

“Make no mistake; the American Revolution was not *fought* to obtain freedom, but *to preserve the liberties* that American already had as colonials.

Independence was no conscious goal, secretly nurtured in cellar or jungle by boarded conspirators, but *a reluctant last resort*, to preserve ‘*life, liberty and the pursuit of happiness.*’”

—Samuel Eliot Morison, *Oxford History of the American People*, 1961.

THE WAR FOR AMERICAN INDEPENDENCE: A DEFENSIVE WAR 1607–1775

American Colonists, 1620–1775

Self Government Through Representative Assemblies

- each recognized *English common law*
- each recognized *their subordination* to the acts of parliament
- each governed by **magistrates they selected**
- each governed by the **laws they framed**
- each went on quietly creating his own proper sphere of action as the unit of a free State

- fidelity *to local self government*
 - government of *their own internal affairs*
 - making their *own laws under which they live*

- the king was the common executive
 - rightful prerogative in force in each colony as it was in England
- parliament had the right to make the laws for England
- each colony, as an integral part of the nation, had *a general assembly subordinate, but a free, deliberative body*
 - had the right to make the laws bearing exclusively on America
 - to regulate ‘the *internal* police’
 - provided for the elective franchise, representation, trial by jury, the habeas corpus, concerns of order, education and religion
 - *power in* the municipalities

Crown and Parliament, 1607–1775

Royal and Ministerial Prerogative

- special preeminence which the *king has over and above all other persons*
- *out of the ordinary course* of common law
- *required and demanded before or in preference* to others
- applied to those rights and capacities which *the king enjoys alone*
- *not rights which the king enjoys in common* with any of his subjects
- that law in the case of the king, *no law in case of the subject*
- *hostile to the principle of local self-government*

- self government is an invasion of the royal *prerogative*
- that the colonies did not need general assemblies, and *ought not to have them.*
- the governor and council *should not be obliged to call assemblies* from the country to make taxes and to regulate other important matters
- subject the colonists to *the rule of a governor and council*, who should have all authority in their hands, *without being obliged to observe any other laws than those which should be prescribed in England*
- that *governors* should do what they should judge proper, rendering an *account only to his Britannic majesty*

Crown and Parliament, 1607–1775

- England the *head and heart* of the whole empire
 - aimed to make every part of the empire ‘the mere instrument or conduit of conveying nourishment and vigor’ to the head
 - laws by parliament forbidding colonists to manufacture certain articles and restricting him in the petty detail of trade
- England *omnipotent* in the matter of government
- England had *unlimited power* over the colonies
 - *molding* America *into uniformity* with England
 - like an *unnatural* parent, treated her colonies, during seventy years, as aliens and rivals

Collection of Revenue

- *inland* taxation
- alter *internal* police of the colonies

Royal Instructions

- the king’s instructions had the force of law
- the people under a personal government
- treated by the mother country in the autocratic spirit
- a succession of unnatural policy for America

Establishing A Standing Army

- zealous attachment to the royal prerogative
- stern exercise of arbitrary power
- “It might have been wise to have simply aimed to render the imperial authority independent in its proper sphere, while leaving the local authorities free to act in their spheres. . . Thus the minister *aimed to impose a polity* on a people. . . Such a purpose was *war on their dearly prized local self-government*. . . : (Frothingham)

American Colonists, 1620–1775

- Claimed *partnership* with a noble empire
 - connection with the mother country regarded a fountain of good
 - looked upon the English Constitution as their own: the perfectest model of civil government that has ever been in the world
 - aim: to preserve their liberties *and* to preserve their union with Great Britain
- Self government and patriotic duty
 - individual liberty which *ignored such laws as violated the most sacred rights of mankind*
 - *obedience* to every requirement of *just law*
- *Incited to reason* on natural right of labor
 - provoked to sharp queries
- They asked that their municipal *freedom and self-government*, which were felt to be fountains of a rich public life, might be *spared from the benumbing influences of centralization*
- “The attempt of the ministry to check the republican element, to abridge English liberties in America, *had the effect to throw the colonists back on themselves*; to move them to reflect on the scope and tendency of the ideas they had applied, on the institutions they had reared and the position they had attained; and *to reveal the fact that there were marked differences on fundamentals between the views held by the statesmen in England and in America.*” (Frothingham)
- “On experiment, it was found that to force on the inhabitants a form of government to which they were totally averse was not within the *fancied omnipotence of parliament*,” Dr. David Ramsay, Historian.

