

Edward Blum

San Diego State University

In 1787, the new Constitution made proportionality central to the organization and function of the federal government. Proportionality, based upon counts of inhabitants and mathematically altered by enslavement, became the foundation for representation in the House of Representatives, the allocation of electors in the Electoral College, and the parameters of direct taxation. The codification of proportionality, however, was not solely the achievement of the delegates at Philadelphia. It was the culmination of more than a decade of constitutional drafting, legislative experimentation, and administrative innovation within the states. By the time the federal Constitution nationalized proportional representation and mandated a census, proportional governance had already been constructed, contested, and operationalized within several states and at a variety of levels.

My paper examines how state legislatures between 1776 and 1787 created proportionality for representation, taxation, and military obligation. Revolutionary constitutions frequently declared that representation should be proportionate and that taxation should be equal or equitable. Yet such declarations required more than political theory. They required numbers and the translation (or calculation) of these numbers into equitable selections. Legislators needed enumerations of inhabitants, valuations of properties, and reliable returns of militia eligible men. They had to determine what would count, who would conduct the counting, how returns would be verified, and how frequently apportionments would be revised. They did much of this work, moreover, during wartime.

Across the states, lawmakers developed practical solutions to these problems. Some retained colonial county frameworks, but adjusted representation based on population or taxable wealth. Others established periodic enumerations to redistribute seats in lower houses. Tax statutes defined assessable property categories, set procedures for local assessment, and required certified returns to state authorities. Militia laws required town officers or county lieutenants to maintain rolls of able bodied men, often divided by age or equipment class, thereby producing demographic data that could be used for both defense and apportionment. In each case, proportionality emerged from the coordination of local knowledge and centralized oversight.

By comparing several state approaches to proportional governance, especially Virginia and New York, my essay highlights variation in methods of enumeration, assessment, and revision. Some states relied primarily on property valuation as the basis of political weight, while others moved toward population counts. Some mandated periodic reapportionment tied to new enumerations, while others allowed representation to remain fixed for extended periods. Despite this variation, a broader pattern is visible. By the mid 1780s, multiple states had institutionalized recurring systems that linked political representation, taxation, and military obligation to quantified returns. Proportionality became embedded in administrative routines rather than episodic political settlements.

This state-centered analysis of proportionality contributes to and extends several strands of existing scholarship. By examining how states counted inhabitants, assessed property, and allocated representation prior to 1787, my essay builds on Margo Anderson's foundational work on the origins of the federal census, shifting attention from the constitutional mandate itself to the pre-constitutional practices that made such a mandate imaginable and administratively feasible. My study also engages Molly Farrell's scholarship on counting bodies and people in the

eighteenth century by situating enumeration within the concrete institutional settings of legislatures, tax offices, and militia administration. It was there that decisions about who would count and how they would be categorized carried direct political consequences. Finally, I follow historian Herbert A. Johnson's argument that wartime exigencies were central to revolutionary constitutionalism. The fiscal and military pressures of the Revolutionary War compelled states to generate reliable numbers for taxation and manpower, thereby accelerating the development of proportional systems. Placing enumeration and proportional allocation at the center of constitutional development allows me to demonstrate that the making of American constitutionalism was inseparable from the practical work of counting.