RETHINKING THE END OF BLACK VOTING RIGHTS IN ANTEBELLUM PENNSYLVANIA: RACIAL ASCRIPTIVISM, PARTISANSHIP AND POLITICAL DEVELOPMENT IN THE KEYSTONE STATE

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I. Introduction: Pennsylvania, the Precursor to *Dred Scott*

The *Herrenvolk* ideology of the white republic reached its apex when the Supreme Court handed down the *Dred Scott* decision in 1857. Chief Justice Roger Taney's opinion rested firmly on two arguments but went on to imply a third. First, Taney asserted that blacks were not citizens under the proper meaning of the Constitution, leaving Dred Scott without redress in an American court of law. Second, he argued that the federal government did not have the power to regulate slavery in the territories, thus rendering the Missouri Compromise of 1820 null and void. Finally and perhaps most bizarrely, Taney intimated that states did not even have the power to abolish slavery, since doing so amounted to a violation of the constitutional right to private property. All of these conclusions flowed from one ostensibly basic question: "The question is simply this," Taney asked. "Can a negro, whose ancestors were imported into this country, and sold as slaves,

become a member of the political community formed and brought into existence by the Constitution of the United States, and as such become entitled to all the rights, and privileges, and immunities, guaranteed by that instrument to the citizen?"[1] Taney responded in the negative: "We think that [blacks] are not, and that they are not included, and were not intended to be included under the word 'citizens' in the Constitution, and can therefore claim none of the rights and privileges which that instrument provides for and secures to citizens of the United States."[2] He continued:

> On the contrary, they were at that time considered as a subordinate and inferior class of beings, who had been subjugated by the dominant race, and, whether emancipated or not, remained subject to their authority, and had no rights or privileges but such as those who held the power and the Government might choose to grant them . . . They had for more than a century before been regarded as beings of an inferior order, and altogether unfit to associate with the white race, either in social or political relations; and so far inferior, that they had no rights which the white man was bound to respect."[3]

To render these conclusions about race, citizenship, and the Constitution, Justice Taney claimed to engage in the judicial practice of original intent—that is, he sought to understand the words and the meaning of the Constitution as the framers had intended them some seventy years before. But his method and the findings it uncovered amounted to no more than an act of historical erasure: in his dissent in *Dred Scott,* Justice Curtis reminds us that "as free colored persons were then citizens of at least five States, and so in every sense part of the people of the United States, they were among those for whom and whose posterity the Constitution was ordained and established."[4] The historical record was essentially ignored by Taney because it could not be squared with the construction and perpetuation of a racial belief system, founded on what this essay will describe as racial ascriptivism, which had been on the rise in antebellum America. Put simply, racial ascriptivism adhered to the premise that blacks were inherently inferior to whites and thus could not be assimilated into the larger white polity of the United States. In order to make the case that Dred Scott was not a citizen, Taney first had lay claim to the fact that the United States had *always* been a white man's republic, and that the framers had *never* intended to grant blacks those rights afforded to whites. By the time the *Dred Scott* case made its way to the

Supreme Court for oral arguments in 1854, racial ascriptivism had become firmly embedded as the dominant racial belief system of the country. And with Taney's decision it was inscribed in to the laws of the land.

Taney's decision was not the first time a court in the United States had based its decision on racial ascriptivism. Some twenty years before *Dred Scott*, the Pennsylvania courts were asked to settle two similar cases concerning the question of citizenship for blacks. Whereas in *Dred Scott* the issue turned simply on a man's right to freedom, both of the Pennsylvania cases dealt with the issue of voting rights, and whether or not the Pennsylvania constitution granted blacks that privilege. One originated in 1835 in Luzerne County; the other in Bucks County in 1837. In the former, a black man was denied the right to vote and petitioned the court for redress. In the latter, two Democratic officials sued, claiming that the illegal votes of several dozen blacks tilted the election to their anti-Van Burenite rivals. Ultimately, both cases were decided against the black voters. And in both decisions, the Pennsylvania courts employed the same argument that would form the backbone to Taney's opinion in *Dred Scott* two decades later: blacks were not granted the right to vote in Pennsylvania because they had *never* been considered part of the political compact formed under the Pennsylvania Constitution. It mattered little that blacks had actually been voting in Pennsylvania for nearly half a century. What mattered was that the words "citizen" and "freeman" were never meant to include blacks in the first place. Twenty years before the U.S. Supreme Court determined that the United States was exclusively a white man's republic, the Pennsylvania courts had practiced their own version of historical erasure in coming to the same conclusion about the Keystone state.[5]

The 1830s were marked by heightened racial conflict across much of Pennsylvania as the state found itself both geographically and politically on the front lines of the simmering national battle over slavery and freedom. Philadelphia, more than any of the major cities of the North—more than Boston, Providence, and even New York—quickly became the major focal point. W.E.B. DuBois put it this way in his excellent but somewhat neglected study of blacks in Philadelphia in the late nineteenth century: "Philadelphia was the natural gateway between the North and the South, and for a long time there passed through it a stream of free Negroes and fugitive slaves toward the North, and of recaptured Negroes and kidnapped colored persons toward the South."[6] This stream of black bodies moving back and forth across the Mason-Dixon Line and in and out of the streets of Philadelphia provoked a tension

with a white population comprised by that time of mainly of unskilled immigrants. Throughout the decade, race riots took place with increasing frequency amid a growing backlash against the efforts of the burgeoning abolitionist movement. Philadelphia thus at once became ground zero of the anti-slavery movement and anti-black sentiment. The first riot took place in late 1829 after Fanny Wright Darusmont had given a number of addresses advocating the emancipation of slaves and social equality between the races. In 1831, not far to the south of the city in Southampton, Virginia, the Nat Turner insurrection occurred, sending fugitives streaming into Philadelphia with horror stories about the possibility of slave revolts spreading throughout the South and spilling over into northern urban centers where most free blacks lived. The response of political leaders in the Pennsylvania legislature was to propose by statute that free blacks carry passes as proof of their free status; all other blacks would be excluded from the state. Abolitionists were successful in preventing its passage, but the inexorable slide toward further racial restrictions in Pennsylvania had begun. More race riots occurred in 1834 and 1835. When delegates convened in 1837–1838 to draft a new constitution for the state, voting rights for blacks became one of the most heated issues under debate, but only after it was asserted by Democratic leaders in Bucks County that blacks had determined the outcome of local elections in favor of the anti-Democratic candidates that year. In the end, Democratic delegates were successful in placing a racial voting restriction in the new constitution, disenfranchising tens of thousands of black Pennsylvanians until the Fifteenth Amendment was ratified in 1870.

The disenfranchisement of blacks in antebellum Pennsylvania has been explored in the past by several scholars. Roy Akari's early work on the Constitutional Convention of 1837–1838 mentions the disenfranchisement of blacks in passing without going into much detail.[7] Lyle Rosenberger's excellent analysis of the election of 1837 in Bucks County emphasizes local partisan competition and the threat that the black vote posed to the Democratic Party in the county.[8] Julie Winch and, most recently, Eric Ledell Smith both focus on the role of blacks in the fight against disenfranchisement, but Smith goes beyond Winch's work to explain disenfranchisement by looking at state partisanship (rather than local partisanship as Rosenberger's analysis does) and the "social factors and motives . . . within a historical narrative."[9]

While all of these works paint a fairly clear picture of the events leading up to black disenfranchisement in antebellum Pennsylvania, none of them seek to explicitly link the issue of black voting rights to the larger political

development of the state from colonial times to the mid nineteenth century or, for that matter, the more general political development of the country as a whole in the same time period. This paper contends that scholars need to situate black disenfranchisement in Pennsylvania within these larger concerns that were operating both at the state and national levels. Two key factors have to be analyzed: first, one needs to understand the transformation in the dominant racial belief system among the white leaders in the state from colonial times to 1830s, and second, one needs to look at the rise of partisanship in the state in the 1830s as it was increasingly being affected by the pressures of national party politics.

This essay will address each of these points in detail in what is to follow, beginning with a brief overview of the concept of a racial belief system. My assertion is that two racial belief systems—racial paternalism on the one hand and racial ascriptivism on the other—competed for dominance among white political leaders across the states in the early republic. Pennsylvania political leaders were no different, and the next section takes up the question of the changes in the dominant racial belief system held by leaders of the state roughly from the colonial period to the constitutional convention of 1837–1838.

Political leaders of Pennsylvania in the 1830s succumbed to ascriptivist views on race. Racial ascriptivism had hardly been the dominant racial belief system in the years before. The dominant set of racial attitudes among Pennsylvania political leaders in the years immediately preceding and following the Revolutionary Era consisted of racial paternalism. This view lost out to the dominant ascriptive ideology of state leaders by the 1830s. The "white republic" mentality which gripped Pennsylvania, far from a forgone conclusion during this period, was created and perpetuated by Pennsylvania's political leaders and came to dominate in the constitutional convention of 1837–1838. Though contested by a small but ardent group of political leaders and abolitionists espousing their paternalistic views, the white republic was finally institutionalized with the ratification of the constitution later in 1838.[10]

Next the essay takes up the issue of partisanship in Pennsylvania. As Smith and Rosenberger make clear, partisan conflict and party competition played a significant role in the disenfranchisement of blacks in 1838. Yet, we need to approach the issue of partisanship from a much broader historical perspective than either in Bucks County as Rosenberger does, or the entire state as Smith suggests. Black communities were under increasing attack in the two decades before the constitutional convention of 1837–1838. Legally, they were

allowed to vote across most of the state; by the 1830s, many were nonetheless being intimidated from the polls by hostile whites. But it was only with the *re-emergence* of party competition after roughly forty years of one-party politics in Pennsylvania that the legal disenfranchisement of blacks was enacted. The re-emergence of party competition in the state was to a large extent a by-product of national politics. When actual black votes decided a local election in favor of the ascending Whig Party in 1837, the once-indestructible Democratic Party quickly sought a more permanent political solution to the problem of black voter influence than mere random acts of violence and intimidation.

