
Review Essay

Myth-Making and Myth-Breaking in the Historiography on John Dickinson

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At Signers' Hall in Philadelphia's Constitution Center, statues of the framers pose amid debate. Some appear to be listening keenly, while others leap across the room to make a motion. The cluster of activity orbits Benjamin Franklin. It is along the periphery that we find the statue of John Dickinson, alone in one corner, studiously apart. His head is slightly lowered; his chin rests in his right hand, the left tucked behind his back. He is the model of reserve, if not reticence, a man withdrawn—perhaps even timid. He does not enter the fray of politics and constitution-making.

Among the historical myths represented in that bronzed convention, that of Dickinson's placid personality and non-participation in the founding has been especially persistent. It is not really a popular misperception: Today's public knows too little of Dickinson to mount an opinion. It is scholars, in fact, who have either minimized or distorted Dickinson's contributions.

Dickinson has both a history problem and a historiography problem. The history problem is that contemporaries were not ready for many of his ideas, including those that prompted his most notorious acts: speaking against the Declaration of Independence, abstaining from the vote, and refusing to sign. He was out of step with his time on other issues, too, which is why he is fascinating. Dickinson was aware that his political

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opponents misrepresented him and his achievements, yet neither he nor his admirers anticipated that his legacy would suffer as it has. When the artist Robert Pine pressed Dickinson to allow his image to be included in a painting of the signing of the Declaration, Dickinson refused, saying: “Enough it will be for me, that my Name be remembered by Posterity, if [it is] acknowledged, that I cheerfully staked everything dear to me upon the fate of my Countrymen” and that he always “endeavour[ed] to promote their Happiness [and] continued faithfully attached to their cause.”¹

Dickinson’s historiographical problem is severe. Two main schools of historiography, the Whig consensus and New Left, omitted him or minimized his role. The first, which largely dominated the telling of history until the 1960s, was winners’ history. It privileged a narrowly defined patriotism and heroism that correspond with a traditional national narrative. It had no place for dissenters, for those whose ideas did not prevail at that historical moment. George Bancroft’s work in the early nineteenth century helped determine how historians would treat Dickinson for almost two centuries. If he did not ignore Dickinson, he ensured that later historians would. In Bancroft’s narrative, Dickinson was the self-interested, cowardly, and effeminate foil to the patriot cause.²

In the late-nineteenth and twentieth centuries, few scholars ventured any analysis of Dickinson’s politics. Although the tone was generally friendlier, most found him deficient in some way (timid, indecisive, confused), and they wedged him unconvincingly into pre-existing intellectual frameworks (Whig, conservative, radical, liberal, nationalist, Puritan) without understanding his thinking. Some believed Dickinson was important, but they could not understand his political decisions, and they projected their confusion onto him. In a tellingly candid moment, J. H. Powell, who spent decades trying to write a biography, exclaimed, “Where in hell did Dickinson learn the complicated way of politics he tried to put into practice?” Only Frederick Tolles, the Quaker historian, sensed the source of his theory. But no one followed up on the start he made to articulate the Quaker influence on Dickinson.³

1. John Dickinson (hereafter JD) to Robert E. Pine, July 6, 1785, R. R. Logan Collection, Historical Society of Pennsylvania, Philadelphia (hereafter HSP).

2. George Bancroft, *History of the United States, from the Discovery of the American Continent* (10 vols., Boston, 1844–1891), 7: passim.

3. Charles J. Stillé, *The Life and Times of John Dickinson* (Philadelphia, 1891). Paul L. Ford, *The Writings of John Dickinson* (Philadelphia, 1895). David L. Jacobson, *John Dickinson and the Revolution in Pennsylvania, 1764–1776*

Milton Flower's 1983 biography is representative of the weak, muddled, and inaccurate treatments of Dickinson. Flower argues that Dickinson was variously "radical," "moderate," and "conservative" in his political stance, depending upon the situation. An ever-changing Dickinson, despite his own claims of principled consistency, was motivated to resist independence not by principle or philosophy but by vague "conservative" sentiments and a mild temperament. Built on sources that subsequent research cannot verify, Flower's work is not just unsatisfying; it is inherently unreliable.⁴

