

# THE DISENFRANCHISEMENT OF BLACK PENNSYLVANIANS IN THE 1838 STATE CONSTITUTION: RACISM, POLITICS, OR ECONOMICS?—A STATISTICAL ANALYSIS

DAVID A. LATZKO

Pennsylvania State University, York Campus

*Delegates to Pennsylvania's state constitutional convention in 1837–38 approved an amendment limiting the right to vote to "white freemen." Some scholars argue that simple racism explains this decision. Others emphasize the partisan nature of the issue of black suffrage or the economic rivalry between blacks and whites for jobs. This article quantitatively examines the factors affecting how convention delegates voted on black suffrage. The delegates' political affiliation and the share of free blacks in the populations of the delegates' home counties are robust determinants of how the delegates voted. Democrats voted to disenfranchise black Pennsylvanians. Delegates from counties with proportionally large black populations opposed disenfranchisement.*

In 1838, Pennsylvania's voters approved a state constitution that restricted the right to vote to "white freemen." Blacks had voted for many years in some parts of the state, but under the new constitution Pennsylvania's black males could no longer vote. Eric Ledell Smith (1998, 279) maintains that "scholarship on this topic has failed to give us a complete and cohesive picture of why disenfranchisement occurred in Pennsylvania." Some historians argue that simple racism explains why delegates to the state's constitutional convention voted to deny blacks the franchise. For example, Mueller (1969, 37) contends that "in the closing days of the convention party lines were forgotten, prejudice was appealed to, and the clause was altered by the insertion of the word 'white' by a large non-partisan vote."

Brown (1970, 22) similarly notes that the convention vote “seems to have been largely a matter of responding to growing race prejudice in the State.” Other scholars emphasize the partisan nature of the issue of black suffrage in Pennsylvania (Smith 1998). Still others point to the economic rivalry “between Negroes and the Irish immigrants for the same menial jobs” as a contributing factor (Brown 1970, 27–28).

Because the reasons for disenfranchising blacks in the state constitution of 1838 are disputed (Malone 2008), examining the factors that influenced the votes of convention delegates on this issue is an important step in understanding the state’s political and economic history. Despite the intense debate, no scholars have employed formal statistical analyses to test their hypotheses about why delegates to the state’s constitutional convention voted to strip black males of the franchise. This article offers statistical and econometric tests of voting behavior at the constitutional convention.

The 1790 Pennsylvania Constitution gave the right to vote to “every freeman of the age of twenty-one years, having resided in the state two years next before the election, and within that time paid a state or county tax, which shall have been assessed at least six months before the election” (Commonwealth of Pennsylvania 1790, Article III, Section I). In practice, voting rights for blacks depended on the policies of local officials, meaning that blacks voted in some counties but not in others. “Blacks voted in Bucks, York, Dauphin, Cumberland, Juniata, Westmoreland and Allegheny Counties, whereas in Philadelphia, the county with the largest black population, the officials refused to assess blacks for the purpose of taxation, thereby denying them the right to vote” (Price 1976, 357). As a result of such policies and the tax requirement, the majority of black men in Pennsylvania were not able to vote (Price 1973, 92).

The political status of black Pennsylvanians was not a public issue before the state constitutional convention assembled in May 1837. Agitation for a new state constitution had erupted periodically over several decades. Finally, in 1835, voters approved a referendum calling for a constitutional convention. Reformers generally wished to reduce the governor’s appointment power, to permit direct election of state officers, and to abolish life tenure for judges (Akagi 1924, 309). Reformers also objected to the power of the state legislature to charter corporations and to authorize banks to issue notes (Snyder 1958, 96).

On May 2, 1837, the 133 delegates to the constitutional convention convened in Harrisburg. The delegates included 66 Democrats, 52 Anti-Masons, and 15 Whigs, giving a narrow majority to the coalition of Anti-Masons and Whigs. The article on suffrage reported to the convention on May 17 was practically the same as the text of the 1790 Constitution, except that the tax qualification was removed. Neither the committee report nor the report of the committee’s minority contained a racial restriction on voting.

The suffrage article was taken up on June 19.<sup>1</sup> John Sterigere, a Democrat from Montgomery County, moved to strike the report of the committee and insert instead a clause restricting the franchise to “every free white male citizen” who had “paid a State, county, road or poor tax” (Commonwealth of Pennsylvania 1837–38, 2:472). He argued that this racial restriction was proper, “as it was the language of some seventeen or eighteen Constitutions in the Union” (Commonwealth of Pennsylvania 1837–38, 2:472).

Phineas Jenks, a Bucks County Whig, moved to eliminate the word “white” from Sterigere’s amendment. Jenks said there were black individuals in Bucks County worth between \$20,000 and \$100,000; and it would be improper for someone with such a stake in society to be excluded from exercising the franchise Commonwealth of Pennsylvania 1837–38, 2:476).