The essay concludes by analyzing the debates at the Convention of 1837–1838. The outcome of the debate is well-known and has been alluded to by other scholars. Yet few have actually analyzed the debate's content. Rethinking the end of voting rights for blacks in antebellum Pennsylvania within the ideological and partisan framework proposed here can shed new light on the political arguments over black voting rights by white political leaders.

II. Racial Belief Systems in the Early Republic: Racial Paternalism and Racial Ascriptivism Defined

Across the 13 states the ideological and discursive origins of the Revolution unleashed tremendous political forces that had consequences unintended by Revolutionary leaders. One was the degree to which the natural rights rhetoric of the Revolution would be used successfully to justify the abolition of slavery. Revolutionary leaders could not make the case credibly that all human beings were by nature free and equal while continuing to hold nearly three quarters of a million persons of African descent in bondage. Put another way, these early abolitionists argued that the American social contract could not legitimately (i.e., morally) be founded upon what Charles Mills called a "racial contract."[11] However, efforts to write a more racially inclusive social contract during the Revolutionary Era met with limited success. Most northern states enacted gradual abolition laws in the wake of the Revolution, while some individual slaveholders in the South emancipated their slaves voluntarily. While some Northern states granted blacks certain rights, in others they languished between freedom and slavery.

Despite the ambiguous status of citizenship for blacks at the time of the Founding and its aftermath across the North, the Revolutionary Era marks a

significant point in the transformation of racial ideology in the United States. Winthrop Jordan touches upon this transformation in his monumental work *White Over Black*. Jordan argues that "no line of reasoning . . . could have better typified the changed pattern of thought in the Revolutionary era" than "the flowering of environmentalism."[12] Environmentalist thinking "presupposed that the differences among men were circumstantial, that they were alterable, and that the core of human nature was everywhere, as Benjamin Rush put it, 'the same'."[13] If inequality existed, it was due to the political and social milieu within which men interacted. Environmentalism formed the basis for the ideological protests against slavery that emerged full force in the second half of the eighteenth century throughout the British colonies. At the same time natural rights theory argued for the end to British colonialism, it was being used to argue *against* the very idea that blackness justified slavery. The early abolitionists could not defend the color of the slave; but as Jordan puts it, they found that they "had to defend his character" by arguing that immorality and ignorance was the result rather than the cause of enslavement.[14]

Environmentalism flowered across the American colonies in the 1760s and 1770s. Jordan is right to assert, first, that environmentalism was characteristic of Enlightenment thinking about human differences and, second, that it shaped the ideological justifications for the end to slavery during the Revolution. Certainly environmentalism formed the logic to the dominant racial ideology in the last quarter of the eighteenth century. But there is more to this dominant racial ideology than Jordan's concept of "environmentalism" allows for. While Revolutionary leaders made the case that skin color did not determine one's destiny, neither were they completely convinced that blacks and whites were perfectly "equal" and could thereby co-exist in a racialized society. White Revolutionary leaders sought a way around the gross inequalities between the races by preaching an uplift ideology whereby blacks could be "taught" the virtues of citizenship. The implication, of course, is that it was up to whites to do the teaching. Hence, there is an underside to Jordan's environmentalism that goes to the heart of the dominant white attitudes and beliefs circulating at the time.

This essay refers to that set of attitudes and beliefs as *racial paternalism*. At its base, racial paternalism holds that mental, moral and psychological characteristics were the result of the environment. But these characteristics found in blacks were to be overcome only under the watchful gaze of paternalistic whites. Equality between the races, if it existed, was premised on the notion that blacks could be lifted from of their degraded condition if they were

treated—in most respects—much like children by whites. Racial paternalism dominated Revolutionary thinking on race and persisted in various states throughout the antebellum North. Paternalistic whites sought a more inclusive society founded upon the relative equality between the races rather than rooted exclusively in a racial contract premised on notions of whiteness. But this is not to suggest that political actors espousing racial paternalism believed in either the natural or social equality of blacks and whites. Racial paternalism cannot be considered a mere subset of the "liberal political tradition" espoused by Hartz, Myrdal or Tocqueville. Neither can it be folded neatly into Smith's "multiple traditions" typology.[15] Many racial paternalists understood blacks to be inferior in some way, but believed it was the duty of whites to uplift the black race out of the degraded condition within which blacks found themselves. It was impossible to discern if the degraded condition of blacks was due to their natural inferiority or environmental factors. Racial paternalists thus opted for the latter in the construction of a racial narrative. And they employed racial paternalism as they argued that blacks could be responsible citizens *if* the environmental factors which led to their degraded condition were removed.

If racial paternalism dominated Revolutionary thinking on race, by no means was it omnipresent. Duncan Macleod makes the case that developments during the Revolutionary Era prompted the reemergence of arguments about racial hierarchy as the South felt the need to justify the continuation and perpetuation of slavery.[16] In the North, these arguments were used to justify the denial of the rights of citizenship to blacks. Jordan argues that the environmentalist philosophy was beginning to erode by the first decade of the nineteenth century. George Fredrickson picks up on this point and contends that, by the 1820s, another set of racial attitudes had taken hold premised on ascribed differences and "scientific" explanations of race.[17] Inequality and low moral and mental capacity were not due to environmental factors, went this line of thinking, but rather to the moral and intellectual inferiority of blacks to whites. This set of racial attitudes, *racial ascriptivism,* was also circulating at the time of the Revolution—though by no means did it have its origins in the Revolution. Indeed, racial ascriptivism provided the ideological justifications for the institutionalization of hereditary, lifetime African slavery in the mid-to-late seventeenth century. But by the turn of the nineteenth century, it had once again become an ascendant narrative about race and citizenship.

In general, racial ascriptivism held that blacks were essentially different from, and thereby inherently inferior to, whites. Blacks should not be part of

the "white republic"—not only because they were never meant to be part of its citizenry, but also because they were naturally ill equipped for citizenry. For this reason, blacks should not be granted the franchise. In this view, there was no doubt that the faculties of blacks and whites were fundamentally different, and that no amount of education would lift the black man up from "worthlessness." Racial ascriptivism is found most pronounced in Chief Justice Roger Taney's *Dred Scott* opinion of 1857, but its seeds are traceable to before the Revolution. It is found in Jefferson's writings of the 1780s.[18] Jefferson's involvement in the American Colonization Society, founded in 1817 with the express purpose of sending free blacks to a designated colony on the West African coast, is testament not only to his ascriptive views, but also to the growing influence of these principles among the elites of American society in the opening decades of the nineteenth century.[19]

These two competing racial belief systems formed the basis of mainstream political discourse on race across northern states in the antebellum period. Political actors constructed stories about race and citizenship and then asked the masses to imagine themselves as characters in those stories. Political actors employed either the discourse of racial paternalism or racial ascriptivism for partisan gain. And yet, as I shall show political leaders were also shaped by these two racial belief systems as they sought partisan advantage.

III. From Racial Paternalism to Racial Ascriptivism: Colonial Pennsylvania to 1837

In 1686, a ship carrying Quakers from the Palatine region in Germany sailed in to the port on the Delaware River at Philadelphia. It had been pursued over the high seas by another vessel filled with Turkish pirates, intent on capturing the Quakers and selling them in to slavery. The German and Dutch Quakers had been invited to Pennsylvania by William Penn personally on his missionary journeys to Germany and through his reports of Pennsylvania that were translated in to German and circulated widely. They had arrived in the colony and the New World safe and sound. But what they found there shocked them.

The leader of the new settlers was Francis Daniel Pastorius. What Pastorius and his followers found was slavery—moreover, slavery that was being perpetuated by his Quaker brethren. After settling in what became known as "Germantown" just outside of Philadelphia, Pastorius finally spoke

out on the practice of slavery. On April 18, 1688, he scribbled down a letter denouncing slavery and presented it at the meeting of the entire community that evening. In it, Pastorius asserted that slavery violated the fundamental laws of Christianity, since the difficult but nonetheless unyielding creed of "do unto others as ye would that they should do unto you" was utterly disregarded by anyone engaged in the practice. Such conduct may have been expected by the Turkish barbarians who chased them across the Atlantic— but to see Christians steal and traffic human bodies across the Atlantic was unacceptable. Moreover, Pastorius chastised his fellow Quakers for violating the Seventh Commandment by breaking up black families and bringing together those already married in new combinations. Finally, he said that slavery violated the natural laws of humanity that Penn's colony was created to uphold:

> There is a liberty of conscience here which is right and reasonable, and there ought to be likewise a liberty of the body, except for evil doers, which is another cause. But to bring men hither, or to rob and sell them against their will, we stand against.[20]

Pastorius' admonition was the first call to end slavery in the New World and began a long debate among Quakers that would not be resolved for nearly a century. When the letter was forwarded to the Annual Meeting of the Friends that same year, the Quaker leadership was slow to respond; Quakers were profiting from the slave trade and would continue to do so. By the opening decades of the eighteenth century, most of the slave holders in the colony were in fact Quakers.

