

Title	THE CONSTITUTIONAL CHANGE AND CONTINUITY IN THE AMERICAN REVOLUTION
Author(s)	Matsuda, Takeshi
Citation	大阪外国語大学学報. 1977, 38, p. 113-125
Version Type	VoR
URL	https://hdl.handle.net/11094/80611
rights	
Note	

Osaka University Knowledge Archive : OUKA

<https://ir.library.osaka-u.ac.jp/>

Osaka University

THE CONSTITUTIONAL CHANGE AND CONTINUITY IN THE AMERICAN REVOLUTION

Takeshi MATSUDA

アメリカ合衆国独立二百年を境として、アメリカ独立革命に対する関心が各方面から高まっている。独立革命という題からも明らかな様に、筆者は、一七六三年から合衆国憲法制定に至る一連の運動は、単にイギリス帝国からの独立運動だけでなく、建国後の統治をめぐる『内部革命』という二重の政治、社会運動であった、という立場に立っている。本稿の目的は、植民地時代から独立宣言発布、連合規約時代を経て、合衆国憲法制定に至る時期において、アメリカ独立革命が憲政史上、どのような変化をもたらしたかを、当時の政治理念、政治闘争に言及しながら、明らかにしようとするにある。

まず植民地時代は、一部のエリートが各植民地の政治を支配し、決して民主的ではなかった。一七七六年の独立宣言を契機として、人民主権の原則を掲げるデモクラッツが主導権を握り、各邦で『内部革命』を遂行していった。そして彼らは、次から次へと革命の成果を邦憲法に成文化していく。そして独立戦争遂行上、連合規約の下で中央政府を創設するが、そこでも各邦は中央政府に対し、絶対的、支配的権限を持っていた。

戦争遂行を通して、又シェイズの反乱に代表されるように、高まる『水平的精神』^{レベリング・スピリット}に脅威を抱くホイッグ・ナショナリスツは、強力な中央政府の成立を望み、デモクラッツから政治の主導権を奪取しようとした。そして、ついに一七八七年のフィラデルフィアでの憲法制定会議で勝利を得る。ここで、同じく人民主権の名による強力な中央政府が再び成立する。

In 1976, the 200th year of the American Revolution, widespread interest in the Revolution was evinced both in the United States and abroad to celebrate its bicentennial. In fact, it is a sign of great interest that many books and articles on the Revolution have been published for the past years. Characteristically, some American historians emphasized the importance of the study of loyalism¹ in the American Revolution, while others have recently begun to ask such challenging questions as to the relationship between the American Revolution and the creation of a modern state and have begun to re-examine the limitation and incompleteness inherent in the Revolution² without necessarily praising the positive aspects of the Revolution. Undoubtedly such questions are worth seriously pursuing. But because that subject is beyond the scope of this article and because much work has been done on the theme, I will, instead, attempt to deal with political and constitutional changes or lack of, in the era of the American Revolution and to examine what significance the American Revolution possesses in the political, constitutional history. In order to examine political and constitutional change and continuity in the American Revolution from 1763 to 1789, it is necessary, for the convenience of analysis, to divide the era into three parts; first, the years before 1776, secondly, the period from 1776 to 1787, and thirdly, the years after the Revolution of 1787. In other words, I will discuss political theory and practice in the thirteen colonies before the Declaration of Independence. Then I will turn to examine political changes brought by the Revolution of 1776. Thirdly, I will survey political and constitutional changes after the Revolution of 1787. Finally, I will summarize what changed or remained relatively unchanged during the period of the American Revolution.

In terms of the source of authority for establishing a government, people in Britain and British North America believed that no government could exist in a colony without a grant of power from the crown. In practice, the British Parliament exercised the power of a sovereign, central government over the colonies. Britain, for example, had and used the power to appoint and remove eleven colonial governors, the members of upper houses of ten legislatures, and the justices of eleven supreme courts. Acting through the colonial governors, Britain controlled most of the local officials down to the justices of the peace on the county and township level in all the colonies except Connecticut and Rhode Island.³ In addition, Britain exercised the power to veto colonial legislation, to review cases from colonial supreme courts, and to intervene to suppress internal rebellions in the colonies.⁴

