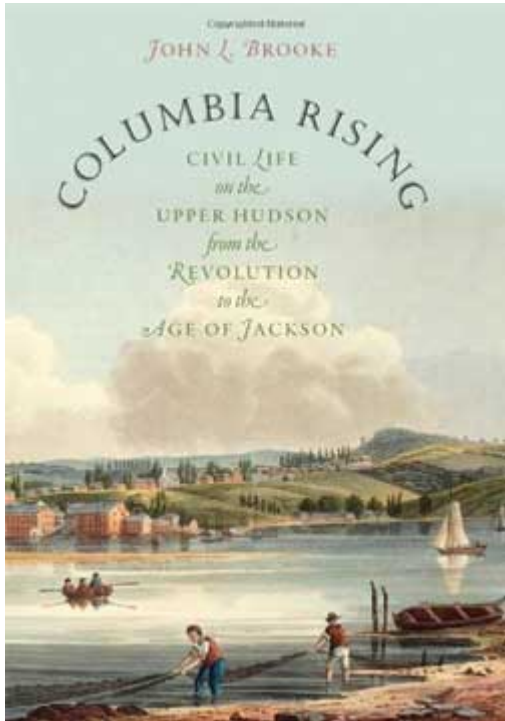


# Between Demo and Aristo: Civil Society and the “Revolutionary Settlement” in New York’s Columbia County



The American Revolution destroyed the feudal, oligarchic old order and, in what John L. Brooke calls the “revolutionary settlement,” established a fragile, successful democracy that mitigated violence and sought to enact popular sovereignty, no small achievement, as Brooke vividly makes clear. For generations, scholars have been trying to understand why and how Americans ultimately resisted the radical popular politics of the Revolution. Woody Holton’s *Unruly Americans and the Origins of the Constitution* (2007) is among the most recent efforts to explore this question. To Holton and others, the federal constitution, as well as state-level requirements for voting, are the primary mechanisms elites used to limit a more egalitarian political order. While Brooke recognizes the important role of constitutions and voting, he goes beyond this literature by placing at the center of his story the institutions of civil society and a public sphere of print and deliberation. The essential question facing Americans following independence was not just how to implement the democratic principle of the consent of the governed but, as important, how to ensure that their new society, void of the vertical ties that had ideally held together early modern societies, could sustain social order and prevent violence. In short, the demands of democracy and the need for order form the two analytical lenses through which Brooke tells his story.

The story itself concerns the long, violent, and difficult effort to create a

“revolutionary settlement” in Columbia County, New York, Martin Van Buren’s home county and the site of his political education. Columbia County faced a particular challenge: the existence of feudal manors in which landholders acted as lords, and in which those who worked the land aspired to be freeholders. Given the importance of landholding to republican theory, this also meant a circular debate in which those who worked the land demanded their rights while manor lords responded that tenants lacked the independence to be good citizens precisely because they lacked land. As Charles McCurdy argues in *The Anti-Rent Era in New York Law and Politics* (2000), finding a legal or political solution to the tenants’ problems was difficult because manor lords claimed a liberal right of property in their land in order to maintain their feudal privileges. The result was violence, as tenants demanded their rights as citizens, including title to land they worked, the franchise, and effective representation—or, in Brooke’s terms, consent—in legislative halls. This violence, as Reeve Huston demonstrates in *Land and Freedom* (2000), both scared political leaders and made them aware that tenants were capable of acting as independent citizens in the new republic.

The impasse was overcome, ultimately, through the institutions of civil society. Brooke thus places civil society at the core of the story of the early republic, arguing that for many ordinary New Yorkers, civil society’s institutions functioned as the “flywheel between the people and their government” (6). Drawing from Jürgen Habermas’ argument in *Between Facts and Norms* and Victor Turner’s distinction between ordinary and crisis times, Brooke demonstrates that the shift from crisis Revolutionary to ordinary democratic politics depended on residents in Columbia coming to accept the new post-Revolutionary regime as legitimate. Brooke invokes Habermas’ sense that a political order must not rest on force (facts) or abstract values (norms), but instead must earn its legitimacy through the consent of rational citizens participating in the deliberative public sphere. As Brooke writes, “legitimate outcomes—political decisions worthy of consent—must be debated in both the informal public sphere of the press and associated life, where opinions are formed, and in the formal arena of legislature and the court, where laws are made and confirmed” (4). The challenge facing New Yorkers in Columbia County was how to make the political order legitimate in the eyes of those Americans who either lacked the vote or lacked the right to own the land they labored.

