to the past meanings of democracy that come from the present – but still there's an issue about whether we problematise sufficiently why democratic institutions developed in America

Bensimon; we also need to attend carefully to the processes by which some are included and some excluded, and how this changes over time.

Session II Ideologies

Innes introduction – we need to think about the point at which the word comes to be used, and when it comes to be used positively. Questions which arise particularly in the US case are: to what extent was this vocabulary coopted by party and consequently in some ways narrowed in meaning? And when historians talk about an extension of democratic rights in the 1820s and 30s, meaning especially voting rights, is this their terminology, or was that how contemporaries talked about it at the time? Did they seek these rights under the slogan of democracy?

Foner: in the revolutionary era, 'people' was much more widely used than democracy – hence 'We the People' at the beginning of the constitution; we mustn't shut our eyes to cognate usages. See thus the title of a 1776 pamphlet: *The People the Best Governors*. Democratic republican societies were the first to use the name in their titles: they were concerned with democracy as a form of ongoing participation in the political process, not particularly with representation – indeed, Washington's complaint against them was that they were self-created societies – that is that they come from below, they did not have the patronage and guidance of those higher up who can vouch for them. The context for the emergence of this terminology was global.

Cotlar – democrats defined themselves against Hamiltonian economic policies. Democrats also described themselves as Friends of the People.

Edwards: 'The people' has a legal context too – so that doing things in the name of the people; or in cases of the people versus X, was a way of talking about a sense of the common good that bound a society together. This affected popular discourse and perceptions. People drew up petitions in the name of 'the people', then listing the families in question: a very concrete understanding of who 'the people' were might be entailed. There was often a slippage between the abstract and the particular.

Robertson: pointed out that 'friend' in the usage of the time was a term commonly implying hierarchy – more like patron. Friends of the people referred to those who would act for them.

Drolet: French liberals jettisoned the term, preferring 'nation'. Only important people those who could conceive of national interests. Guizot developed the notion of the 'citoyen capacitaire'.

Philp: Paine used both terms in the Rights of Man and expressly declared them to refer to the same thing – but then he was writing in France.

Innes: in Britain, petitioners to parliament would not represent themselves as the people but as the inhabitants of such and such a place or some group.

Edwards in the US magistrates would try to tease out what was a civil case and what not, asking such questions as is this a private matter or does it concern the people?

Ratcliffe: the federalists saw the democratic republican societies as committed to a Jacobin model of central direction with those in power coming to define who count as the people.

Foner: it was however argued by the federalists that those challenging representative government were effectively denying its legitimacy as a political form. The sedition act made truth a defence – in that to establish the truth of the claims that one made was a defence against sedition.

Ratcliffe: so between 1800 and 1812 there developed a split between a judicial politics of the constitution and a democratic view that the representatives of the people define what is legitimate – and that gives rise to two senses of government whose merits one can argue over, one constrained by the constitution and procedures; the other that accords legitimacy to the will of representatives and that treats the constitution as merely the tool of that will.

Mee – we now think of the US as a highly litigious society, was that true then? Also, how democratic were the societies themselves in the US – how far e.g. did they elect their officials, how much was done by other means? And who was in practice elected?

Innes: and where do people go when they can't get their own way through the established procedures

Foner – in that context people might start talking about corruption, arguing that some aristocratic group had taken over the government

Robertson – nonetheless in the 1790s there was still a clear sense that there were two groups, rulers and ruled; there was still effectively an aristocratic elite that managed the political process.

Cotlar: people outside these circles however had a reasonable sophisticated appreciation of who these cliquish groups were; one also finds the line that 'the people have been duped' to produce such and such a result, eg duped by newspapers

Einhorn: in the south surely the cliques were the ones acting in the name of 'democracy'; in what terms if at all were they challenged?

Innes: to what extent is 'democracy' used negatively?

Posada – Rosanvallon says that it continued to be used negatively into the Jacksonian period. In Latin America, the word democracy was used around the period of independence movements – from 1812- but it was contested – and the French revolution and the experience of Haiti make it seriously contested by many since these gave it major negative connotations. In Argentina, Sarmiento linked 'democracy' with the Rosas dictatorship. As in France, it was used more positively around 1848, when its use was associated with the final abolition of slavery, but in the 1880s it became more pejorative again.

Bensimon – suggested that in Britain, democracy was often a negative term, but 'the people' a positive term; 'mob' on the other hand, was a negative term for the people.

Smith: we also need to bring in economic factors and ideas here – the term democracy does have connotations of rough equality – it involves the assertion of a more egalitarian vision of a society; it was also a way of speaking and dressing, and a way of asserting the supremacy of the common man

Ratcliffe – an important distinction to be made here. By the 19th C democrat has come to mean a supporter of Jefferson's party; Jackson's party was called 'the Democracy'; he tried to identify with the Jeffersonian tradition.

Ware: Did democracy have this partisan meaning before Jacksonian democracy:

Foner No. **Ratcliffe** Yes!

Drolet; strong link between 'aristocracy' and idea of usurpation of power.

Mee; when do people first start criticising arrangements as not being democratic? Slavery was apparently not criticised in those terms. Were voting restrictions explicitly abolished as 'undemocratic'?

Innes; Bentham and Mill by the 1820s were using democracy as a standard against which political arrangements should be measured.

Robertson: in the 1790s, democrat was used interchangeably with Jacobin as a term of abuse.

Edwards South Caroline nullifiers invoked 'democracy' in defence of slavery. They were the first to eliminate property qualifications for white males (though they then used gerrymandering to rig results). They said it would be undemocratic to abolish slavery. The same people were engaged in a process of state-building – the appeal of the states' rights cry depended on people identifying themselves with states, rather than with their localities. They did see themselves as democrats with a lower case d. They called Jacksonians 'jacobins'.