Although by 1763 the colonies obtained virtual self-government, the colonial governments were not democratic in operation. The men in power did not believe in democracy. In fact, the politics of the individual colonies was controlled by relatively small groups of men, each of them allied by family, or economic and political interests or both.⁵ The multiple office-holding of

Hutchinson-Oliver oligarchy in Massachusetts was a case in point. As Robert J. Taylor⁶ and Charles S. Sydnor⁷ demonstrate, the local politics was also controlled by a small number of the colonial aristocrats whose power derived from wealth, ability, family connections, political allies, and royal patronage. Those colonial elites managed to control the internal political structure through property qualification for suffrage and through a refusal to grant representation in proportion to the growing population in frontier areas and cities. Moreover, the colonial elites dominated the upper houses of colonial assemblies.⁸ The upper houses were intended to check the growing power of elected lower houses.⁹ Furthermore, political control by the colonial elites was buttressed by a political assumption held by people at the time. The basic political assumption was that men without property should not have a right to vote or take part in government. As a corollary, they assumed that men of property were fit to rule, taking for granted the seventeenth-century maxim that "power follows property." Thus the colonial elites enjoyed political deference from the people.

Since the year of 1763 the British Parliament reinforced its mercantilist policies over the colonies. In the face of the centralizing policies of Great Britain, the colonial elites used democratic arguments such as "no taxation without representation" to oppose the oppressive British Parliament. On their part, however, the colonial ruling class did not intend to put those democratic arguments into practice. They were not interested in internal political and social changes. Moreover, they turned a deaf ear to mounting discontent emanating from western rural areas and urban centers on the Atlantic coast. Triggered by the Stamp Act Crisis of 1765,¹⁰ popular leaders¹¹ who had been unconnected with the old elite appeared and became active. New popular leaders roused up and politicized mass people who had been politically docile and inactive till then, by resorting to such effective means as mass meeting and mob violence. They, too, used the same democratic arguments that the colonial ruling aristocracies had used against the British Parliament. Thus popular leaders increasingly mounted attacks on colonial aristocracies as the war for independence neared. In summation, the colonial government before the Declaration of Independence was not democratic in operation.

The Revolution of 1776 brought about political and constitutional changes in the state constitutions. With the break with Britain in 1776, radical political changes became inevitable. First, a revolution took place in political theory. With the British authority gone, the Americans had the problem of the source of authority for the establishment of a government. Among popular leaders, there were two different groups, one of which was whigs, and the other of which democrats. Whig leaders, on the one hand, were mainly concerned about seizing power from the old ruling elites by the separation from Britain, not interested in internal changes. On the other hand,

democratic leaders, more responsive to the voices of the people, were enthusiastic about carrying out the “internal revolution.” Here a brief explanation of the political ideology of both whigs and democrats is called for. Whigs held an assumption that the possession of political power corrupted the possessor and that men in office must be checked. Learning from the British and their colonial experiences, whigs were convinced that the ideal form of government was a “balanced” government in which a king (an executive) representing efficiency, the better sort of people (an upper house) supplying wisdom and ability, and the common people (a lower house) providing popularity, should check and balance each other. They never believed in the competence of the ordinary people to govern themselves nor the ability to elect the better sort of people. They had a deep conviction that only elites were fit to rule. Thus they wanted to avoid and check an “excessive” or “mere” popular democracy. Democrats having faith in the people, on the other hand, believed that the people were good not evil and that they were competent to govern themselves and knew their own interests. At the same time, democratic leaders insisted that representatives or delegates should be bound by and carry out the desires of the people and that the executive branch of government should be subordinate to the legislature.

Immediately after the Declaration of Independence, democrats were triumphant in local governments now that the coercive central authority of Great Britain disappeared. In their states, American revolutionaries worked on making state constitutions in which they attempted to redress their old colonial grievances such as the lack of representation, poll taxes and taxes on land by the acre instead of value, the opposition to the established Anglican churches, and the lack of defence against Indians. After declaring independence, democrats maintained that there existed the “state of nature” in America. A Pittsfield petition in May 1776 proclaimed that “the people were the fountain of power.”¹² Democratic leaders codified their conviction of “The People the Best Governors” by stating that:

“We hold these truths to be self-evident, that all men are created equal, that they are endowed by their Creator with certain unalienable Rights, that among these are Life, Liberty and the pursuit of Happiness. That to secure these rights, Governments are instituted among Men, deriving their just powers from the consent of the governed. That whenever any Form of Government becomes destructive of these ends, it is the Right of the People to alter or to abolish it; and to institute new Government, laying its foundation on such Principles and organizing its Powers in such form, as to them shall seem most likely to effect their Safety and Happiness.”