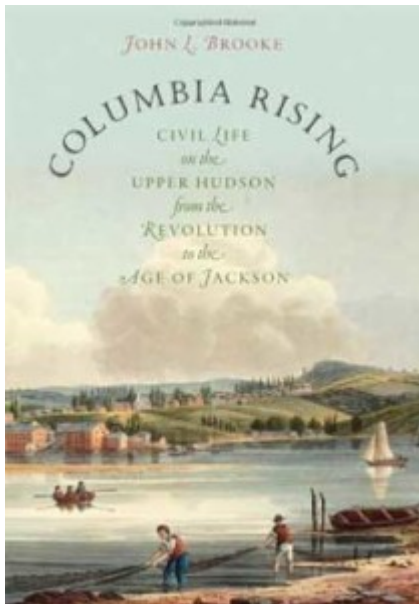
One option was to make good on the Revolution’s promise of popular politics. Growing out of Americans’ experiences with revolutionary committees and the militia, some imagined a participatory democracy in which the links between the consent of the people and those who governed in their name were clear and close. Elites did not allow that path to develop. The state constitution ensured instead that property holding would remain a prerequisite to vote. In the absence of legitimacy, Columbia County for decades lacked “ordinary politics,” and instead was in a state of “crisis politics.” Rather than establishing mechanisms through which consent could be generated—a vibrant press, participatory associations, widespread franchise, and effective responses from political leaders to ordinary people’s demands—Columbia County

was a violent place. Because those living on manor lands lacked any institutional way to represent themselves in the informal public sphere and the formal public sphere of legislative halls and courts, they also lacked confidence in the government (419-20). On the manors, there remained a fundamental divide between what Brooke refers to as Demo—the voice of the people, mainly white men—and Aristo—the manor lords and their allied political leaders.

Off the manor grounds, on the other hand, new forms of sociability developed to link citizens together, bridging the gap between Demo and Aristo, or the county's ordinary men and their elite leaders. Masonic lodges, for example, represented a new form of social order distinct from the colonial past. Rather than a regime in which ordinary people were tied to elites through relations of dependence—no longer considered legitimate in a republic—Masonic lodges engaged in “building circuits of patronage, authority, and sociability utterly detached from those of the local oligarchic families” (88). Through painstaking, remarkably detailed research, Brooke concludes that those towns off the manors where associations and newspapers proliferated were more effective in ending violence and moving from crisis to ordinary politics than on the manors where those institutions lagged behind (chapter 5).

Habermas hoped that the public sphere would be a site of rational deliberation and believed that other forms of persuasion were corrupting. Brooke finds, in contrast, that the real, on-the-ground working of the public sphere depended on precisely those corrupting influences. Some scholars have argued, Brooke notes, that civil society is “an oppositional force” (6). In fact, associations were the social glue that made possible the end of violence without embracing either extreme of Demo (radical popular politics) or Aristo (a feudal, propertied order). It was in civil society that people participated in the “tacit consent” that made them believe the political system was legitimate, and thus violence was unnecessary.

Extending the suffrage was one prerequisite to the revolutionary settlement. Before tenants were granted the right to vote in 1821, they felt they had little influence or consent over the political system. The emergence of political parties was another vital mediating entity, a lesson Van Buren learned locally and extended to the nation. In parties, white male voters found themselves connected to elites through patronage and association. And, finally, Masonic lodges served as mediating institutions through which ordinary and elite comingled. Brooke proves that over time Masonic membership replaced participation on revolutionary committees as a basis for electoral success, demonstrating how effectively lodges linked voters to leaders (94) and why lodges replaced the more popular revolutionary committees as a basis for politics. In those areas with active parties, lodges, and a partisan press, ordinary people had more confidence in the political system, and political solutions to the problems of tenancy were more likely to be worked out.