The letter also reveals at an early stage the onset of racial paternalism in Pennsylvania. Rooted in the Quaker views of Christianity and humanity, it would evolve over the course of the next century as Quaker leaders such as John Woolman, Ralph Sandiford, Benjamin Lay and Anthony Benezet modified it by adding particular aspects of the natural rights philosophy of eighteenth century Enlightenment thought. Benezet was one of the first to argue consistently that the degraded condition of blacks was due to the evils of slavery and not to the color of their skin or mental capabilities. He was also one of the first to advocate for the educational instruction of blacks to prepare them for society after slavery. On the eve of the Revolution, Benezet expressed his racial paternalism most clearly when he wrote concerning slavery:

> I can truly and with sincerity declare that I have found among the negroes as great variety of talents as among the like number of whites; and I am bold to assert that the notion, entertained by some, that blacks are inferior in their capabilities, is a vulgar prejudice, founded on the pride or ignorance of their lordly masters, who have kept their slaves at such a distance as to be unable to form a right judgment of them.[21]

Benezet played a large role in combating notions of black inferiority of the middle decades of eighteenth century in Pennsylvania. He greatly influenced the leaders of the Revolutionary generation in their thinking about slavery with his educational work. On the eve of the Revolutionary War, Dr. Benjamin Rush published a pamphlet entitled *An Address to the Inhabitants of the British Settlements on the Slavery of Negroes in America* at Benezet's urging. There Rush argued:

> I need hardly say any thing in favour of the Intellects of the Negro, or their capacities for virtue and happiness, although these have been supposed, by some, to be inferior to those of the inhabitants of Europe. The accounts which travelers give us of their ingenuity, humanity, and strong attachment to their parents, relations, friends and country, show us that they are equal to the Europeans . . . Slavery is so foreign to the human mind, that the moral faculties, as well as those of the understanding are debased, and rendered torpid by it. *All the vices which are charged upon the Negroes in the southern colonies and the West-Indies, such as Idleness, Treachery, Theft, and the like, are the genuine offspring of slavery, and serve as an argument to prove that they were not intended for it.*[22]

Even toward the end of his life, no less a complex figure than Benjamin Franklin came to embrace racial paternalism. As Nash and Soderlund point out in their *Freedom By Degrees: Emancipation in Pennsylvania and its Aftermath,* Franklin's views on slavery throughout the 18th century served as a microcosm of the history of the slavery in and around Philadelphia.[23] For most of his life he was a buyer and seller of slaves. From his earliest writings in the 1720s and 1730s, Franklin believed those with African ancestry to be inferior to Europeans. By the 1740s, the Anglican evangelical minister George Whitefield was visiting Pennsylvania and promoting educational instruction

for black children—an act that was met with considerable ridicule among most whites (even Quakers) in the colony who believed that slaves were savages and did not have the moral capacity that whites possessed. Through the 1740s and 1750s Franklin resisted the growing calls for abolition among the Society of Friends' faithful. But in 1758, Franklin enrolled one of his own slaves, Othello, in a school run by a group affiliated with the Anglican Church called the Bray Associates. After visiting the Bray Associates School in 1762, Franklin wrote to his friend John Waring:

> I was on the whole much pleas'd, and from what I then saw, have conceiv'd a higher Opinion of natural Capacities of the black Race, than I had ever before entertained. Their Apprehension seems as quick, their Memory as strong, and their Docility in every Respect equal that of white Children.[24]

During the Revolutionary War years and amid increasing calls for abolition across the newly formed states, Franklin refused to free his slaves. Slowly, however, his views on the capabilities of blacks were evolving. By 1787, Franklin had become an abolitionist. The last public office he held was the presidency of the Pennsylvania Abolition Society. A year before his death in 1790, Franklin issued a public statement on slavery on behalf of the PAS. In it he stated:

> Slavery is such an atrocious debasement of human nature, that its very extirpation, if not performed with solicitous care, may open a source of serious evils. The unhappy man who has long been treated as a brute animal, too frequently sinks beneath the common standard of the human species. The galling chains, that bind his body, do also fetter his intellectual faculties, and impair the social affections of his heart . . . To instruct, to advise, to qualify those, who have been restored to freedom, for the exercise and enjoyment of civil liberty, to promote in them habits of industry, to furnish them with employments suited to their age, sex, talents, and other circumstances, and to procure their children an education calculated for their future situation in life; these are the great outlines of the annexed plan, which we have adopted, and which we conceive will essentially promote the public good, and the happiness of these our hitherto too much neglected fellow-creatures.[25]

The views expressed by these political and religious leaders in Pennsylvania, by the 1770s, had begun to dominate the thinking on race throughout the Pennsylvania colony. At the same time, a democratic impulse had swept over the colony amid revolutionary fervor. In 1776, Pennsylvania drafted a constitution on the heels of the publication of Jefferson's Declaration of Independence. It provided for the most liberal suffrage clause of any of the new state constitutions, stating that "every freeman of the full age of twenty one years, having resided in this state for the space of one whole year next before the day of election for representatives, and paid taxes during that time, shall enjoy the right of an elector." Any male could vote as long as he met the residence and tax-paying requirement. The constitution also made no mention of race, a point which both opponents and proponents of black suffrage argued in the constitutional convention of 1837–1838 reinforced their views on the subject.

Four years later, Pennsylvania became the first state to enact a gradual abolition law. The influence of the natural rights philosophy of the Revolutionary Era was made evident in the preamble to the Abolition Act of 1780. In Section II, it stated that:

> And whereas the condition of those persons, who have heretofore been denominated negro and mulatto slaves, has been attended with circumstances, which not only deprived them of the common blessings that they were by nature entitled to, but has cast them into the deepest afflictions, by an unnatural separation and sale of husband and wife, from each other and from their children, an injury, the greatness of which can only be conceived by supposing that we were in the same unhappy cause.

Furthermore, the Abolition Act of 1780 went on declare that free blacks were in all respects to be treated as free men and free women.[26] Even as partisan conflict heated up between the Constitutionalists and the Republicans during the latter years of the Confederation, the political leadership of Pennsylvania nonetheless remained dedicated to the abolitionist cause and its underlying beliefs in racial paternalism. Republicans were successful in ushering in the "counterrevolution" in 1790 by drafting a new constitution that modified some of the democratic impulses institutionalized in the previous document. Yet, the suffrage qualification remained the same; what is more, it did not explicitly exclude blacks from voting. Albert Gallatin, who later

would become the staunch Republican ally of Thomas Jefferson, was success-ful in the constitutional convention held in 1789 in getting the word "white" stricken from the suffrage clause. Even as he became an avid defender of Republicanism, Gallatin remained sympathetic to the plight of blacks. Several years after the ratification of the Pennsylvania constitution, Gallatin reflected on the recent slave revolt in Haiti in a letter to his friend. There he wrote:

> Who has been right or wrong in the lamentable scene of Hispaniola nobody can tell; but to view the subject independently of the motives and conduct of the Agents who may have brought on the present cri-sis, I see nothing but the natural consequences of slavery. For the whites to expect mercy either from mulattoes or negroes is absurd and whilst we may pity the misfortunes of the present generation of the whites of that island, in which, undoubtedly, many innocent victims have been involved, can we help acknowledging that calamity to be the just punishment of the crimes of so many generations of slave traders . . . [27]

What is made plain by the discursive record of the pre and post Revolutionary years is that racial paternalism had in fact become the domi-nant racial paradigm of the political leaders of Pennsylvania. It formed the normative arguments underlying the calls for abolition and went so far as to provide equal citizenship for blacks. Yet, racial ascriptivism would soon emerge—or rather, re-emerge—as the nineteenth century commenced.

Racial ascriptivism also had its origins in the early colonial period in Pennsylvania. As mentioned at the outset, slavery was opposed in the early eighteenth century on both moral and economic grounds. Whereas German Quakers provided the initial impetus for the moral objections to slavery, it was the poor white laborers of the state who provided the impetus for the economic objection.[28] In the opening decades of the eighteenth century, the provincial assembly began passing laws differentiating between slaves and servants. The assembly also passed legislation restricting the interaction between whites and blacks. In 1712, whites began petitioning the assembly to restrict the impor-tation of slavery because slave labor was beginning to severely limit the eco-nomic prospects of poor free whites. The assembly responded by increasing the duty imposed on each slave, but the British crown soon repealed the law and reinstated a significantly smaller duty. In 1725–1726, an important colonial

law was passed that forbade the mixture of the two races. No black was to be joined in marriage with any white. Furthermore, the law sought to regulate the movement, actions, and behaviors of both slaves and free blacks. No black slave was to go farther than ten miles from home without written leave from his master; nor could he be caught from his master's house after nine o'clock p.m. without permission. Whites were severely restricted in employing free blacks, and free blacks were not allowed to meet in company of more than four together. The preamble to the law provided the justification for the racially restrictive elements to the law when it began: "free negroes are an idle, slothful people, and often burdensome to the neighborhood and afford ill examples to other negroes . . ."[29]

Thus, racial ascriptivism had its origins in a conflict that from the beginning had both economic and racial dimensions. Blacks—both slave and free—posed a threat to the economic well-being of lower strata whites from the earliest days of the colony's existence, and attempts were made on the part of colonial leaders to respond to the pressure by limiting the number of slaves brought in to the colony. In other words, we see traces of the white republic ideology from the opening of the eighteenth century in Pennsylvania. As Nash asserts, this thinking formed the "majority" opinion on race for most of the middle decades of the century: blacks were seen as slothful, idle, vagrant, and inherently inferior.[30] Consequently, they were unwelcome. No amount of religious or educational instruction could change these ascriptive characteristics. Pushed to the background during the Revolutionary Era, racial ascriptivism resurfaced in the opening decade of the nineteenth century in Pennsylvania as the free black population exploded in Philadelphia.

The first individuals to draw upon these ascriptive views on race in the early 1800s were Pennsylvanians of Irish descent. One such figure was Thomas Branagan. Both Noel Ignatiev and Gary Nash point to the extraordinary writings of Branagan and the influence they had on the perceptions of political leaders and the white masses in the state.[31] Branagan was born in Dublin in 1774. In 1790 he sailed to Africa from Liverpool on a slave ship where he remained for several months among the African natives. From there he traveled to the West Indies and stayed in Antigua for four years. Watching the slave trade firsthand for over five years, Branagan began having serious moral doubts about slavery. He returned to Dublin within a year to settle his father's estate, but then like so many of his countrymen, he set sail for Philadelphia, arriving there in 1799.

