To provide for the Common Defense

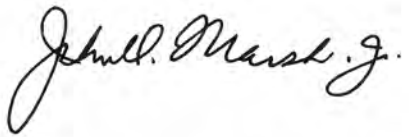
John Dickinson

Soldier-Statesmen of the Constitution
A Bicentennial Series

Introduction

In September 1987 the United States commemorates the bicentennial of the signing of the Constitution. Twenty-two of the thirty-nine signers of the Constitution were veterans of the Revolutionary War. Their experiences in that conflict made them deeply conscious of the need for a strong central government that would prevail against its enemies, yet one that would safeguard the individual liberties and the republican form of government for which they had fought. Their solution is enshrined in the Constitution. The President of the United States is the Commander in Chief of the nation's military forces. But it is the Congress that has the power to raise and support those forces, and to declare war. The Founding Fathers established for all time the precedent that the military, subordinated to the Congress, would remain the servant of the Republic. That concept is the underpinning of the American military officer. These twenty-two men were patriots and leaders in every sense of the word: they fought the war, they signed the Constitution, and they forged the new government. They all went on to careers of distinguished public service in the new Republic. Their accomplishments should not be forgotten by those who enjoy the fruits of their labors. Nor should we forget the fortieth man whose name appears on the Constitution. The Secretary was the twenty-third Revolutionary veteran in the Convention, who continued his service to the nation as one of its first civil servants.

This pamphlet was prepared by the U.S. Army Center of Military History with the hope that it will provide you with the background of a great American; stimulate you to learn more about him; and help you enjoy and appreciate the bicentennial.



John O. Marsh, Jr.
Secretary of the Army

JOHN DICKINSON
Delaware

John Dickinson represented both Delaware and Pennsylvania at the founding of the Republic. A man of the Enlightenment, he believed that government was a solemn social contract between the people and their sovereign. Like most colonial leaders, Dickinson considered himself an Englishman with all the ancient rights and privileges such citizenship conferred, and he was quick to oppose any abridgment of those rights by Parliament. But when others carried such opposition to the point of rebellion with the Declaration of Independence, Dickinson refused to sign. His reasoning set him apart from most of his colleagues. He understood the contract to be with the King, not with Parliament, and to be mutual as well as permanent. He hoped that an appeal to reason might remind the King of that contractual obligation to his American subjects and thereby restore good relations. Only when King George publicly sided with his ministers and ordered a Royal army to New York did Dickinson consider the social contract dissolved. Although he refused to sign the Declaration, Dickinson was among the first to don uniform to defend the new nation.

THE PATRIOT

Dickinson's view of government evolved naturally. Born into a family of wealth and privilege, he elected to follow his father, a judge in the Delaware courts, into the law. He began his training in Philadelphia and then spent four years studying at the Inns of Court in London. His time there provided the young colonial with an opportunity to hear the leading legal minds of the day argue the fine points of Enlightenment philosophy and the rights of English citizens. Returning in 1757 to practice law in Philadelphia, Dickinson's industry and ability quickly earned him a reputation as one of America's finest lawyers. His interest in politics grew apace. In 1760 he was elected to the Delaware legislature. During the next fifteen years he would serve both in that body and in the Pennsylvania legislature, a dual service made possible because of his property holdings and residency in both colonies.

Dickinson's entry into politics coincided with the rise of colonial opposition to the government in London. In debt from the Seven Years' War and obliged to maintain an army in America, Parliament now ended a century of "salutary neglect" in regard to the financial and political affairs of the colonies by instituting measures to raise revenue and provide for the quartering of British troops. One of these parliamentary measures, the Stamp Act

of 1765, was the first attempt to impose a direct tax on the colonies, and it provoked a strong and united opposition. Jealous of the rights and privileges of their own legislatures, the colonies retaliated by refusing to pay the tax and by boycotting English goods.