Einhorn: Virginians – Jefferson, Madison etc -- called themselves republicans

Foner – the decline of republicanism and rise of democracy as slogans were related developments

Einhorn – the nullification debate is related to the imposition of congressional tariffs and is really an argument about the proper level of decision making within the state-federal system. But the language of democracy vs aristocracy was coopted in this context. Southerners said it would be undemocratic to have the tariff imposed on them; Taylor said that the tariff was an aristocratic plot.

Mee – curious about the history and implications of the adjective 'democratic', as in 'democratic republicans'.

Foner – noted that Fox news now talks about the 'Democrat' party, apparently to emphasise its partisan rather than value-bearing character..The John Birch Society, meanwhile, says that America is a republic not a democracy

Robertson: the search for party names was itself an important phenomenon in political culture. At this time, parties were in 'brand search mode' – accounting for the vast variety of such labels and their rapidly changing character

Drolet – does 'republic' get tainted and associated with oligarchy – as happens in France in the 1820s.

Ratcliffe – no, in US connotations always positive

Foner -- in 1890s populists criticised commercial development as unrepublican.

Cotlar: there are bundles of policy issues that unite democratic-republican societies in the north and southern democrats – especially in relation to foreign policy (both being pro-France) and the western lands (both favouring expansion), and that forms the basis for an agreement that allows them to overlook their differences on popular politics. He suggested that concern to protect this politically useful alliance led northern democrats to moderate their anti-slavery stance

Further discussion as to whether Jefferson described himself as a democrat; **Cotlar** says that he did by the time of the 1800 election. Taylor in his book on Maine says

that democracy comes to mean committed to elections; doesn't relate to other aspects of people's position.

Posada – term evolved new meanings as it came to be associated with representation, which was a new association. When in the US did representation and democracy get linked? John Dunn suggests that Madison uses the term.

Edwards: the nullification crisis provided an important context for the forging of a link between democracy and voting connection – with the effect of marginalizing democratic practices lying outside the vote. One object of nullification publicity, which was high profile, was to promote a particular vision of what democracy was

Ratcliffe – the link is already made in the Federalist Papers

Innes – even if so, leaves question of when it becomes common place to equate the two

Ware: further questions arise about preconditions for good representation – did a representative need to hail from the region – were politicians meant to be recruited or could they be self-promoting?

Foner: anti-federalists criticised the constitution of the House of Representatives on the ground that congressional districts were too large; only well connected people would be able to run

Robertson: in the 1790s – candidates don't announce themselves – their friends propose them.

Einhorn: you do get an expansion of suffrage in the south, but it's accompanied by malapportionment to protect slavery: slaveowners feared that more equal representation of the people would lead to higher taxes to pay for schools and roads. In the north, extensions of the franchise were less problematic.

Mee: once democracy is valued, why isn't the constitution, which is in many respects anti-democratic, called into question?

Foner: they are basically treated as a given – the constitution may have been designed to constrain democracy but it is not afterwards fundamentally challenged.

Cotlar: once democracy is equated simply with voting that doesn't seem to be such a problem.

Edwards: thinks another context in which democracy with a small d is positively invoked early, in the case of North Carolina at least is in relation to education, where Federalists and later Whigs are very interested in education as preparation for a democratic society

Smith – important to think about the normalisation of 'democracy' in relation to national identity. 'Democracy' becomes an important part of how American society is represented and defended. The war of 1812 is significant in that context. In that connection the term had cultural and economic as well as political meanings.

Robertson: between the war of independence and at least 1800 two strongly competing visions of America, linked to rival ways of positioning the nation in relation to Europe. That problem wasn't really resolved until 1812. Attention then shifted to the question, who are the people?

Cotlar – earlier understandings of democracy were more cosmopolitan.

Robertson – though even then also 'tribal' inasmuch as defined against Britain.

Innes to Einhorn: was there seen to be a link between taxation and democracy – were arguments for the extension of voting linked with who paid taxes?

Einhorn – no, because in fact the tax base narrowed, as poll taxes were replaced by property taxes

Foner – there was also an older tradition and calls for taxpayer suffrage. thesis by Regina Morantz (Columbia) explores uses of the term democracy – though written before advent of electronic resources.

Edwards: questions if democracy did continue to be linked with an ideal of equality

Mee - Thomas Cooper's account of America suggests that commerce brings democratisation

Foner, which raises the question of capitalism and democracy and their compatibility – and the extent to which democratic institutions come to service an economic world that is fundamentally inegalitarian.

Ware – nineteenth-century American controversies are much more about the representation of places; find such practices as towns taking it in turns to have one of their own serving as representative

Robertson: also equality comes to be seen as a matter of equal opportunity rather than substantive equality.

Einhorn: we also need to discuss slavery and the dispossession of the Indians.

Edwards: the way the records describe things slaves are sometimes seen as part of the people, but they are not part of democracy – we move from a hierarchical order in the 1790s through to a flatter but more exclusionary society

Innes: in Britain, worries about inequality raise issue about poor relief and responsibilities to the poor

Foner – the democratic answer is to avoid the intensification of inequality by moving westwards

Edwards – in the US, debt/credit issues are also important. 'Democrats' stress equal treatment under the law: procedural fairness.

Session III Practices

Mark Philp, introduction - The brief for the session talks about the implications of power being held by the people, but there are a number of different dimensions that this might cover – 'held by', referenced to, serve the ends of – and there's a distinction within conceptions of the sovereignty of the people between the sovereign *will* of the people, and a sovereignty of laws rather than will (a distinction Paine draws in 1786).

We also need to think about what the various powers are, federal, state and local; and to think about people's views on and constructions of the relationships between legislatures, executives and judiciaries. Also, which are elected offices, and from when, and how is election justified and argued over; Also, how far down do elected offices go – or is that the wrong way round – are people more concerned about the principle of election at the local level than for state and national institutions.

