JOHN DICKINSON AS PRESIDENT
OF PENNSYLVANIA

By J. H. Powell*

JOHN DICKINSON is a literary figure, in our estimation of him. After two centuries, it is his writings which count with us, his Farmer's Letters, his Late Regulations Considered, his Address to Barbados, his Letters of Fabius—those spirited, incisive writings, at once tough and learned, appealing to the widest audience, yet still based on the longest history and Dickinson's deep knowledge of the Common Law, the British Constitution, the classical literature of liberty. There was a time—it came in the late sixties—when Dickinson spoke with authority for Americans, more authority for a brief moment in the Revolutionary movement, than any other single writer. This moment gives him his place in history.

But this moment gives the biographer a serious difficulty. No one has ever discovered a convincing or interesting way to write a book about a man writing a book. Constantly, the impulse comes to the biographer to say to the reader, will you please take time out from these pages now and go and read the Farmer's Letters, instead of making me tell you about them. Rather have Dickinson firsthand than through the critical eye. A man sitting at his desk, scratching away with a quill, is scarcely a subject for brisk portrayal.

Scarcely a subject for balanced portrayal, either. Though Dickinson's writings are what make his career significant to us, to him they were but episodes in a busy partisan life, episodes crowded into candle-lit nights and quiet moments snatched from bewilderingly active days, literary episodes always designed to contribute to political ends of the moment, which were of the first importance to him, but scarcely matter to us now. A book on Dickinson's writings would tell but the barest fraction of the story of his life, for he was a busy lawyer, and a contentious political

*J. H. Powell, author and historian, is currently engaged on a biography of John Dickinson. This paper was read at a meeting of the Pennsylvania Historical Association at Bucknell University, October 15, 1960.
activist. Yet it is distressingly true that the details of his political career are, for want of clear records and decisive evidence, often vague and will always remain dim, particularly at those critical passages when we most wish them to present themselves with undoubted clarity and sharpest outline.

The hardest problem the biographer confronts is the lack of material for the years of Dickinson's greatest political triumph—the years 1774-1775—when he appears to have dominated the Congress and won support for a well-developed program of calculated resistance to the ministerial measures, and the lack of material for the years of his complete and thorough political defeat, which were the years following July, 1776, a period of defeat not brought to an end until his election as President of the Supreme Executive Council of Pennsylvania at the age of fifty, in 1782.

I think we shall never know fully, unless more records turn up, the exact content of his program and the story of his political maneuvers in the second Congress. One must reconstruct these, from suggestions and intimations in the letters of Congressmen, and the public acts. I know we shall never be able fully to document Dickinson's career after Independence, to the time when the war was reaching its end, 1776-1781. Though for his life, we actually have more manuscript survivals than for any other single figure of the Revolutionary period, in point of volume, it is nevertheless true that we lose him completely for months at a time during the years of the war, and I think these gaps will never be filled.

Dickinson, himself, gave these years the tone and character almost of a Grecian tragedy. It is startling, when one has been dealing with a man who, for the first forty-four years of his life (1776), is characterized by an elegant calmness, an aloofness, a reserve, and self-possessed dignity, to find him suddenly pouring out in his letters from his forty-fourth to his forty-ninth year the most abject and unattractive self-pity, indulging in elaborate suffering, and bleeding from wounds one has not seen inflicted.

That certainly is what Dickinson did. His letters immediately after Independence are painful to read. They need not have been. He knew the stand he took would be unpopular, and one wishes he had been willing to endure with poise the consequences he certainly expected would follow. Yet to Charles Thomson, and probably to numerous others, he complained that the people had
deserted him, the people showed him no gratitude, the people had no proper sense of what he had done for them. And he left Pennsylvania rather than endure his fall. Three times during the war years he disappeared into what one who tries to follow him comes to regard as the vast silences and emptiness of Kent County, Delaware.

Now, such facts as we know do not justify Dickinson’s extravagant sense of abuse, or his conviction that his supporters had deserted him. So I conclude, there must be facts we do not know. Dickinson was capable of emotional disturbances of course, as any man is. But he was not by nature overly dramatic, and I think we must in good conscience give him credit—at least partial credit—for suffering in reason, not in unreason.

