Part I: In the Beginning—Englishmen in the New World

Christopher Columbus's arrival in the New World in 1492 set off a wave of European discovery and exploration that changed the course of history. Compared to Spain and Portugal, England was a latecomer in the rush across the Atlantic Ocean. Nonetheless, by the end of the sixteenth century the English had laid claim to vast tracts of territory in North America.

The kings and queens of England wanted to encourage their subjects to establish settlements in the New World. They permitted select groups to start colonies, or plantations as they were called, in North America. The colonies were seen largely as business ventures. In some cases, private investors formed a company, much like those listed on stock exchanges today, to launch a colony. The investors supplied the resources and attracted settlers. In other cases, a wealthy aristocrat or the English monarch would sponsor a colony. Often these ventures failed to get off the ground.

Private investors were required to obtain a charter to establish a colony. Through the charter, the English monarch defined the territory assigned to the colony, ensured that the crown would receive a portion of any mineral resources found in the colony, described the procedures by which the colony would be governed, and guaranteed that the settlers would retain the full rights and privileges of Englishmen.

Note to Students

Protests against taxes, armed groups defying the government, threats and terrorist attacks aimed at symbols of power, and heated debates in the media about individual rights and government authority: it all sounds familiar. And yet this turmoil and upheaval describes the circumstances of the two million people living in the original thirteen states during the late 1700s.

The controversies of the eighteenth century about the purpose and limits of government, as well as the violent struggle for independence, represent the birth pangs of our country. They also speak to us today. Like America's founders, we too are engaged in the process of thinking what we want our government to be. The debates of more than two centuries ago help us clarify the choices we as responsible citizens must face.

In *A More Perfect Union: American Independence and the Constitution*, you will experience the events of 1763-88 as Americans of that time experienced them. You will study the political ideas, public statements, and actions that led to the creation of the United States. Most important, you will understand how the founders of our country grappled with the issues of their day.

As is the case today, Americans in 1776 or 1788 were hardly unanimous about framing the political structure of their society. On the contrary, divisions and disagreements ran deep. In these readings, you will examine primary sources to reconstruct the conflicts of the late 1700s. You will be given a special insight into the difficulties confronting our country's founders and the timelessness of the issues they raised. As you will see, this unit is far removed from the portraits of elderly statesmen in frock coats and powdered wigs. Instead, you will discover the fiery radicals, conscience-torn loyalists, and reluctant patriots who, each in their own way, strove to secure life, liberty, and well-being for themselves, their families, and their communities.

You should pay special attention to the primary source documents included in this unit. Although the English language of past centuries poses a challenge for readers today, you should do your best to extract meaning from the documents. Your effort will pay off in a clearer understanding of the emotions and reasoning expressed during the first years of the American republic.

> ***"James, by the Grace of God, King of England, Scotland, France, and Ireland, Defender of the Faith, etc.... vouchsafe unto them [the listed investors] our license to make habitation, plantation, and to deduce a colony of sundry of our people into that part of America commonly called Virginia.... Our subjects which shall dwell and inhabit within every or any of the said several colonies and plantations, and every of their children, which shall happen to be born within any of the limits and precincts of the said several colonies and plantations shall have and enjoy all liberties, franchises, and immunities, within any of our other dominions, to all intents and purposes, as if they had been abiding and born within this our realm of England."***
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> —Charter of the Virginia colony, issued by King James I in 1606

Mercantilism Guides Colonial Policy

The rulers of England and other European nations believed that the colonies in the New World existed to strengthen the "mother country." England pursued a policy known as mercantilism which determined its economic and political relations with the American colonists.

What did the colonies send to England and what did they get in return?

This mercantilist policy led England's rulers to see the New World as a source of raw materials. The American colonies were expected to export food and basic commodities to the mother country and their sister colonies. In addition, the colonies produced indigo, cotton, and furs for the workshops of England. Lumber, tar, and hemp from the colonies equipped England's growing navy. Gold, silver, and even iron ore were shipped to English ports. The law treated colonists as English subjects in their commercial dealings with the mother country and England's other colonial possessions.