In fact, the Declaration of Independence was the embodiment of such principles as the equality of men, the sovereignty of the people, the right of people to change their government as they pleased. The ultimate goal of government, therefore, was to protect “Life, Liberty and the pursuit of Happiness.”

Secondly, a revolution took place in the radical shift of the political balance of power within the former political structure of the colonial government. Most of the public offices which had been appointive, became elective now. American revolutionaries, many of whom had had little experience of holding public offices before, filled up the power vacuum created by the expulsion of royal appointees and loyalists. It was indeed a democratic revolution when the appointed hierarchy collapsed and was replaced by elected officials. For example, first, the appointed governor was replaced by one elected by the voters or by the legislatures. Secondly, the appointed councils, whose member usually sat for life, were replaced by larger senates elected by the voters for terms. Thirdly, supreme court judges were now either elected by legislatures or appointed by elected governors and were, thus, within reach of the voters for the first time. Fourthly, the elective legislatures became the supreme organ of government in every state. Fifthly, the lower houses of the legislatures became the dominant branch, while the power of the senates became far less than that of the pre-war councils. And sixthly, the senators, too, who, in theory, were expected to check the lower houses, had to be responsive to the voters if they wish to be re-elected.

The most radical change took place in the office of governor. The governors of the royal colonies had, at least in theory, vast powers including an absolute veto. But in new state constitutions, the governors were shorn of virtually all power. The state governors lost the veto power except in Massachusetts and New York, but even there the legislatures could override them. Governors could no longer dissolve legislatures and call elections when they pleased or adjourn legislatures at will. Governors in the Southern states were rotated out of office and were prohibited from serving again until a number of years had passed. If a governor wished to acquire power, he had to secure it by appealing to the voters.

The American Revolution of 1776 witnessed not only the shift in the balance of power in governmental branches but also a qualitative change within government, namely a big turnover of office-holders. By the Revolution of 1776 many of the aristocratic elites were virtually wiped out. According to a recent study, the turnover of office-holders for the colonies as a whole was seventy-seven percent, and only in Connecticut and Delaware was it less than fifty percent. One hundred percent of the elite were removed in New York, Pennsylvania, and Georgia, and over eighty percent in Virginia, Maryland, and New Hampshire.¹³ Studying “the Upper House in the

Revolutionary Era,” Jackson T. Main concludes that the social and economic background of the members of the upper house became more diversified,¹⁴ and that the Revolution created a new group of leaders such as George Clinton, Patrick Henry, and John Adams.¹⁵ The collapse of the appointive hierarchy and the removal of colonial aristocrats opened the way for new men to occupy high offices and also encouraged participation of more people in political action.

Through the teaching of the English republican writers and through their own colonial experience, the Americans in the revolutionary era had a basic assumption that power corrupted the possessor and they shared common distrust of the men in power. An American declared that “a rotation of power, a rotation of office, with moderate salaries, are the best and most effectual means to preserve the liberties of the people.”¹⁶ Many Americans were convinced that the preventive measure for corruption and abuses of power was rotation of office for governors, in particular, and frequent elections for legislatures so that governments would be more responsive to the voters. With political power in their hand, the people embodied their convictions into permanent state constitutions.

There were also changes that took place in other fields, although they were never completed but only began. The American Revolution of 1776 ushered the way for ending the property qualification for suffrage and office-holding, for many American people and revolutionary leaders believed that a man was entitled to vote and to hold office because he was a man. Thus a few states actually achieved manhood suffrage. A state went a step further. New Jersey, for example, gave women the right to vote. But after a brief trial, that democratic experiment was abolished. A few states made progress in the direction of representation according to population. Progress was also made in the direction of disestablishing state churches, though one still had to be a protestant to hold office.