Something happened, in the American Revolution, which is not in the record. We must look for it in two areas: in discovering first exactly what it was that went down to defeat, in July 1776, when Dickinson lost the fight against Independence and marched off to Jersey as colonel of his regiment; and second, exactly what took the place of the Dickinson program after Adams and the hot, violent men had defeated him in Congress.

Plainly, the events that so affected Dickinson were not what occurred in Congress, but rather what occurred in Pennsylvania. The defeat in Congress, in a way not entirely clear as yet, though Professor Selsam spelled it out as carefully as the records permitted, resulted in a defeat in Pennsylvania, and the adoption of the state constitution of 1776 defeated decisively and completely the complex political program which Dickinson had originally formulated, and steadily advocated—and steadily built an organization something like a political party to advocate and administer. This defeat was so devastating to him, and in his view so personal, that I think ultimately it will emerge that certain key Pennsylvania political figures on whose support he had counted, defected from his leadership, after his defeat in Congress on Independence, and by their silence or by their joining the popular constitutionalist movement, assisted the victory of those who proposed and promulgated the new constitution, and dealt John Dickinson his unendurable defeat.

I do not know this to be so; I am guessing at it. And I do not know who the men were. I think one of them was Thomas McKean,
who accepted the Chief Justiceship of Pennsylvania in 1777. But that is an inference, not an assertion. I make inferences and guesses because I must find reasons to explain the curious and not very attractive spectacle of his sulking like a disgruntled Achilles in his tent in North Jersey—that will explain, too, his calculated disappearances into Delaware, his resignation from his commission as colonel, his serving as a private soldier in Delaware militia units as a sort of self-justifying humiliation—that will explain as well the very real episodes of persecution which the constitutionalists in Philadelphia visited upon him during the worst passages of the war.

There is a dramatic value in this part of Dickinson's life. Indeed, it is what gives his biography a plot, and a quality of human interest unique among the leaders of our Revolution. Dickinson, having been the most forward of our earliest leaders, went much farther toward building a national program than has ever been realized, and then saw that program go down to ignominious defeat, on the single and not very relevant issue of independence. After six years of what he, certainly, considered disgrace, repudiation, and banishment from leadership, he returned to the positions of power. I wish I could say he returned triumphantly; he did not. But at least he had the satisfaction, ultimately, of seeing his original program of 1774 approximated in the federal constitution of 1787, which he did so much to shape; and he closed his life as a Jeffersonian Republican, exploring the ways in which that new federal constitution could be made an instrument of liberty as well as an instrument for the control of liberty.

It was his election to the Pennsylvania presidency which ended the years of defeat. That election, unexpected and quick, rather too suddenly presented Dickinson with the best opportunity, he thought, for vindication of his personal career, purging his personal rejection, and gave a vindication too of his political program. He must have thought so, for to accept it he abandoned his respectable office as president of the Delaware state, in which he had begun to attract national attention as a reform governor, a strong-government man, and which he might have used as a springboard to national office, had he cared to. He abandoned his supporters in Delaware with what certainly seemed to those supporters to be a cavalier and careless disregard.
In three years as president of Pennsylvania, Dickinson was never able to make the most of his opportunity. The happiness of a clear-cut triumph was denied him, and the chance to stand once more in the public mind as a champion of his well-developed theories of a law-limited, law-regulated liberty somehow persistently eluded him. The story of his presidency is a series of frustrations, and it is a very difficult story to tell.

