THE BEGINNINGS OF NATIONAL POLITICS

An Interpretive History of the Continental Congress

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For my parents

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TO Bernard Bailyn I owe not only my conversion to the study of early American history but the intellectual excitement of working with a teacher whose standards, expectations, and example have constantly stimulated my own efforts. I am equally grateful to Wallace MacCaffrey for first instructing me in the responsibilities of scholarship and teaching. Pauline Maier's early and continuing interest in my work has meant much more to me than she has probably realized. More recently Richard D. Brown, Ronald P. Formisano, Michael Kammen, William Stinchcombe, Clarence Ver Steeg, Stephen S. Webb, and my Colgate colleague Harry Payne have all offered useful advice and, what is perhaps more important, encouragement. Jane Garrett's patience and confidence and Ellen G. Mastromonaco's assistance were also deeply appreciated.

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I have dedicated this book to my parents, both of whom contributed directly to its making. From my father I learned that the study of American politics begins with an attempt to understand the distinctive attitudes of American politicians. My mother, a woman of remarkable energy, spent the better part of a summer typing the original version of this book. But those were hardly their most important contributions. My wife, Helen, gave up a promising career as my research "partner" to pursue her own profession, but without her support, patience, and occasional exercise of discipline, this book could not have been written. Our son, Robert, was content to lie on the floor of my study while I was revising the chapters on the late 1770's, but by the early 1780's he was struggling to get at the typewriter. Perhaps he was trying to save me from whatever errors I have missed, which of course are my responsibility alone.

—J.N.R.

Preface

TWO momentous meetings at Philadelphia frame the subject of this book: the First Continental Congress of 1774 and the Constitutional Convention of 1787. Few contemporaries would have been greatly surprised had either meeting ended in failure or had the union that the Congress embodied dissolved at any of several critical points in between. Nor were the members of Congress ever able to ignore the precarious foundation of their authority. The creation of an effective national government was thus one of the most difficult and persistent tasks that the Revolutionaries confronted, and it was a problem whose dimensions seemed to change with the course of events. In the early years of the Revolution, union depended largely on the delegates' ability to frame a broadly acceptable strategy of resistance. By the late 1770's and early 1780's, it meant devising expedients to sustain a tottering war effort and the morale of a tired populace. After independence was secured, the continued existence of a federal union came to require a thorough and incisive reexamination of the major principles of American republicanism.

Seen from this perspective, the history of the Continental Congress poses two major problems. One requires asking, quite simply, how Congress first acquired and then sought to maintain its authority. What assumptions, considerations, and conditions shaped the exercise of congressional power during each of the major phases of its existence? Because the authority of Congress ultimately rested on the success of its measures, this question

leads naturally toward an analysis of why certain policies were adopted and how decisions were reached. The second major problem involves asking how members of Congress and other American leaders attempted to resolve the difficult theoretical questions that inevitably arose in the course of creating a federal system of government. What was the original American understanding of the nature of federalism, and how was it affected by the experience of managing a revolution? These are the questions this book attempts to answer.

Modern historians of the Congress have approached these problems by emphasizing the factional character of its politics and the ideological differences that distinguished rival groups of delegates.* In the writings of Merrill Jensen, these divisions seem comparatively simple. Jensen describes a clear and persistent conflict between radicals and conservatives, the former favoring independence and the creation of sovereign republican governments in the states, the latter initially desiring reconciliation with Britain and, when that failed, working for the establishment of a strong national government capable of preserving their élite status and property. The radicals prevailed in 1776 and 1777, with the drafting of the Declaration of Independence and its constitutional equivalent, the Articles of Confederation. But the conservatives, after an energetic but unsuccessful resurgence in the early 1780's, finally secured a decisive advantage with the calling of the Constitutional Convention.† Jensen's general argument

*An important exception is, of course, Edmund C. Burnett, whose eight-volume edition of *Letters of Members of the Continental Congress* (Washington, D.C., 1921–36) provided the foundation for modern scholarship on the Congress. Despite its shortcomings, Burnett's *Letters* was a marvelous work of historical editing. His own history of *The Continental Congress* (New York, 1941) is, however, disappointing; though perhaps definitive as a narrative, it avoids interpretation and analysis and thus has had little appreciable effect on historical scholarship. A new and greatly expanded edition of the delegates' correspondence is now being published under the auspices of the Library of Congress—Paul H. Smith, *et al.*, eds., *Letters of Delegates to Congress, 1774–1789* (Washington, D.C., 1976–).

†This interpretation is most forcibly expressed in Jensen's two books, *The Articles of Confederation: An Interpretation of the Social-Constitutional History of the American Revolution, 1774–1781* (Madison, Wisc., 1941), and *The New Nation: A History of the United States During the Confederation, 1781–1789* (New York, 1950).

has been further developed by E. James Ferguson in his definitive study of Revolutionary finance.*

H. James Henderson has recently offered a more complex interpretation of congressional partisanship, based in large measure on the methods of roll-call analysis. Henderson argues that recognizable factions existed throughout the history of Congress, and that sectional differences were the most important source of division. An equally distinctive feature of Henderson's interpretation, however, is that it explains these conflicts in ideological terms. Disagreements over policies and institutions thus reflected the divergent meanings and goals that different groups found in the Revolution itself.† It is in this sense that Henderson's analysis can be compared to the work of Jensen and his students. For while the two interpretations differ in their treatment of the dynamics of faction, they see policymaking within Congress in similar terms. Coherent factions were vying for power—indeed for control of the Revolution—and the specific decisions that Congress reached reflected their respective strengths at particular points.

