

# The American Revolution, 1763–1783

by Pauline Maier



*"The Bloody Massacre": Paul Revere's engraving of the Boston Massacre on March 5, 1770. (Gilder Lehrman Collection)*

The British colonists of mainland North America had great hopes for the future in 1763, when the Peace of Paris formally ended the Seven Years' War. Since the late seventeenth century, their lives had been disrupted by a series of wars between Britain and the "Catholic Powers," France and Spain. Now, however, a triumphant Britain took title to Spanish Florida, French Canada, and all of Louisiana east of the Mississippi. With the British flag flying over so much of the North American continent, the colonists looked forward to a time of uninterrupted peace, expansion, and prosperity. Deeply proud of the British victory and their own identity as "free Britons," they neither wanted nor foresaw what the next two decades would bring—independence, revolution, and yet another war.

## INDEPENDENCE

The Seven Years' War had left Great Britain with a huge debt by the standards of the day. Moreover, thanks in part to Pontiac's Rebellion, a massive American Indian uprising in the territories won from France, the British decided to keep an army in postwar North America. Surely the colonists could help pay for that army and a few other expenses of administering Britain's much enlarged American empire. Rather than request help from provincial legislatures, however, Britain decided to raise the necessary money by acts of Parliament.

Two laws, the Sugar Act (1764) and the Stamp Act (1765), began the conflict between London and America. The Sugar Act imposed duties on certain imports not, as in the past, to affect the course of trade—for example, by making it more expensive for colonists to import molasses from the non-British than from the British West Indies—but to raise a revenue in America "for defraying the expense of defending, protecting, and securing the same." The Stamp Act levied entirely new excise taxes (like sales

taxes) in America on pamphlets, almanacs, newspapers and newspaper advertisements, playing cards, dice, and a wide range of legal and commercial documents. Those accused of violating the Stamp Act would be tried in Admiralty Courts, which had no juries and whose jurisdiction normally pertained to maritime affairs. The colonists protested that provision because it violated their right to trial by jury. Above all, however, they insisted that both acts levied taxes on them and that, under the old English principle of “no taxation without representation,” Parliament had no right to tax the colonists because they had no representatives in the House of Commons.

British spokesmen did not question the principle but argued that the colonists, like many Englishmen in places that could not send delegates to Parliament, were “virtually” represented in Parliament because its members sought the good of the British people everywhere, not just of those who chose them. That made no sense to the Americans, who lived in a young society where representation was generally tied to population and voters expected their representatives to know and defend their interests. A legislator could not represent people who did not choose him, they argued. It was as simple as that.

Several colonies unsuccessfully petitioned Parliament against the Sugar and Stamp Acts. A Stamp Act Congress of delegates from nine colonies met in New York in October 1765, passed resolutions asserting their rights, and petitioned the king, the Lords, and the Commons for redress of their grievances. What else could the colonists do? Allowing the Stamp Act to go into effect would create a precedent for new taxes, which Parliament would surely approve again and again because every tax on the Americans relieved them and their constituents of that financial burden.

Boston led the way. On August 14 and 15, 1765, a popular uprising there forced the Massachusetts stamp collector, Andrew Oliver, to resign his office. That meant there was nobody in the colony to distribute stamps or collect the taxes. With a minimum of force, the Stamp Act had been effectively nullified in Massachusetts. Soon other colonies’ stampmen resigned to avoid Oliver’s fate. In the end, the Stamp Act went into effect only in remote Georgia for a brief time. In the spring of 1766, Parliament repealed the Stamp Act, but it also passed a Declaratory Act that said Parliament had the right to bind the colonies “in all cases whatsoever.”

As if to affirm that right, in 1767 the new chancellor of the exchequer, Charles Townshend, persuaded Parliament to pass an act levying new duties on glass, lead, paint, paper, and tea imported into the American colonies to help pay for the colonies’ defense and also to pay royal officials who had previously been dependent on provincial assemblies for their salaries. Those “Townshend duties” sparked a second wave of opposition. In an effort to avoid further violence within America, the colonists organized non-importation associations to build pressure for repeal of the duties among those manufacturers and merchants in Britain who suffered from the decline in exports to America. Only men signed the associations, but women often supported the effort by making homespun cloth to replace British textiles and seeking alternatives to imported tea. Exports to America declined enough that in 1770 Parliament repealed most of the Townshend duties, retaining only the one on tea.