One small but significant example will suffice. Flower claims that when Dickinson abstained from the vote on independence, he withdrew to stand "behind the bar" in the State House assembly room to indicate his removal from the proceedings. Flower cites Charles Stillé's 1891 biography of Dickinson for this helpful image. But Stillé made no such claim and never used those words. He says simply that Dickinson "absent[ed] himself" from the vote. The phrase "behind the bar" is a term of art used in parliamentary contexts and *might* have been employed in a figurative sense in early America to indicate abstention. But the congressional document recording the vote uses no such language; it is merely a list of how the colonies voted and does not mention any individuals. To claim that Dickinson literally or figuratively "withdrew behind the bar" is doubly problematic considering that Dickinson doesn't appear to have been in the building at the time of the vote. Congress did not take attendance, and Thomas McKean, the only source mentioning Dickinson specifically, recalled him being absent during the

(Berkeley, 1965). Merrill Jensen was among the first to give Dickinson serious treatment in *The Articles of Confederation: An Interpretation of the Social-Constitutional History of the American Revolution, 1774-1781* (Madison, WI, 1940); but he does not unpack his interpretation of Dickinson as a "conservative." Those who published articles include J. H. Powell, Bernhard Knollenberg, H. Trevor Colbourn, Leon DeValinger, William G. Soler, M. E. Bradford, Edwin Wolf II, Stanley K. Johannessen, M. Susan Power, and Forrest McDonald. J. H. Powell, notes for Dickinson biography, May 26, 1955, John Dickinson Materials, John Harvey Powell Papers, American Philosophical Society, Philadelphia. Fredrick B. Tolles, "John Dickinson and the Quakers," in *"John and Mary's College": The Boyd Lee Spahr Lectures, 1951-1956* (Carlisle, PA, 1956), 67-88.

4. Milton E. Flower, *John Dickinson, Conservative Revolutionary* (Charlottesville, VA, 1983), 166.

proceedings on that day. Flower's claim is thus the foundation for a myth.⁵

New Left history shattered the consensus model and should have brought Dickinson to the fore with a more accurate and nuanced interpretation of his thought and actions. The Civil Rights movement and the Vietnam War protests put the issues of peace and peaceful protest front and center, and a new generation of historians, rejecting the hegemonic forces that created the Whig consensus school, began a very necessary exploration of the dissenting and disenfranchised voices of the past. Yet political history in particular suffered, as many historians turned to social history and elite political leaders (referred to derisively as DWMs—dead white males) assumed blame for crimes of their generations. Still, the New Left was bound by the winners' history of the past, in that its adherents accepted the existing pantheon. The inevitability of the Revolution remained intact, and dissenters remained the losers. To compound Dickinson's problem, New Left historians generally viewed religion as an oppressive force—a mere tool of the DWMs—and failed to engage with conflict involving early American Protestant theologies.

The historian's first task in revealing Dickinson's contribution is to overcome the damage already done. In fact, he both played a significant role in the founding and possessed a cohesive political theory that differed from, but complemented, the traditional patriotic narrative. In *Quaker Constitutionalism and the Political Thought of John Dickinson* (New York, 2009), I described in detail how Dickinson's allegedly incoherent political thought and action make perfect sense when understood as an expression of Quaker theologico-political thought. My work explores two central Quaker principles: peaceful dissent and the concept of the perpetual and amendable constitution. Sources discovered since then reveal that Dickinson, though not a Quaker himself, shared other priorities within the Religious Society of Friends, none of which were widely accepted by other Americans in the years preceding the Revolution. These include religious liberty, abolitionism, and feminism.⁶

5. Flower, *John Dickinson*, 166. Stillé, *The Life and Times of John Dickinson*, 197; "Adoption of the Resolution Calling for Independence from England," July 2, 1776, Record Group 360, Papers of the Continental Congress, 1774–1798, National Archives and Records Administration, Washington; Thomas McKean to A. J. Dallas, Sept. 26, 1796, in *Letters of the Members of the Continental Congress*, ed. Edmund C. Burnett (Washington, DC, 1921), 1: 533–34, 534.