Benjamin Martin, a Democrat from Philadelphia County, opposed the motion to strike the word “white” from the amendment, warning that

any attempt to amend the Constitution to place the black population on an equal footing with the white population, would prove ruinous to the black people. He was certain that in the county of Philadelphia any attempt of the black population to exercise the right of suffrage would bring ruin upon their own heads. (Commonwealth of Pennsylvania 1837–38, 2:477)

James Merrill, an Anti-Mason from Union County, argued that according to the U.S. Constitution every man who was not a fugitive from justice was a free man. “Was it possible,” Merrill asked, “that freemen who possessed property . . . were not allowed to vote, on account of their complexion. If there were men in Pennsylvania so situated, he would like to know under what sort of Government we had been living—what kind of freedom we were supposed to enjoy, and whether we deserved to continue free under such an extraordinary state of things” (Commonwealth of Pennsylvania 1837–38, 2:478). Merrill also worried that because the word “white” was vague, too much discretion would fall to the judges of elections. The debate ended temporarily when Sterigere withdrew his motion. Edward Price (1973, 104) says the proponents of racial exclusion feared that they might not be able to win a vote on the amendment.

On June 23, Benjamin Martin moved to amend Sterigere’s proposal by adding the provision that “the rights of an elector shall in no case extend to anyone but free white male citizens” (Commonwealth of Pennsylvania 1837–38, 3:83). He argued that his amendment was necessary because of the rapid increase in the number of blacks in Pennsylvania. The failure to make Native Americans equal to whites, Martin remarked, belied the promise to blacks that they could achieve equality with whites. He further warned that if Pennsylvania allowed blacks to vote, the state would attract free blacks and runaway slaves from the southern states.

John Dickey, a Whig from Beaver County, said he was sure his constituents did not expect the issue of voting rights for blacks to come up; he thus desired no action on it. Yet he demanded that Martin explain what he meant by “white” and whether “all the various shades, departing from white and carnation, are to be disfranchised” (Commonwealth of Pennsylvania 1837–38, 3:86). John McCahen, a Philadelphia Democrat, noted that at the state constitutional convention in 1790 Albert Gallatin “thought that the word ‘white’ was too indefinite; that it might exclude him from the enjoyment of the rights of a voter; and upon his suggestion, the word was stricken out” (Commonwealth of Pennsylvania 1837–38, 3:87). Charles Brown, a Philadelphia Democrat, countered that other states that had restricted the franchise to white males had no difficulty determining who was eligible to vote. Besides, Brown contended, the principle had been established that “no negro could become a citizen of the United States” (Commonwealth of Pennsylvania 1837–38, 3:89).

George Woodward, a Democrat from Luzerne County, objected to Martin’s proposal because there was a case currently pending before the state supreme court on the question whether blacks had a right to vote under the current state constitution (*Fogg v. Hobbs*).<sup>2</sup> He counseled the convention delegates to wait for the court’s decision, due the next month, before taking up the issue. Brown replied that it was for the people, not the courts, to decide who had the right of suffrage.

The amendment to restrict the vote to “free white males” was rejected by a vote of 61–49. Twelve Democrats joined a large number of Whigs and Anti-Masons to vote “no,” whereas 43 Democrats and 6 members of the Anti-Mason/Whig coalition voted to restrict the franchise to white males. The voting rights of black Pennsylvanians were temporarily preserved. The convention considered other matters up to July 14 when it adjourned until October 17, 1837.

On October 10, 1837, the Democratic candidates lost five of six electoral contests in Bucks County to their Whig and other anti-Van Burenite opponents. Several of the races were exceedingly close; the Democratic candidate for auditor lost by just two votes. The Democratic Party challenged the results, alleging that the anti-Van Burenite coalition prevailed only because of illegal votes by blacks. W.E.B. Du Bois ([1899] 2007, 258) wrote that the “friends of exclusion now began systematic efforts to stir up public opinion.” Public meetings were held throughout the county to organize against black suffrage (Rosenberger 1974, 30–31; Smith 1998, 289–291). Citizens in Bucks County submitted to the constitutional convention memorials against black suffrage.

The defeated candidates asked a judge in Bucks County to overturn the election results because of the votes of 39 blacks who, the losers alleged, had no right to vote. In December 1837 Judge John Fox announced his

ruling (Price 1976, 359). The central question was whether blacks were “freemen” under Pennsylvania law. Fox reviewed documents as old as William Penn’s original charter and concluded that because there was no evidence that blacks had ever been thought to possess the rights of freemen, they could not vote.

On November 16, 1837, John Sterigere presented a petition from citizens of Bucks County advocating a constitutional provision prohibiting black suffrage. Referring to the previous month’s disputed election, Sterigere argued that blacks “could not be placed on an equality in political and social rights, with white citizens” (Commonwealth of Pennsylvania 1837–38, 4:414). After some debate over the political status of blacks in Pennsylvania, the convention voted overwhelmingly to print the petition. Robert Mittrick (1985, 28) notes that “the debate strongly suggested what a vote (84–29) in favor of printing the petition confirmed, that the anti-Negro forces had indeed gained support and perhaps were now in the majority.”