Crown and Parliament, 1607–1775

Arbitrary Laws of Trade and The Navigation Act

- only English vessels and merchants may export and import goods to America

The Collection of Revenue, 1663–1773

Sugar Act, 1663

- a duty on molasses entering English colonies from West Indies

Stamp Act, 1765,

- an inland taxation
- assertion of the right to tax the colonies by a body in which they were not represented

Stamp Act Repealed, 1766

- Parliament repeals Stamp Act, because the Commons were convinced that the Act could not be enforced, even by military force, against *such firm and united opposition as the colonies had shown.*

Declamatory Act, 1766

- Parliament reaffirmed its right to tax America, declaring that as the sovereign legislature of the British Empire, it could *“bind the colonies. . . in all cases whatsoever.”*

American Colonists, 1620–1775

Cause for Protests by The Community Generally

- laws of trade which had remained dead letters on the statute-book
- the Navigation Act had never been enforced

- Merchants *held meetings and open correspondence with each other*
 - *formed a union* of all their councils
 - representative sent to England against the Sugar Act
 - all *to no avail*: Act renewed and made more obnoxious, other *duties imposed*

Stamp Act

- *American mind occupied with the profound questions* of government, natural rights, and constitutional law
 - *discussion went on* in the public meeting, the press and the general assemblies
 - Sons of Liberty, an association to *resist, by all lawful means*, the execution of the Stamp Act
 - committees of correspondence urged Union for *common defence against encroachments on colonial rights*
- Stamp Act Congress, *the first spontaneous movement toward colonial union that came from Americans themselves*, 9 of 13 colonies
- grieved at *the aggression on the custom of self-taxation*, which was held as guaranteed by the British Constitution
- opposed it as *an internal tax*
- Virginia Resolves: no obedience due to the Stamp Act
- Whigs united in the view that submission would be a badge of slavery
- passive resistance:
 - domestic manufactures and of a non-importation agreement

Crown and Parliament, 1607–1775

Townshend Acts, 1767

- *imposed* duties on glass, paper, painters' colors, and tea
 - a board of customs established at Boston to *collect the revenue throughout America*
 - legalized *writs of assistance*: general warrants allowing an officer to enter any premises at any time in search of smuggled goods, contrary to the traditional rights of Englishmen
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- The king . . . determined that *one royal order should require the Massachusetts assembly to rescind its Circular Letter*, and that another order should *require the other assemblies to treat it with contempt*,—imposing the penalty of dissolution in case of non-compliance with these orders. . . . the monarchical office was the most powerful political machine in Europe. . . . this entrance of George III. into the arena added vastly to the interest and importance of the American question.
 - The movement elicited by the Townshend Revenue Acts *resulted in a settled public opinion and conviction by a free people, as to the nature and value of their rights.*
 - . . . in partially repealing the Townshend Revenue Acts, . . . *the tax on tea retained to keep up the right to bind the people of America in all cases whatever*

American Colonists, 1620–1775

- A *new scheme more dangerous to their liberties* than the Stamp Act
 - an *aggression* on a right of fashioning the 'internal police'
 - *aggression* on the ancient self-government
 - new duties were imposed not on commercial grounds, but *for political reasons*
 - not to regulate trade, but for *revenue and to assert British sovereignty*
 - that the governors, judges, and attorneys should be rendered *independent of the local assemblies*
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- ### Circular Letter
- Samuel Adams and James Otis, Boston, drafted and the Massachusetts assembly adopted a circular letter *to the assemblies of all other colonies, to call their attention to the Acts*. The assembly, stated this letter, has "preferred a humble, dutiful and loyal petition to our most gracious sovereign. . . to obtain redress." The new taxes were obviously unconstitutional, but they hope that "united and dutiful supplications" of distressed American subjects" to George III "will meet with his royal and favorable acceptance."
 - *The assembly did refuse to rescind the Circular Letter*, by a vote of 92 to 17.
 - *The people* manifested their approval of the doings of *their representatives* by votes of thanks, by joyful demonstrations and re-elections. . . .
 - this political action *kept remarkably true to social order*, carried on *under the banner of law*, was *an unusual spectacle in the political world*. England had not attained to the right of public meeting or the freedom of the press or publicity in the law-making body.
 - Word had gone through the colonies to adhere to the *non-importation* agreement, as *the best means to procure a repeal of the tax on tea*