John L. Brooke, *Columbia Rising: Civil Life on the Upper Hudson from the Revolution to the Age of Jackson*. Chapel Hill: UNC Press for the Omohundro Institute of Early American History and Culture, 2010. 648 pp., \$45

There were two fundamental challenges to this revolutionary settlement, however. First, by connecting voters to their leaders through the bonds of association, civil society worked against the rational kinds of deliberation that Habermas considered the basis of a legitimate social order. Instead, even as voting rates rose, Brooke makes us question how effectively ordinary people's interests and values were represented. In short, voters may have consented thanks to new bonds generated in associations, but did their consent undermine their actual political power? The second challenge, which Brooke emphasizes, was that the suffrage was limited to white men. The revolutionary settlement purposefully excluded women and African Americans. These boundaries determined who was deemed capable of citizenship and who remained a dependent. In short, as white men earned the right to be citizens, and therefore to exercise consent, they ensured that others remained in a feudal relationship to the social order.

Thus, there were clear boundaries to consent. But, paradoxically, these very boundaries produced a new oppositional civil society premised on principles opposed to those of the revolutionary settlement, principles that would once again undermine ordinary politics and disrupt a civil peace so difficult to achieve. If the settlement was formally premised on the right of white men to vote and new associations that connected them together, a growing cultural movement premised on sensibility and sympathy established alternative ways for Americans to connect with each other in associations and, through the press, in imagined communities.

Sympathy was used both to cement the settlement and to challenge it. In Masonic lodges, the idea of fraternal love was the basis for linking together the white, male body politic. Van Buren relied on the party and its related associations to generate sympathetic relations between supporters. But for

women and other reformers who became part of the Whig coalition, sympathy might extend the boundaries of those eligible for inclusion in political life. Sympathy made possible imagined identification with other sufferers, whether alcoholics or enslaved African Americans. Moreover, reformers embraced a "positive liberal" ideal of improvement in which the ability to participate in politics was not a virtue of white manhood, but rather of education and culture, and thus potentially open to all (238-39, 452-63). In Columbia County, however, a reform movement premised on sympathy and inclusive of women "stalled" (453). Instead, the very success of the Democratic party and its conception of the revolutionary settlement as based on the consent of white men reigned supreme, unlike in New York's Burned-Over District, where reformers' efforts facilitated a crisis over consent and representation that helped push the nation into civil war.

No review can quite do justice to this book. As in Brooke's earlier work, the level of detail and the close parsing of evidence is inspiring. The book's conclusions rest on impressive empirical grounds. Brooke proves that analyzing civil society and the public sphere is vital to making sense of the development of the United States because it was through the institutions of civil society that the revolutionary settlement was accomplished. He helps us understand more clearly why and how radical claims for a more popular political system were mitigated by the tacit consent forged through associations that connected people in alternate ways. He also makes us look in wonder at "the delicacy and endurance of the fabric of civil life" (vii). Brooke's book will hopefully provide a framework for future scholars to test as they seek to understand the process by which Americans moved from the crisis of Revolution to the establishment of a relatively stable political system.

Although Brooke argues that, for the most part, civil society was used in conservative ways to maintain elite power and limit radical politics, he also helps us understand the ways in which associations are vital to preventing violence in a democratic society. As the associational bonds that held Americans together—from lodges to parties to churches to reform societies—began to snap along sectional lines in the 1850s, the legitimacy of the political system was once again up for grabs. And as Southerners came to believe that they could no longer exercise consent, and thus questioned the legitimacy of the political system, they resorted to violence, much as tenants did on Columbia County's manors. As Alexis de Tocqueville argued in *Democracy in America*, associations can further deliberation by opposing the hegemony of elected leaders and the majority, but the social trust generated within associations are also vital to sustaining democratic social orders.

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War," *Journal of Interdisciplinary History* (Spring 2011).