In terms of practices we need to think about practices of inclusion and exclusion – clearly it is not a linear story of more and more inclusion. Elsewhere (Tim Harris, *The Politics of the Excluded*) it has been suggested that exclusion may not be the right term – we might think about the density of participation in particular practices, and the way that density changes over time.

We also need to think about types of activity – voting and representation; conventionism and the reform of state constitutions; ongoing pressure and critical

commentary on the activities of those in power; and local practice and custom. And we also need to think about how policy is made – lobbying, political pressure, the role of political parties etc.

This raises the question of what makes a practice democratic – does it require the representation of particular kinds of interest or participation in the political process?

We also have to see how participation and involvement is argued for.

Finally, we have to consider the developing practices of political organisation – there is wide suffrage in the 18th C but we need to consider how far there were political parties and organisations and how these develop, and the impact they have on people's participation.

Ware: for all the emphasis on America as a procedural political system at the end of the 19th C it was still very much the case that government was by custom and convention rather than by rules and regulations – there was little in the way of a systematic codification of political practice in the period we are looking at.

Robertson: from the colonial period there was a sense of a right of instruction from the people to those in political office – with instruction taking place partly in the process of elections and partly in the form of petitions. The town meeting was a classic form for collecting the sentiment of the people for the instruction of those in power – certainly in New England (although **some disagreement ensued** about how far such practices spread to other states, especially the south). There was a similar relationship between state legislatures and the Senate – because they were responsible for the nomination of Senators there was an associated sense that they have some right of instruction with respect to the conduct of senators.

Ratcliffe – noted that a distinction was made in the case of members of the House, not chosen by state legislatures; legislatures only made suggestions to them.

Foner, we haven't talked about political parties and these were really a crucial part of the institutional framework after the 1780s, the parties increasingly took over the process of political representation. Roll call studies show that there was lots of party voting; in that context, increasingly what mattered was power structures within the party.

Edwards: we also need to note that some practices by-passed representatives altogether – there were a huge number of private bills – one of the most common such bill is that concerning divorce – people kept trying to move it to the courts or to more local jurisdiction but practice proved very resistant – indeed, even after the law was changed the practice of using the State assemblies for bills of divorce continued.

Einhorn – constitutional conventions tried to pull divorce out of the legislature. Similarly, they pushed General Incorporation: a procedure for the registration of new companies. The effect of such changes was to get rid of some of the work of the state assemblies, making it possible to shorten their terms, so that some meet every other year. This in turn made it cheaper for communities to support their representatives, which was the objective.

Edwards – emphasised that these attempts to keep business out of the legislatures didn't always work in practice.

Ware: interesting to look at regional variations in the ways that parties were structured. Thus 'primaries' could be as in New England small bodies of people sitting round and discussing issues – caucuses -- whereas elsewhere they might involve voting for candidates.

Ratcliffe – thinks pressures towards election made themselves felt earlier than is often realised: as early as 1802 we can find towns choosing delegates to vote on the selection of candidates – thus in Ohio, but also Pennsylvania, New Jersey. By 1816, party conventions were being held at state level to select gubernatorial candidates; by 1832, these methods were being employed in the selection of presidential candidates.

Robertson: parties in the Jacksonian era were very different from earlier parties; they became electoral machines, operating in the context of constant partisan competition.

Alan Ware: there's also a sense that after 1830 politics becomes much more about entertainment **Ware** asked if Ratcliffe hadn't been dating this process earlier?

Robertson suggested that in the Jacksonian era these practices reshape the whole political culture: deliberation over policy issues disappears; actual policy-making was left to parties, who presented issues to the electorate in highly simplified form.

Challenge then becomes to keep the people mobilised. Initially, mobilisation had been around issues; in the Jacksonian period, it increasingly becomes about ethno-cultural identity.

Ware – in effect, politics becomes more a form of entertainment; militias give way to marching bands.

Robertson – we also have to take into account to popular press and its development: contributes to making elections something more like a spectator sport. Newspapers themselves however have by the 1830s become more than party organs (**some disagreement** about this). The point is that by that period advertising and subscribers are responsible for a much more substantial part of the finance of the press than direct contributions by party funders – the papers still have alignments and links to parties, but they also have a greater degree of independence than they had in the 1790s.

Ware: one sign of that is that by the 1850s party are coming to publish their own party newspapers – because they no longer control so well the papers, especially in the urban areas; and the papers themselves take to the idea of their own independence from the political process.

Innes said that the British pattern was perhaps more similar than Robertson was maintaining: local newspapers were not necessarily party political (depending in part on whether the market was big enough to sustain rival organs with different party identities); though London newspapers might be more partisan, scholars now suggest that this had less to do with financial dependence on government subsidy than with the opinions of proprietors and editors.

Einhorn – one thing that helps the circulation of news and the development of the press is the postal subsidy that allows the circulation of papers in the mail.

Innes – true that in Britain the stamp tax limited the circulation of newspapers – leading to an unstamped press that was either non-political (offering other forms of content) – or political and risking prosecution.

Edwards asked why the press was understood as a force for democracy

Several people responded that it increased voter turnout

Edwards asked if the press could also provide a vehicle for exclusive rhetoric?

Posada work on the political impact of the press in Colombia has yielded no definitive answers; we need to look at the role of the press both in relation to advances in democracy and in relation to setbacks.

Philp – it's not necessary explicitly to endorse democracy to advance democracy in practice by entering into a competition for popular support.

Innes asked – is the switch to more inclusive forms of political participation, for white males, in the 20s and 30s, party-driven or is it that the parties are responding to electoral pressure?

Ratcliffe – driven by parties: whoever thinks they will benefit from enfranchisement tries to outflank the other by extending voting rights.

Posada – but the same logic applies in Latin America, and there has the effect of widening the racial base of voting, for example in Mexico City and Ecuador, there was black voting from the 1820s. Why does that not happen in the north: why on the contrary is voting increasingly limited by race?