In 1804, Branagan published a blistering attack on slavery entitled *Preliminary Essay on the Oppression of the Exiled Sons of Africa.* In keeping with the natural rights rhetoric of the Revolutionary era, he based his attack on the natural equality of all human beings, asking whether or not blacks

> Possess the same specific nature, the same faculties and powers, corporal and mental, the same attachments and aversions, sensations, and feelings with the inhabitants of Asia, Europe, and America? Is it not a prevailing sentiment among all the nations of mankind, that all men, as they come into the world, are equal . . . Are not the innumerable millions of mankind, members of one family and children of one father?[32]

However, the very next year Branagan published another work on race that moved in an entirely different direction. Entitled *Serious Remonstrances Addressed to the Citizens of Northern States, and Their Representatives,* the work expressed alarm at what Branagan saw in the North as gradual abolition was taking hold and fugitives were migrating from the South. *Serious Remonstrances* began by denouncing slavery because it "destroys moral rectitude and natural justice."[33] He thereby renewed his calls for moral instruction of blacks by whites. But about halfway through the 100 plus page pamphlet the argument shifted from a denouncement of slavery to the impact the black population was having on the North. Everywhere Branagan looked he saw an amalgamation of the races wreaking havoc upon the morals and economic possibilities of whites—particularly the Irish and the Germans. He argued that America was "appropriated by the Lord of the Universe to be an Asylum for the Oppressed, Injured Sons of Europe."[34] Furthermore, the recent slave uprising in Hispaniola should give white northerners pause not only in their treatment of blacks, but the extent to which they should want to continue to accept them in to northern cities. At the current pace of migration, Branagan contended, there may be as many as 50,000 blacks in the city of Brotherly Love by the year 1865.[35] This would have had disastrous consequences for the North:

> On they come with all the accumulated depravity which they have been long accustomed to; such as lying, pilfering, stealing, swearing, deceit; and a thousand meaner vices, the fruits of slavery. When they arrive, they almost generally abandon themselves to all manner of

debauchery and dissipation, to the great annoyance of many of our cit-
izens. Indeed, the depredations many of them commit on society, is
too tragical to mention . . .[36]

For Branagan, Blacks posed both a threat to both the economic well-being
and the "purity" of the white republic. He continued:

> I would again ask such: would thee be very contented for to have a
> negro for thy daughter's husband, a negress for thy son's wife, and in
> short have them assimilated into the family as well as the general and
> state governments, and methinks I hear a negative answer to this
> question . . . I solemnly declare I have seen more white women mar-
> ried to, and deluded through the art of seduction by negroes in one
> year in Philadelphia, than for 8 years I was visiting [Africa and the
> West Indies] . . .[37]

Branagan concluded his rant by arguing that the "co-mingling" of servants
in the well-to-do homes of whites had further caused the low morale of poorer
whites.

Branagan's solution to having lascivious and ignorant blacks overrun
America was to colonize them in the recently purchased territories of
Louisiana, paralleling Jefferson's "civilization" program to use the Louisiana
territory for Native Americans. "If slaves were sent to that fertile country of
Louisiana, the climate of which is particularly congenial to their natures, I am
confident not only thousands in the South, but numbers of Africans in these
states would rejoice if my plan was adopted by congress, or one similar to it
instituted."[38] Hence, a dozen years before the American Colonization Society
was founded in 1817, Thomas Branagan proposed his own version of the
white republic ideology.

Branagan had fully shifted his attention to the dangers of black citizenship
in the United States. There was no call here for continued religious and edu-
cational instruction that would provide blacks with a hand up and out of slav-
ery and in to the ranks of the citizenry. On the contrary, the emphasis was on
the debauchery and idleness of blacks. And while Branagan did indeed assert
that these behavioral characteristics are a result of the pathologies of slavery,
it was not a far jump from this assertion to the conclusion that *blackness* as
such was equated with idleness and debauchery. The transformation from
racial paternalism to racial ascriptivism in Pennsylvania was underway. As we

shall see, it became full-blown in the debates surrounding black voting rights in the constitutional convention of 1837–1838. In Branagan's view, citizenship for blacks in the United States was simply out of the question. Such an attempt would have led to an amalgamation of the races. And here we come to the central idea that underwrites Branagan's ascriptive views: the United States in general, and Pennsylvania in particular, was intended to be an "Asylum for the Oppressed, Injured Sons of Europe"—or in other words, a white man's republic.

Branagan's *Serious Remonstrances* marks the reemergence of racial ascriptivism in the discursive development of Pennsylvania. All Branagan did was take a look around Philadelphia and bear witness to the changes it had undergone: if current trends held up his vision of a white republic would be swept away in the tide of black bodies streaming in to the city. He thus made an appeal to racial ascriptivism to make his case. Other Irish Philadelphians with influence over public opinion would also come to make similar ascriptive arguments. The Irish publisher of the newspaper *Democratic Press* John Binns is another case in point. An early and fervent supporter of Jeffersonianism, Binns was a fierce defender of the ideology of the white republic. In articles in his paper he consistently argued against the rights of citizenship for blacks. During the War of 1812, he called the free black people of Philadelphia "a very numerous and useless class" which "could be better spared [for the war] than any other."[39] For Binns, not even military service provided blacks with the rights of citizenship. In the wake of the Missouri crisis, he was one of the first to argue that Congress did not have the right to regulate slavery in the territories. As he ascended the Republican ladder and became one of the main power brokers in state politics, Binns remained a fervent supporter of the white republic ideology.

Political leaders were faced with the fundamental question of black citizenship as gradual abolition took effect and migration continued. In 1807, the first motion was made in the state legislature to exclude blacks from the electorate. It was denied. In 1826, Governor Shulze asked the legislature if the definition of "freeman" should include "persons of colour." Calls to disenfranchise blacks were consistently spurned by leaders who argued against racial disenfranchisement, mostly at the behest of the Pennsylvania Abolition Society. But amid the race riots of the 1830s, the right to vote for blacks came under heavy attack. Evidence suggests that blacks had been voting in the state since the Revolutionary years in at least seven counties in the state.[40] But blacks were increasingly intimidated from the polls in other regions. In

1837 an English traveler in Pennsylvania inquired of a white citizen about black suffrage. "Just let them try [to vote]!" was the response he received.[41]

In 1835 a black man by the name of William Fogg was denied the right to vote in Luzerne County on account of his race. He sued Hiram Hobbs, the election inspector in Greenfield who had turned him away from the polls, on the grounds that his vote was "fraudulently and maliciously refused."[42] Judge Scott of the county court was asked to decide whether or not the Pennsylvania constitutions of either 1776 or 1790 or any state laws passed had explicitly or implicitly granted blacks the right to vote. Fogg argued that the constitution granted him such a right, while Hobbs countered that "a free negro or mulatto is not a citizen, within the meaning of the law of the constitution and the laws of the United States and the state of Pennsylvania, and therefore is not entitled to the right of suffrage."[43] In his opinion, Judge Scott concluded that blacks did in fact have the right to vote under Pennsylvania law. He wrote:

> We know of no such expression in the constitution or laws of the United States, nor in the constitution or laws of the state of Pennsylvania, which can legally be construed to prohibit free negroes and mulattoes, who are otherwise qualified, from exercising the rights of an elector. The preamble to the act for the gradual abolition of slavery, passed on the 1st of March 1780, breathes a spirit of piety and patriotism, and fully indicates an intention in the legislature to make the man of color a *freeman*.[44]

Hobbs immediately appealed the case to the Supreme Court of Pennsylvania. But while Scott's decision was the first shot fired in the debate that would grow in intensity for the next three years, the case itself received relatively little attention. As the spring of 1837 and the Convention neared, the *Fogg* case awaited a hearing from the state Supreme Court. But the Supreme Court made the cautious choice of not ruling on the case until the constitutional convention revised the suffrage article.

IV. Partisanship in the Democratic Arch, 1770s–1838

By the 1830s, racial ascriptivism had become the dominant racial belief system among white leaders in Pennsylvania. This transformation is extraordinary if we consider the history of the state from the colonial period to that point, given

the influence of Quaker leaders in the middle to late decades of the eighteenth century. It is important here to go back and retrace the development of state party history in order to make the case that it was only after the reintroduction of partisan competition in Pennsylvania that allowed for these ascriptivist views to become institutionalized in the Constitution of 1838.

In his thorough study of the Negro in Pennsylvania from Colonial times to the Civil War, Edward Turner argues, similarly to DuBois, that the influx of blacks into the state hastened the rising racial hostility in the years between the Revolutionary War and the Civil War.[45] For the most part, Turner's assessment is accurate: Pennsylvania's geographical position made the issue of slavery palpable to all Pennsylvanians. Blacks were streaming into Philadelphia around the turn of the nineteenth century from all directions. Many were destitute and illiterate fugitive slaves with no ties to the white elite of the city and little possibility of finding work. Some had come from as far away as St. Domingue in the wake of the Haitian slave revolt of the late eighteenth century. With little or no alternative, they turned to theft merely to survive. On the other side, this foreign group of blacks frightened many well-meaning whites who had wholeheartedly supported abolition and the protection of fugitives from slave owners and bounty hunters. Different speech patterns and a more militant attitude toward whites helped to break the bonds of paternalistic duty that had been reinforced under the doctrine of Quakerism.

