

bother to read today—the authors mainly protested against the British king for violating rights that, with some exaggeration, they had previously enjoyed as Englishmen.

The republican phase. The next phase, creating a popular republic, had begun with the astounding declaration on July 4, 1776, “that all Men are created equal.” The Declaration marks the beginning of a series of events that went much further than simply gaining independence from Britain. In what the historian Gordon Wood has called the “greatest Utopian movement in American history,”²¹ the Declaration also triggered a democratic revolution in beliefs, practices, and institutions—or better, an evolution—that has continued ever since. The two decades since independence had provided still more, and deeper, experience in the practices of self-government. Nor was this experience limited to a tiny minority. In some of the thirteen states, a fairly high proportion of adult males had acquired the franchise.²²

Toward a democratic republic. The lengthy colonial and post-independence experience provided a sturdy foundation for the efforts that Americans now undertook in the next phase of the revolution, when the new republic was transformed into a *more democratic* republic. To be sure, at the end of the eighteenth century few Americans were ready to concede that the principles of the Declaration, much less democratic citizenship, applied to everyone.²³ It would take two more centuries of evolution in democratic beliefs

before most Americans would be inclined to agree that the famous claim in the Declaration might be rephrased: not just “all men,” but “all *persons* are created equal.”

Yet always keeping in mind the huge and persistent exceptions, by the standards prevailing elsewhere in the world the extent of equality among Americans was extraordinary. Alexis de Tocqueville, who observed Americans during his year's visit in 1831–32, opened his famous work with these words:

Among the novel objects that attracted my attention during my stay in the United States, nothing struck me more forcibly than the general equality of conditions. I readily discovered the prodigious influence which this primary fact exercises on the whole course of society, by giving a certain direction to public opinion, and a certain tenor to the laws; by imparting new maxims to the governing powers, and peculiar habits to the governed.

I speedily perceived that the influence of this fact extends far beyond the political character and the laws of the country, and that it has no less empire over civil society than over the Government. . . .

The more I advanced in the study of American society, the more I perceived that the equality of condition is the fundamental fact from which all others seem to be derived, and the central point at which all my observations constantly terminated.²⁴

During the three decades before Tocqueville arrived, under the leadership of Jefferson, Madison, and others, supporters of a more democratic republic had already made some changes. The seismic shift from

the views of the Framers and the Federalists is symbolized by the changing name of the party that won both the presidency and Congress in the election that Jefferson called—as have later historians—the Revolution of 1800. To defeat the Federalists, win the election, and gain control of the new government, Jefferson and Madison had created a political party that they appropriately named the Democratic-Republican Party. By 1832, with Andrew Jackson as its winning candidate, the Democratic-Republican party became the Democratic Party, plain and simple.²⁵ The name has stuck ever since.

Conservative delegates among the Framers—later the core of the Federalist Party—had feared that if ordinary people were given ready access to power they would bring about policies contrary to the views and interests of the more privileged classes, which, as the conservative delegates viewed their interests, were also the best interests of the country. These conservative fears were soon confirmed. Within a decade the eminent Federalist leaders were pushed aside and the Federal Party became a minority party. A generation later had seen the demise of both the party and its leaders.

If these changes justified some of the pessimism about popular majorities of many of the Framers, their pessimism proved unjustified in another important respect. A substantial number of the Framers believed that they must erect constitutional barriers to popular rule because the people would prove to be an unruly mob, a standing danger to law, to orderly government,

and to property rights. Contrary to these pessimistic appraisals, when American citizens were endowed with the rights and opportunities to support demagogues and rabble rousers, they chose instead to support law, orderly government, and property rights. White male Americans were, after all, mainly farmers who owned their own land; or, where farm land was not easily available because most of it had already been occupied, they could count on the ready availability of good farm land farther west—often obtained, to be sure, at the expense of its earlier inhabitants, the Native Americans.

White Americans in vast numbers bought western land and settled down on their own farms. “Two-thirds of the landless white men of Virginia moved West in the 1790s. . . . Between 1800 and 1820, the trans-Appalachian population grew from a third of a million to more than two million.”²⁶ In foreseeing a democratic republic based on a citizen body consisting predominantly of independent farmers, mainly property owners cultivating their own lands, Jefferson reflected the reality of his time.²⁷ Outside the South, and even in the southern piedmont, a predominant number of American citizens were free farmers who stood to benefit from an orderly government dependent on their votes.

Ordinary citizens also revealed strong beliefs in democratic values and procedures. Presented with the opportunity to do so, they would choose leaders who cultivated democratic values and procedures. Just such an opportunity was soon presented by four acts passed

in 1798 by the Federalists, who were alarmed not only by the seemingly subversive activities of France but also by the rapidly growing influence of boisterous, irreverent, and sometimes libelous opponents in the new Republican party. In particular, the Federalists employed one of these new laws, the Sedition Act, in an effort to silence Republican critics. Notable among the fourteen who were prosecuted was a bombastic and somewhat unsavory Republican congressman, the Irish immigrant Mathew Lyon, whose only memorable contribution to American history was his conviction for sedition, which carried a fine of a thousand dollars—a huge amount in those days—and four months in jail.²⁸ To the Republicans, the Sedition Act was a flagrant violation of the newly adopted First Amendment. After they gained the presidency and control of Congress in the election of 1800, the Sedition Act was allowed to lapse, despite the vigorous efforts of the Federalists.

Democratic Changes to the Framers' Constitution: Amendments

The fate of the Alien and Sedition Acts symbolizes a larger change at work in the country. The democratic revolution, fitful and uncertain though it would forever remain, not only helped to democratize the formal constitution itself by amendments, it generated new democratic political institutions and practices within which the constitutional system would operate.