Since he is a literary figure to us, let us try to tell the story by attending to one of his major literary productions, for here as always in his life action produced literature. It is appropriate to do so, for writing this document is how he himself began his presidency. In 1782, Pennsylvania politics were in the most heated state they had ever been in: tempers of the people were hotly aroused, violence and threats of violence burst out in every county. President Reed was leaving office with the warm affection and good wishes of his constitutionalist supporters, but with the plain detestation of those groups in the city and state who preferred their money sound, their land titles firm, their commerce flourishing. Dickinson was chosen to the Council and the presidency, less as the result of his own efforts, than as the candidate of two large opposition groups in Pennsylvania, opposed to the constitution of 1776, who could unite on no one else, and who were glad to unite on Dickinson because, while he had steadily opposed the constitution from its beginning, he was not actually caught up in the particular rivalries and political conflicts within either group. The steps by which his name was agreed on are not disclosed in the record. Nearly twenty years later, Thomas Rodney wrote that it was he who had been responsible for Dickinson’s elevation. He had called on Robert Morris in 1780, he said, found the financier in genuine distress, suggested consolations of various kinds to him, then advised Morris and other merchants to elect Dickinson to the presidency, and promised “to dress him up to their tastes” in Delaware until the time for the Pennsylvania election. Now I do not believe this story; Thomas Rodney in his letters is not a believable man. But usually somewhere inside the membranes of the fantasies he has left us lies concealed a tiny nucleus of truth. In this case, I think it is true, that certain of the city conservatives and county landed groups had for a long while talked with Dickinson about the possibility of his return, and I think they were
talking to him before he took the Delaware presidency, and that he took that presidency with the view of the Pennsylvania office strong in his mind.

His record in the Delaware presidency was superb, and on the occasion of his induction into the Pennsylvania office one of his warmest supporters could write pleasantly that great joy was diffused among all ranks of the people: the procession from State House to Court House was "very numerous and respectable, and there the people manifested their felicity by affectionate and repeated acclamations." But Dickinson himself was far from happy. Pennsylvania newspapers had published attacks on him all during the election month, more bitter, more pointed and scathing, more abusive, than any political writings American politics had known before. Particularly, "Valerius" had treated him to personal vilification of what today, in our mild way with political etiquette, seems unaccountable savagery. Historians have speculated as to whether or not Valerius was President Joseph Reed. I think it certainly very likely that the pseudonym concealed Joseph Reed somewhere in its classical syllables, and that whatever writers participated in the actual composition, John Armstrong among them, Joseph Reed directed their thoughts and their arguments.

Dickinson might well have ignored the whole campaign, and got on with the business of being president. But the torture of those six years of rejection was more than he could sustain; the Valerius articles provided him with the opportunity of justifying his whole career. He could answer Valerius, and at the same time persuade the people of the reasonableness of the course he had taken in the contest with Great Britain, from the beginning. As a result, citizens of Pennsylvania were treated to the embarrassing spectacle, during December and January, 1782/3, of their governor's making a public defense of his life, in a series of articles published in all the newspapers in the state. It was as near autobiography as Dickinson ever came.

Now, Provost Stillé in his biography of Dickinson has given this series of articles the title of Dickinson's Vindication. It is not a very good title, but it will do for a convenience. The newspapers called it President Dickinson's Address; the title Dickinson himself used was simply this, To My Opponents in the Late Elections. . . .
If you have the Farmer's Letters in mind, with their clear style, terse eloquence, and commanding tone of the authority of reason, or if you recall the neat logic and convincing economic analysis of The Late Regulations, I must warn you that you will find the Vindication a serious disappointment. But for the fact that it helps the biographer with specific descriptions of his activities, and gives us some dates and places we are glad to have, it would have been better had Dickinson never written the Address. Of course, it must be read in context: the newspaper articles it designed to answer were abominable in tone, and they certainly determined the tone of Dickinson's reply. But no man can write at his best on the defensive, or fight at his best when he lets his opponents choose the battle ground. I wish Dickinson had approached the Vindication aggressively, and proudly, and with serene confidence, or never approached it at all. But his was a mind full of involutions and turnings; plainly he thought by this writing he could reassure his friends, disarm his opponents, quiet controversy. Therefore he must defend himself in such a way as to offend no one—an impossible thing to do, a vain hope which emasculated the defense he might truly have made.

Not that the Vindication is entirely lacking in literary merit; it is not. Dickinson as a writer had both a signature and a genius, and both were bound to appear in a 15,000 word document, composed, as he tells us, at nights after the day's work, and written as we can plainly discern with passion and earnestness.