Robertson – in New Jersey, women were excluded because seen to favour the Federalists; blacks excluded for the same reasons.

Smith – shouldn't overstate triumph of party; 'party' may be a real force in politics, but still doubts about its legitimacy. And note not all popular movements channelled through parties: parties didn't capture the whole of political life.

Ware – need to avoid over-emphasising the role of party organisation as if there's a well oiled party machinery and a clear party system – the system is much more open than that. But if that's so, that throws back open the question of how people are mobilised. Political scientists have suggested that issues are important, and divisions over issues at the 1824 election are crucial. However, Ratcliffe and Robertson are calling this into question by suggesting that mobilising processes are at work earlier.

Edwards – an older historical narrative of inclusion is now being replaced by one of exclusion. She has problems with this: seems to imply some former golden age in which black people eg did participate. Isn't the point rather that in the context of higher levels of mobilisation it becomes more important to define boundaries. Striking though that there does seem to have been a limit on the expansion of the suffrage despite party competition when it comes to gender and race.

Innes: what were the effects of this increased mobilisation?

Foner made it possible for some new sorts of people to get into office. He suggested too that it's important to set the extension of the franchise in the context of the creation of new states. New states want wide franchises to attract settlers – they want to exclude blacks from voting for fear that otherwise they might attract black settlers. Ohio was the first explicitly to exclude blacks, when admitted as a new state.

Smith: in the early nineteenth century, democracy became associated with identity and community

Posada: should attend to how voting took place. South American elections are often stigmatised as corrupt; implication is that this wasn't the case in the north!

Session IV – responses and reactions by those resisting democracy

Innes introduction: question both of what people say and of what they do. There seem to be three main forms of response that we might identify:

1. Despair – democracy is just the wrong way to go
2. Pessimism -- democracy might be OK but it's not working as it ought to be working – problem of the mind set or the culture of the people; given the people we have then maybe democracy is not such a good idea – or maybe we need to change the people.

3. This isn't democratic enough – problems of exclusion, factions, elites. Do we find people arguing for the need for more democracy.?

In relation to all three: Before what the audiences are such ideas voiced – can you criticise democracy in public? Or just among your friends? Or should criticism be placed in a party-political context: might complaining about democratic excess or ignorance be a move in a political game? And if something is thought to be wrong, what are the solutions? Institutional? Cultural?

Foner: Unhappiness with democracy is a constant feature of American life. The notion that the people are the wrong kind of people leads to efforts to make the people suitable to the institutions – remaking democracy through religious culture, educational reform, and the conception of self-government – more as a form of self-discipline than as a celebration of individual or collective sovereignty. But this critique tends to be a minority strand, especially from the Federalists and the Whigs – that is from those who are on the losing side. It gained in strength by the 1880s, when there was opposition to universal suffrage, associated especially with worries about immigrants and blacks voting. In NYC there was a referendum on whether to limit the right to vote – though perhaps not surprisingly given the means chosen, this failed.

Cotlar – the epithet Jacobin can be used to criticise democracy even by those who see themselves as democrats.

Edwards – Jacobin and aristocrat were both terms of abuse: not clear that they corresponded to positive self-identifications..

Posada – might distinguish between criticism of the relevance to the modern world of ancient democracy and criticism of modern representative democracy.

Robertson – the term Jacobin has a long shelf life – used in the 1790s, 1840s and 1860s – with the spectre of Jacobinism being posed against legitimate democracy. Thaddeus Stevens was attacked as a Jacobin. Also as Robespierre and Cromwell

Foner – not entirely inappropriate in the context of military rule in the south.

Cotlar – Jacobin as a term of abuse reflects dislike of all but American revolution.

Foner, Smith disagreed – that doesn't really happen until the Paris commune – much more positive in response to 1830 and 1848

Posada -- enthusiasm for Latin American independence was quite short lived: Catholicism, monarchism and ethnicity were all seen as problems.

Einhorn – and an earlier problem with Haiti – that's not a legacy of democratic revolution that people want to identify with.

Bensimon – in England Jacobinism not really a positive identity until 1820s: there are signs of a more positive association with the Jacobin legacy in the writings of early socialists linked to Chartism – such as Bronterre O'Brien. **Innes** however noted the adoption of the bonnet rouge as a radical emblem in the 1810s.

Edwards – term Jacobin was used in the south in the 1820s and 30s, usually in the context of party politics. In a legal context, things were more likely to be dismissed as archaic and old

Innes asked – is innovation a bad word as it is in England – where reform can be positive but not innovation – **All said no** the opposite, innovation is good,

Cotlar – except in the context of a certain literary culture. Federalist literary culture bemoans democracy and harbours a nostalgia for Britain and its institutions – eg Washington Irving

Smith – of course the one area where innovation is not a good thing is in respect of the Federal constitution – the sheet anchor of our liberties: fetishism of constitution

Einhorn – but there is plenty of messing around with – indeed, complete revision of, state constitutions

Foner – but we need to watch the comparison, in part because the Federal constitution has very little to do with most people's lives until reconstruction.

Einhorn – there's also many instances of states simply ignoring the Federal constitution – so hard to say if it's fetishised.

Foner only with passage of 14th amendment does constitution really bite.

Smith – nonetheless at some point there is a growing identification with and allegiance to the idea of the nation and the Federal constitution then becomes a central point of identification, eg in 4th July orations. Dred Scott doesn't drive people back to the drawing board.

Robertson -- Garrison does – but this doesn't lead anywhere.

Smith rhetoric of American constitution echoes rhetoric of British constitution

Innes suggested that the British parallel demonstrates that such rhetoric is compatible with a very loose and general idea of what this 'constitution' is.

Robertson -- in Jacksonian era, constitution gets bound up with ideas about national identity

Edwards – speeches etc making that link shouldn't be seen as reflecting popular ideas: rather, educative; designed to inculcate a particular sense of identity.