Dickinson played a major but restraining role in this opposition. Sympathetic to colonial complaints, he nevertheless sought to avoid violence. He urged Americans to rely primarily on economic pressure, and he enlisted the help of the powerful British merchants in the colonists' cause. His diplomatic approach coupled with his commitment to the colonial side led the Pennsylvania legislature to appoint him to represent the colony at the Stamp Act Congress in 1765. There he eloquently defended the proposition that reconciliation was possible if King and Parliament could be brought to see colonial opposition as an expression of the time-honored English principles of political liberty. His arguments were encapsulated in his *Letters from a Farmer in Pennsylvania*, a series of essays that gained its author international recognition as a man of reason and principle.

Later Dickinson organized Philadelphia's protest over the Coercive Acts, a series of political and economic measures that Parliament enacted in 1774 to demonstrate its control over the colonies, but which the Americans interpreted as a blow to their liberties. In keeping with his support of the colonial protest movement, Dickinson also figured prominently in the convening of the Continental Congress. Elected to that assembly, he played a critical role, drafting two key documents: a petition for redress of grievances, and a message urging the inhabitants of Canada to join the thirteen colonies in opposition. He returned to serve in the Second Continental Congress, but after the clashes at Lexington and Concord changed the attitudes of many members, Dickinson's continuing stand for reconciliation cast him in the role of a conservative when compared to such firebrands as John Adams and Benjamin Franklin. In July 1775 he drafted Congress' last attempt at compromise, the "Olive Branch Petition." Against ever-increasing odds, Dickinson continued into July 1776 to work for one further appeal to King George. But bowing to what had become inevitable, he absented himself on July 4 so that the vote for independence could be unanimous.

THE SOLDIER

Dickinson saw no contradiction in his decision to volunteer immediately for militia service. In his "Declaration of Causes for Taking Up Arms," he actively supported the right of free citizens to defend themselves from direct attack, and he preached the concept of military preparedness to his fellow Pennsylvanians. Since June 1775 he had been chairman of Pennsylvania's Committee of Safety and Defense. He also had organized the first battalion

Oil on canvas, by Charles Willson Peale (1780), Independence National Historic Park Collection.

of troops raised in Philadelphia, the so-called Associators (today's 111th Infantry, Pennsylvania Army National Guard). Lacking a militia organization, Pennsylvania traditionally had relied on volunteer units such as Dickinson's Associators for military support. When a large British invasion force appeared in New York harbor in July 1776, Pennsylvania called the Associators into active duty as a part of the general mobilization of militia to defend New York City, and Dickinson absented himself from Congress to assume command. His unit was assigned to the Flying Camp, a mobile reserve that provided Washington with some 10,000 men who could be called forward to join the continentals holding New York City. Dickinson commanded a major garrison point at Elizabeth, New Jersey, in the defense against any attempt by British forces on Staten Island to cross the New Jersey countryside to attack Philadelphia.

Turned out of Congress after refusing to sign the Declaration, Dickinson resigned his commission in the Associators and retired to his home in Delaware. During the summer of 1777, however, he once more enlisted for active duty, this time to serve as a private in Captain Stephen Lewis' company of Delaware volunteers. The mobilization of Delaware units was in response to the appearance of a British force under General Sir William Howe at Elkton, Maryland, at the headwaters of the Chesapeake Bay. From there Howe planned to attack Philadelphia, the American capital. General Washington's hastily organized defense called for the mobilization of Delaware's militia under the command of General Caesar Rodney; its mission was to maintain a sector of the cordon thrown up between the approaching British and the capital by combined troops from the middle states. Rodney's units were also expected

to delay any possible British drive south toward Baltimore until Washington's continentals could arrive on the scene. During this defensive action, Dickinson's company guarded the approaches to the Brandywine River. His unit, along with the rest of Delaware's forces, returned home after the British retired from the area, but Dickinson continued as a part-time soldier. In October 1777 General Rodney issued him a commission as a brigadier general of militia. His resignation the following year would usher in his later political career, which began when Delaware appointed him to serve in the Continental Congress from 1779 to 1781.

THE STATESMAN

During that term Dickinson signed the Articles of Confederation, which he had drafted while representing Pennsylvania in the Congress in 1776. Like most Americans, he had assumed at first that the political and economic liberties being defended on the battlefield could best be preserved by state governments and military forces created by state governments. In adopting the Articles after much debate, Congress thereby endorsed his plan for a limited national organization of independent and sovereign states.