At the same time blacks were coming to Philadelphia in the 1790s, however, Irish immigrants were arriving in numbers that offset the black migration by as much as seven to one. Edward Carter estimates that nearly 30,000 Irish arrived in Philadelphia between 1790 and 1800.[46] Many quickly moved on to other parts of the state and country, but one could nonetheless conclude that Irish migration to Pennsylvania held the black density of the state steady in the opening decades of the nineteenth century, as Tables I, II and III show. Moreover, most of the Irish immediately gravitated to the Republican Party in the 1790s; they remained as one of the most loyal voting blocks of the Jeffersonian Republicans in the first party period and the Jacksonian Democrats in the second. One need not look very far for the reason: Federalists abhorred Irish migration and sought to put an end to it through the infamous Naturalization Act in 1797 and the Alien and Sedition Acts of 1798. On July 1, 1797, Federalist Congressmen Harrison Gray Otis gave his "Wild Irishmen" speech on the floor of the House where he warned against the possibility of these radicals disturbing "our tranquility, after having succeeded in the overthrow of their own government."[47]

TABLE 1: White and Black Population and Density in Philadelphia, 1780–1830[48]

Year	White Population	Percent White	Black Population	Percent Black	Total Population
1780	30,900	96%	1,100	4%	32,000
1790	42,018	95%	2,078	5%	44,096
1800	63,242	90%	6,436	10%	69,678
1810	82,221	89%	9,656	11%	91,877
1820	100,662	88%	12,110	12%	112,772
1830	149,140	91%	14,554	9%	163,694

TABLE 2: Black and White Population in Philadelphia as percent of Pennsylvania population[49]

	Percent of Pennsylvania Population	
	Black	White
1790	20.3%	9.5%
1800	43.8%	10.9%
1810	41.7%	10.6%
1820	35.5%	9.9%

TABLE 3: Black Density in Pennsylvania population, 1790–1820[50]

Year	Percent black
1790	20.3%
1800	43.8%
1810	41.7%
1820	35.5%

Poor Irish immigrants in Pennsylvania responded to Federalist political leaders by flocking to the ascendant Republican Party. According to Ignatiev, Pennsylvania's Irish population took the lead in the rising wave of racial hostilities, playing major roles in the conflicts which began in the first decades of the nineteenth century and lasted through the 1830s.[51] Ignatiev impressively documents the origins of the link between Irish incorporation into the Democratic fold and the latter's White supremacist ideology all across the North in the middle decades of the nineteenth century.

But comparisons between Pennsylvania and other northern states end there. For, throughout all of the first party period, and part of the second, partisanship in the Keystone state operated in a drastically different fashion than anywhere else north of the Mason-Dixon Line. In *The Second American Party System*, Richard McCormick explained partisanship in Pennsylvania this way:

> In no state, surely, did political parties present such indistinct outlines as in Pennsylvania. Although politics was conducted on a partisan basis from a very early date, the parties were loosely organized, rarely reflected sectional or ideological cleavages, and lacked effective state-wide leadership . . . Political alignments in state elections were often markedly different from those that prevailed in national elections . . . The manifestations of instability persisted until 1840. Party formation in Pennsylvania, then, cannot be portrayed in terms of sharp and durable alignments, nor can transitions in political patterns be dated with precision.[52]

McCormick is correct with one exception: the only date that can be marked with precision in the early history of party formation in Pennsylvania is 1799—the year that the Jeffersonian Republicans seized power once and for all from the weakening Federalists. Carter suggests that the Republican victory that year was ignited in large part by the Irish vote.[53] One year later, Pennsylvania politicians gladly took partial credit for the triumph of Jefferson in the presidential election and boasted that the state led the way. For them, Pennsylvania was his "keystone in the democratic arch." From that point until 1840, the party of Jefferson and the party of Jackson held power continuously in the Keystone state. Whereas the Federalist Party remained relatively competitive in other northern states until the War of 1812, Pennsylvania Federalists were in disarray soon after Jefferson ascended to power. As early as 1802, Federalist James Ross, who had lost a bid for governor three years earlier, looked at the partisan arrangement in the state and lamented: "No possible exertion, nor any grade of talents infinitely beyond mine, can stop the wild career which our affairs are destined to run for a long time to come, and there is nothing to soften the melancholy scenes every day exhibited, of the wanton destruction of that fair fabric of social happiness and serenity which had been reared with so much toil and Wisdom."[54]

If Jeffersonian and Jacksonian democracy held sway in Pennsylvania continually from 1800 to 1840, the question of the type of "democracy" it was

becomes an issue. That question has been recently analyzed by Andrew Shankman in his excellent book *Crucible of American Democracy: The Struggle to Fuse Egalitarianism and Capitalism in Jeffersonian Pennsylvania.*[55] Shankman contends that, while Jeffersonianism and Jacksonianism dominated Pennsylvania politics for the first four decades of the nineteenth century, that period was nonetheless characterized by deep ideological battles over the fundamental concepts of democracy and "the people." "[Pennsylvania Jeffersonians] understood that democracy could work only if virtually all citizens were free of dependence on resources controlled by their fellow citizens. But they disagreed about how best to ensure that happy condition."[56] Shankman's point is that "Democratic" politics up until the 1830s were at once consensual and factious–consensual in that all political leaders claimed to be heirs of "Jeffersonianism," factious because the same political leaders could not agree on what that meant.

The Democratic-Republicans and the Democrats were hard to define in Pennsylvania politics simply because there was not a continuing set of policies to give the party a durable structure. Further, the history of Pennsylvania politics from the Revolutionary War to 1800 reveals similar characteristics. When the first constitution of Pennsylvania was drafted in 1776, it was put forth and supported by the Radical Constitutionalists. They were opposed by the more conservative propertied men, referred to as Republicans. Thus, in 1776 the Constitutional Party consisted of the radical democratic element of the state, while the Republicans were the aristocrats of Pennsylvania society. After nearly a decade of stiff partisanship, the Republicans succeeded in ushering in what Brunhouse calls a conservative "counterrevolution" when they pushed through the constitution of 1790.[57] These same Republicans also supported the federal constitution, hence aligning themselves with the Federalists on the national level. By 1790, there was little in the way of an "Antifederalist" faction to speak of in Pennsylvania.[58] That year Thomas Mifflin was elected governor unanimously and did not take a party label for his entire nine-year tenure. But when the names "Federalists" and "Republicans" took on national significance in the 1790s, much of the propertied, conservative group merely took over the leadership of the Republican Party in Pennsylvania. The rest retired from politics. This explains to a large extent the weakness of Federalism in the state in the 1790s and thereafter. Thus, when immigrants such as the Irish poured in to the state during that decade, there was nowhere else to go, politically speaking. When the Federalists made issue of the naturalization question on the national level, the

choice was made all the easier. According to Klein, "The mass of the people cast their ballots for a mere word which they vaguely associated with their personal welfare but which they never were able to clearly define . . . [therefore] the only concrete evidence of the [Democratic-Republican] party was the voters themselves who upheld the name regardless of what it meant."[59] In Pennsylvania in the 1790s, the name meant anything but the hated policies of Federalism.

Much like Shankman and Ireland argue that the concept of "democracy" was at the center of partisan politics in the state, Sandford Higginbotham's *The Keystone in the Democratic Arch* argues similarly that the one principle which guided politics in Pennsylvania before, during, and after the advent of Jeffersonianism was the notion of popular rule.[60] Certainly Pennsylvania boasted one of the most democratic constitutions of the Revolutionary Era, since it granted the suffrage to all taxpaying males without regard to property qualifications. Beyond this, however, party politics in the first and second party periods were characterized by the incessant creation and dissolution of rival factions under the Democratic-Republican banner that were based more on personality and patronage than on principle. In fact, Shankman does a masterful job at documenting the evolution of the Philadelphia Democrats, the Quids, and the Snyderites—though his claim is that there were principles and ideology involved in the factional splits. According to both Higginbotham and Shankman, at times strict adherence to the party principles of Republicanism was abandoned. During the War of 1812, for instance, Pennsylvania Republicans came to advocate the Hamiltonian policies of the protective tariff, internal improvements and the chartering of the Second Bank of the United States. The first protected the burgeoning industrial base of the state, the second helped to connect the western part of the state to the east and to upstate New York, and the third was housed in Philadelphia. In 1816, the Federalist *Lancaster Weekly Journal* pointed out the contradiction when it bellowed: "These [Democratic Republicans] are now in one breath commending the measures formerly abused, and in the next vilifying the men who taught them those measures. They do not even acknowledge that they have changed their ground!"[61] Democratic-Republicans in Pennsylvania were the heirs of Jefferson, but astonishingly they were advocating the policies of Hamilton.

A decade later, Pennsylvania was one of the first states to jump on the Jacksonian bandwagon, having preferred him for president in the 1824 election by a margin of 6 to 1 over his nearest opponent, John Quincy Adams. In 1828, the state rallied behind Old Hickory again when it chose his slate of

electors by a two-to one margin.[62] Personally Jackson remained very popular in his first term as president. But his policies were detrimental to the interests of the state—particularly with respect to those that the Jeffersonians had adopted in the wake of the War of 1812: the tariff, internal improvements, and the Second Bank. The fact is that Jackson opposed all three vehemently, vetoing bills on the first two and draining the funds from the third. As popular as he was, his stance on these issues was not lost on Pennsylvanians. In March 1831 the *Crawford Messenger* bluntly stated: "Pennsylvania stands diametrically opposed to Andrew Jackson."[63] When he stood for re-election in 1832, Jackson won by a margin of only 20,000 votes out of 180,000 cast, mainly on the sheer force of his personality. The Anti-Mason candidate for governor lost that year by only 3,000 votes. The Democrats continued to dominate state politics in national elections, but their power was waning on the state level.

Throughout the rise of Jacksonianism, then, Pennsylvania operated under a dual system of politics: in national elections, the state was pro-Jackson, while on the state level the Democrats were consistently pressed by the Anti-Masons.[64] After 1832, the divide deepened. And the state Democratic Party strained to express continual support for Andrew Jackson on the one side and play down the effects of his unpopular policies on the other. But in Jackson's second term the state parties of Pennsylvania began to come into rough congruity with the parties on the national level as the Anti-Masons and Whigs entered into an uneasy coalition and exploited the blatant contradictions in the state Democratic Party ideology. How could Democrats retain power on the state level while the national party proposed policies unpopular in the state? In effect, the politics of Pennsylvania were at last becoming nationalized, just as elsewhere in the country in the second party period, and it was placing strains on the once-indestructible pillars of Jacksonian Democracy.

In 1835, the Anti-Mason-Whig coalition won the governorship and the House in the Assembly; it moved closer to taking the Senate as well. The next year, that hated New York politician and Jackson's hand-picked successor Martin Van Buren narrowly squeaked out a victory in the presidential race by just 3,000 votes out of 176,000 cast.[65] But four years later, William Henry Harrison would beat Van Buren in Pennsylvania in a rematch by just 400 votes out of nearly 300,000 cast. After nearly a half-century, party competition had finally been restored to the Keystone state.