Cotlar – its worth noting that the Federalist papers are not reprinted in a collection until 1799.

Einhorn – in fact one of the central turning points in relation to the constitution is the publication of Madison's notes on the debates of the convention in 1836 – it was a key moment in recognising generational change and in creating a sense of the founding fathers – and Madison's notes are a key moment to the sacralisation of the constitution. Encouraged state constitution makers also to conceive of themselves as founding fathers – thus in California.

Robertson – Madison lives exceptionally long; his death marks the end of an era, the coming of a new generation who relate to the nation and its institutions differently

Edwards – in petitions people didn't invoke the federal constitution, when they did invoke other authorities, like the Bible and Magna Charta. In local courts, when the constitution is invoked this means the state constitution. In the 1820s and 30s, you do encounter the idea that the constitution is a protector of rights; however, there isn't much rights talk in legal cases, except in relation to property

Ratcliffe – part of the problem with the federal constitution is simply that it's so hard to change, esp when by the 1820s the unity of the nation is fragile. The 3/5ths rule is widely criticised.

Posada – what about fears of democracy degenerating into dictatorship? That was the reason why a liberal like Mora in Mexico opposed universal suffrage. In Argentina, find so called 'assemblisme', call for people to assemble: worry that when people don't vote power falls into hands of Rosas Democratic process as a way of suppressing contestation and as a form of popular acclamation – was this a worry in the US?

Ratcliffe – Bonaparte is the classic exemplar of a democracy collapsing into a dictatorship – Jackson was identified as a possible Bonaparte after Battle of New Orleans 1815. Also opposition in the 1830s, the whig party attacked the executive

power under the epithet 'King Andrew' (hence their own self identification as 'whigs')

Drolet – Tocqueville met Jackson and saw him as quintessential demagogue

Ratcliffe – but the main way in which Tocqueville saw Jackson as exerting power was through the veto: not a very promising instrument for despotism.

Foner – threatening though that he in effect set himself up over the Supreme Court – and congress, as an expression of the will of the people

Ratcliffe – worry about unification of sword with purse, seizure of treasury 1833, seen as a matter of Caesar leading the praetorian guard

Smith – but Jacksonians saw this as an expression of the unified will of the people – the problems with American democracy was seen by them to be wire pullers, party men etc – while Jackson is seen as a man who can cut through all this. Idealisation of an older, simpler democracy – see George Caleb Bingham's picture of a voice-vote election in Missouri. There is a yearning for a unified popular will.

Robertson – some conservatives were attracted to Jackson for that kind of reason, thus Washington Irving.

Cotlar – Tocqueville also picked up on popular emotional identification with Jackson.

Foner – to beat Jackson, the Whigs have to develop their own cult of personality: around William Henry Harrison, who has no platform at all.

Edwards – goes back to theme of unity, and in turn to exclusion

Goodrich – there seems to be a tension being recognised between a demand for a general will or a central point of leadership – and the argument that federal institutions are simply not that important.

Innes – at what level is this happening? Is this really a point about the rise of certain kinds of speech making, eg?

Bensimon – or is it perhaps about the development of a national press?

Robertson – the need for the general will really emerges in the 1820s – after the founding generation. The second generation has to ask itself how it goes on – and where is it legitimacy going to come from

Cotlar – as the national space becomes technically possible you also get a sense that the nation is falling apart – and indeed, the more national the culture becomes the more apparent do the divisions that exist between N and S become. (This is the argument of a new book, *The Republic in Print*).

Robertson – Emerson says now Maine and Texas can communicate they find they have nothing to say to each other.

Ratcliffe – in fact, they were communicating earlier: newspapers were exchanged via the post office in the later eighteenth century

Cotlar Striking recent argument that Common Sense didn't circulate all that widely – nor did the Federalist papers – there was just much less of a national political culture in the 1770s through to the 90s.

Gillen – where does Washington fit in – turns down the possibility of a military dictatorship. In Ireland, esp in Derry, Washington figures very largely: seen as having saved republic, didn't become a Robespierre

Robertson – Jackson was sometimes seen as a new Washington

Innes – can we go back to the issue of changing state constitutions and why that happened?

Einhorn – western states needed to have constitutions to be admitted as states into the Union – so there were conventions to establish them; this inspires eastern states also to revisit their constitutions

Foner – that's mainly in the 1820s and 30s – and do get a language of democracy prominent, orchestrated around the right to vote and around the protection of property. In the 1840s depression precipitates a lot of state bankruptcies, so there's an attempt to change the constitutions and to limit the powers of the states. At these state constitutional conventions you then get restrictions on voting in the form of the exclusion of blacks and the under-representation of the cities to keep out immigrants.

Posada – to what extent do those who are excluded think they can resort to rebellion or violence? In Latin America, revolts are often prompted by failure at the ballot box.

Foner – the discourse of the excluded is also a democratic discourse; they argue eg no taxation without representation.

Robertson, there is however an enduring notion of the right to rebel, manifest in the 1848 Rhode Ireland rebellion **Ratcliffe** :Rhode Island had the most ancient suffrage of the states, dating back to the 1660s – it is the one state that had industrialised before it had expanded dramatically the franchise – so it's the one place in which there is an industrial working class that doesn't have the right to vote.

Foner blacks were given the right to vote as punishment to the rebels.

Edwards – nullifiers did see some reason to fear practice of democracy; worried about how to control a constitutional convention. Indeed, in the convention some did challenge the nullifiers and criticised malapportionment.

Goodrich asked – who were the excluded in the cities

Answers: esp Irish immigrants; partly a class issue, also Catholics.

Foner – there was a widespread lack of trust in urban populations. The idea of the mob – and the threat of the mob (we'll be like Paris!) drives apportionment and that means that there is a systematic under-representation of the cities.