Military and political experiences during the course of the war, however, served to modify Dickinson's views, and the once strong proponent of a loose confederation of states was gradually transformed into a leader of the cause of strong central government. Dickinson's active duty had demonstrated to this observant citizen-soldier that the country needed a strong national defense, but that dependency on temporary and often inexperienced state units imposed many limitations. Later service as governor of both Delaware and Pennsylvania in the early 1780s reinforced his growing belief that many problems rising at the local level could be resolved only by national action. His executive experience also convinced him that the citizen's basic rights were best safeguarded by a national government that represented all the citizens.

Setting aside his wish to retire, Dickinson accepted Delaware's call to represent it at a convention in Annapolis in 1786 to discuss economic problems affecting Delaware and its neighboring states. There he supported the idea of creating a new national government, and in 1787 he went on to represent Delaware at the Philadelphia Convention, where his experience and skills made a significant contribution to the foundation of the new Republic. In particular, Dickinson was a major architect of the "Great Compromise" that reconciled the differences among delegates over representation in the new government. Designed to protect the rights of both the small and more populous states, the compromise called for a national legislature that gave equal voice to all thirteen states in a senate composed of two representatives from each, but which respected the rights of the majority in a house of representatives based on population. The Great Compromise ushered in a series of other compromises on lesser subjects and was critical to the final approval of the Constitution. Ironically, Dickinson again failed to sign one of history's most important documents. This time illness, not a lack of ardent support, was the cause; his name was penned to the new instrument of government by a colleague.

Before finally retiring to the pleasures of his library and estates, Dickinson made one last contribution to the nation. Signing himself "Fabius," he again addressed a series of open letters to his fellow citizens, this time in defense of the new Constitution. His concern for liberty was at the heart of his arguments. "The power of the people pervading the proposed system, together with the strong confederation of the states," he contended, "forms an adequate security against every danger that has been apprehended." With compelling examples drawn from history and the Enlightenment philosophers, Dickinson explained how the Constitution's system of checks and balances—among the branches of government and between the new government and the individual states—would safeguard the civil rights of the people while it promoted the liberty of the nation.

His reasoned appeal bore fruit. In December 1787 Delaware became the first state to ratify the Constitution.

The Congress shall have Power . . .
To raise and support Armies . . . ;
To provide for organizing, arming, and disciplining, the Militia . . . ;

ARTICLE I, Section 8.

Personal Data

BIRTH: 19 November 1732, at "Crosiadore," Talbot County, Maryland*
OCCUPATION: Lawyer and Politician
MILITARY SERVICE:
Militia—4 years
Highest Rank—Brigadier General
PUBLIC SERVICE:
Continental Congress—4 years
Governor of Delaware—1 year
Governor of Pennsylvania—4 years
DEATH: 14 February 1808, at Wilmington, Delaware
PLACE OF INTERMENT: Friends Burial Ground, Wilmington Delaware

*In 1752 the English-speaking world shifted from the Julian to the Gregorian calendar, adding 11 days. Thus Dickinson's date of birth was recorded in 1732 as 8 November.

Further Readings

Dickinson is the subject of two recent studies: Milton E. Flower's *John Dickinson: Conservative Revolutionary* (1983) and David L. Jacobson's *John Dickinson and the Revolution in Pennsylvania, 1764-1776* (1965). These volumes are supplemented by several older biographies, especially George H. Moore's *John Dickinson* (1890), Charles J. Stille's *The Life and Times of John Dickinson* (1891), and Robert H. Richards' *The Life and Character of John Dickinson* (1901). Dickinson's military career is described in Don Higginbotham's *The War of American Independence* (1971) and Francis E. Devine's "The Pennsylvania Flying Camp," *Pennsylvania History* (1979). Other studies that place Dickinson in the context of the Constitutional era include Sol Bloom's *The Story of the Constitution* (1937), David F. Hawke's *A Transaction of Free Men* (1964), Merrill Jensen's *Making of the Constitution* (1979), and Clinton Rossiter's *1787: The Grand Convention* (1966).

Cover: *Scene of the Signing of the Constitution of the United States,* by Howard Chandler Christy, courtesy of the Architect of the Capitol.

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