On January 17, 1838, Benjamin Martin moved to amend the suffrage clause by inserting the word “white” before the word “freeman” in the first and seventh lines. Martin said he had no

hostility to the coloured man; on the contrary, no person would go further to protect them in all their natural rights . . . but to hold out to them social rights, or to incorporate them with ourselves in the exercise of the right of franchise, is a violation of the law of nature and would lead to . . . the resentment of the white population. . . . The divisionary line between the races, is so strongly marked by the Creator, that it is unwise and cruelly unjust, in any way, to amalgamate them, for it must be apparent to every well judging person, that the elevation of the black is the degradation of the white man; and by endeavoring to alter the order of nature, we would, in all probability, bring about a war between the races. (Commonwealth of Pennsylvania 1837–38, 9:321)

The debate continued until January 20 with speaker after speaker making the same arguments. Opponents of black suffrage continued to insist that blacks were not citizens under either the state or the federal constitution and therefore did not have the right to vote. Even if they did have that right, public opinion demanded that they have it no longer, for white Pennsylvanians “are for continuing this commonwealth, what it always has been, a political community of white persons”; and they were opposed to “investing our own negroes with this valuable right, and to a policy which will bring upon us hords [sic] of negroes from other states” (Commonwealth of Pennsylvania 1837–38, 9:357). Opponents accordingly asserted that a violent backlash would be provoked if blacks were granted the franchise. Charles Brown, a Democrat representing a district in Philadelphia with 3,000 to 4,000 blacks,

predicted that “in twenty-four hours from the time that an attempt should be made by blacks to vote, not a negro house in the city or county would be left standing” (Commonwealth of Pennsylvania 1837–38, 9:393).

Supporters of voting rights for blacks continued to argue that the word “white” was too vague, that blacks were freemen and entitled to vote under the state constitution, and that violence would not result from blacks exercising the right to vote. “Although the arguments had been presented before, the debate became extremely emotional, and tensions were at the breaking point. The few men who maintained cool heads were unable to calm the antagonists” (Price 1973, 115). Finally, the vote was taken and the amendment to insert the word “white” was adopted by a vote of 77–45. Only three Democrats voted against the motion; 19 Whigs and Anti-Masons joined 58 Democrats in supporting it.<sup>3</sup> Efforts to soften the restriction failed. With the narrow approval of the new state constitution by voters that October, black Pennsylvanians lost the right to vote.

### Data and Methods

This article examines quantitatively why black voters lost their suffrage rights in the 1838 Pennsylvania constitution. Limiting the franchise to “white freemen” was part of a package of controversial changes to the state constitution submitted to the electorate in October 1838 and approved by a vote of 113,971 to 112,759. Indeed, black disenfranchisement was the least controversial change proposed by the convention. Charles Snyder (1958, 105) argues that the “growing force of anti-Negro prejudice in the State was clearly revealed by the overwhelming backing which was given to this amendment. . . . No other alteration cut so completely across party lines or received such decisive support.” The decisive vote to disenfranchise blacks occurred at the constitutional convention on January 20, 1838. Explaining it requires ascertaining why the 122 delegates voted 77–45 to restrict the suffrage to white men. For revealing the relationship between the delegates’ personal and constituent interests and their voting on black suffrage, the dependent variable is the vote a delegate cast on January 20 on the motion to insert the word “white” before the word “freeman” in the suffrage clause of the proposed state constitution. The dependent variable has a value of 1 if the delegate voted in favor of disenfranchising black voters and 0 if the delegate voted against the motion.

Voting patterns are estimated using the general specification  $V = f(P, C)$ , where  $V$  is the dummy variable representing a delegate’s vote on the black disenfranchisement amendment,  $P$  is a set of delegate-specific variables, and  $C$  is a set of measures of the characteristics of the county represented by the delegate. Where the delegate represented multiple counties, the variables reflect the characteristics of his county of residence.