Ratcliffe asked – is this just in the south

Answers: no, more general, eg NY, Mass.

Ratcliffe – how far was the potential of bicameralism exploited: were senates used to check lower houses?

Einhorn – in the north, New Hampshire was the only state that continued to apportion the state senate so as to represent property

Foner – also debates in the south about whether to use the 3/5 rule, or what.

Philp asked was there a cross-party consensus in favour of this system?

Foner – there was a party basis; increasingly democrats controlled the cities; led NY state legislature to put its own alternative police into NYC

Edwards – in the south not only a matter of urban/rural tensions, but also of rural geography. Wealth tended to be concentrated in the east; capital cities were put in the middle of states so as to stand between regions.

Einhorn – different again in inland states; Tennessee eg the other way round.

Posada asked – how important are wars in the process of democratisation?

Bensimon added – is democracy used as a justification for war?

Foner – in fact operated to limit war aims. Question in the case of the war with Mexico to what extent it should lead to conquest and absorption – in fact a lot of rhetoric saw Mexicans as not fit for democracy.

Robertson 1803 Louisiana purchase raised similar worries because meant absorbing Catholics; thought to be tainted by Bonapartism from French revolution; this worried federalists. Also worries about race.

Ratcliffe – American expansion was a very divisive policy – Democrats pro.

Foner: they used the language of freedom and the idea that it was bring freedom to the states that were absorbed into the union (ignoring native claims).

Session V Theories

Philp introduction – a variety of theories existed to explain what was happening in America

1. Many thought there would inevitably be a rise of aristocracy in America – as an essentially simple original democracy became more complex and more like mixed government
2. Though commercial society could be seen to give positive support for a society of manners and culture, there was a strong line of thinking, echoing Ferguson, according to which commercial republics would become corrupt and lose their liberty
3. three basic models of the course of history could be invoked one involving a process of falling from a relatively pure natural state; a second, cyclical model of the rise and fall of states; a third emerging model foretold progress – Paine saw America as the last resting place of liberty (in Commonsense) but by the time he wrote the Rights of Man he saw it as having the capacity to regenerate liberty on a world wide basis.
4. Tocqueville – took the equalisation of condition to be a providential fact – but by 1840 thought that the inequalities of wealth might lead to the formation of a new aristocracy.

We need some sense of how Americans understood their own trajectory and what part they attributed to democratic institutions in themselves, as opposed to other forces – how important in people's narratives, for example, were a narrative of liberty, of equality, of landholding democracy, or of commercial society.

We also need some sense of how the American experience was understood to relate to the European experience – how far was there a sense of American exceptionalism – how far was the European world itself understood to be changing; were events in Europe seen as significant to America? And what part do Europeans play in Americans understanding of their own position in the world – the travellers – like Tocqueville and others, the utopians like Owen, the radical emigrants like Lee and Cooper. And what was the European picture of America – a state of nature – or something with its own trajectory and set of principles and opportunities.

Cotlar – in the 1790s there was a triangulation, Britain and France being seen as alternative models. The funding system was central to American perceptions of what Britain stood for. But this quickly dissolved, and Jefferson's admiration for the French was written out.

Robertson – Jefferson was one of the more sophisticated of contemporary observers. He always feared cities.

Edwards – noted the interest in writing histories and collecting documents, at state level. European writings provided models for histories. In North Carolina, historians

strove to tell the local story on the model of the rise and fall of the Roman empire. Such interests developed early; correspondence networks grew up around them.
Einhorn – similarly there were state level documentary collections.

Robertson – thinks the Founders were resigned to inevitable corruption; optimism came later

Philp – Paine's Rights of Man part 2 however already seems optimistic

Foner – agrees there was more optimism in the nineteenth century, though there was always a dissenting tradition too, in which it was supposed that democracy would not be sufficient to cope with inequality. See in this vein Thomas Skidmore, The Rights of Man to Property, urging the need to address economic issues. Henry George in the 1880s had something interesting to say about why democracy isn't enough; his Progress and Poverty was the second biggest best seller after Uncle Tom's Cabin. George talked about the Europeanisation of America; still operating with tropes of aristocracy and inequality.

Dillinger – the self-congratulatory mode can however be found even in colonial sermons; Massachusetts, eg, was hailed as better than England.

Einhorn – proposed the novel as an alternative form of American self-exploration. Melville was concerned with the contradictions of American society: slavery, commercial society and hucksterism. In Billy Budd, it is shown that following the law can entail acting unjustly: implications for slavery.

Robertson – Hawthorne told a story of moral rot

Edwards - the histories she was talking about were often written by lawyers. They wrote in effect about the origins of the present. This was a way of thinking about the professionalisation of law. She wondered about the role of Blackstone in American thought. He was very widely read by American lawyers; his writing encouraged thinking in large abstractions. She wondered if one key to the fascination with Blackstone has to do with commercial society, importance of understanding property

Cotlar - has found critics of Blackstone react against his idea that one shouldn't enquire into the murky origins of property – they ask why not?

Drolet remarked that it was interesting Bentham was not picked up on

Philp observed that he did correspond with Madison

Einhorn – there were big debates in the 1840s about whether to abolish the common law and instead go for codification; thus in NY as early as 1826. Originally such proposals were aimed against lawyers: the argument was that the law was overcomplicated. But of course codification as a project could only be carried forwards by lawyers.

Innes asked what histories of Britain or Europe were read

Smith – there was popular knowledge of certain key moments in British history: Magna Charta; the Glorious Revolution. The civil wars of the seventeenth century were much cited in political debate; not much work has been done on this.

Foner – when there was a coup in Louisiana, the papers likened it to Pride's Purge; it was assumed readers would know about this

Ratcliffe -- he once scanned booksellers' lists. A lot of history was being sold.

Cotlar – children were given books of famous orations; perhaps people learnt some history by this means.