Crown and Parliament, 1607–1775

Use of Royal Instructions Bent on Giving Full Force to The Declaratory Act

- dissolution of assemblies
- removal of assemblies to unusual places of meeting
- negated arbitrarily the choice of speakers
- provided for the maintenance of local officers
- ignored the local legislation for the support of government
- directed the executive to refuse his assent to tax-bills because they taxed the officers of government

- insidious phase of centralization
- *produced* the fruit of an organization in *the committees of correspondence*, municipal and legislative, ready to widen out to the breadth of a common union.

The Tea Act, April, 1773

- The ministry thought it *a wise scheme* to take off so much duty on tea as was paid in England, as *this would allow the [East-India Company] to sell tea cheaper in American than foreigners could supply it*; and to confine the duty here, *to keep up the exercise of the right of taxation*.
- The scheme was pronounced *an attempt to establish the right of parliament to tax the colonies* and to give the East-India Company the monopoly of the colonial market.
- The *opposition to arbitrary power* was never founded so much *on knowledge and principle, was never so firm and systematic* as it was at the time of the passage of this Act. . .

Regulatory Acts Boston Port Bill, 1774

- . . . the policy of *singling out this colony* will eventually prove a means of *dissolving the bond of union*. . . The act was *a failure from the moment of its promulgation*.

American Colonists, 1620–1775

- Grated harshly on *a people habituated to the ways of freedom*
 - keen analysis and strong reasoning in papers issued by public meetings, by general assemblies, and the press intelligent and just judgment

Letters Correspondence, 1772

- patriots in each town or county in every colony *to hold legal meetings*, and choose substantial citizens to act as committees of correspondence, *with a view to secure concert of action*
- for the Massachusetts towns to adopt the measure, and then, through the assembly, to *propose it to the other colonies in the hope that they would adopt it*
 - they embraced *common principles*
 - united all of *similar political faith*

The Boston Tea Party, August, 1773

- The resistance contemplated was in general such action as might be necessary to thwart by lawful methods this ministerial measure. The idea had been grasped in America that there was a Constitution which limited the power of kings, lords, and commons. . . The conviction was deep and general that the claim of parliament to tax was against natural equity and against the Constitution But *political science had not devised the peaceable mode of obtaining redress in such cases*. . . an idea embodied subsequently in the powers vested in the Supreme Court of the untied States, and familiar to the American mind. This tribunal declares such legislation void. The only way then to defeat an odious scheme to collect an illegal tax was to follow the methods, *as circumstances might dictate, of popular demonstration*, which had long been *customary in England*, and thus *render the law inapplicable*. . .

- “*The blow dealt in Boston*, like a wound on a single nerve, *convulsed the whole body*.” (Frothingham)

Crown and Parliament, 1607–1775

More Regulatory Acts Upon Boston

- Parliament assumed the power to alter the American Constitution at its will and pleasure
 - if it could deal in this way with Massachusetts, it could deal in a similar way with all the colonies
 - from a Parliament who claim a right to make laws binding [the colonies] in all cases whatsoever
- made elections of the council under the charter void
- provided that the board should consist of not less than twelve members nor more than thirty-six, and vested their appointment in the crown
- the governor was clothed with power to appoint and remove judges of the inferior courts, justices of the peace and other minor officers
- the governor and council were to appoint and remove sheriffs, who were authorized to select jurymen
- town meetings, except for the choice of officers, were forbidden, without permission of the governor
- provided for the transportation of offenders and witnesses to other colonies or to England for trial