Racial prejudice and violence increased in Pennsylvania during the 1820s and 1830s (Du Bois [1899] 2007, 15–18; Nash 1988, 273–279; Winch 1988, 130–152). Much of it was directed against abolitionists, with the most notorious event perhaps being the burning of Pennsylvania Hall in May 1838 (Brown 1970, 24–28). Radical abolitionists had found it difficult to find meeting places because churches and public halls increasingly refused them entrance. So a group of Philadelphians built an auditorium that would be open to antislavery and other reform groups. The hall opened on May 14, 1838. On the evening of May 16 a public meeting devoted to the discussion of slavery convened, during which a noted female abolitionist, Angelina Grimke Weld, gave an address to a group of men and women of both races. It was not regarded as proper at that time for women to give speeches to mixed gender audiences. A mob gathered outside the hall to shout insults and throw stones at the windows. On May 17 the hall allowed a meeting of a national women’s antislavery group. Rumors spread that white women had been seen walking arm in arm with black men to and from events held at Pennsylvania Hall. A mob once again gathered outside the hall. At one point the mayor of Philadelphia appeared in person to plead with the mob to disperse. The mob later broke into the building and set fire to the hall. Extinguishing only the adjacent buildings, fire companies made no effort to save Pennsylvania Hall. The next night more rioting occurred outside a building occupied by a newspaper friendly to abolitionists, and a black orphanage was burned.

Against this background, the transcript of the debate over ending black suffrage cannot be read without concluding that racism played some role in the outcome. John Sterigere, the leader of the antiblack delegates, declared blacks to be

physically and morally an inferior species of population. They are incompetent by nature . . . to exercise this valuable privilege. . . . The God of nature has made them a distinct, inferior caste, and placed a mark on them too visible to be disregarded. The evidence of their inferiority is everywhere. . . . They are also a debased and degraded portion of our population. . . . Is it proper to confer this important right . . . upon such an inferior, low, degraded and ignorant mass as our black population? Is the right of suffrage so little prized by us, that we are willing to share it with the scum and outcasts of the negro population of other states? If the black population had sufficient capacity to exercise the right of voting, their colour and other circumstances must prevent any amalgamation or association with the white population. . . . It is an insult to the white man to propose this association, and ask him to go to the polls, and exercise the right of a freeman with negroes. Our antipathies are too great to



allow such an association, and if attempted, will produce conflicts and bloodsheds at our elections, where all must meet, and on the same day. (Commonwealth of Pennsylvania 1837–38, 9:364–65)

According to Edward Turner (1912, 189), “The really decisive factors, in the Convention at any rate, were the general dislike of the negro in Pennsylvania, and the general prejudice against him.” Speaker after speaker echoed the same themes: that blacks were inferior to whites, that racial amalgamation was to be feared, that black suffrage would attract southern blacks to the state, and that violence against black citizens would result from their attempting to vote.

I test six racial variables: the percentage of county population in 1840 accounted for by free black persons; the growth rate of the free black population between 1830 and 1840; the distance from Philadelphia to the county seat; a dummy variable taking a value of 1 if the county borders Delaware, Maryland, or Virginia; a dummy variable taking a value of 1 if blacks customarily voted in the county; and a variable measuring the partisan competitiveness of the county.

Conflict theories of racial prejudice imply that whites perceive the heightened presence and visibility of blacks to be a political and economic threat (Blalock 1967; Key 1949). Indeed, Marylee Taylor (1998) finds that white racial hostility rises as the black population in an area increases. If delegate voting behavior reflected the preferences and prejudices of their constituents, then both the percentage of free black persons in the county population and the growth rate of the free black population are expected to increase the probability that a delegate voted to disenfranchise blacks. Just over 40% of the state’s free blacks lived in Philadelphia; 58% resided in the five counties comprising southeastern Pennsylvania. If the proximity of blacks to whites increases white racial prejudice, then this prejudice would be strongest in the counties closest to Philadelphia and weaken the farther the distance from Philadelphia.

The fear that suffrage rights would attract blacks from the South would be most keenly felt in counties along Pennsylvania’s southern border, so delegates from these counties ought to have been more likely than other delegates to support black disenfranchisement. Blacks had been voting in several counties: Allegheny, Bucks, Cumberland, Dauphin, Juniata, Luzerne, Westmoreland, and York (Commonwealth of Pennsylvania 1837–38, 9:380). Being accustomed to blacks exercising the right to vote, delegates from these counties were perhaps less likely to support black disenfranchisement.

Opponents of black suffrage denied that blacks were equal to whites. Such people would not want black votes to determine the outcome of elections. Accordingly, the more politically competitive a county is, the more decisive are its black voters. I create a variable to measure



the political competition in a county by taking the absolute value of the difference between 50 and the percentage of the county vote received by the Democratic candidate in the gubernatorial race in 1838. This number was then subtracted from 100. The greater the resulting value, the greater the political competition in the county. Regardless of political affiliation, racial ascriptivists from politically competitive counties were more likely than other people to support limiting the vote to white freemen.