That led to a third crisis in 1773, when Parliament passed a Tea Act to help the financially strapped East India Company (EIC) sell its surplus tea in America. The Tea Act did not impose a new tax. It refunded to the EIC duties collected in Britain and allowed the company to sell tea in America through its own agents (or “consignees”) rather than through independent merchants. The king’s minister, Lord North, who proposed the act, thought that the Tea Act would allow the EIC to price its tea low enough to compete with smugglers of cheap Dutch tea. The act also gave the EIC a monopoly of the American market, which caused discontent among colonial merchants cut out of the tea trade and others who feared that more monopolies would follow if this one became established. More important, Lord North insisted on retaining the old Townshend duty on tea. He did not anticipate how much opposition that would provoke from colonists determined to resist all taxes imposed upon them by Parliament.

The first tea ship, the *Dartmouth*, arrived in Boston on November 28, 1773. For several weeks thereafter, a mass meeting of “the Body of the People,” whose members came from Boston and several nearby towns, tried unsuccessfully to get the consignees to resign and to secure permission from customs officials and the royal governor for the ships to leave the harbor and take their tea back to England. (In Philadelphia and New York, the consignees resigned and the tea ships were successfully sent back to England with the tea chests still on board.) Finally, on December 16, the night before the tea became subject to seizure by customs men, to whom the consignees would surely pay the duty, a group of men disguised as Indians threw 342 chests of tea into the harbor.

An angry Parliament responded to the “Boston Tea Party” in 1774 by passing a series of Coercive Acts that the colonists soon called the “Intolerable Acts.” They closed Boston Harbor (the Port Act); nullified the Massachusetts Charter of 1691 and instituted a new government with greater royal control (the Massachusetts Government Act); and allowed royal officials accused of committing felonies while executing their offices in Massachusetts to be tried in England (the Administration of Justice Act). The fourth Coercive Act, a new Quartering Act, facilitated housing troops where they could be used against colonial civilians. Soon the king appointed General Thomas Gage, head of the British army in North America, as governor of Massachusetts, and essentially put the province under military rule.

If the Coercive Acts were meant to isolate Massachusetts, they failed; the other colonies rallied to its defense. A Continental Congress met in Philadelphia (September 5–October 26, 1774), adopted a statement of rights, demanded the repeal of several acts of Parliament including the “unconstitutional” Coercive Acts, advised the people of Massachusetts to act in self defense, and approved a comprehensive program of economic sanctions against Britain (the “Continental Association”) that would be enforced by elected local committees. It also called a second Continental Congress to meet on May 10, 1775, if the Americans’ grievances had not yet been redressed. By then, however, war between provincial and regular soldiers had begun at Lexington and Concord in Massachusetts (April 19, 1775).

The Second Continental Congress again petitioned the king for redress of grievances and assured him of the colonists’ loyalty. Nonetheless, in a proclamation in August and again in a speech to Parliament in October 1775, King George III said that the Americans were seeking independence. Their professions of loyalty, he claimed, were “meant only to amuse,” that is, to mislead. He had already decided that only force could end the conflict. In November, Lord Dunmore, the royal governor of Virginia, offered freedom to slaves who fled to the British lines. That further alienated white planters. And in December, the king signed a Prohibitory Act that put American shipping on the same status as that of enemy nations, effectively putting the American colonists outside his protection. Soon he began negotiating with German princes to hire soldiers to help put down the American “rebellion.” Those actions drove more and more Americans toward the independence that the king sought to prevent.

Some colonists—roughly 20 percent of the population—remained loyal to the Crown. Those “loyalists” included farmers and artisans of modest means as well as wealthy merchants and planters. One group, however, was represented among loyalists out of proportion to its incidence in the population as a whole: British officeholders, from sheriffs to royal governors. Other loyalists lived in areas cut off from the flow of information, and so were not driven by events to reconsider their allegiance, or they had reason to think their liberty and interests would be better served under the Crown than in a government controlled by the majority of their white male neighbors. Many members of the Church of England who lived in Congregationalist Connecticut drew that conclusion. So did the unassimilated members of several ethnic minorities and those slaves who flocked into British lines.

