Commons Democracy: Reading the Politics of Participation in the Early United States

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In *Commons Democracy*, literary scholar Dana Nelson offers an alternative history of democracy in Revolutionary America. Nelson challenges the comforting narrative Americans like to tell themselves about the 'Founders' high-minded ideals and their careful crafting of the sage framework for democracy – a representative republican government' (p. 3). This 'consensus' story of the founding 'omits the challenges offered and the contributions made by non-elite citizens' (p. 10). Nelson wants scholars – and Americans – to take more seriously what she calls 'commons democracy' or 'vernacular democracy'. Based on this book, we certainly should.

The choice of the word commons is deliberate. Commoning emerged in reaction to practices of enclosure – of turning common land into private property – in early modern England. It quickly made its way to British North America. Nelson picks up the story around the American Revolution, and traces the long life of commons democracy in the decades before the Civil War. Crafted by ordinary, poor, white people, commons democracy was 'not experienced via the representative institutions we formally associate with U.S. democracy' (p. 7). It was instead 'robustly participatory, insistently local, roughly equalitarian, and grounded in varieties of exclusion' (pp. 7, 10). Commons democracy 'insisted on sufficiency for the many rather than accumulation for the few' through an economy governed by ordinary members of a community. This democratic tradition spoke 'for (in today's parlance) the 99 percent' (p. 11). Americans, in sum, tend to associate democracy with liberal individualism and representative government. Commons democracy, to the contrary, was grounded in a deeply held sense of community.

Nelson relies on two distinct streams of analysis and evidence. First, Nelson draws on the insights of a growing historical literature on the social, economic, legal, and political practices of ordinary *white* Americans, especially along the Western frontier. Nelson's explication of this work brings conceptual coherence to a wide ranging and still developing literature. Yet Nelson also moves beyond the existing scholarship. Indeed she makes a signal contribution to it by bringing to bear her training as a literary scholar. Nelson turns to novels in order to find further evidence about commoning and the reactions against it. Commons democracy, it turns out, lived a longer life than we usually assume.

The critical first chapter of *Commons Democracy* does not include any novels. Relying on existing historical scholarship, Nelson traces a tradition of grassroots democratic practices from the Carolina Regulators of the 1760s through the Massachusetts Shaysites in the 1780s. Nelson also shows how this ‘corporate self-governing democratic power’ with its emphasis on equality and fairness, ‘soon became an object of concern for the Framers, who aimed to contain its effects in the architecture of representative government’ (pp. 51–2). In so doing, Nelson disputes the notion that the founders created popular sovereignty with the Constitution. The rise of state-based liberal democracy – characterized by representative institutions, individualism, and legal formalism – which the framers supported, actually worked to tame commons democracy. Here Nelson endorses a long progressive and neo-progressive literature. Following Terry Bouton, Barbara Clark Smith, Woody Holton, and Alan Taylor, among others, Nelson centers ordinary people in this neo-progressive framework. The challenge of bringing non-elites to the fore reveals the extent to which the founders’ succeeded in obscuring commons democracy. They received an assist, Nelson maintains, from historians. In writing histories of early American democracy from the founders’ vantage, ‘consensus’ historians further obscured grassroots democratic traditions. Together, these developments conspired across the centuries to make commons democracy seem unnatural, perhaps antithetical, to American democratic practice.

Literary analysis moves to the fore in chapter two, which focuses on the Whiskey Rebellion. Federalist writers cast the event as a moment of civilization confronting savagery. But the objections of farmers in western Pennsylvania to the federal excise on Whiskey was, Nelson argues, firmly in the tradition of regulation that she traced in chapter one. Nelson reads Hugh Henry Brackenridge’s multivolume novel, *Modern Chivalry* (published 1792–1816) – along with writings by other leading Pennsylvania Jeffersonian Republicans, William Findley and Albert Gallatin – as a defense of the rebels. ‘*Modern Chivalry*’, she writes, ‘posits vernacular democracy as a vital partner to formal democratic institutions’. This ‘middle way’ rejected the Federalists’ Manichean view of a contest between vernacular democracy and representative government (p. 53). The whiskey rebels were not hostile to the republic. They merely sought to force distant government agents to compromise with them. In essence, vernacular practices remained important and necessary in American government, according to Brackenridge, because American representative government threatened to become ‘abstractly thin’ at the national level (p. 83). Over the course of the book, Nelson comes to endorse Brackenridge’s view.

Chapter three turns to James Fenimore Cooper’s *The Pioneers*. Published in 1823, but set in the 1790s, the classic novel provides a vehicle for Nelson to examine the nature of vernacular democracy’s legal practices. Lawyers, judges, and courts hardly imposed their preferred legal regime on a lawless landscape. Rather, these actors and institutions confronted an existing set of communal legal norms centered on maintaining the ‘people’s peace’. Ultimately, the intertwined forces of state-based liberal law and capital accumulation in central New York overawed these vernacular legal practices. The commoners in Cooper’s tale faced a stark choice. They could either stay and accept the structures of self-government imposed by landowners, or move on. For Nelson, the novel matters because it allows historians to witness ‘the enclosure of the civic commons *in progress*’ (p. 104). Unlike Brackenridge, Cooper saw no place for vernacular democracy in representative government. *The Pioneers* reinforces how the establishment of legal formalism, a main component of representative democracy, meant to *replace* vernacular democracy.