Exports from America gave England an edge in its ongoing competition with the other European powers. The colonies contributed to England's wealth and made the mother country less dependent on imports from the European mainland. In times of war, England made use of the ships built in the colonies, drafted colonial sailors to serve in the English navy, and enlisted colonial militias to fight in North America. In return, the colonies were protected by the English military from attacks by England's European rivals and their Native American allies.

What trade restrictions did England impose on the colonies?

England also defined the colonies as closed markets. Only manufactured goods from the mother country could be purchased in the colonies. English rulers hoped to fuel the growth of their domestic industries and increase the national wealth through exports to the colonies.

The Navigation Acts tightly controlled trade in the Americas. Colonial merchants were generally forbidden to import goods from other countries, even if the price of English goods was higher. The few foreign imports that were allowed into the colonies had first to be shipped to an English port, transported across the Atlantic on an English vessel, and resold through an English merchant.

In most years, the value of the finished goods imported from England exceeded the value of the raw materials exported from the colonies. Colonial retail merchants who sold English goods were required to pay their English wholesalers in gold and silver coin. English authorities also demanded that colonial merchants pay taxes on imported items in gold or silver. The gap in trade, referred to as the "balance of payments deficit," meant that the colonies often suffered a shortage of gold and silver coins. Whatever gold or silver the colonists acquired through trade quickly flowed back to England.

Despite the restrictions of British mercantilism, the colonies prospered and grew. By 1766, the population along the Atlantic Coast had risen to about two million. (The population of England and Wales at the same time was roughly seven million.)

The colonists gradually developed an identity that set them apart from Britain. They had created a society that was much more democratic than that of Britain. White men in the colonies were more likely to be involved in the decision-making process of government than their English counterparts. They were also more likely to work for themselves, primarily as small farmers, and to be able to read and write.

What role did smuggling play in the colonies?

In practice, the British exercised lax control over the colonies. Smuggling was a major business up and down the Atlantic seaboard. Illegal trade allowed merchants to market non-British products and avoid paying high taxes. Many reaped huge profits. John Hancock, the richest man in British North America, made much of his fortune through smuggling. In some American ports, smuggled goods accounted for half of the imported cargo of manufactured goods.

Smuggling also involved exports. The colonists illegally sold their cargoes in French, Dutch, and Spanish ports to avoid taxes and regulations. In turn, they were paid in gold or silver, which helped the colonies close the balance of payments deficit with Britain.

The colonists vigorously opposed efforts to curtail smuggling. They pointed out that smuggling was widespread in Britain itself. In fact, the illegal trade in wine and tea in Britain was worth more than three million pounds sterling a year. (The purchasing power of a pound sterling in the 1700s was equivalent to about one hundred dollars today.) The colonists' strong stance led royal customs officials to ignore most smuggling. Not only did British officials fear a backlash from the colonists, but they also recognized the central role of illegal trade in the colonial economy.

"Poor old England endeavoring to reclaim his wicked children."

From *The Cartoon History of the American Revolution.*

What powers did the colonists have in their government?

The principles of mercantilism shaped Britain's trade and tax policy in the colonies. Nevertheless, the colonists were granted substantial authority to govern their affairs in other areas. Most of the colonies were ruled by a governor, a council, and a legislature. Colonists with the right to vote (limited mainly to white men with property) elected representatives to the legislature. The governor, who was appointed by the monarch, could veto the decisions of the legislature. Each colony also had a high court.

While the governors, chief judges, and customs officials in the colonies were accountable to Britain, they usually depended on the colonial legislatures for their salaries. The hold of the colonists over the "power of the purse" gave them an effective tool for influencing Britain's representatives. The Board of Trade, the body within the British government responsible for overseeing the colonies, complained that the colonists often overstepped their authority.