By the spring of 1776, however, even many reluctant colonists thought they had no choice. They could declare their independence and secure foreign help, probably from France, Britain’s old enemy, or they would be crushed. On July 2, Congress, confident that it had the support of the people, approved a resolution that “these united colonies are, and of right ought to be, free and independent States,” then

spent much of the next two days editing a draft declaration of independence. On July 4, it approved the text by which the United States claimed a “separate and equal station” among “the powers of the earth,” free of that allegiance to the Crown and state of Great Britain that had for so long been a cause of profound pride among the British colonists of North America.

## REVOLUTION

The Declaration of Independence asserted the right of the people to “alter or to abolish” a government that failed to secure their rights and to adopt another in a form they thought most likely “to effect their safety and happiness.” For that purpose, the Americans rejected not only British rule but also monarchy. The governments they founded would be republics—that is, governments without any hereditary rulers, in which all power came directly or indirectly from the people. In the eighteenth century, that was revolutionary.

It might also have been foolhardy: all the republics of past times had failed. But with a resolution and radical preface approved on May 10 and 15, 1776, well before declaring independence, Congress had called on the states to establish new governments in which “every kind of authority” under the British Crown was “totally suppressed” and all authority was exerted “under the authority of the people.” In 1776, ten states wrote new constitutions (the world’s first written constitutions) or, in the case of Connecticut and Rhode Island, made appropriate changes in their colonial charters. New York and Georgia followed in 1777, along with Vermont, which was trying to win its independence from New York. Finally, in 1780, Massachusetts wrote the last of the first state constitutions. Soon states began to replace their first constitutions, building on their experience and the example of constitutions created in other states.

The state-based institutional experiments between 1776 and 1780 shaped the future of American government. At first, the states placed most power in their legislatures, which in most colonial governments had been the only institution elected by the people. Gradually, however, the states moved toward dividing power, first among the executive and two houses of the legislature (like the king, Lords, and Commons of Britain’s unwritten constitution), and then among the legislative, executive, and judiciary branches of government (separation of function). As a result, the Articles of Confederation (which Congress sent to the states for ratification on November 15, 1777) seemed old-fashioned by the time the document was ratified in March 1781. The Articles made a worthy effort at dividing power between the states and the nation but put all of the central government’s power in one institution, Congress. In 1787, the Federal Convention in Philadelphia decided that the Confederation could not safely be given more power unless that power was divided among different branches of government. In that regard, as in others, the federal Constitution grew out of the earlier development of constitutions within the states.

The state constitution-writers also realized that constitutional or fundamental laws had to be distinguished from ordinary laws, which could be enacted and then easily revised by state legislatures. Massachusetts solved that problem in 1780 when it adopted a state constitution that had been—by popular demand—drafted by a specially elected state convention, then ratified directly by the sovereign people in the towns. Henceforth constitutions, including the federal Constitution, would be a direct act of legislation by “We the people,” a phrase that, in 1787, the Constitutional Convention in Philadelphia took directly from the 1780 Massachusetts constitution and inserted into the federal Constitution. Ordinary laws remained the work of legislatures. That distinction remains fundamental to the American legal system.

These critical institutional advances were achieved relatively quickly and remain part of the Revolution’s legacy. Other changes took more time. The ideals of the Revolution, especially the notion that “all men are created equal” and have God-given rights, and that all legitimate authority comes from

consent, were incompatible with the institution of slavery. Some states understood that and passed gradual emancipation laws or laws that facilitated private manumissions. Often, slaves freed themselves by running away—repeatedly if necessary. Women, too, began to ask why the laws treated them differently than men. In truth, even the idea of equality among white men faced resistance in a society where educated and propertied white men saw themselves as the country's natural rulers. But just raising the issue of what equality implied made clear that colonial America was gone forever, and that the Revolution would, in time, bring changes far beyond what its most prominent advocates anticipated.

## WAR

The war was not the Revolution, but without military victory the Revolution—that is, the fundamental changes that revolution brought—would have failed. Even a negotiated settlement with Britain would have brought the Americans back under the British Crown, ending the republic, the constitutional experimentation, and the social transformations begun in 1776.