6. Jane E. Calvert, *Quaker Constitutionalism and the Political Thought of John Dickinson* (New York, 2009).

We should finally be ready for a new approach to Dickinson. Unfortunately, that has not occurred; instead, Dickinson has been co-opted by authors in the “founders chic” genre. David Waldstreicher has suggested that this literary fad (for it is not exactly a scholarly one) revives the Whig history of the antebellum period, serving some of the same political purposes. Founders chic belongs to the “culture wars,” with movies and television shows capitalizing on the renewed public interest in the period. Respected historians should write popularly, but in doing so they should not neglect scholarly standards—for then they cease to be historians and become myth-makers. Now Dickinson has leapt from relative obscurity to chicdom. Yet he remains as distorted as ever.⁷

Most of the “chic” authors center their discussions narrowly on the years and days surrounding July 1–2, 1776, presenting no new insights, and usually reviving the outdated, unsubstantiated claim that Dickinson was “conservative.” They depend exclusively on secondary sources and the few Dickinson documents that have been published; without having visited the archives and read his voluminous papers, they insist that Dickinson never explained his actions and motives.

The first such treatment of Dickinson was David McCullough’s in *John Adams* (New York, 2001), which became even more popular with the HBO series based on the book. This Dickinson is strikingly reminiscent of Bancroft’s: a haughty, sour-faced, vaguely disloyal foil to the patriot Adams. In 2008, Dickinson made the top-ten list in *America’s Forgotten Founders*. Scant on sources and misusing those cited, the entry claims that “Dickinson was a Quaker,” despite scholarly assessments to the contrary. The text is ornamented by pull-quotes from non-experts with solid conservative credentials—a professor of classics, a theologian, and a law professor, who, though qualified to assess Dickinson, gets credit for a quote that was actually made by a historian decades earlier. *America’s Forgotten Founders* is distributed to public school teachers in National Endowment for the Humanities-funded teaching workshops.⁸

In Jack Rakove’s *Revolutionaries: A New History of the Invention of America* (New York, 2010), his discussion on Dickinson does not live up to the novelty promised in the title, but Rakove is the only “chic”

7. David Waldstreicher, “Founders Chic as a Culture War,” *Radical History Review* 84 (2002), 185–94.

8. Howard L. Lubert, “John Dickinson (1732–1808),” in *America’s Forgotten Founders*, ed. Gary L. Gregg II and Mark David Hall (Louisville, KY, 2008), 91–101.

author whose interest in Dickinson is more than faddish. His earlier treatment of Dickinson's draft of the Articles of Confederation in *The Beginnings of National Politics* (New York, 1979) is solid and useful scholarship. Like Robert Calhoun in another serious treatment, *Political Moderation in America's First Two Centuries* (New York, 2009), Rakove casts Dickinson as a moderate and explains his motivation as rooted in Quakerism; he demonstrates that Dickinson was part of a sizable and respectable faction during the debate over independence rather than a cranky, conflicted, or disloyal outlier.

In John Ferling's *Independence: The Struggle to Set America Free* (New York, 2011), religion is absent from the struggle. Although a prolific scholar of the Revolution, Ferling does not mention Dickinson's Quaker ties and presents no analysis of Dickinson's position beyond a few off-hand remarks. Echoing Flower's anemic interpretation, Ferling's Dickinson "was haunted by a conservative's fear of the forces of change." At the moment of the vote on independence, claims Ferling, Dickinson withdrew "behind the bar," as one congressman put it." What Congressman does he cite? None. He cites Flower, who cited Stillé, who never used the phrase or made the claim. In what is a familiar refrain for authors who eschew archival resources, Ferling claims, "Dickinson never offered an explanation for his abstention." Dickinson's purported silence allows Ferling's imagination to run wild: "A cynic might argue," he muses, "that Dickinson, who remained politically ambitious and enjoyed the taste of power, was merely seeking to avoid the ruin of his career." No one who has read Dickinson's writings would make such a suggestion. He was, as he himself explained repeatedly, "governed by the Dictates of his Conscience & Judgment in public Affairs," and perfectly aware of the political disadvantage inherent in taking the course he did: "Any man not more than half an Idiot" understood the danger of his position, he insisted to one correspondent in August 1776.⁹

Conservative journalist William Murchison's 2013 biography presents Dickinson as a principled, outspoken figure, rather than the timorous, effete, or self-interested character of most popular depictions. But this does not excuse the multiple serious problems in the