Although the standard Pennsylvania history text (Klein and Hoogenboom 1980, 148) refers to the vote on black suffrage as “nonpartisan,” partisan politics figured into the debate over black suffrage (Malone 2008, 72–82; Smith 1998, 280). Black votes were alleged to have determined the outcome of the 1837 elections in Bucks County (Rosenberger 1974). Democrats believed that blacks would overwhelmingly vote for Whigs and Anti-Masons. John Sterigere asked,

But what is to be [the] effect of this negro suffrage? The memorial presented on behalf of the coloured people, says the effect of this amendment would be to deprive 40,000 of their rights. I presume that is about the number of blacks in this state. That number would produce 10,000 voters. These will, in the mass, join one of the great political parties, or be controlled by some political demagogue, or modern abolitionist, and must become the umpire between the two great political parties of the state. (Commonwealth of Pennsylvania 1837–38, 9:365)

Democrats, then, would be more likely than non-Democrats to vote in favor of eliminating black voting rights. In addition to a dummy variable denoting whether the delegate was a Democrat, I test four other political variables. One tests for the interaction between the Democrat dummy variable and the political-competition variable described above. Democrats from competitive areas were likely to support disenfranchisement on partisan political grounds rather than on the basis of political philosophy or racial prejudice.

The constitutional convention also voted to retain the tax qualification for voters. As Rebecca Keister (2005, 47) notes, both the tax qualification and black suffrage votes were concerned with whether “a group of men who were neglected members of society, by 1838 standards, should vote.” Those delegates favoring elimination of the tax qualification may have possessed an inclusive view of citizenship and political rights and may have favored black suffrage for philosophical reasons. The variable takes a value of 1 if the delegate voted to remove the tax qualification for voting; otherwise, its value is 0. I posit a negative relationship between votes on the tax and race requirements for voting. That is, those delegates who voted against eliminating the tax qualification would be expected to vote in favor of black disenfranchisement.

I also test the percentage of the county vote for the Democratic candidate for governor in the 1838 election and expect it to be positively related to support for black disenfranchisement. Another political variable measures the percentage of adults in the county, both white and black and male and female, that voted in the 1838 gubernatorial election. This variable is intended to capture the extent to which citizens participate in democratic decision making. I expect it to be negatively related to a vote against black suffrage. Communities in which a large fraction of the population participates in political activities are less likely to deny some of their members their political rights. Blacks did organize to protest and prevent disenfranchisement (Smith 1998, 292–96). Mancur Olson's (1965) classic study suggests that collective action is more difficult to organize in large groups than in small groups. Population density may strengthen the social interactions necessary for collective action. Counties with a high black-population density may have experienced more effective black protest against disenfranchisement, implying that delegates from these counties would have been less likely to support black disenfranchisement.

Economic issues may also have played a role in the vote. Ira Brown (1970, 22) writes, "Another factor was the continuing influx to Pennsylvania of slaves and freedmen from the states to the south. This element competed with recent immigrants from Europe for jobs which were becoming scarcer in the wake of the Panic of 1837." The Panic of 1837 began on May 10 when banks in New York City refused to redeem their notes in coin. When the news reached Philadelphia late that evening, the city's leading bankers met and agreed to suspend specie payments immediately (Cyril 1940, 78). Banks needed to reduce the volume of loans and increase reserves until it became possible to resume and maintain specie payments. Therefore, both money and credit became scarce.

The resulting recession brought prices down to the lowest recorded level in the nation's history (Cyril 1940, 79). Manufacturing output fell. In the fall of 1837, 90% of factories in the East were reported closed (Rezneck 1935, 665). Annual production at the Baldwin Locomotive works in Philadelphia fell nearly by half (Clark 1966, 435). Unemployment rose. In August 1837 a New York newspaper reported that 500 men had applied in a single day in answer to an advertisement for 20 spade laborers (Rezneck 1935, 664). The Baldwin works laid off about one-third of its 300 workers (Clark 1966, 435). Suffering was extensive. In 1837, a committee in Philadelphia recommended that the state set up public granaries and coal yards where consumers might purchase those necessities at cost; another committee was appointed to beg for the poor who were "dying of want" (Rezneck 1935, 667).

I test seven economic variables. The first three are the manufacturing density in the county as measured by the total capital invested in

manufacturing, the density of agricultural employment in the county, and county population density. All densities are per square mile of county area. Although most Pennsylvanians were engaged in agriculture at the time, manufacturing was expanding rapidly in some areas. In Philadelphia, for example, 3.5 people were employed in manufacturing in 1820 for every agricultural worker. By 1840, the ratio had risen to nearly eight manufacturing workers for each person employed in agriculture. Large numbers of workers were employed in iron forges, bloomeries, and flour and rolling mills; printing and bookbinding; the construction of carriages and wagons; the manufacture of brick, lime, liquor, and machinery; and the creation of leather, cotton, and woolen goods (Snyder 1958, 9). The industrial workforce consisted of both skilled artisans and unskilled wage earners of both races and genders (Sullivan 1955, 59–83). The jobs competition hypothesis holds that the competition between blacks and whites for scarce jobs during the Panic of 1837 exacerbated racial tensions. The Panic of 1837 hit the state's manufacturing sector much harder than it hit its farm sector. The competition for jobs would thus be strongest where manufacturing was important and weakest where agriculture dominated. Blacks and whites competed for jobs primarily in manufacturing, for "in 1840 most of the work on the farm, except at hay and small grain harvest, was done by the farmer and his family" (Fletcher 1955, 76). Manufacturing employment severely contracted during 1837 and 1838. Also, population density ought to be positively associated with the size of the potential labor force and so with competition for jobs and, therefore, with a vote to deny blacks the franchise.