When he reached that point, at the close of his long essay, when he wished to persuade rather than to justify, to lay controversy to rest rather than agitate it further, he made a statement, which ought to be known, I think, for its sincerity and its style, as among the best of his inspirations. He is speaking of what he calls "the true principles of society," which are, he affirms, equal liberty and impartial justice, principles which in a free land permit free people to be happy individually, and to contribute to rendering each other happy. "The influences of these principles descend like the rains and dews of heaven upon the land, and spring forth in a vegetation of blessings, nourishing and cheering the bodies and souls of mortals—or glide thro' it like gentle rivers 'visiting and making glad' our cities, fields, and woods. To these 'living waters' poor and rich have by the patent of nature the same title." Here,
in 1782, is an explicit statement which should be an adequate answer to those who have been puzzled that Dickinson should ultimately be a Jeffersonian; in point of fact, he was always from his beginning in the 1760's a Jeffersonian, though the historians who have written about him have usually not been. "To these 'living waters' poor and rich have by the patent of nature the same title. Let us strive to secure these gifts of our most bountiful creator, against the usual and dangerous invasions of ambition and avarice. Let us guard against those who are out of power and against those who are in power."

And then Dickinson produced a capsule of two paragraphs that represented actually, much more than his pamphlets of the sixties, his matured political reflections:

If there are men, who have such an eagerness for ruling, and at the same time such a left handed method of managing, that they cannot do even a good thing, but in a bad way—who think, that they are ruined, if they cannot run others,—that authority is never well exercised, unless it be exercised by them—that worth is totally despised by their fellow citizens, unless their fellow citizens will tamely submit to be taxed up to a full satisfaction of the overweening craving conceits which they formed of their own merits—these are men who would defeat the hopes of the innocent, and lay waste the labours of the diligent—these are men, who would lord it over the industrious farmers and ingenious tradesmen, the justly celebrated strength and ornament of our commonwealth, and yet would never think themselves enough paid for this lording—these are men, who would break the close, civil relationship between the mercantile interest and the other members of the community, and at an enlightened period, when almost all the rest of the human race are discovering with rapture, and soliciting with ardor, the mild and immense benefits of trade, now become of so much moment to the fate of empires, would check the most useful improvements of commerce, or give it laws that might as well be given to its winds and tides—these are men, who would distract everything, confound the ease, security and welfare of individuals, and pervert all the sacred ends of government to their own selfish ends. If there are such men, let us take care of them.

Let us also take care of every man in office, and keep watchful eyes upon him. We should be better served, if
this vigilance was more general. Let his behaviour be publicly and privately canvassed. It is the tenure of his office; but let this be done with decency, not so much for his sake, as for the sake of ourselves and our country. Let us demonstrate that we mean the common weal, and not the gratification of ill nature. The public is interested in its servants. They may be said to belong to the public. No virtues, no services should exempt them from such scrutinies. It is not only the right, it is the duty of the public to make them. Liberty has been so generally suppressed through the earth by a disuse of this right—by a neglect of this duty; and those who have been guilty of impious presumption and carelessness, have not only debased themselves, as perhaps they deserved, but have also betrayed their posterity. . . .

Five and twenty years ago, I began my walk of public business in Pennsylvania, with asserting and defending this inestimable maxim; and for much the greatest part of those years have practised upon it, by a continued course of faithful and laborious service in the cause of American freedom. . . .

Now these paragraphs, so suggestive to us now of the alert American public man's thinking away from mercantilism and into the doctrines of free trade, thinking away from vested civil service to responsible elected government too, are likely to command a greater approval and interest among us than they did among Dickinson's readers in 1782. For this was not the currency of a newspaper war. It was too remote from the angers of the people—but then Dickinson never in all his life knew what to do with the angers of the people. He knew only what to do with their approval. I do not think Dickinson was ever the master of the instruments of his culture, those newspapers which were reaching a wider readership every year. In the same way, he was for all his brilliance at the bar, never a nisi prius pleader, or a jury lawyer. In his Vindication, he had no hope of taking his readers upward with him.

But he did know the uses of wit, and of style. I know we have little time for style in these serious professional meetings, but I beg you to go with me just a little way to see how the eighteenth century reader could enjoy the Pennsylvania Farmer's signature of style. Of the torrents of reproaches heaped upon him, he wrote: "[they are] reproaches not to be equalled but by those British and
West India invectives, with which some years ago the press laboured against me, for having asserted and maintained your rights and liberties. The worth of the foreign articles has been long since settled; and the value of the home-made manufactures is, I believe, by this time, as well ascertained."