9. John Ferling, *Independence: The Struggle to Set America Free* (New York, 2011), 136-37, 330, 331. JD to unknown, Aug. 25, 1776, RRL/HSP.

work. The publisher, Intercollegiate Studies Institute, claims misleadingly that Murchison “at last” explains Dickinson’s stance against independence, and that Murchison’s was the first biography in “more than half a century”—Flower’s biography was in fact published thirty years earlier, in 1983. Murchison initially dismisses the possibility that Dickinson was influenced by Quakerism. He vows to adhere to the “historical record,” implying that Quaker constitutionalism departs from it. Crucially, Murchison mistakes the *historical* record for the *historiographical* record, depending almost entirely on dated secondary sources. He thus finds, like his befuddled predecessors, that Dickinson was primarily influenced by “common law, history, and a personal love of liberty”—as every other founder was. How, then, to explain Dickinson’s resistance to independence? A few chapters later, in a puzzling contradiction, Murchison reverts to Quaker constitutionalism and credits the elder historian Rakove (rather than the younger female historian who supplied the solution) for originating a “sophisticated” and “complex” thesis. But he shows he understands it not at all, when he claims that Quaker doctrine was “ground[ed] . . . in obedience to authority.”¹⁰

Ultimately, Murchison finds that Dickinson is, unsurprisingly, a conservative, an “American Burke.” He is not the first to make this claim either. Yet no analysis ensues, no detailed comparison of their political philosophies. Murchison actually admits that a comparison “is not easy to sustain.” In fact, it is impossible. Certainly Dickinson attempted to “conserve” the traditional relationship between the American colonies and Britain, resisting the sweeping and wrenching change a revolution portended. Indeed, he resisted radical elements in Pennsylvania and, like most framers of the Constitution, sought to “conserve” some of the sociopolitical hierarchy that the new democratic elements threatened to level. In this respect, Dickinson did share some political ideas with Burke. But the comparison cannot be taken further. The most obvious—but hardly the only—difference between the two is that Dickinson was an enthusiastic supporter of the French Revolution, while Burke’s reputation as a conservative was made by opposing it. But since the secondary sources on Dickinson in the 1790s are scant, Murchison finds that

10. William Murchison, *The Cost of Liberty: The Life of John Dickinson* (Wilmington, DE, 2013), x, 220n11, 106, 104.

“Dickinson scarcely spoke up” during this period. The historical record proves otherwise.¹¹

The most unlikely of authors are claiming Dickinson. In *Founding Conservatives: How a Group of Unsung Heroes Saved the American Revolution* (New York, 2013), engineer and professor of industry David Lefer again finds that Dickinson, along with James Wilson and Robert Morris, were Burkean conservatives. The publisher’s website makes the ridiculous claim that this is “the first book to chronicle the critical role these men played in securing our freedom.” Obviously drawing on Flower’s biography and other secondary sources, but with no citations, Lefer invents a dramatic scene:

At the end of a long, ruminative vigil, Dickinson and Morris hit upon the only honorable solution they could find. The next day, Tuesday, July 2, amid a torrential downpour and thunderclaps, they returned to the State House for the formal vote on independence. But rather than taking their seats with the rest of the Philadelphia delegation, they withdrew ‘behind the bar’ and were officially marked absent. They could only watch with mixed feelings as Pennsylvania now said ‘yea’ to separation by a single vote . . .

This all sounds wonderful until we remember that Dickinson (like Morris) was not there. There is no evidence of a vigil, of withdrawing, of marking absent, of watching; without sources, any feelings of the two men are guesswork. It was storming that day, but Lefer credits no source for this singular accuracy.¹²

Like his fellow “chic” authors, Lefer did not visit the archives, although he pretends he did. Most of the primary quotes he uses are culled from secondary sources; sometimes he uses an archival citation, but without attribution to the secondary source whence it came. On one occasion, he simply makes up the citation—there is no collection called “John Dickinson Papers” at the Historical Society of Pennsylvania. Perhaps it was in this fictional collection that he found the fictional

11. Murchison, *The Cost of Liberty*, 84, 206.

12. “Penguin.com (usa),” accessed Nov. 20, 2013, <http://www.us.penguin.com/nf/Book/BookDisplay/0,,9781595230690,00.html>. David Lefer, *The Founding Conservatives: How a Group of Unsung Heroes Saved the American Revolution* (New York, 2013), 118.