Another important part of the political development in the era of the American Revolution was the relationship between the states and Congress during the period of the Articles of Confederation from 1781 to 1789. Under the Articles of Confederation the states enjoyed all control over what Congress should decide and constitutionally Congress could not impose anything on the states unless agreed to it. The state legislatures elected members of Congress annually, told them how to vote, and recalled them at will. In other words, there existed thirteen “sovereign states” under the Articles of Confederation. At the same time, the Americans established a republican form of government, rejecting a monarchical form of government as a corollary to justify the war for independence. It should be remembered, however, that such a democratic revolution took place within the unchanged political structure. There was little change in the structure of local governments because the state constitutions retained the former political fabric

of the colonial government.

In short, the Revolution of 1776 and the subsequent period under the Articles of Confederation showed that state governments were independent because Congress had no power over them or their citizens, and democratic because the people could govern themselves as they pleased. It is worth repeating, however, that the state political institutions and structure remained relatively unchanged during the American revolutionary period. In other words, state legislatures, office of governor, state supreme courts, county courts, justices of the peace and others remained unchanged. In this sense alone, it can be said that the American Revolution was a conservative movement.

The triumph of the democrats (later the true federalists) did not last long, however. As independence was irreversible, revolutionary leaders were committed to establishing a republican form of government. This was demonstrated by the fact that there were power struggles among revolutionary leaders over what kind of republican government should be established, because leaders held a strong sense that this was a critical point in history. They debated over whether they should adopt a “democratic” or “balanced” form of republican government. Although the advocates of a “balanced” government lacked strength in 1776, they lost no time mobilizing forces. The whig-nationalists repeatedly pointed out the defects of the central government under the Articles of Confederation. For Example, the United States Congress did not have powers to levy taxes on the states, which financially crippled the war efforts to fight the British soldiers. And fearing the rampant “levelling spirit” shown clearly in the Shays’s Rebellion of 1786, the opponents of democrats called for a strong central government. For the ultimate purpose of enlarging the power of the central government, they held the Annapolis Convention in 1786 under the leadership of the state of Virginia. Since the democrats doubted the ulterior motives behind the Convention, not enough delegates met in Annapolis. It was decided, however, that another convention should be met in Philadelphia in the spring of 1787.

The Americans who resisted the “internal revolution” were convinced that independence brought with it the establishment of “unchecked” democracy, and they opposed demands for democratic governments, unchecked supremacy of legislature, manhood suffrage, equal representation, and local self-government. Those whig-nationalist leaders such as John Adams, James Madison, and James Wilson came to realize that if the democratic surge could not be checked, a mixed, balanced government should be created as a political mechanism to protect property from the attacks of majority rule. The concept of “mixed” government, which John Adams advocated, was a government which would balance social classes, the rich and the poor, against one another. To Adams’s mind, in a mixed government, the poor were represented in

one part of the government, and the rich in the other, with the executive to hold the balance between them. Adams believed that the “balanced” government was the only mechanism in which the interests of minorities (the rich) could be protected from the onslaught of democratic forces.

When the Constitutional Convention met in Philadelphia in 1787, the delegates’ major concern was about what kind of national government they should establish in order to protect minorities from majorities and to protect property from the assaults of state legislatures. At the Convention, delegates had two major areas they agreed to work on. One was the relationship between the central government and the states, and the other was the structure of the central government itself.

The Convention delegates¹⁷ worked on the problem of the relationship between the central government and the states. As mentioned earlier, there was a consensus among the delegates that a republican form of government should be guaranteed on both state and national levels.¹⁸ This consensus was perhaps reached by the delegates as a matter of fact in order to justify the cause of independence. Another consensus was that the power of the state legislatures should be reduced. In the opening speech, Governor Rundolph of Virginia stated succinctly the feeling of the delegates by saying that “our chief danger arises from the democratic parts of our (state) constitutions,”¹⁹ and he called for “a strong consolidated union in which the idea of states should be nearly annihilated.”²⁰ Particularly the delegates were enthusiastic about drastically limiting the economic powers of the states. It was the majority-ruling state legislatures that the delegates feared would take property away from them. Thus after little debate they reached the resolution that the states could not coin money, issue paper money, or make anything but gold and silver legal tender in the payment of debts without the consent of Congress. And the Constitution forbade the states to impair the obligation of contracts.²¹ Thus the Constitution prohibited the state legislatures from enacting specific kinds of economic legislation.