Thus, one could argue that the advent of Jacksonian Democracy in Pennsylvania really did two things at once, one reinforcing the other. First,

rather than establishing Democratic dominance in the state, Jacksonian Democracy helped to break one-party politics and *reintroduce* party competition in the state after forty years of indistinct and loosely organized partisan arrangements. It did so by forcing the political parties to focus on a set of issues rather than on personalities and patronage. Second, Jacksonian Democracy assisted in doing away with that "dual system" of politics McCormick speaks of that had emerged in the state over the previous two decades by bringing the state parties in line with the national parties on these issues. Once it did, the cleavages between the state Democratic Party and the national Democratic Party were exposed, giving the Anti-Masons and the Whigs the opening they needed in order to ascend.

At this point we need to return to the question at hand to ask once again: what impact did racial conflict in the state have on partisanship, and what impact did partisanship have on racial conflict? Put another way, if the "Democratic" Party had been in power, albeit nominally, since 1799 with the Jeffersonian-Republican victory of that year, and it had gained victory on the wave of immigrant support that tilted the party toward a more ascriptive racial ideology, why were blacks not legally disenfranchised until 1838?

The answer to this question is twofold. First, the Democratic-Republicans were not fully committed to racial ascriptivism in the opening decades of the nineteenth century, just as the party of Jefferson in the state was not wholly committed to a Jeffersonian vision of an agrarian society of yeoman farmers operating with little intrusion by the national government. While politically dominant in state politics, the Democratic Republicans were not altogether of one mind on the issue of race. Second, and more importantly, the Democrats finally became the party of the white man's republic only after party competition was reintroduced in the state in the mid-1830s. Race and the question of black suffrage became significant when and only when blacks were loyally voting for the Whig Party and could also actually affect the outcome of elections such as in Bucks County. Party competition not only revealed the cleavage on the issue of race between the parties, it actually forced members of the party to choose on the issue of race. Racial ascriptivism became the discursive tool by which the Democrats blocked black suffrage. The (re)aligning of the parties that had begun in Jackson's first term over issues such as internal improvements, the Second Bank and the tariff, culminated in 1838 when the word "white" was placed in the qualification for the suffrage. In a word, the Democratic Party at that point became the party of white supremacy in Pennsylvania.

V. Racial Disenfranchisement and the Constitutional Convention of 1837–1838

Racial disenfranchisement was the outcome of the Constitutional Convention of 1837–1838, as other studies have shown.[66] But curiously none of these studies have actually analyzed the words of the delegates themselves—neither for what they say about the racial beliefs of the delegates, nor for what they indicate about the delegates' partisanship. This section looks at these debates carefully with the intention of showing, first, how racial ascriptivism had become the dominant view on race matters within the convention, and second, how partisanship coupled with these ascriptivist views played the key role in the vote to disenfranchise blacks.

One hundred and thirty-three delegates convened at Harrisburg on May 2nd, 1837. On May 17th, the committee on the suffrage article presented its report to the whole delegation. It contained no mention of the question of suffrage for blacks. Furthermore, the "minority" report of the committee also ignored the question. The entire convention considered the suffrage article as it was presented out of committee on June 19th. Democratic delegate John Sterigere rose and moved to add a racial restriction in the suffrage article. He argued that most other states in the union had adopted such a provision, most recently Tennessee and North Carolina. Phineas Jenks of Bucks County opposed Sterigere's motion, countering that no one in Bucks County opposed the right of blacks to vote. Furthermore, he contended that there were many blacks in Bucks County who had large property holdings and thus a vested interest in government. Consequently, they should retain the right. Benjamin Martin of Philadelphia County then took the floor to passionately defend Sterigere's position. Martin argued that blacks were not capable of voting responsibly; furthermore, granting blacks the right to vote would essentially grant the black man the same prestige as the white man in what was intended to be a white republic. Drawing upon the ideas first spelled out by Branagan some thirty years before, he asserted that

> It is in vain to tell me, that these individuals are on the same scale in
> society, and gifted with the same intelligence, as ourselves . . . when I
> look at them, and then at myself, and what the world is composed of,
> I cannot but see a vast difference . . . We are the descendents of Europe
> . . . we have been in advance, and have given a tone to civilization

throughout the world, and why are we now to think of retrograding and going down?[67]

After Martin yielded, several other delegates rose to voice their objections to the motion put forth by Sterigere. At this very early point in the debate it was not clear that the anti-black suffrage delegates had enough votes to pass the racial restriction. Consequently, at the behest of his political allies, Sterigere withdrew his motion from the floor.

On Friday, June 23rd, Benjamin Martin once again took up the case of the racial restriction. He appealed to ascriptive notions of race and made the case that black suffrage was a violation of the laws of nature. Other delegates countered that adding the word "white" was too vague and requested that Martin yield until a later date while the convention attended to other business. This time Martin called for a vote, and in an extraordinary move the motion was defeated by a vote of 61–49.[68] A majority of the Coalition was joined by twelve Democrats in opposing the motion. The suffrage article was consequently dropped and the convention moved on to other matters until it reconvened on July 14th. Black suffrage would not be raised until the convention reconvened on October 17th later that year.

When the convention adjourned in the summer of 1837, few Pennsylvanians were deeply concerned over the issue of black suffrage. Yet all of this was to change within a few months. The local elections held on the eve of the convention's reconvening caused an uproar around the question of black suffrage. That October two Democratic officials in Bucks County filed suit in county court arguing that they had lost election because dozens of blacks had voted illegally, thus throwing the election to their Whig counterparts. Democrat Jacob Kachline lost the election for commissioner by 25 votes, while Democrat F.L. Boder lost the election of auditor by a mere 2 votes. Newspapers across the state picked up on the story and fanned the flames of racial hostility. The *Bedford Gazette* claimed that blacks had come to the polls with guns and forced their way to the ballot box, threatening to shoot anyone who stopped them.[69] It also accused abolitionist Thaddeus Stevens of inciting blacks to violence in their attempts to vote. The *Pennsylvanian* made much of the fact that blacks had changed the outcome of elections elsewhere because they were allowed to vote in many localities all over the state—though it proudly pointed out that blacks were not allowed to vote in Philadelphia since they were not assessed taxes.[70] By the time the delegates

reconvened, the question of black suffrage had become the major constitutional issue with which they were confronted.

Delegates cautioned against deciding the issue until Judge John Fox in Bucks County and the Supreme Court had handed down their respective decisions in the two cases involving black voting rights. The Supreme Court sat on its hands and awaited the outcome of the convention; however, in December 1837 Fox assertively took the issue head on and handed down a decision.

The central question Fox contended with was, once again, whether or not blacks were considered "citizens" or "freemen" under the meaning of the previous Pennsylvania constitutions or state laws. Displaying his impressive knowledge of the history of Pennsylvania, Judge John Fox went all the way back to the original charter granted to William Penn to discern whether at any point blacks were meant to be considered "freemen" like their white counterparts. Fox concluded that at no point did the previous political leaders of Pennsylvania ever intend to include blacks in the status of "freemen" or "citizen" as the terms were defined—not the constitution of 1776, not the gradual abolition law of 1780, and not the constitution of 1790. Predating Justice Taney's argument by twenty years, Fox argued that "the negro race was then, and still is, a degraded caste, and inferior in rank to the white."[71] He continued by inquiring:

> What white man would not feel himself insulted by a serious imputation that he was a negro, and who, having believed himself to be of the white race, if he should be found so strongly tainted with black blood, would not feel and experience, that he had fallen greatly in social scale? What white parent, if he had any affection for them, could contemplate without deep grief and mortification the probable social condition of his mulatto children . . . Is it possible that an inferior and degraded race were called in to take part in these high function [of voting]?[72]

Fox went further to argue that the U.S. constitution also does not bestow citizenship on blacks. His legal reasoning predated that of Justice Taney's by asserting that the word "people" in the preamble of the Constitution is equated with "citizen;" furthermore, "citizen" under the original meaning of the Constitution was equated with "white." Fox concluded by saying that

> The people of Pennsylvania, who framed the present constitution were a political community of white men exclusively, and that colored persons of African blood, were not contemplated by that constitution. That the latter have not, and never had, any *chartered* or constitutional rights, but have always been, and still are, subject to such laws as the sovereign power may make for their government.[73]

Essentially Judge John Fox reaffirmed the ascriptive views underpinning the white republic. His opinion was published immediately and distributed to every member of the delegation, as well as all through the state. Now armed with Fox's decision and the support of the public that had been whipped up in to a frenzy over the issue, Democratic delegates in the convention moved immediately to place a racial voting restriction in the suffrage clause.

On January 17, 1838, the convention turned its attention back to the suffrage article. Immediately Benjamin Martin rose to make a motion adding the word "white" in the article. This time he pressed his case harder on ascriptive grounds:

> I would preserve [blacks] and theirs, by the laws, and by the constitution; but to hold out to them social rights, or to incorporate them with ourselves in the exercise of the right of franchise, is a violation of the law of nature, and would lead to an amalgamation in the exercise thereof, that must bring down upon them, the resentment of the white population. Sir, the divisionary line between the races, is so strongly marked by the Creator, that it is unwise and cruelly unjust, in any way, to amalgamate them, for it must be apparent to every well judging person, that the elevation of the black, is the degradation of the white man.[74]

The debate on the suffrage article quickly became heated as delegate after delegate expressed interest in the "excitement" over the issue and rose to either defend the motion or argue against it. Whig delegate William Maclay of Mifflin County rose to counter Martin's argument. Maclay reminded the delegation of the paternalistic views that had predominated during the Revolutionary Era and countered that disenfranchisement would stigmatize blacks rather than secure prestige for whites:

> I feel altogether averse to the proposition now before us . . . No such proposition, as the one now made, could have passed in any law of

Pennsylvania in the time of the revolution, or during the time that the men of the revolution held the government of the commonwealth in their hands . . . I do not, however, oppose the present motion so much on the ground that it could not have been passed in former times in Pennsylvania, as on the ground that it is unjust at any time . . . [disenfranchisement] is calculated to fix a stigma upon the people on whom it is intended to operate. It is throwing an obstacle in the way of their improvement. It is, in fact, adding another item to the long catalogue of wrongs which these people have endured. It should be recollected that the coloured people among us are a poor and helpless race; they are entirely in our power; we may pass such laws as we please respecting them; and if we do them an injustice they have no redress[75]

Thomas Earle of Philadelphia County reverted back to the Golden Rule in Christianity and then picked up on Maclay's point by sarcastically mocking the other side in their "wisdom" about the founders: "What did the Declaration of Independence of the United States say? Did it mean what it said? Did the gentleman from Luzerne [George Woodward] mean to assert, that Jefferson, Madison, Franklin, Patrick Henry, Hancock, Judge Marshall, and in short, all the patriots and wise men of the former and present age, did not mean what they have said?"[76] Soon thereafter the convention was adjourned, but debate resumed the very next morning in the same spirited manner.