At first, the Americans did remarkably well against the king's troops. General Gage arrived in Boston expecting, as did the king and ministers in Britain, that a modest number of regular soldiers could arrest local troublemakers and restore royal authority in Massachusetts. That expectation proved to be wrong. Insurgent colonists throughout the colony forced men appointed to the new provincial Council under the Massachusetts Government Act to resign or flee to the protection of the royal army in Boston. Then the provincials imposed heavy casualties on the regular soldiers retreating toward Boston after the battles at Lexington and Concord, and again two months later, on June 17, 1775, at the Battle of Bunker (or, more exactly, Breed's) Hill. Soon after, General George Washington took charge of the Massachusetts Provincial Army, which became the Continental Army, camped in Cambridge. The king's soldiers remained under siege across the Charles River in Boston, then a peninsula connected to the mainland by a narrow causeway. After the Americans fortified Dorchester Heights, threatening British control of the harbor, General William Howe, Gage's successor, decided to evacuate, which he and his army did on March 17, 1776.

If the king's troops were conducting not a local police action but a war, the place to be was in or near New York City, an island at the base of the great Hudson River. And there, in late June and early July, as the Continental Congress in Philadelphia bravely declared independence, the British assembled more than 30,000 experienced soldiers and sailors, the greatest military force ever seen in North America. At the end of June, Washington had only 19,000 troops, most of whom had been in active duty only a few months. By contrast, privates in the British infantry units averaged nine years of service. Similarly, the king's generals averaged thirty years of military experience, while their American counterparts had only two. It took no genius to see that the provincials were not only outnumbered but also seriously outclassed.

Washington lost the Battle of Brooklyn Heights on nearby Long Island (August 27, 1776), but managed to transfer his remaining men to Manhattan that night. He retreated up the island and crossed onto the mainland, fought a battle at White Plains in Westchester County, New York, on October 28, then slipped down through New Jersey, where the people were busy trying to save their necks by signing loyalty oaths to the king. Even Washington feared the war was lost. But he crossed the Delaware River into Pennsylvania on December 11, then re-crossed it and stopped the downward spiral by winning critical battles at Trenton and Princeton, New Jersey, on December 26, 1776, and January 3, 1777. Then he took his army into winter quarters as irregular troops in New Jersey, angered by British soldiers' abuses of civilians, put the king's forces on the defensive.

The year 1777 was a turning point in the war. General John Burgoyne led a major campaign from Canada down the Richelieu and Hudson Rivers, but the Continental Army, reinforced with New England militiamen, forced him to surrender at Saratoga, New York (October 17). After hearing the news, the

French opened negotiations for an alliance. On February 6, 1778, the French and American negotiators signed a treaty of military alliance and another of amity and commerce, which Congress ratified the following September. Once France entered the war, Britain had to defend its homeland and its possessions in the West Indies, not just fight the Americans. Moreover, it had to face a powerful French navy on the world's waterways. That made the war much harder for Britain to win.

As a consequence, the British evacuated Philadelphia in 1778, which General Howe had taken the year before (when he might better have relieved Burgoyne). Leaving a base on Manhattan, they concentrated their attention on the southern colonies, as if to save a part of their American empire, while waging secondary battles on the western frontier and making scattershot attacks on New England ports. The British took Savannah in December 1778, then Charleston, where the American General Benjamin Lincoln surrendered his army in May 1780. A second American army under General Horatio Gates fell to the British at Camden, North Carolina, in August.

Even without an American army in the field, the fighting continued. The British organized loyalist militias to maintain control over conquered territory, but once the British army left, guerrilla bands emerged from hiding and the war in the South became a nasty civil war, neighbor against neighbor. Meanwhile, a third southern army, under General Nathanael Greene, nibbled away at the British army until its commander, Lord Charles Cornwallis, retreated northward into Virginia. Finally Cornwallis settled in at Yorktown on the Chesapeake Bay waiting for reinforcements from New York. That was a big mistake: the French fleet under Comte François de Grasse sealed the bay off to British ships while Washington and the French General Rochambeau marched south and mounted a siege that forced Cornwallis to open negotiations for a surrender (October 17, 1781). The British still held New York City and Charleston, but Lord North understood that the war was over when he heard the news. Parliament would not replace Cornwallis's army. It had thrown enough good money after bad.

Thanks in part to the skill of the American negotiators, the Peace of Paris (1783) was very favorable to the United States. Great Britain recognized American independence, as France had done in 1778, and the United States gained all the land east of the Mississippi between Canada, which Britain retained, and Florida, which returned to Spain. The future of the American republic remained uncertain, but it would at least be in the hands of its people, a people who had, with considerable help from the French, won their independence from the most powerful nation in the world.

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