What the delegates attacked next was “the mutability of the laws of the states.” The delegates made it clear that the Constitution, the laws of the United States Congress, and the treaties concluded by the United States Government were the “supreme Law of the Land.”²² Judges in every state “shall be bound thereby, anything in Constitution or Laws of any State to the Contrary notwithstanding.”²³ And the judicial power of the United States would extend to every state to ensure that the “supreme Law” would be enforced throughout the United States and upon the states and their citizens.

Another aspect of the extension of the power of the national government over the states was in the area of domestic violence. According to the Constitution, Congress has the power “to

provide for calling forth the Militia ... to suppress Insurrections”²⁴ while the President can act as Commander in Chief “of the Militia of the several States when called into actual Service of the United States ... ”²⁵ Thus the assertion of Congress over the state legislatures became complete.

The delegates in Philadelphia were not satisfied to reduce only the power of the states. They also set about another major task of creating a “balanced” structure of the national government. Against the traditional principle of legislative supremacy, most delegates had the desire to limit the power of an “unchecked” Congress. To that end, the Constitution authorized the judiciary the power to review the constitutionality of the laws that Congress would enact.²⁶ Moreover, the President was given authority to exercise a veto power over Congressional legislation, although Congress could override a veto by a two-thirds vote.²⁷

Over the executive branch of government the delegates debated greatly. After debate over the method of electing the President, the delegates resolved that the President be elected by an electoral college²⁸ and that the number of the terms that the President might serve not be limited. In relation to Presidential power, the hot issue was whether or not the President had the war-making power as had the British king. Fearing the appearance of a tyrannical president, the delegates resolved that the President had the authority to conduct war,²⁹ while only Congress was authorized to declare war.³⁰ Concerning the third branch of government, the judiciary, the Constitution stipulated that the national judiciary be appointed for life³¹ by the President with Senate approval and that the Supreme Court decide upon the constitutionality of the laws of the states and the central government.³²

The delegates in the Constitutional Convention had a consensus on the reduction of economic powers of the states, but their unanimity broke when they worked on the issue of representation in Congress because it involved the conflicting interests affecting those of the large states and the small states and those of the Northern states and the Southern states. Leaders of the large states³³ such as James Madison and James Wilson insisted that the number of representatives in Congress should be based on population, while Roger Sherman, a spokesman for the small states, demanded that “we ought not to vote by numbers. We are representatives of states, not individuals.”^{34,35} There was also a conflict between the North and the South. Traditionally the North and the South did not trust one another for their own political and economic ambitions. Over the issue of sharing expenses to fight the war for independence the New Englanders and the Southerners split. The Northerners insisted that the sharing of expenses should be based on population, while the Southerners argued that it should be in accordance with land values so that they could escape paying taxes on slaves. And every delegate knew that the issue of representation involved the problem of slavery, namely the problem of whether the slaves should be counted as “person” or

“property.” After bitter fighting, the Convention decided that the House of Representatives would be elected by the people of the states every two years³⁶ and that Representatives should be apportioned according to the number of free Persons and three fifths of all other Persons which meant slaves. The delegates resolved that the Senate, being composed of two Senators from each state, would be elected by state legislatures for six-year terms, with one-third going out of office every two years.³⁷ And the Convention added another provision that the House of Representatives would be reapportioned every ten years on the basis of the census.³⁹ The Northern and Southern delegates made a deal concerning navigation legislation and the importation of slaves. The Convention decided that the slave trade would not be prohibited until 1808⁴⁰ and that runaway slaves should be returned⁴¹ while resolving that a simple majority of Congress could pass navigation acts.

A most important addition to the Constitution was the Bill of Rights which would guarantee fundamental human rights. Moreover, reflecting the traditional belief that “power corrupts the possessor,” and preventing an “interested majority” from controlling the central government for a long duration, the Convention delegates put the idea of rotation in office or “successive filtrations” into the Constitution. Accordingly, the Constitution stated that there be a Presidential election every four years and a Congressional election every two years.