The fourth variable is the county's population growth rate between 1830 and 1840. I expect that delegates from fast-growing counties were more likely than other delegates to support black disenfranchisement, as migration into the county increases competition for jobs. The fifth variable, the ratio of manufacturing employment to agricultural employment, ought to be positively related to a vote to limit suffrage to whites. The greater this ratio, the greater the relative importance of manufacturing to the county economy and the greater the competition for jobs. If the jobs competition hypothesis has any merit, it would be for those delegates representing counties with relatively large black populations. Accordingly, I also test a variable measuring the interaction between the free black population percentage and the ratio of manufacturing workers to agricultural workers. The number of newspapers can be taken as an indicator of the level of economic development in the county. Economic development at the time related primarily to manufacturing, so delegates from counties with many newspapers are expected to have been more likely than other delegates to vote to disenfranchise blacks. These economic and population variables are taken from the 1830 and 1840 U.S. censuses.

I test 19 variables. The dichotomous nature of the dependent variable and the small number of observations create obvious testing problems. Standard statistical methodology, which requires a single simultaneous test of all variables, is inapplicable. The power of the test is simply too weak. Consequently, I adopt a second-best approach that involves testing the variables in a variety of ways and forming conclusions using an accumulation of results. These conclusions must be viewed with caution, for the omitted-variable problem may be a significant yet inescapable source of error. The choice is either to test, and acknowledge the existence of possible errors, or not to test at all.

### **Testing the Variables**

I begin by testing the racial, political, and economic variables one at a time without taking into account inter-relationships among independent variables. Table 1 below lists the simple correlations (phi for the binary variables and point biserial for the continuous variables) between a delegate's vote on black disenfranchisement and the independent variables. The results produced some surprising correlations. Delegates from counties with a relatively large black population and delegates from counties along the state's southern border were less likely to have voted to strip blacks of the suffrage. Of the 47 delegates from counties in which blacks accounted for at least 3% of the population, only 23 voted in favor of disenfranchisement; 36 of the 48 delegates from counties whose population was less than 1% black voted to deny blacks the right to vote. Also, supporters of lifting the tax qualification for voting tended to support black disenfranchisement. Otherwise, the signs of the coefficients are mostly as expected. Economic variables perform least well. The political variables measuring political affiliation have the largest correlation coefficients. Of all the convention delegates, Democrats and delegates from heavily Democratic counties were the most likely to vote to restrict the suffrage to white freemen.

<b>Table 1</b> <b>Individual Tests of the Relationships between the Independent Variable and a Delegate's Vote on Black Disenfranchisement.</b>	
<b>Variables Used</b>	<b>Correlation Coefficient with a Delegate's Vote on Black Disenfranchisement</b>
<b>Racial Variables</b>	
Free black persons as percent of county population	-.205**
County politically competitive	-.133
Southern border county	-.124
Black population growth	-.104
Distance from Philadelphia	-.092
Blacks customarily vote in county	.048
<b>Political Variables</b>	
Democrat	.663***
Democrat * county politically competitive	.662***
Percentage of county vote for Democratic gubernatorial candidate	.414***
Opposed tax qualification for voting	.400***
Percentage of adults voting in 1838 gubernatorial election	.032
Black population density	-.026
<b>Economic Variables</b>	
Agricultural density	-.151*
Number of daily, semi-weekly, and weekly newspapers	-.082
Population growth	.064
Population density	-.025
Percent black population * manufacturing/agriculture employment ratio	-.025
Manufacturing density	-.021
Ratio of manufacturing to agricultural employment	-.011
Note: ***, **, * indicate significance at the 99%, 95%, and 90% levels, respectively.	

I next allow the variables to compete against one another in explaining black disenfranchisement. Because the dependent variable in my analysis is dichotomous, I use logistic analysis to estimate voting patterns. Having already ruled out the inclusion of all variables as a useful statistical tool, I use stepwise logistic regression. Given the number and nature of the variables being tested, a choice has to be made between an arbitrary variable selection

procedure and some formal procedure. Formal procedures like stepwise regression have the advantage of making clear the way in which the variables are selected. The main disadvantage is that repeated application of tests invalidates the probability statements resulting from the tests. I nevertheless present these test statistics to illuminate the relative explanatory power of the variables, even though the absolute level of significance is meaningless when using stepwise regression.