information that Dickinson's not being a pacifist "was the cause of many a family quarrel."¹³

In 2013, prize-winning historian Richard Beeman of the University of Pennsylvania produced *Our Lives, Our Fortunes, and Our Sacred Honor* (New York, 2013), holding himself firmly to the standards of his journalist and engineer colleagues. For his intended popular audience, his credentials and crafted narrative will easily obscure the book's substantive defects. Scholars may not be so quickly taken in. In his discussion of the key moment in Dickinson's career, the debate over independence, Beeman offers a creatively deceptive approach to the Quakerism thesis. Rather than refute with evidence, he simply constructs a new thesis out of straw and knocks it down. According to Beeman, "Historian Karen Calvert" argues that "fear is a central component of Quaker theology"; and it was Dickinson's "intense fear of dissension and, ultimately disunion" that drove him to resist independence.¹⁴

Dickinson did fear disunion; he feared it the way Abraham Lincoln did. But Beeman gets Quaker constitutionalism entirely wrong when he assumes—because he could not have read it in "Karen's" work—that Dickinson or Quakers feared dissension. Rather, they cultivated dissent of a particular kind and depended upon it to advance toward an understanding of God's will. In his analysis of this invented thesis, Beeman finds "Karen's" conclusions to be "purely speculative," because, lamentably, Dickinson was "never very self-revelatory in his writings." Apparently, if it's not online, Dickinson didn't write it.¹⁵

13. *Ibid.*, 376, 77. We can be virtually certain that Lefer did not visit the archives and discover on his own the few primary documents he cites. None of the real collections he cites has an itemized finding aid, and there is no way a researcher can page an individual document without having an exact citation. Could Lefer have traveled to Philadelphia, spent weeks sifting through reams of manuscripts, and come away with only these particular items? Yes, it's possible, but highly improbable. Even less probable is that he would coincidentally excerpt the same few words of a passage used in *Quaker Constitutionalism* and repeat the exact same transcription error. For the record, the quote (Calvert, *Quaker Constitutionalism*, 225, Lefer, *The Founding Conservatives*, 2) should read, "there was a present disposition to oppose [not "dispose"] the tyranny of parliament." Even the most meticulous researchers are liable to err, which is why professional historians do not rely on the research of others and risk perpetuating their mistakes.

14. Richard Beeman, *Our Lives, Our Fortunes, and Our Sacred Honor: The Forging of American Independence, 1774–1776* (New York, 2013), 471n3.

15. *Ibid.*

Had Beeman done what historians do and read the archival materials, he would have found Dickinson very forthcoming about his sentiments and actions in a variety of circumstances. Residing in Philadelphia, where the vast majority of Dickinson's manuscripts are held, Beeman apparently never made his way into the archives. Yet he is keen to dismiss the Quakerism theory, writing twice that "Dickinson never explained his failure to vote that day and never attempted a public defense of it"—this despite Dickinson's 1782–1783 defense of his stance on independence in the newspapers, which *is* online. People—and their histories—are more complicated than Beeman presumes; and Dickinson was more complicated than most. Yet Beeman believes he can claim, while cherry-picking the evidence, that Dickinson denied being influenced by Quakers. Dickinson himself was quite sensitive to the charge that he was under their sway. He said, "I took it for granted, that my Behaviour would be supposed to be influenced by too strong an addiction to the [Society of Friends]." But in confronting that charge, he never denied it. He denied only that he had anything—financial or political—to gain or lose by pleasing Quakers. He stated repeatedly that he acted on conscience and principle, which the preponderance of evidence has shown were shaped by Quakerism—but not the Quakerism of 1776. He hewed instead to an earlier form that prevailed before the Pennsylvania Quakers adopted their unprecedented neutrality during the Revolution. Many of his actions, including his advocacy of resistance to Britain, thus "~~displeased~~ {quieted} them." Beeman also claims that Dickinson "was not a spokesman for that religious sect." But Quakers certainly saw him as such, as did his fellow congressmen; and he served that purpose when he advocated their causes from religious liberty to abolitionism to, yes, reconciliation with Britain.¹⁶

Rather than offer a more plausible analysis of his own for why Dickinson resisted independence, Beeman reverts to the mid-twentieth-century view of Dickinson, writing, "My interpretation of the motives behind Dickinson's behavior that day mirror those of Flower." And what is Flower's interpretation? On the page Beeman cites, we learn only that

16. *Ibid.*, 379, 380; JD, "To My Opponents," *Pennsylvania Gazette* (Philadelphia), Dec. 1782–Jan. 1783; Beeman, *Our Lives, Our Fortunes, and Our Sacred Honor*, 381. JD to unknown, Aug. 25, 1776, RRL/HSP, indicating that Dickinson crossed out "displeased" and settled on the word "disquiet."