There was also a significant change in political theory during the American Revolution. European political philosophers like Montesquieu believed that a republic could work only in a small, limited area. But James Madison in the tenth *Federalist Paper* argued that a republican government could work in spatially extended areas. Madison’s idea was based on the assumption that one or a group of local political factions find it difficult to capture the central government if many contending factions existed in a large area. Madison’s idea was a clear embodiment of the eighteenth-century concept of “balanced” government or “checks and balances” as John Adams formulated in his *Thoughts on Government*. At the same time, the Convention resolved that “New States may be admitted by the Congress into this Union”⁴² on an equal basis without any obstacles to entrance. Agreeing on the desirability of extending the area, Thomas Jefferson wrote from Paris that “I think our governments will remain virtuous for many centuries, as long as they are chiefly agricultural, and this will be as long as there shall be vacant lands in any part of America.”⁴³ Thus theoretically and institutionally the United States was ready for a landed “empire.” In short, the Philadelphia Convention achieved a creation of a strong central government which took up a vast amount of power from the state legislatures. In this sense, the Revolution of 1787 was a counter-revolution vis-à-vis the Revolution of 1776. What is amazing, however, was the Revolution of 1787 was carried out on the same principle of the sovereignty

of the people, as which underlay the Revolution of 1776.

Finally, by comparing the years before 1776 with the years after 1787, the recapitulation of political and constitutional change and continuity is in order. The American Revolution established a republican government, upheld the principle of the sovereignty of the people, adopted the federal system, stipulated the Bill of Rights, spread the spirit of equality and suffrage, and improved representation and religious toleration. The following aspects, however, remained relatively unchanged. They were the local political institutions and structure, and the existence of a powerful central government controlled by the elites.

FOOTNOTES

1. Bernard Bailyn, *The Ordeal of Thomas Hutchinson*, Cambridge, Harvard University Press, 1974
Carol Berkin, *Jonathan Sewall: Odyssey of an American Loyalist*, New York, Columbia University Press, 1974.
Robert A. East, *Connecticut's Loyalists*, Chester, Conn., 1974.
2. Jesse Lemisch, "The American Revolution Seen from the Bottom Up" in *Towards a New Past: Dissenting Essays in American History*, ed., by Barton J. Bernstein, 1968.
Gary B. Nash, *Red, White, and Black*, Prentice-Hall, N. J., 1974
Alfred Young, ed., *The American Revolution: Explorations in the History of American Radicalism*, Northern Illinois University Press, 1976.
3. Eleven out of the thirteen colonies became royal colonies by 1760 except Rhode Island and Connecticut. The year in which colonies became royal is as follows: Virginia (1624), New Hampshire (1680), New York (1685), Massachusetts (1691), Maryland (1691), Pennsylvania (1693), Delaware (independent of Pennsylvania in 1701), New Jersey (1702), South Carolina (1721), North Carolina (1729), and Georgia (1752). Rhode Island obtained a charter from the crown in 1644 and Connecticut in 1662. In the two chartered colonies, governors and lower ranking public officials were directly elected and paid by the colonists themselves.
4. Among many, the suppression of the uprising in Boston in 1689 and of Jacob Leisler's rebellion in New York in 1689 are cases in point. See, David S. Lovejoy, *The Glorious Revolution in America*, 1974. And also in the 18th century, the Regulator movements in the Carolinas, the Paxton Boys' uprising in Pennsylvania, and the tenant farmer revolt in New York.
5. Ellen E. Brennan, *Plural Office Holding in Massachusetts, 1760-1780* Chapel Hill, 1945
6. Robert J. Taylor, *Western Massachusetts in the Revolution*, Providence, 1954
7. Charles S. Sydnor, *Gentlemen Freeholders: Political Practice in Washington's Virginia*. Chapel Hill, 1952
8. Jackson T. Main, "Social Origins of a Political Elite: The Upper House in the Revolutionary Era." in *The Huntington Library Quarterly*, vol. XXVII, # 2 February, 1964.
9. Jack P. Greene, *The Quest for Power: The Lower House of Assembly in the Southern Royal Colonies, 1689-1776*. Chapel Hill, 1963
"Political Mimesis: A Consideration of the Historical and Cultural Roots of Legislative Behavior in the British Colonies in the Eighteenth Century," in the *American Historical Review*, vol. LXXV, #2, December 1969