John Sterigere of Montgomery County rose on the morning of the 18th and contended that the great majority of the public was against black enfranchisement. He then argued on partisan grounds by contending that the masses of black voters would be swept up into one of the political parties by a demagogue or "abolitionist" and fundamentally alter the balance of power in the state between the competing parties. The notion of a black electoral constituency was wholly unacceptable:

It is an insult to the white man to propose this association, and ask him to go to the polls, and exercise the right of a freeman with negroes . . . This number would produce 10,000 voters. These will, in the mass, join one of the greatest political parties, or be controlled by some political demagogue, or modern abolitionist, and must become the umpire between the two great political parties in the state . . . reject this amendment, and we shall have tens and hundreds of thousands of this base and degraded caste, vomited upon us.[77]

Supporters of black suffrage could only counter the vitriol of Sterigere and his anti-black enfranchisement colleagues by arguing from a paternalistic perspective and pointing out that blacks had worked their way up to respectability despite all the obstacles thrown in front of them. Walter Forward of Allegheny County rose to make the case for black suffrage: "I find that they are regarded as morally responsible beings," he began, "and that we never excuse them for any offence they may have committed against the laws of the land, on the ground that they are an inferior race of beings." He continued:

> I find this to be the case, and I infer from this, that the rights of the coloured man are as precious as my own, and that the government under which he lives may influence his happiness as much as it may influence my own; and that therefore if he has equal intelligence, virtue, patriotism, he has the same right to vote as I myself possess. I set up no claim to superiority in the eye of Him who created both, and I dare not place my vote on that ground.[78]

Each delegate who now rose to speak was met with an uproar by the other delegates. At several points in the convention record, the reporter explains that the noise in the hall is too loud to record accurately everything each speaker was saying. Each side dug in and made their points by mocking the other side's position. William Darlington from Chester County rose to speak out on behalf of black suffrage and forcefully chastised opponents who argued that the framers of the constitution of 1790 did not intend to include blacks in the political community. He took out a letter written to him on December 21, 1837 by seventy-seven year old Albert Gallatin. In it Gallatin recollects that the word "white" was struck from constitution in 1790 at his urging. "It was no part of their plan to exclude coloured persons from the right of suffrage, and hence it is, that they so framed the provision as to suffer 'every freeman' to vote in the choice of those who should represent him."[79] Darlington then mocked Sterigere and his fellow Democratic delegates by reading a proclamation issued by their leader Andrew Jackson addressed to free blacks in Louisiana during the War of 1812. In it Jackson urged blacks to defend New Orleans:

> "I expected much from you; for I was not ignorant that you possessed qualities most formidable to an invading enemy, " the letter stated. Darlington then concluded passionately: "I ask in the name of God

and of our common country, is this the age—is this the time—is this the day in which we, the people of Pennsylvania, having gone so far in the glorious march of civilization, improvement, and *christianity*—is this the time in which we will take away from any portion of our fellow citizens, the rights which they have enjoyed for a period of fifty years?"[80]

Soon the tone reached a breaking point. The animosity between the sides was so intense that at one point the convention doorkeeper, Thomas Jefferson Becket, became overzealous and ejected three prominent blacks from the spectators' gallery. Amid the growing rancor most speakers appealed to the same principles in varying ways: opponents of black suffrage argued that blacks were inferior, that they were never intended to be part of the political community, and that to grant them the vote would not only debase the white man but would lead to a flood of blacks in to the state. Supporters of black suffrage countered that blacks had made substantial moral and economic progress since the abolition of slavery, that the Golden Rule forbade treating blacks differently, and that the men of the Revolutionary Era had intended to include blacks under the term "citizen" or "freemen".

When a vote was finally called on the suffrage question on January 20, 1838, the motion to insert the word "white" in to the new constitution was approved by a 77–45 margin.[81] The vote was not largely decided along party lines: only three Democrats voted against the suffrage restriction, but nineteen members of the Whig-Anti-Mason coalition defected to vote with the Democrats. In his unpublished doctoral dissertation, Edward Price argued that the absence of the staunch abolitionist Thaddeus Stevens proved to be a serious blow to the cohesiveness of the coalition. Stevens left earlier that month to return to the legislature in Harrisburg to fight for the Gettysburg Railroad and bank reform. He had been instrumental in securing the right to have blacks read their petitions before the delegates at the convention; he also worked hard behind the scenes to block the first attempt to disenfranchise blacks before the convention adjourned for the summer.[82] Without his leadership on the suffrage question, rank and file members of the Whig-AntiMason coalition voted to amend the suffrage article.

After the Pennsylvania State constitutional convention adjourned in the late winter of 1838, the Pennsylvania Supreme Court finally moved to settle the *Hobbs v. Fogg* case that had been pending for nearly three years. The court reversed the ruling from the Luzerne County court and held that William

Fogg's rights were not violated when election commissioner Hiram Hobbs turned him away from the polls. Judge Gibson delivered the decision for the court. In his opinion, Gibson asserted once and for all that Pennsylvania indeed had been a white republic since its creation. He referred to "antecedent legislation" which furnished "other proofs that no colored race was party to our social compact." Gibson continued:

> As was justly remarked by [Judge John] Fox, in the matter of the late contested election, our ancestors settled the province as a community of white men, and the blacks were introduced into it as a race of slaves; when an unconquerable prejudice of caste, which has come down to our day, insomuch that a suspicion of taint still has the unjust effect of sinking the subject of it below the common level. Consistently with this prejudice, is it to be credited that parity of rank would be allowed to such a race?[83]

Gibson concluded by pronouncing "that men of color are destitute of title of the elective franchise." In fact, the issue had already been settled by the delegation at the constitutional convention: Gibson's opinion only served to make the creation of the white republic of Pennsylvania more complete by stamping the seal of the Pennsylvania Supreme Court upon it.

Like Judge John Fox before him and Chief Justice Roger Taney after him, Gibson claimed only to base his ruling on the original intent of the founders of the commonwealth of Pennsylvania. And like his fellow jurists, Gibson had to engage in an act of historical erasure in order to make his ascriptive ideology plausible. By 1838, Pennsylvania had become what Judge Gibson, Judge John Fox, Thomas Branagan, John Binns and the members of the Democratic Party that pushed for black disenfranchisement in the constitutional convention had always thought it *ought* to be: a white republic.

VI. Conclusion

The transformation in the racial politics of Pennsylvania from the latter decades of the eighteenth century to the mid nineteenth century was indeed quite extraordinary. It was not lost on W.E.B. DuBois, who wrote in *The Philadelphia Negro*:

A curious comment on human nature is this change in public opinion [in Pennsylvania] between 1790 and 1837. No one thing explains it—it arose from a combination of circumstances. If, as in 1790, the new freedmen had been given peace and quiet and abundant work to develop sensible and aspiring leaders, the end would have been different; but a mass of poverty-stricken, ignorant fugitives and ill-trained freedmen had rushed to [Philadelphia], swarmed in the vile slums which the rapidly growing city furnished, and met in social and economic competition equally ignorant but more vigorous foreigners. These foreigners outbid them at work, beat them on the streets, and were enabled to do this by the prejudice which Negro crime and the anti-slavery sentiment had aroused in the city.[84]

The transformation of Pennsylvania during this period from a state of racial leniency to the "white republic" was largely a result of two factors: first, a fundamental shift in the racial belief system of Pennsylvania political leaders during this period, and second, the rise of partisanship in the state which brought the state parties into alignment with the national parties on the major issues of the day. The white republic of Pennsylvania emerged at that point—and it could only emerge when these two factors came together in the convention of 1838.

The leaders of Revolutionary Pennsylvania were racial paternalists at heart. They argued that blacks could be lifted from their degraded condition and taught the virtues of citizenship. By contrast, the leaders of the Keystone State in the 1830s believed no amount of moral and mental uplift could remove blacks from their state of worthlessness. They were racial ascriptivists—and they were successful in integrating their white republic ideology into the fundamental laws of the state.

Blacks in Pennsylvania sought mightily to keep the suffrage question alive for the remainder of the antebellum period, sending petition after petition to the state assembly in those years. When the state house failed to act, blacks sought the assistance of the federal government. In 1855, a petition entitled *Memorial of Thirty Thousand Disenfranchised Citizens of Philadelphia to the Honorable Senate and House of Representatives* was sent to Washington. In it black Philadelphians asked Congress to get involved on their behalf in the struggle for the franchise. The public conscience of Pennsylvania was against them, and they therefore turned to the national government for help. But the federal government was incapable of handling the race issue decisively at that

time: the Kansas-Nebraska Act had been passed the year before, superceding the Missouri Compromise and allowing for "popular sovereignty" in those states carved out of the territories. Also, the previous year oral arguments in the *Dred Scott* case were heard. One year later, in 1856, the Republican Party ran its first candidate for President as the Whigs disintegrated over the slavery issue. And as the country slid toward Civil War, black Pennsylvanians remained second class citizens in the white republic of Pennsylvania.