Table 2 below shows the results of a binary logistic regression. I use a stepwise backward likelihood ratio procedure to give all the variables an opportunity to demonstrate some explanatory power. Variables were included in the equation only if they passed a 5% significance test. The results confirm that Democrats were more likely than other delegates to support black disenfranchisement, with other factors remaining the same. Three racial variables have some explanatory power in the joint test. Delegates from politically competitive counties were more likely than other delegates to support disenfranchisement, which is consistent with a racially ascriptivist motive. The other two racial variables with sufficient explanatory power are the percentage of free blacks in the county population and the county's distance from Philadelphia. But the hypothesis that a concentration of black residents in a county would cause its delegates to vote to restrict suffrage to whites is not supported by the findings. In fact, the greater the percentages of blacks, the less likely county delegates were to vote to disenfranchise them. On the other hand, delegates from counties far from Philadelphia were less likely to support disenfranchisement than were those from counties close to the state's largest concentration of black citizens. The jobs competition hypothesis is supported by the finding that the greater a county's ratio of manufacturing employment to agricultural employment multiplied by its free black population percentage, the more likely were its delegates to vote to deny blacks the vote.

**Table 2**  
**Summary of Stepwise Regression Results.**

<b>Variables Selected</b>	<b>Coefficient and Standard Error</b>
Intercept	-11.585 (6.499)
Democrat	4.554 (0.859)
Free black persons as percent of county population	-1.503 (0.380)
Manufacturing density	-0.001 (0.000)
Percent black population * manufacturing/agriculture employment ratio	2.091 (0.673)
Distance from Philadelphia	-0.007 (0.003)
County politically competitive	0.152 (0.071)
<p>Notes: Variables were included in the equation if they passed a 5% significance test and excluded if they failed the test. The Homer and Lemeshow statistic has a significance level of 0.461. The Nagekerte R-squared for the equation is 0.696. The variables were removed in this order: ratio of manufacturing to agricultural employment, Democrat * county politically competitive, blacks customarily vote in county, population density, percentage of adults voting in 1838 gubernatorial election, population growth rate, tax qualification vote, number of newspapers, percentage of county vote for Democratic gubernatorial candidate, agricultural density, black population density, black population growth rate, and southern border county.</p>	

Knowing the most important variables affecting convention delegates' votes on black disenfranchisement, the worst effects of the omitted variable problem can be counteracted by controlling for these variables when testing hypotheses. Each of the remaining variables is added separately to the equation shown in Table 2, and the resulting coefficient estimates are presented in Table 3 below.



**Table 3**  
**Estimated Coefficients and Standard Errors When Each Variable is Added Separately to the Regression Equation in which Democrat, Free Black Persons as Percent of County Population, Manufacturing Density, Percent Black Population \* Manufacturing/Agriculture Employment Ratio, Distance from Philadelphia, and County Politically Competitive are Already Included.**

Variables	Coefficient and Standard Error
<b>Racial Variables</b>	
Southern border county	1.571 (0.994)
Black population growth	-0.009* (0.005)
Blacks customarily vote in county	-0.096 (0.819)
<b>Political Variables</b>	
Democrat * county politically competitive	0.086 (0.156)
Percentage of county vote for Democratic gubernatorial candidate	-0.010 (0.044)
Opposed tax qualification for voting	-0.086 (1.054)
Percentage of adults voting in 1838 gubernatorial election	0.039 (0.101)
Black population density	-0.322 (0.335)
<b>Economic Variables</b>	
Agricultural density	-0.063 (0.131)
Population growth	-0.004 (0.012)
Population density	-0.019 (0.025)
Ratio of manufacturing to agricultural employment	1.319 (2.389)
Note: ***, **, * indicate significance at the 99%, 95%, and 90% levels, respectively.	

The standard errors are provided solely for judging the explanatory power of the variables. The most significant aspect of the results in Table 3 is the number of times the signs of the coefficients fail to support the relevant hypothesis. For the racial variables, one sign in three is incorrect; for the political variables, two in five are incorrect; and for the variables measuring a county's economic development, three in five are incorrect. The only variable with remotely any explanatory power is the growth rate

of the county's free black population, which (inconsistent with the racial motivation thesis) is negatively related to a vote on disenfranchisement.