Because it conforms to modern conceptions of political behavior, such an approach may at first seem attractive in its realism; whether it accurately describes how Congress actually reached decisions is, however, another question. Without denying that significant divisions often did exist within Congress, this book offers a different interpretation of its politics. It argues that major decisions of Congress owed much less to partisan conflict than other historians have concluded. Other considerations usu-

*E. James Ferguson, *The Power of the Purse: A History of American Public Finance, 1776–1790* (Chapel Hill, N.C., 1961).

†H. James Henderson, *Party Politics in the Continental Congress* (New York, 1974). Henderson's use of the concept of ideology is critical to his argument that congressional voting blocs were not merely clusters of like-minded men but cohesive legislative parties. For reasons that will become clear in the text, I remain unconvinced that these voting blocs constituted legislative parties in any meaningful sense of the term. My understanding of this question has been sharpened by Ronald P. Formisano's critique of recent literature on the first American party system: "Deferential-Participant Politics: The Early Republic's Political Culture, 1789–1840," *American Political Science Review,* 68 (1974), 473–87; and see also Jack R. Pole's review of Jackson T. Main, *Political Parties Before the Constitution* (Chapel Hill, N.C., 1973), in the *American Historical Review,* 78 (1973), 1527.

ally proved more important: the extent to which external events limited available alternatives, the delegates' shared assumptions about the requirements of resistance, and their sensitivity to the preservation of Congress's authority. A realistic analysis of congressional politics must begin, I would argue, by reconstructing what courses of action the delegates actually perceived were available to them. I have therefore sought to be faithful to the flow of events, to ask what was proposed and when, to delineate what was actually at stake in specific decisions, and to avoid (or at least minimize) the use of key words—radical, conservative, nationalist, parochialist—that characterize positions without accurately describing them. To view the situation of Congress from this perspective is to recognize that American leaders encountered a series of perplexing and difficult problems, rooted in the distinctive character of the Revolution and the dislocations it produced. Novel issues, intractable problems, unattractive options, partial solutions: these were the usual determinants of Revolutionary policymaking, as the Handlins argued long ago.*

This conception of the character of congressional politics also has important implications for our understanding of the Articles of Confederation and of the ambitions of the delegates themselves. This book supports what is sometimes called the "nationalist" interpretation of the origins of American union. It argues that the framers of the Articles intended to vest certain sovereign powers in Congress and to subordinate the states to its decisions. But more important, it also attempts to treat the development of early federalist thinking historically: to show, that is, that the problem of federalism was at first not carefully examined, that basic issues were neither clearly posed nor well understood, and that pragmatic considerations continually impeded the progress of constitutional thought. An understanding of the burdensome and even tedious aspects of running a revolutionary war raises similar questions about the delegates' ambitions and political motives. These men were not professional politicians in

*Oscar and Mary F. Handlin, "Radicals and Conservatives in New England After Independence," *New England Quarterly*, 17 (1944), 343–55, and "Revolutionary Economic Policy in Massachusetts," *William and Mary Quarterly*, 3d ser., 4 (1947), 3–26. The implications of the Handlins' work extend, of course, beyond Massachusetts. For an equally incisive discussion of the problem of characterizing positions as radical or conservative, see Cecilia Kenyon, "Republicanism and Radicalism in the American Revolution," *ibid.*, 19 (1962), 153–82.

the modern sense of the term, and not surprisingly, few of them found attendance at Congress either enjoyable or rewarding. Most were anxious to return home as soon as they respectably could. An examination of their complaints, attitudes, and careers suggests that—at least at this level of politics—few delegates consciously saw themselves competing for power or struggling to control the Revolution.

To clarify the major lines of interpretation, this book is divided into four parts. Part One examines the strategy of opposition to Great Britain as it developed between the early 1770's, when a few American leaders began to think about the idea of an intercolonial congress, and the ratification of the French alliance in 1778. The events of these years require careful examination because they defined the major assumptions and lessons that governed the conduct of national politics. Part Two traces the framing of the Articles of Confederation and describes the problems and conditions that shaped congressional administration of the war before the Articles were ratified in 1781. Part Three examines the crises that marked the final years of the war, when partisan animosities, major issues of foreign policy, and the specter of a financial and logistical catastrophe first called into question the apparent lessons of the mid-1770's. Finally, Part Four reviews the progressive deterioration of congressional authority after 1783 and traces the evolving strategy of reform that led to the Constitutional Convention of 1787. The book ends with an explanation of the conditions that enabled the Convention to transcend the limited and static boundaries within which previous discussions of the problems of union had been confined, and thus to transform the entire structure and character of national politics. To go further—to analyze the Convention's deliberations, the ratification debates of 1787–88, and the politics of the First Congress—would require a second volume.

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Part One

RESISTANCE AND REVOLUTION