Goodrich asked about the role of history in education

Foner said he thought lives of Washington were the most ubiquitous. Anti-Catholicism was also a key historical theme: democracy was thought to require Protestantism. England was seen to have saved the world from popery.

Cotlar – in evangelical narratives, America was the chosen nation

Foner – questions of progress or declension were much debated at the onset of the Civil War. Lincoln wrote a speech full of footnotes about the views of the Founding Fathers on slavery, arguing that they wanted to get rid of it. It was suggested that America had set an example of self-government to the whole world, but now was going wrong.

Edwards – it was argued that the preservation of past documents could provide a safeguard against losing the way

Posada – Sarmiento's key work, *Facundo*, was translated into English. He said that Argentina needed its own Tocqueville. He thought that US experience demonstrated three things: that one should avoid cattle ranching; that it was important to attract good migrants – not from the south of Spain, but instead from Italy; also that South America was dogged by remnants of its colonial past. Another Argentine theorist, Alberdi, wrote the 1853 constitution. He thinks these men attached less importance to democratic institutions than to social arrangements.

He asked about the impact of Tocqueville on American thought

Foner – not much in nineteenth century

Ratcliffe – some good review journals did notice the book

Cotlar – Oliver Zunz has explored this issue in the Cambridge *Companion to Tocqueville*, says little impact

Foner Bryce was more widely read by reforming types

Bensimon – asked what there was in the way of political theory in the southern states

Foner – Calhoun saw the need to theorise the place of slavery in a democratic society. Said that anti-slavery feeling was likely to arise; raised question of place of minority sentiment in a democratic society. Fitzhugh, by contrast, he thinks was a crank, not taken seriously. Calhoun thought inevitable the diffusion of demands for the rights of slaves and women. Thought slavery and the family were alike threatened with destruction. Problem was one of preserving corporate institutions in an individualistic world.

Cotlar other southern thinkers equally developed this theme of corporate institutions under threat in an individualistic world, undermining of hierarchy: thus John Adams

Edwards – different groups mobilised this rhetoric at different moments. The sons of people who talked about rights themselves talked about hierarchy, reinventing a past to suit their own needs.

Foner - the defense of feudalism was only found in the old south. The more common defence of slavery was that it was compatible with democracy: bound up with rights of property. Wrong to take a man's property without his consent.

Bensimon; what of manifest destiny?

Foner: Jefferson believed in an 'empire of liberty': new lands should in due course be admitted as equal states

Robertson: Jefferson wasn't uncomfortable about admitting Latinos, but drew the line at blacks. He thought even Indians could be absorbed: the right method was to marry them.

Edwards – needs to be stressed though that slavery is a class as well as a race issue: slaves are the labourers of the south

Cotlar – white children were taught the speech of a dying Indian: and to admire his pride

Foner – some sense have mistreated Indians after the fact

Einhorn – but not on the frontier; people in the west tell Easterners not to complain so much when they did the same thing themselves

Ratcliffe - 1820s, debates about whether to give Indians territories in the west; decided not to because then might in due course have to recognise their rights, assimilate them to the union

Edwards – an issue not just of race but of resources

Foner – Whigs critical of Indian removal; not so keen on westward expansion to begin with

Ratcliffe – at issue were competing visions of the economic basis of democracy

Innes – all this sounds like an ‘ecological’ interpretation of American democracy: the project of specific environmental conditions. What of 1848 in this context: how was pressure for democracy in Europe interpreted?

Posada on the basis of work on this topic in Latin America, it’s been argued that in Chile and Colombia there was a great deal of interest; in Argentina, by contrast, this was still the Rosas era; Mexico was preoccupied by war with the US. In Chile and Colombia, discussion was about whether larger tides were also affecting Latin America. The 1840s was a period of reform: slavery was finally abolished (except in Brazil and Cuba); universal male suffrage was adopted, without ethnic limits, in Mexico, Argentina, Venezuela and Colombia; in the 1860s also in Peru. The politics of the streets had some impact on these developments: democratic societies were formed in Argentina, sponsored by liberals, but conservatives sponsored their own societies. This is discussed in a book edited by Guy Thompson, which also includes a chapter on the impact of 1848 on the US. If Latin America was relatively early in giving complete manhood suffrage, it was however late in giving female suffrage – Ecuador the first to grant this, in 1929. Sarmiento has played a part in erasing this story, substituting the story of the caudillo. Seymour Page in *How the World Votes*, 1917, included Latin America. Bryce also visited Latin America, but wrote about it in quite a racist way. As to who benefited from manhood suffrage: in Colombia in 1853 the effect was to bring victory to conservatives; some liberals had opposed, but others supported the development. By the 1880s, conservatives tended to favour, liberals opposed. In Chile in the 1870s it was the landowners who wanted universal suffrage. There are some European parallels.

Foner – similar doubts about democracy were expressed by American liberals, the so-called Mugwumps, in the later nineteenth century: a transatlantic discourse. A small but influential group. Francis Parkman said that no one of intelligence in the US believes in universal suffrage.

Smith – there was a great deal of press attention to the 1848 revolutions in the US. Reporting was generally very positive. He wasn’t sure that what was happening was generally represented in terms of democracy however: more prominent were concepts of republic, constitution and self-government.

Foner – partisan connotations of ‘democrat’ in the US meant that if you weren’t a democrat yourself you’d be inclined to look for another word.

Smith – Greeley wrote an article contrasting French with American democrats: noted Americans demagogic, pro-slavery; French more liberal, preoccupied with constitutional forms.

Einhorn – doesn't Bender turn the story around, suggesting that the Americans pick up romantic nationalism from the European revolutions? Indeed, he suggests that this plays a part in causing the civil war, though she's sceptical about that. If anything, American nationalism is stimulated by the sight of the French moving in on Mexico to collect debts.

Posada – Latin American experience is that 1848 affects ideas about democratic behaviour: stimulates more willingness to turn out on the streets. This helps to resolve the Colombian presidential election.