NOTES

1. *Dred Scott v. Sandford* 60 US (19 Howard) 393 (1857).
2. *Ibidem.*
3. *Ibidem.*
4. *Ibidem.*
5. The Luzerne County case is cited as *Hobbs v. Fogg*, 6 Watts 553 (1837). The Bucks County case is referred to only as *Opinion of the Honorable John Fox Against the Exercise of Negro Suffrage in Pennsylvania* (Harrisburg: Barrett and Parke, 1838). The latter was published as the Pennsylvania Constitutional Convention met to draft a new constitution for the state. As we shall see, Judge John Fox's opinion was instrumental in the convention's successful attempt to place a racial voting restriction in the constitution. There is no evidence which would indicate that Justice Taney based any of his findings on either of the Pennsylvania cases, though he came to the same exact conclusions as Judge John Fox.
6. W.E.B. DuBois, *The Philadelphia Negro: A Social Study* (New York: Schocken Books, 1967), 25.
7. Roy Akari, "The Pennsylvania Constitution of 1838," *Pennsylvania Magazine of History and Biography* 48 (1924), 301–333.
8. Lyle L. Rosenberger, "Black Suffrage in Bucks County: The Election of 1837," *Bucks County Historical Society Journal* (Spring 1974), 28–39.
9. Julie Winch, *Philadelphia's Black Elite: Activism, Accommodation, and the Struggle for Autonomy, 1787–1848* (Philadelphia: Temple University, 1988); Eric Ledell Smith, "End of Black Voting Rights in Pennsylvania," *Pennsylvania History* 65 (1998), 280.
10. Though my terminology of racial paternalism and racial ascriptivism is somewhat unique, many scholars have come to similar conclusions concerning the racial beliefs of white elites in Pennsylvania. See for instance, Gary Nash and Jean Soderlund, *Freedom by Degrees: Emancipation in Pennsylvania and Its Aftermath* (New York: Oxford University Press, 1991); Gary Nash, *Forging Freedom: The Formation of Philadelphia's Black Community, 1720–1840* (Cambridge: Harvard University Press, 1988); James Brewer Stewart, "Modernizing 'Difference': The Political Meanings of Color in Free States, 1776–1840," in *Race and the Early Republic*, edited by Michael A. Morrison and James Brewer Stewart (New York: Rowman and Littlefield, 2002), 113–134; David Waldstreicher, *Runaway America: Benjamin Franklin, Slavery, and the American Revolution* (New York: Hill and Wang, 2004).
11. Charles Mills, *The Racial Contract* (Ithaca: Cornell University Press, 1997); Sally Schwartz, *A Mixed Multitude: The Struggle for Toleration in Colonial Pennsylvania* (New York: New York University Press, 1988).

12. Winthrop Jordan, *White Over Black: American Attitudes Toward the Negro, 1550–812* (Chapel Hill: North Carolina Press, 1968), 287.

13. *Ibidem*, 289.

14. *Ibidem*, 281.

15. See Rogers Smith, *Civic Ideals: Conflicting Visions of American Citizenship* (Hew Haven: Yale University Press, 1997).

16. See his "Toward Caste," in *Slavery and Freedom in the Age of the American Revolution*, edited by Ira Berlin and Ronald Hoffman (Charlottesville, VA: United States Capitol Historical Society, 1983), 230.

17. George Frederickson, *The Black Image in the White Mind: The Debate on Afro-American Character and Destiny, 1817–1914* (New York: Harper and Row, 1971), 2.

18. See *Notes from the State of Virginia*.

19. In *Race and Manifest Destiny* (Cambridge: Harvard University Press, 1981), Reginald Horsman argues that the first half of the nineteenth century witnessed the victory of Anglo-Saxon white supremacist thinking, culminating in the publication of Joseph Arthur Gobineau's work on the inequality of the human races in 1854. Horsman asserts that much of the substance of the "special racial destiny" argument can be traced to Jeffersonian thought in the late eighteenth century. Racial ascriptivism shares many similarities to Horsman's Anglo-Saxonism.

20. Quoted in S.W. Pennypacker, *The Settlement of Germantown* (Philadelphia: 1899), 145ff.

21. In *Views of American Slavery: Anthony Benezet and John Wesley* (New York: Arno Press, 1969), 24–5.

22. In *Benjamin Rush: An Address on the Slavery of Negroes in America* (New York: Arno Press, 1969), 1–2, emphasis added.

23. As Nash and Soderlund point out in the introduction, "to sketch Printer Ben's awkward and shifting relationship to the peculiar institution is to foreshadow several major themes of this book," ix.

24. Letter to John Waring, December 17, 1763, in *Benjamin Franklin: Writings* (New York: Library of America, 1987), 800.

25. "An Address to the Public From the Pennsylvania Society for Promoting the Abolition of Slavery," in *Benjamin Franklin: Writings* (New York: Library of America, 1987), 1154–5.

26. Turner, 182, footnote 48.

27. "Letter to Jean Badollet," February 1, 1793, in *Selected Writings of Albert Gallatin*, ed. E. James Ferguson (New York: Bobs-Merrill, 1967), 64–5.

28. On this point, see Nash and Solderlund, *Freedom by Degrees: Emancipation in Pennsylvania and Its Aftermath*.

29. Turner, ch.1.

30. Nash, *Forging Freedom*, 31.

31. Noel Ignatiev, *How the Irish Became White* (New York: Routledge Press, 1995), 51–7; Nash, *Forging Freedom*, 178–80.

32. Quoted in Ignatiev, 53.

33. Thomas Branagan, *Serious Remonstrances* (Philadelphia, 1805), 58.

34. *Ibidem*, 78.

35. *Ibidem*, 44.

36. *Ibidem*, 68.

37. *Ibidem*, 68 and 73.

38. *Ibidem*, 64.

39. *Democratic Press*, January 13, 1813.

40. *Proceedings and Debates of the Convention of Pennsylvania, 1837–1838*, ix, 380.

41. Litwack, 84. In 1831, Tocqueville observed similar treatment of blacks in Philadelphia. "What becomes of the reign of law in this case?" Tocqueville asked. "The law with us is nothing," was the reply of a white citizen.

42. *Hobbs et al. v. Fogg*, 6 Watts (1837), 553.

43. *Ibidem*, 554.

44. *Ibidem*.

45. Turner, *The Negro in Pennsylvania*, 150.

46. Edward Carter, "A Wild Irishmen Under Every Federalist's Bed: Naturalization in Philadelphia, 1789–1806," *Pennsylvania Magazine of History and Biography*, 94 (July 1970), 331–46.

47. Quoted in Noel Ignatiev, 65.

48. Source: Gary Nash, *Forging Freedom*, 143.

49. *Ibidem*, 137.

50. *Ibidem*.

51. *Ibidem*, especially ch.5.

52. Richard P. McCormick, *The Second American Party System: Party Formation in the Jacksonian Era* (Chapel Hill: University of North Carolina Press, 1966), 134.

53. Carter, "A Wild Irishmen Under Every Federalist Bed," 332.

54. Quoted in Philip Shriver Klein, *A Game Without Rules: Pennsylvania Politics, 1817–1832* (Philadelphia: Historical Society of Pennsylvania, 1940), 51.

55. Andrew Shankman, *Crucible of American Democracy: The Struggle to Fuse Egalitarianism and Capitalism in Jeffersonian Pennsylvania* (Lawrence: University of Kansas Press, 2004).

56. *Ibidem*, 12.

57. R.L. Brunhouse, *The Counterrevolution in Pennsylvania* (New York: Octagon Books, 1971), 1776–1790.

58. McCormick, 136.

59. Klein, *A Game Without Rules*, 43.

60. Sandford Higginbotham, *Keystone in the Democratic Arch: Pennsylvania Politics, 1800–1816* (Harrisburg: Pennsylvania Historical and Museum Commission, 1952), 13.

61. *Lancaster Weekly Journal*, May 17, 1816.

62. Jackson's electors received 101,652 votes to Adams' 50,848.

63. *Crawford Messenger*, March 24, 1831.

64. McCormick, 141.

65. Klein explains that Pennsylvanians had despised the Little Magician for a whole host of reasons: first he had kept then Pennsylvania Governor Simon Snyder from the vice presidential candidacy in 1816; second, he was instrumental in overthrowing DeWitt Clinton in New York, someone popular among Pennsylvania political leaders for his alliance with Jackson in the 1820s; third, he supported the caucus system in 1824, fourth he had jumped on the Jackson bandwagon only after Pennsylvania had raised him from political obscurity; fifth, he chased the only member of Jackson's cabinet from

Pennsylvania out of the administration; sixth, he joined in the attacks against the Second Bank which was housed in Pennsylvania; and last but not least, he was from New York, Pennsylvania's main rival for national power.

66. See endnotes 7–9.

67. *Proceedings and Debates of the Pennsylvania Constitutional Convention of 1837–38*, vol. iii, 85.

68. See Henry Mueller, *The Whig Party* . . . , 37; also Edward J. Price, *Let the Law Be Just: The Quest for Racial Equality in Pennsylvania, 1780, 1915* (Ph.D. dissertation, Pennsylvania State University, 1973), 105.

69. *Bedford Gazette* November 17th, 1837.

70. *Pennsylvanian,* October 30th and 31st, 1837.

71. *The Opinion of the Honorable John Fox Against the Exercise of Negro Suffrage in Pennsylvania* (Harrisburg: Packer, Barrett and Parke, 1838), 8.

72. *Ibidem,* p 8–9.

73. *Ibidem,* 13.

74. *Proceedings and Debates,* ix, 321.

75. *Ibidem,* ix, 332–3.

76. *Ibidem,* ix, 335.

77. *Ibidem,* ix, 365.

78. *Ibidem,* x, 15.

79. *Ibidem,* x, 45–6.

80. *Ibidem,* x., 49. Emphasis added.

81. *Proceedings and Debates,* vol. X, 106.

82. Edward Price, *Let the Law Be Just,* 116.

83. Cited as 5 Smith 214.

84. DuBois, *The Philadelphia Negro,* 30–1.