American Colonists, 1620–1775

- *Drafts of the bills* . . . reached Boston on the second day of June, and *were printed in the newspapers* on the third
- Action of the Boston committee was, as usual, prompt and decisive; and the committees throughout the province did not fall behind the Boston committee in boldness and zeal
 - “able to circulate the most early intelligence of importance to . . . friends in the country, and to *establish a union which is formidable to our adversaries*,” Samuel Adams
- A crisis was reached involving *ideas in deadly conflict* with each other
 - public opinion of twelve colonies *enjoined the inhabitants of Massachusetts*, for the sake of civil liberty, to *refuse obedience to the two Acts*
 - king’s instructions, in behalf of feudal England, enjoined General Gage to carry them into execution
- Massachusetts selectmen *ignore* the ban on free speech and assembly
- appointments by king *refused*
- jurors *refused* to be sworn
- colonials used no more force than was required to effect the object they had in view,—*complete disobedience to the new Acts*
- *provincial congresses meet*: October, 1774, February, 1775
 - committee of safety formed: *to see the defence of the Commonwealth*
 - chose a committee of supplies
 - provided for the organization of the militia, one quarter of whom were to meet at a moment's warning
 - appointed general officers to command the militia empowered to summon the militia to the field *whenever General Gage should attempt to execute the Regulating acts*
 - the towns, during the autumn and winter of 1774 and 1775, were fairly alive with military preparations.

“You are *placed by Providence* in the post of honor, because it is the post of danger. and *while struggling for* the noblest objects,—*the liberties of your country, the happiness of posterity, and the rights of human nature*,—the eyes not only of North America and the whole British Empire, but of all Europe, are upon you. Let us be, therefore, altogether solicitous that *no disorderly behavior, nothing unbecoming our characters as Americans, as citizens and Christians, be just chargeable to us...*”

—Massachusetts, Provincial Congress, 1774

Crown and Parliament, 1607–1775

Parliamentary Assumption

- *the subjection of the free municipalities of America*—indeed, its whole internal polity—to the caprice of majorities in a legislative body three thousand miles away, in which they were not represented, and consequently *the establishment of centralization in its worst form*.

Battle At Lexington and Concord, April 19, 1775

- General Gage instructed to disarm the inhabitants
 - resolved to destroy the military stores deposited in Concord
 - planned a secret expedition, on the night of April 18, 1775
 - sunrise, April 19, 1775, the detachment, under Major Pitcairn reached Lexington, a small town eleven miles from Boston, on the road to Concord
 - “‘Disperse, ye rebels,’ shouted Pitcairn, the British commander. No one moved; *then Pitcairn cried, ‘Fire!’ a volley blazed out, and seven Americans fell dead*. Advancing to Concord, the soldiers destroyed such military stores as they could find; at Concord Bridge they were met by the patriots. Both fired,—it was *the true opening battle of the Revolution*,—several men fell on each side. . . The ‘regulars’ then drew back, leaving the Americans in possession of the bridge, and began their march toward Boston,” (D.H. Montgomery)
 - Two hours after the firing at the bridge, the king’s troops began their march for Boston, when the militia fell upon them in such fiery spirit, and with such deadly effect, that the march was soon turned into a run. The proud veterans were saved from total destruction by a reinforcement which left Boston in the morning and joined them at Lexington; and they found security only in the shelter of ships of war at night fall, when by the light of the flashing musketry they entered Charlestown and rested on Bunker Hill.

American Colonists, 1620–1775

American Assumption

- *the principle of local self government*
 - all men by nature equal
 - kings had but delegated authority which the people might resume
- Actions of the Massachusetts Committee of Safety
 - authorized to purchase military stores, a portion of which were carried to Concord, a rural town about eighteen miles from Boston
 - organized express riders to summon the militia, in case the king’s troops should take the field
- *Joseph Warren received intelligence* of the movement in time to despatch two expresses, by different route, into the country, *with directions to call out the militia*
- “‘Unhappy is it to reflect that a brother’s sword has been sheathed in a brother’s breast, and that the once happy and peaceful plains of *America* are to be *either drenched with blood or inhabited by slaves*. Sad alternative! But can a virtuous man hesitate in his choice?’”
—George Washington
- “‘Thus the ten years of discussion, formation of public opinion, political organization, and military preparation *culminated in ‘a Runneymede in America’*....” (Frothingham)

“ . . . inspired by the thought that *Providence had set them to defend the rights and liberties of mankind. . . .*
they view ‘*mankind* toiling and suffering,
separated by oceans, divided by language, and
severed by national enmity,
yet evermore *tending under a divine control*
towards the fulfillment of that inscrutable purpose
for which the world was created,
and man placed in it, bearing the image of God.’

Native gifts developed in labors
in behalf of *such a cause.*

Men thus grew in stature; each colony had its roll of honor,
and said and did things that made a mark on the age. . . .”

—Richard Frothingham, *Rise of the Republic*, 1890