Smith – in the 1840s and 50s the reputation of American democracy was tarnished in Britain by Pennsylvania's repudiation of the debt. [In fact, a number of states repudiated debts in that decade, but Pennsylvania's seems to have shocked London most, perhaps because the level of investment was highest]

Cotlar – Polish and Greek rebellions attracted attention. It would be interesting to contrast the US response to European and South American revolutions.

Gillen asked whether the French 'social republic' didn't affect ideas of democracy?

Robertson – this was when Americans began to attack what they call 'red republicans'.

Foner and Smith however agreed that the American press didn't make much of the social aspects of the European revolutions

Robertson – it was conservative Democrats who picked up on the 'red republican' theme

Cotlar noted that Greeley's foreign correspondent was Karl Marx

Foner – Greeley is scarcely typical; once a Fourierist socialist; also a Whig

Einhorn – more Whigs were interested in utopian communities than Democrats

Smith – one can already find in this period a pre-Hartzian view that American experience was shaped by the absence of feudalism – though, in response to a question, said he thought they didn't in fact talk about 'feudalism' in this context but aristocracy

Robertson – interesting that Parkman and Prescott wrote other peoples' history – but focussed on western hemisphere

Session VI

Omitted topics

Innes suggested that two topics that hadn't been discussed so far merited some attention: violence in response to political frustration (Smith had suggested that more might have been said about this) and women and arguments about their inclusion or exclusion

Violence;

Smith – what he thought deserved more attention was rioting and mob action, and how legitimate they were regarded as being in this period. He thinks its legitimacy continued to be contested throughout this period.

Posada – also worth discussing further: whether a right to rebel is recognised
Foner – in the 1860s, the NYC draft riots helped to turn people against democracy
Edwards – noted that the weakness of the police made the question of what was a mob and what collective justice obscure; only with the development of more effective policing did illicit violence stand out more clearly as such
Smith – antiabolitionist mobs one of the more common forms of mobbing. Democratic newspapers defended this as an extension of free speech.
Einhorn – Noted that there are also abolitionist mobs, who try to rescue slaves.
Foner – post reconstruction mobs attacked black voters; Mississippi justifies withdrawing the vote from blacks in terms of avoiding violence

Einhorn - rough culture around elections very relevant to a discussion of women's suffrage

Ratcliffe - shift from voice elections to ballot box; by 1790s most NE states have a ballot box

Robertson -- politics the main cause of duels 1800-1820

Posada - why didn't violence discredit elections? Chile had three civil conflicts in the nineteenth century; all coincided with electoral campaigns; Colombia, similar; Mexico, 1828 and again Mexican revolution

Foner – it was the refusal to accept the result of an election that led to the American civil war

Innes asked if there was a mechanism for resolving contested elections

Answer yes, by legislature, as in Britain

Robertson – some political action is conceived in terms of military metaphors: thus campaign, ballot

Posada – attitude to political violence may depend on relative evaluation of stability and democracy; in Colombia, civil wars were seen as purifying

Cotlar - not more concern with rowdy elections because they just represented a dramatic version of the kind of thing that happens when men get together in public

Women:

Foner – arguments for women's suffrage emphasised equality more than democracy; emerged from abolitionist movement. Appeal to Declaration of Independence, rewritten as Seneca Falls Declaration. After that, another language used was that of women's uniquely civilising influence

Robertson – reasons why women did briefly get the vote in New Jersey: seems to have arisen out of their participation in the revolution; NJ had been stomped on by both sides

Edwards – in fact, women did play various kinds of role in urban government; it was the women's suffrage movement which made the vote the key issue

Innes asked whether women were asked to take oaths of allegiance

Foner – yes, during and after the revolution, and again after the civil war women had to take oaths. Women also appeared at rallies, wore political cockades; played organisational roles in supporting campaigns; turned up to hear speeches. Note also the role of women as in effect salonnières of the boarding houses where congressmen lived. Women were also involved in temperance and education – but those were movements which didn't use the language of rights.

Edwards – not all women were affected by ideas of decorous behaviour; similarly, notions of public and private weren't universally shared. Houses were not always thought of as 'private' spaces, nor were economic relations always conceived as private.

Robertson – there were however shifts in ideas of civility. After the war of 1812, there were attempts to impose limits on women's role in the name of civility. They were assigned political roles that accorded with this, eg as hostesses at social functions in which members of both parties would socialise.

Einhorn – mass abolitionist petitions were heavily signed by women

Innes asked how signatures were collected

Answer thought to be that they were taken from door to door

Innes asked if there were any debates about the legitimacy of women's petitioning?

Einhorn – the Gag rule was a response to abolitionist petitions, insisted on by southerners; 1836-44 Congress passed a rule saying that abolitionist petitions should simply be laid on the table without being read

Edwards – women weren't only associated with abolitionist politics; many also identified with Whig or conservative positions. Most women's petitions were private petitions concerning themselves or their families. Thus, during the Civil War there was much petitioning of government in a family connection

Robertson – ultimately the adoption of women's suffrage was motivated by the desire to dilute the votes of immigrants; black women were excluded

Looking ahead to our planned conference

Posada suggested that the first generation should stretch down to 1814, to include early Latin American revolutions

It was suggested that we should include some people who've tried to do transnational analyses: eg Thomas Bender, Daniel Rogers, James Kloppenburg

Also Sean Wilentz

Foner suggested two Columbia doctoral students: Michael Zakim, Ready made democracy – on material culture; Nathaniel Pearl-Rosenthal, working on letters exchanged between French, Dutch and American radicals

It was suggested that it would be good to include Chris Bayly, David Bell

It was observed that 3-5 July 09 there would be a major international Lincoln conference in Oxford.

A planned conference between Oxford and the University of Virginia will include two papers on the impact of 1848.