And his pen was reaching the vigor of twenty years before, when he addressed his opponents directly:

Which would you choose, gentlemen, that the power I have should be well used or ill used? The former, to be sure. Then help me. Be my associates—I ask, I entreat your aid—I invite you to give me your advice freely and fully. You can do it, either personally, or by letter. The first will honour me. Either will oblige me. I shall receive it, not only cheerfully, but gratefully. Tell me, what I ought to do, and what to leave undone; and even delineate the most expedient manner of conducting affairs. The best way to promote the interest of the republic, is to prevent my errors; not to arraign them when committed. Don't lie in ambush, to start out upon my frailties when they appear, to whoop and rejoice over them. That would be a miserable amusement indeed! unworthy the abilities and virtues of many among you—I am sensible of my own weakness, and shall be glad to avail myself of those abilities and those virtues, for preventing any disadvantage from it to you or my other fellow citizens.

And finally—this will be the last paragraph I shall read from Dickinson's *Vindication*—he concluded thus:

I will only add upon this point—that, I am acting a very small and a very short part in the drama of human affairs. I wish to do right, and to give satisfaction. The opinions of men are fallible and sometimes unjust. There is one supreme judge who cannot err; and when I endeavour, that my defects may not, for want of integrity, be displeasing in his sight, I would have you gentlemen assuredly to know, that, notwithstanding my sincere desire to please you, I shall little trouble myself how your applauses or your censures are bestowed.

Now I have taken this much time for selections from the *Vindication* to try to give you a taste of those parts of it which
are good, which have the Farmer's genius, and to persuade you that it is a significant episode in his long literary career. But the proper view of the Address must be that it was not successful, and in the most part is a regrettable thing for Dickinson to have attempted.

Valerius and the others had made four principal charges against Dickinson: one, that he had opposed the Declaration of Independence; two, that he disapproved of the constitution of the state; three, that he deserted his battalion when it went into the Continental Line; and fourth, that he publicly injured the credit of continental money by advising his brother in a letter to refuse to accept it.

Of these charges, Dickinson successfully repudiated the third, purging himself of the charge of deserting his battalion. It was a ridiculous charge, and the constitutionalists knew it. In the course of his defense, Dickinson gives us our only knowledge of where he was and what he was doing during his disappearance into Delaware. To the second charge, that he disapproved the constitution of 1776, Dickinson entered a plea of confession and avoidance. It was the right thing for him to do; he advocated revision in an orderly, lawful way, and promised compliance with the constitution while president.

But the first and the last charges, Dickinson handled so ineptly as to make one wonder if his lawyer's instincts had deserted him. Instead of acknowledging that he had opposed independence, and explaining the reasonable and convincing reasons which had persuaded him in 1776, he tried to place his opposition on trivial bases, and to convince his readers that he had actually favored the principles of the Declaration. He had not, and there was no good reason for him to apologize for his point of view. Similarly, he had indeed publicly advised his brother not to take paper money, exactly what any sensible man would have advised him, and in this too he was wrong in trying to seem to have meant the opposite. Unfortunately, His Excellency's Address, in its hollow protestations, aided Valerius rather than answering him, and certainly did Dickinson's cause no good.

Curiously, Dickinson was immensely proud of his public apologia, immensely gratified at what his friends said about it, pleased when James Otis up in Massachusetts emerged from his piteous half-
world long enough to write asking for a copy. But Dickinson’s enthusiasm was that of a writer, in the flush of his composition. To Pennsylvanians, the *Vindication* was far from pleasing. And the *Vindication*, for all Dickinson’s satisfaction with it, was, unfortunately, followed by no striking success or outstanding achievement. As the three years went by, the office of president of Pennsylvania became, for the Farmer striving for conspicuous public justification, not an opportunity but a burden.