Dickinson summarized the “conservative opinions” on independence and then found it “emotionally impossible” to vote in favor of the motion. Thus, according to Flower, and now Beeman, Dickinson was erudite and eloquent, but ultimately a victim of his own emotions, too “moderate in temperament” and “mild-mannered” (as Beeman puts it more than once) to win the debate. Not only does Beeman depend on Flower’s non-interpretation, he relies on his scholarship as well. He claims, citing Flower and Stillé, that Dickinson retreated—here we go again—“behind the bar” in the State House. Beeman’s claim is no less fictional than Flower’s, Ferling’s, or Lefer’s. We expect journalists and engineers to write sloppy history; we expect senior historians to do better.¹⁷

As America’s first political celebrity, Dickinson was used to being misrepresented by his political opponents. He therefore expressed his “ardent wish” that the “original Drafts” of his works should be discovered in hopes that they would “defend Me against future Misrepresentations.” This need is as pressing today as it was 200 years ago. The John Dickinson Writings Project (JDP) is attempting to meet the need by collecting and publishing everything he wrote over the course of his career. For those unable (or unwilling) to visit the archives and decipher the hieroglyphs, tidy transcriptions will eventually be available in academic libraries and online. But given the lingering sway of the New Left over the academy, that day may be far off. When the JDP was denied funding in the 2012 round of the NEH Scholarly Editions Grant competition, the panel considered the papers of America’s most prolific founder to be not “the highest priority.” One reviewer queried skeptically, “Will the project stimulate new research?”¹⁸

Since imagination is lacking, I will offer several suggestions for new directions work on Dickinson could take. With all he wrote—over 800 documents, including newspaper articles, songs, odes, pamphlets, constitutions, legislation, proclamations, legal papers, and more—there remain an array of unexplored subjects on either side of independence. For those who don’t want to wait for the JDP to publish, most of his

17. Beeman, *Our Lives, Our Fortunes, and Our Sacred Honor*, 472n18; Flower, *John Dickinson*, 166; Beeman, *Our Lives, Our Fortunes, and Our Sacred Honor*, 64, 77, 78.

18. JD to George Logan, Jan. 12, 1805, Logan Collection, HSP.

papers are in the Library Company of Pennsylvania and the Historical Society of Pennsylvania. Many printed documents are accessible in primary source databases. For what Dickinson contributed to the Founding, he deserves to be more than merely chic.

Research will reveal more about Quaker influences on his thought. The evidence shows that of all the leading founders—Washington, Jefferson, Madison, Franklin, Adams—Dickinson was the only one who can be rightly considered both an abolitionist and a feminist. His attitudes toward the participation of ordinary, laboring Americans in politics was likewise markedly different from other men of his station and can be traced to a belief in God’s Light within. Similarly, he shared Quakers’ benevolent views toward vulnerable populations, including Native Americans, the poor, and criminals, which shaped his policies toward them while in political office and his philanthropy as a private citizen. Compelled by conscience, he and his wife donated significant funds, land, and resources to establish the Society for Alleviating the Miseries of Public Prisons and several educational institutions, including Dickinson College, Westtown School, and schools for poor and black children. His social and education theories and corresponding philanthropy have yet to be explored.