> ***"Thus, although the government of this province [Massachusetts] be nominally in the Crown and the governor appointed by your majesty, yet the unequal balance of their constitution having lodged too great a power in the assembly, this province is likely to continue in great disorder. They [the colonists] do not pay a due regard to your Majesty's instructions; they do not make a suitable provision for the maintenance of their governor and on all occasions they affect too great an independence of their mother Kingdom."***
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> —Report of the Board of Trade to King George II, 1721

To avoid conflict, the British government, much like a permissive parent, often looked the other way when the colonists challenged the mother country. Edmund Burke, a leading member of the British Parliament who sympathized with colonial concerns, described the policy as "salutary [beneficial] neglect."

As the colonies developed, the inhabitants paid increasing attention to political matters. Although the colonists enjoyed the same rights as other English subjects, they did not have a voice in the British Parliament. Ultimately, it was the Parliament, not the colonial legislatures, that established policy on trade, taxation, and other issues that most deeply affected the economic lives of the colonists.

The Rights of Englishmen

In order to understand the colonists' relationship to the British government, it is helpful to look briefly at that government's development. In the 1700s, Britain began the early stages of its own democratic transformation. (In 1707, the Parliament of Great Britain, or Britain, came to govern England, Wales, and Scotland.) The roots of British—as well as American—democracy extend well back into the Middle Ages. As early as 1215, English nobles forced King John to accept limits to his powers in the Magna Carta [Great Charter].

What actions did Englishmen take to gain their rights?

After the Magna Carta, the rights of the king's subjects gradually expanded. The relationship between the state and the people, however, was never written down in a single document, like the U.S. Constitution. Instead, the constitution that governed England evolved over centuries and was shaped by custom, acts of Parliament, judicial decisions, and concessions by the king or queen.

In the 1600s, the development of the English constitution clashed with royal authority. With the death of Queen Elizabeth in 1603, James I, the first of four kings from the Stuart clan, came to the throne. The Stuarts embraced the "divine right" of kings—the belief that monarchs were responsible only to God for their actions. The Stuarts resented sharing power with Parliament, which had gained expanded influence under the constitutional system.

The position of the Stuarts met especially sharp resistance in the lower house of Parliament, known as the House of Commons. The lower house represented commoners—English men who were neither nobles nor clergy. Twice during the seventeenth century, the Commons led revolts against the Stuarts. In 1649, the rebels executed King Charles I, and for the next eleven years England remained without a monarch. In 1688, King James II was forced to abandon his throne, paving the way for another branch of the royal family to wear the English crown.

The overthrow of James II had particular political significance. The "Glorious Revolution of 1688," as the revolt was called, encouraged a new generation of philosophers to reassess the purpose of government. One of the most eloquent was John Locke.

What did John Locke mean by a "social contract?"

Locke rejected the divine right philosophy of the Stuart kings. In contrast, he argued that society should be governed by a "social contract" which defined the rights and obligations of both the ruler and the people. He stated that the authority of the government came from the approval of the people.

Locke believed that government was not legitimate without "the consent of society, over whom no body can have a power to make laws but by their own consent." For Locke, this meant that the government should not raise taxes or lay claim to property without the agreement of those affected. Perhaps most radically, Locke concluded that the people had the right to revolt against a ruler who broke the contract between the government and the governed.

> ***"To understand political power right we must consider what state all men are naturally in and that is a state of perfect freedom to order their actions and dispose of their possessions and persons as they think fit, a state also of equality....The state of nature has a law of nature to govern it, which obliges every one: and reason, which is that law, teaches all mankind that all being equal and independent no one ought to harm another in his life, health, liberty, or possessions.... Though in the state of nature he hath such a right, yet the enjoyment of it is very uncertain, very unsafe, very unsecure. This makes him willing to join a society with others for the mutual preservation of their lives, liberty and estates. [This is] the great and chief end of men's uniting into common-wealths and putting themselves under government."***
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> —John Locke

Many of Locke's ideas found their way into the constitutional system that emerged in Britain after 1688. For the first time, Parliament held the lion's share of power in the new arrangement. Top government officials or ministers were still appointed by the king or queen, but they were now members of Parliament who depended on the support of their fellow legislators to maintain authority.