### **Conclusions**

The best way to summarize the findings is to classify the variables into three groups: (1) those that can be accepted because they are supported in both tests, (2) those that can be rejected because no test results support them, and (3) those whose significance remains unclear because they are not consistent with the test results. The first group includes the delegate's political party affiliation and the percentage of free black persons in the county population. These two variables undoubtedly are determinants of how convention delegates voted on the issue of black suffrage. Democrats were more likely than other delegates to support disenfranchising blacks. As Table 2 shows, being a Democrat increases the predicted probability of a yes vote from 0.56 to 0.68 for a hypothetical delegate, with average values on all other independent variables. Whether this outcome is due to partisan electoral concerns or to political philosophy is unclear. The only racial variable robustly related to black suffrage rights is the relative size of the county's black population. Unexpectedly, delegates from counties with a proportionally large black population were less likely to support the effort to disenfranchise black voters. A black population percentage one standard deviation above the state average decreases from 0.67 to 0.61 the probability that a delegate from that county would vote for black disenfranchisement, assuming mean values for other variables. This finding is not consistent with a racial motive for denying blacks the right to vote. Perhaps Whigs and Anti-Masons from counties with large black populations had developed political ties with blacks and were therefore reluctant to deny them the right to vote. Of the 30 Whigs and Anti-Masons representing counties in which blacks accounted for more than 3% of the population, 23 voted against the motion to disenfranchise free black males. Twenty Whigs and Anti-Masons came from counties where blacks were less than 1% of the population. Only 12 of those delegates voted against the race-based voting restriction.

The remaining racial variable and most of the economic variables fall into the second group. Their relevance is easily rejected. The political variables also tend to fall into the "rejected" group. The tax qualification vote changes signs when tested with other variables, and the relevance of the interaction between the Democrat dummy variable and the political competition variable disappears when the two variables are tested jointly. The strong correlations of the political variables in Table 1 likely result from their collinearity with party affiliation. Controlling for political party in the joint tests eliminates the explanatory power of the other political variables.

A stepwise discriminant analysis confirms the primacy of a delegate's political affiliation. Even with a generous inclusion-significance criterion of 5% and an exclusion criterion of 20%, only the Democrat variable enters into the discriminant function. This finding makes it at least plausible that Democrats voted to disenfranchise blacks for reasons of political or racial philosophy rather than for purely electoral concerns, for even Democrats representing overwhelmingly Democratic counties voted to deny blacks the right to vote.

As for the third group of variables, two economic variables have some explanatory power in the joint tests. Tested individually, though, these variables have no correlation with black suffrage votes. Consistent with the hypothesis that economic competition between blacks and low status whites for jobs contributed to antiblack sentiment, the ratio of manufacturing employment to agricultural employment is positively related to black disenfranchisement in the joint tests when corrected for the size of the black population. Representing a county for which the product of the black population percentage and the manufacturing to agricultural employment ratio is two standard deviations above the mean increases from 0.64 to 0.82 the probability that a delegate voted for black disenfranchisement, assuming mean values of the other independent variables. Manufacturing density has a negative sign in the logistic regression. If this variable is taken as a proxy for the level of socioeconomic development, then delegates from the more economically advanced counties would have been less likely to vote to disenfranchise black Pennsylvanians, everything else being the same.

Two racial variables also have some explanatory power in the joint test and both are consistent with a racial motive for denying blacks the right to vote. Delegates from areas far from Philadelphia were less likely to support disenfranchisement than were delegates representing areas close to Philadelphia. A delegate living in a county 200 miles from Philadelphia was nearly 2% less likely to support disenfranchisement than was a delegate from a county 100 miles from Philadelphia, all things being equal. Also, as political competition in a county increased, so too did the probability that its delegates, Democrat or Whig or Anti-Mason, voted in favor of disenfranchisement.

Taken together, these results fit the broad pattern identified by Christopher Malone (2008) that led to the disenfranchisement of blacks in Pennsylvania and other northern states before the Civil War. The competition between blacks and whites for suddenly scarce jobs inflamed racial prejudice, especially in areas around Philadelphia. Opponents of black suffrage found overwhelming support in the Democratic Party and enough allies among the Whigs and Anti-Masons representing counties with relatively small black populations. At the convention, almost all the Democrats and nearly half of the Whigs and Anti-Masons voted to deny blacks the suffrage. Blacks in

Pennsylvania would not regain the right to vote until the ratification of the Fifteenth Amendment to the U.S. Constitution in 1870.

### Notes

1 Malone (2008, 91–97), Mittrick (1985, 22–33), and Price (1973, 100–116) each provide a summary of the debate at the 1837–38 constitutional convention over the racial qualification for voting.

2 In October 1835 William Fogg, a black property owner and taxpayer in Luzerne County, was prevented from voting by Hiram Hobbs, the county elections inspector. Fogg appealed to the county court of appeals, where Judge David Scott ruled that neither the federal nor the state constitution prohibited blacks from voting. Hobbs appealed to the state supreme court. The case was argued in July 1837 but the court withheld its decision until 1838, after the constitutional convention amended the suffrage article to prohibit blacks from voting. Judge John Gibson ruled that because blacks were not freemen under the state's 1790 constitution, they were not entitled to vote. See Smith (1998, 294–95).

3 Eighteen delegates changed their positions on the issue in the time since it had been voted on the previous summer. Sixteen delegates, six of whom were Democrats, now voted to disenfranchise blacks, and two delegates, one a Democrat, switched from yes to no. Of the 23 delegates who did not vote on the amendment the first time, 18 voted in favor of disenfranchisement.

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