10. Edmund S. & Helen M. Morgan, *The Stamp Act Crisis: Prologue to Revolution*, New York, 1962
Akira Imazu, "Iwayuru Inshi Jōrei Ikki Ni Tsuite" in *Shirin* 37-5, 6. (1954) pp. 1-36, 49-80.
11. Popular leaders, for example, were Samuel Adams and John Adams of Massachusetts and Richard Henry Lee and Patrick Henry of Virginia.
12. Cited from Merrill Jensen, *The American Revolution within America*, New York University Press, 1974, p. 65
13. James K. Martin, *Men in Rebellion: Higher Government Leaders and the Coming of the American Revolution*, New Brunswick, N. J., 1973.
14. Jackson T. Main, "Social Origins of a Political Elite: The upper House in the Revolutionary Era"
15. George Clinton was an obscure backcountry politician and became the first governor of New York. Patrick Henry was also an unknown backcountry lawyer and became the first governor of Virginia. John Adams, the son of a small farmer in Massachusetts became the second President of the United States.
cited from Merrill Jensen, *The American Revolution within America* p. 68
17. Among the delegates in the Constitutional Convention in Philadelphia, the most vocal and vigorous group was the extreme nationalists. They were James Wilson and Gouverneur Morris of Pennsylvania, James Madison of Virginia, Charles Pinckney of South Carolina, Alexander Hamilton of New York, and Nathaniel Gorham and Rufus King of Massachusetts. They were united on the establishment of a powerful central government stronger than the British Parliament. At the opposite extreme were the democrats (the federalists from the true sense of the term). The spokesmen of this wing were John Lansing and Robert Yates of New York, Luther Martin of Maryland, William Paterson of New Jersey, Elbridge Gerry of Massachusetts. They agreed that the central government must have more power but that power should be carefully and precisely defined. The largest group was the moderate, middle-of-the-road realists, the leader of whom were George Mason of Virginia, Roger Sherman and Oliver Ellsworth of Connecticut, John Dickinson of Delaware, John Rutledge of South Carolina. They were nationalists on one occasion and federalists on another. They were, in fact, the holders of casting-vote in the Constitutional Convention.
see, Merrill Jensen, *The American Revolution within America*, pp. 172–174.
18. The Constitution of the United States, Article IV, Section 4.
19. Merrill Jensen, *The American Revolution within America*, p. 169
20. *ibid.*, p. 177
21. The Constitution of the United States, Article I, Section 10.
22. *ibid.*, Article VI.
23. *ibid.*, Article VI.
24. *ibid.*, Article I, Section 8.
25. *ibid.*, Article II, Section 2.
26. *ibid.*, Article III, Section 2.
27. *ibid.*, Article I, Section 7.
28. *ibid.*, Article II, Section 1.
29. *ibid.*, Article II, Section 2.
30. *ibid.*, Article I, Section 8.
31. *ibid.*, Article III, Section 1.
32. *ibid.*, Article III, Section 2.
33. Virginia, Massachusetts, and Pennsylvania had about fifty percent of the population in the United States.
see, Merrill Jensen, *The American Revolution within America*, p. 198.
34. cited from Merrill Jensen, *The American Revolution within America* p. 197
35. see, chapters 7 & 8 of Merrill Jensen, *The Making of the American Constitution*, 1964.
36. The Constitution of the United States, Article I, Section 2.
37. The Constitution of the United States, Article I, Section 3.
38. *ibid.*, Article I, Section 2.
39. *ibid.*, The number of representatives for each state was then New Hampshire (3), Massachusetts (8), Rhode Island (1), Connecticut (5), New York (6), Pennsylvania (8), Delaware (1), Maryland (6), Virginia (10), North Carolina (5), South Carolina (5), and Georgia (3).
40. *ibid.*, Article I, Section 9.

41. *ibid.*, Article IV, Section 2.
42. *ibid.*, Article IV, Section 3.
43. To James Madison, 20 December, 1787, Julian P. Boyd ed, *The Papers of Thomas Jefferson*, vol. XII, p. 442.