No one could have worked harder at his duties than Dickinson, nor more sincerely. And as always in his public positions, he had a program—clear, definite, particular. It was a thorough program of administrative effectiveness, social reform, legal reform, economic progress. He stated its details, developed its principles, urged it in messages and public papers, as he had in Delaware. The program was unexceptionable, his messages were statesmanlike. Among his own papers (which are voluminous for these years) it is plain, from all the interlineations and revisions in his manuscripts, that he worked hardest and most on complex legal problems, particularly in conjunction with his long-time friend, now his political opponent but collaborator in basic reforms in jurisprudence, Chief Justice McKean.

But none of his program was dramatic, or had the glamor of public appeal. The real need of Pennsylvania in these years was for political party organization. The groups which had coalesced sufficiently to elect an anti-constitutionalist Council and Assembly, and Dickinson as president, needed partisan organization and leadership, needed to be fused into a political action organization, with some such machinery as the constitutionalists had. Dickinson was in the best strategic position to furnish this sort of leadership, and it was something he had done effectively twice before in his long public career. This time, he didn’t. I cannot tell why. The reason I cannot tell why is that there are no letters among the political leaders at this time, since they were all in Philadelphia, in daily conversation with each other. It is plain, that all the necessary ingredients of a political party were present, except firm leadership; it is also plain that at the end of two years Dickinson had not been successful in developing those ingredients into a firm organization, such as existed in other states, and when the test came he and his party lost ground in the third election.
Dickinson's last year as president he spent with control of the assembly against him.

In truth, the office of president of the Council was an office of prestige but no independent power; the executive was a plural one, the presidency a presiding office only. Frequently Dickinson's clarity of vision, his way of going immediately to the heart of a matter, made itself felt in the Council. This is particularly true in the knotty difficulties of the Wyoming Valley question, which Dickinson came close to solving. But he could never act except as one member of the Council, and on the most important issues, Wyoming, hard money, the test laws, he could never carry with him even his own supporters in the Council.

For a man impelled to win an unmistakable political success, to crown with explanation and justification all those years of defeat and ostracism, the presidency of Pennsylvania was the wrong office, at the wrong time, and it must be added that as president Dickinson concentrated on the wrong things.

Then, as if to add an unnecessary last act to a drama already played out, an unforeseeable disaster overtook him. The only ambition Dickinson could have had in the presidency was to stand forth for himself and his supporters as the symbol of good government. With the mutiny of the Pennsylvania troops, and the Council's and Dickinson's careful deliberateness in handling the unpaid soldiers, he came to stand forth as the symbol of foolish government. His way of dealing with the mutiny was entirely defensible, probably the best way for a long-run solution. But it did not successfully deal with the constitutionalists, or with the political capital which they could make of the disorders that arose, or that threatened to arise. Because of the anti-Dickinson men, in and out of the Assembly, Congress left Philadelphia for good, and Dickinson was obliged to take the blame for that loss to Pennsylvania's and Philadelphia's prestige—a president who could not maintain good order.

It seems curious, looking back on it now, that a writer who is so often called one of the masters of propaganda of our Revolutionary movement, should have proved so unable, in what was in those years the most prestigious political office in the whole country, to make such propaganda as would dramatize for the people the sensible program of good government he was advocating, and in
a large measure achieving. But the issue did not lie in those years. The trouble in 1776 had been that the particular sort of revolutionary movement John Dickinson had initiated in Pennsylvania, rolled on beyond him at a faster pace, and with other purposes, than he had conceived, or was willing to embrace. The trouble in 1785 was that the momentum of the extremes of revolution had not yet stopped, nor had the pendulum yet returned to that stable mid-point of ordered liberty to which Dickinson always steadfastly adhered. It would—but not until the ratification controversy of 1788 had educated a million Americans in the issues of limited government.

Dickinson’s career was, after all, dedicated to a prescribed and limited government, functioning through the institutions of law and justice. When the ancient institutions no longer served their purpose, what he sought was to supplant them with comparable institutions, yet what that very supplanting unleashed was a movement, not genuinely part of the genius of the American people, to eliminate such institutions all together. Mr. George Bernard Shaw, a lifelong student of revolutions (his own and ones of older vintage) once remarked—and it makes me think of the difference between a career such as Tom Paine’s and the career of Dickinson:

I have had occasion often to point out, that revolutionary movements attract those who are not good enough for established institutions, as well as those who are too good for them.