Members of Parliament who sought to increase the legislature's influence at the expense of the monarch were called "Whigs." Those who took the side of the monarch in the power struggle were known as "Tories."

The rise of Parliament eventually heightened the tension between Britain and the colonies. The monarchy, not the Parliament, had originally chartered each of the colonies. Moreover, royal officials in America were responsible directly to the crown. By the mid-1700s, questions about the legitimacy of Parliament's authority in the colonies increasingly cast doubt on Britain's role in America. Like John Locke before them, colonists began to ask if they were obligated to obey laws passed without their consent.

Wars of Empire

During much of the seventeenth century, the American colonists were frequently called

A wood engraving in the *Pennsylvania Gazette*, published by Benjamin Franklin, 1754.

on to defend the interests of the British empire, especially as France strengthened its claims in the New World. Queen Anne's War (1702-13) included fighting between English settlers west of the Appalachian Mountains and French forces, who were joined by their Indian allies.

By the time King George's War (1744-48) broke out, the colonists had come to believe that France's presence in North America was the chief obstacle to their safety, expansion, and economic development. Colonial militia forces achieved one of the most decisive victories of the conflict, capturing the French fortress on Cape Breton Island (now part of Canada), which guarded the approaches to France's holdings in North America. During peace negotiations, however, Britain returned the fortress to France, leaving the colonists bitterly disappointed.

The settlement that ended King George's War was in fact typical of the period. Most of the wars among Britain and its European rivals were limited conflicts. The high cost of maintaining a professional army and navy stretched the economic resources of even the most powerful nations. In the global chess match involving the European powers, colonial possessions were often swapped like pawns.

What was the major cause of the French and Indian War?

The next Anglo-French war marked a break with the past. Not only was the war much more destructive than earlier confrontations, but American colonists were responsible for starting it. The fighting began when a group of Virginia land speculators received a grant of 200,000 acres in the Ohio River Valley. Because the land was also claimed by the French, a small colonial force under the command of Major George Washington was sent in 1754 to capture a French fort in western Pennsylvania. The colonists were easily defeated by the French. The Virginia legislature responded by requesting help from Britain. London ordered General Edward Braddock, the new commander-in-chief of British forces in North America, and fifteen hundred regular British troops to counter the French. In 1755, French forces and their Indian allies killed Braddock in an ambush.

As the events west of the Appalachians unfolded, representatives from seven colonial legislatures met in Albany, New York, in 1754 to coordinate their defense. Benjamin Franklin, a delegate from Pennsylvania, proposed that the colonies form a "grand council," whose members would be appointed by the colonial legislatures. Legislators rejected Franklin's "Albany Plan of Union," as it was called, because they feared the loss of local control. The British government also opposed the plan, seeing it as a threat to London's rule over the colonies.

What was the outcome of the French and Indian War?

The outbreak of fighting between Britain and France changed attitudes on both sides of the Atlantic. By 1756, what was known in the colonies as the French and Indian War had spread to Europe. (In Britain, the conflict was known as the Seven Years' War.) After a string of setbacks, the British rallied under the leadership of a new prime minister, William Pitt. With help from the colonists, British forces overran France's key fortresses in Canada. They also captured French islands in the Caribbean.

With the French in retreat, an intense debate erupted in the British press about what demands should be placed on the French. Britain had no intention of destroying France. Rather, the goal of British policy was to maintain a stable balance of power on the European mainland. The question at hand focused on which prizes of war Britain should claim.

On one side were those who wanted to hold onto the Caribbean islands of Guadeloupe and Martinique, where the French had set up plantations to grow sugar, cotton, and indigo. They favored returning captured territory in Canada to France, arguing that driving the French out of Canada would reduce the need for Britain's protection of the American colonies. According to their line of reasoning, the colonists would begin thinking about establishing their independence from Britain if the French threat was eliminated. On the other side were those who contended that Canada was more important to British interests than the Caribbean islands. Their position was supported by the colonists.

In the Treaty of Paris of 1763, the British forced the French to give up Canada while allowing them to retain Guadeloupe and Martinique. The consequences for Britain's American empire were to be disastrous.