Those still unsatisfied with the Quakerism thesis should try to prove it wrong by means of serious analysis. Certainly there is more to be explored regarding Dickinson’s religion as he aged. Although Murchison provides no evidence for his claim that Dickinson attended Anglican services, he probably did, on occasion. Nevertheless, his beliefs headed in the opposite direction. Late in life, Dickinson was considered a theologian by ministers of other faiths, such as Princeton Presbyterian Samuel Miller (1769–1850). He produced copious religious writings that point toward a belief in what we might consider more “nature religion” than Quakerism.¹⁹

There is no need to make Dickinson himself the goal of the research, thereby potentially contributing to founding hero worship. His work and ideas can as easily be used as a springboard for examining a multitude of issues of national import. While he held office, his religious writings and

19. Murchison, *The Cost of Liberty*, 105. On Dickinson’s religion late in life, see Jane E. Calvert, “The Quaker Contributions of John Dickinson to the Creation of the American Republic,” in *Faith and the Founders of the American Republic*, ed. Daniel Dreisbach and Mark David Hall (New York, 2014).

policies give us a starkly different perspective on the relationship between faith and the public sphere than what has been offered by scholars who have mistaken the deism of Paine, Jefferson, and others as representative of American attitudes in general. Likewise, we might ask what effect Dickinson's religiously based philanthropy and the institutions he helped establish had on the communities and individuals associated with them.

His political behavior might be a useful model for today. Contrary to misperceptions created by Whig consensus historians and revived by Ferling, Beeman, et al., Dickinson was neither "mild mannered" nor "motivated by fear." Nor was he a "conservative" or a "liberal," as we understand those terms. But he did advocate, passionately and articulately, political moderation and productive democratic deliberation. Robert Calhoun has situated Dickinson in a tradition of moderate political thought, and *Quaker Constitutionalism* examines its origins; yet more could be done on this topic from a theoretical standpoint, toward repairing our current dysfunctional political system.

A substantial number of Dickinson's legal documents shed new light on early tensions with Britain even before the 1760s, as well as legal issues in the early republic. From his Middle Temple days, legal notebooks and his annotated *Doctrina Placitandi*—a rare, and possibly unique American-owned and -annotated copy—could reveal an invaluable colonial perspective on the common law. His papers from a number of controversial lawsuits in Pennsylvania highlight not just Pennsylvania law but also early assertions of colonial rights against British power. An excellent example of scholarship that Beeman, Ferling, and others might have emulated was written by University of Pennsylvania graduate student Laura Keenan. She used Dickinson's cryptic notes from a case on infanticide to re-create the world of the defendant, Rachel Francisco. Her original and creative approach shows what is possible with serious attention to the primary sources. Other work in progress on Dickinson's efforts in the 1792 Delaware state constitutional convention suggests that it may have influenced as many as thirty states as they constructed the reserve clauses in their constitutions. A number of his significant court decisions appear in A. J. Dallas, and remain to be explored, on issues such as capital punishment and the jurisdiction of admiralty courts.²⁰

20. Laura Keenan, "Reconstructing Rachel: A Case of Infanticide in the Eighteenth-Century Mid-Atlantic and the Vagaries of Historical Research," *Pennsylvania Magazine of History and Biography* 130, no. 4 (2006), 361–85. Joseph

In addition to having a more extensive military record than most, Dickinson was instrumental in writing national and state policy before and during the Revolutionary War. Evidence suggests that his reorganization and reconceptualization of Delaware state forces in 1782 was the beginning of the transformation of provincial militias into what would become the National Guard.²¹

Trade and economics are important subjects of Dickinson's writings. As early as the French and Indian War, Dickinson was writing and litigating for an American trade unhampered by unconstitutional British restraints. In Congress and as president of two states, Dickinson wrote extensively on financial issues, attempting to stabilize the volatile economy and wean Americans off depreciated bills of credit. He seems to be one of the few major founders who understood the importance of establishing a national bank in the early republic.

As should by now be clear, Dickinson cannot be understood by focusing narrowly on his actions at the time of independence. Neither can his thought be deduced from the few of his writings that have been reprinted in modern editions. He certainly cannot be treated adequately by depending on nineteenth- and twentieth-century scholars who confessed themselves baffled by his behavior. Before us is a fascinating, complex, and unique figure, who left an extensive written record. There is no need to plow old, infertile fields—or to invent mythical ones—when there is so much new ground to be broken.

Andrews, "Sovereign Restriction: The Origin and Function of the Reserve Clause in State Constitutions" (unpublished manuscript).

21. Charles H. Fithian, "'A System, concise, easy and efficient': John Dickinson's Version of von Steuben's Regulations for the Delaware Militia" (unpublished manuscript).