In chapter four, Nelson argues that the stark declension narrative in Cooper’s *Pioneers* was premature. Vernacular democratic practices survived in the west and remained a trope in novels into the late 1830s. Robert Montgomery Bird’s *Nick of the Woods* (1837), William Gilmore Simms’s *Richard Hurdis* (1838), and Caroline Kirkland’s *A New Home, Who’ll follow?* (1839), all reveal the persistence of equalitarian democracy, and the anxieties it induced, on the frontier. The authors ‘equate’ this democratic tradition ‘with *political regression*’ (p. 116). Bird and Simms’s novels are set in the South (Kentucky and Alabama respectively). Nelson uses this opportunity to answer a critique she frequently faced: “‘Why should we care about people who were poor white trash? I mean, they were just a bunch of racists, working on behalf of a racist empire’” (p. 18). As Nelson reads Bird and Simms, commons democracy presented a challenge to the

expansion of slavery into the West. While elites who allied with the state pushed to move slavery west, commoners actually forged interethnic bonds. But, as Nelson writes, this group of novels also ‘documents the success of the consensus narrative’s insistence that such notions of communal self-determination ultimately belonged beyond the national pale’ (p. 132). Pushing out alternative democratic ideals was critical for protecting slavery and racialized citizenship.

Through chapter four, Nelson’s use of literary evidence pays dividends. That similar tropes recur in American novels through 1840 allows Nelson to stretch the story of commons democracy well beyond the founding moment. If vernacular democracy remained a worrying presence into the antebellum period, perhaps the founders’ attempts to tame democracy were not as successful as most neo-progressive scholarship might lead us to believe. Moreover, Nelson’s literary approach helps overcome the paucity of sources left by squatters and other commoners. Historians have made fantastic use of what is extant. Yet I am convinced by Nelson’s argument that ‘fictional portraits of common folk in the early nation may both be a little less anchored to specific facts, and nevertheless a littler more fully human, more dimensional’ (p. 13). Nelson grapples with the fact that most of the novels she uses were written by elites hostile to alternative democratic traditions. She parses the authors’ biases carefully, in order to paint a sympathetic portrait of commons democracy.

In the final chapter, though, Nelson confronts the limits of her literary source base. Nelson returns to James Fenimore Cooper, and examines the Littlepage Trilogy – *Satanstoe* (1845), *The Chainbearer* (1845), and *The Redskins* (1846). Cooper wrote the novels against the backdrop of New York’s Anti-Rent wars, a tenant revolt in the upper Hudson River Valley that emanated out from the Manor of Rensselaerswyck. Nelson uses the novels to show how formal law in tandem with expanding capitalism replaced the system of negotiation and accommodation that had long structured relations between landlord and tenant. Like in the prior chapter, Nelson stridently maintains that ‘the forces that aimed at state capture also encouraged racialization’ (p. 164).

Nelson believes these (by now) familiar themes take on new significance because of *where* she finds them. Cooper’s trilogy reveals the persistence of commoning not in the west, ‘but in the heart of the well-settled New York state’ (p. 133). But the fact that commons democracy lingered on upper-Hudson manors does not mean it persisted anywhere else in ‘well-settled New York State’. The upper-Hudson manor system was unusual, unique even. So too were the anti-rent wars. (Nelson raises, though she doesn’t develop, similarities between anti-rent protests and the Dorr Rebellion in Rhode Island.) This was a place where the fabric of *representative* political institutions was remarkably thin, precisely because of the continued power of the manors. That manorial life differed from most everything around it, though, probably explains why Cooper found his muse there. He could invoke tropes that usually only appeared in stories about places we might call frontiers or a borderlands, the setting of most of the novels Nelson studies. Even though it takes place along the Hudson, then, the chapter on anti-rent wars reinforces the frontier focus of all the novels Nelson studies.

More broadly, I would suggest that following novelists helped Nelson uncover one variant of commons democracy. It seems that *Frontier* commoning intrigued 19th-century novelists and, in turn, Nelson. Which raises the question: Has Nelson’s source base clouded out *other* forms of commons democracy? For example, the often urban, immigrant radicals who populate Seth Cotlar’s *Tom Paine’s America* advocated for participatory politics and espoused equalitarian ideas about property distribution. Moving forward through time and outside of cities, I wonder about the similarities between commons democracy as Nelson describes it and Jacksonian-era utopian communities in the Burned-Over district. There are many other examples of ordinary people forming and enacting their own communal visions for democracy. Is there something fundamentally different between these groups and those that Nelson focuses on in *Commons Democracy*, besides that the former were not fodder for novels? Or can we define commons democracy more broadly so as to include them?

Thinking very broadly about commons democracy seems important because Nelson concludes in the epilogue that commons democracy is a necessary ingredient in American democracy. ‘I’m persuaded by

Brackenridge's advocacy for "the middle way", Nelson writes. It can both help 'overcome local tyrannies' and shield localities from bureaucratic abuses (p. 178). For Nelson, 'the vernacular daily ordinariness of commons democracy was neither an obstacle to the cultivation of the Framers' liberal, representative democracy nor a misunderstanding of it. Rather, it was the cultural, practiced ground on which the United States' fabled democracy took root and held' (p. 176). Yet in Nelson's book, we rarely see commoners contributing to 'wise administration' (p. 178). We rarely see the 'middle way' in action, which makes it difficult to envision how to achieve it. Perhaps, though, we can find the 'middle way' in action elsewhere.

Nelson's *Commons Democracy* deserves the attention of a wide range of early republic scholars, especially those interested in literature, democracy, and the political practices of ordinary Americans. This vigorously argued book offers a coherent paradigm for understanding an important part of the early American democratic tradition. The field would do well to run with Nelson's framework and explore the full range of commons democracy in the early republic.

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