

LESSON 8

Why Did the American Colonists Want to Free Themselves from Britain? What Basic Ideas about Government Did the Founders Put in the Declaration of Independence?

Purpose of Lesson

In this lesson you learn that the growth of the American colonies raised issues that were difficult to resolve peaceably. You consider the circumstances that produced the Declaration of Independence, as well as the major ideas about government and natural rights included in that document.

When you finish this lesson you should be able to describe British policies toward the colonies that the American colonists believed violated basic principles of constitutional government. You also should be able to explain the reasons why Americans resisted these policies and how this resistance led to the Declaration of Independence. Finally, you should be able to describe the arguments justifying the separation of the colonies from Great Britain that are found in the Declaration of Independence.

Terms to Know

Boston Tea Party
Boston Massacre
Declaration of Independence
First Continental Congress
Intolerable Acts
Minutemen

Quartering Act
Seven Years War
Sons of Liberty
sovereignty
Stamp Act Congress
Stamp Act
Tea Act
writs of assistance

What was Britain's new policy toward the colonies?

After 1763, several factors caused the British to exert more control over the American colonies than in the previous 150 years. Britain had incurred large debts in its great victory over the French in the **Seven Years War** of 1756–1763. In North America this war was known as the French and Indian War. The British government was under heavy pressure to reduce taxes at home. To the British ministers this meant the American colonists paying a fair share of the war debt.

Between the end of the war in 1763 and the Declaration of Independence in 1776, Britain tried to increase control of the colonies. To reduce tensions with the Native Americans, the British government passed a law forbidding the colonists from settling in the western territories. To raise revenue, the government increased control of trade and customs duties. The **Stamp Act** of 1765 introduced a new kind of tax on the colonists by imposing duties on stamps needed for official documents. To the British these measures seemed reasonable and moderate, but they had a common flaw. They lacked a fundamental principle of the natural rights philosophy—the consent of the governed.



Why were the colonists angered by the Stamp Act of 1765?

Why did the colonists resist British control?

Generations of colonists had grown used to very little interference from the British government in their affairs. The new policies meant a change in these conditions. Although some colonists accepted the new measures, many others resisted. New trade restrictions and taxes meant some colonists would lose money. Perhaps more

important, the new regulations challenged their belief in representative government. Locke had said,

...the supreme power cannot take from any man any part of his property without his own consent..., that is, the consent of the majority, given it either by themselves or their representatives chosen by them.

The colonists believed that each man had a natural right to life, liberty, and property. Consequently, they thought that tax laws should only be passed in their own colonial legislatures, in which they were represented. "No taxation without representation" had become an established belief of settlers in the American colonies.

Colonists calling themselves the **Sons of Liberty** rioted against the Stamp Act. Representatives from the colonies met in the **Stamp Act Congress** to organize resistance—the first such gathering in American history. The British government's response created new grievances. For example, the **Quartering Act** of 1765 forced the colonists to shelter British soldiers in their homes. To the colonists this violated a basic guarantee of the Petition of Right.

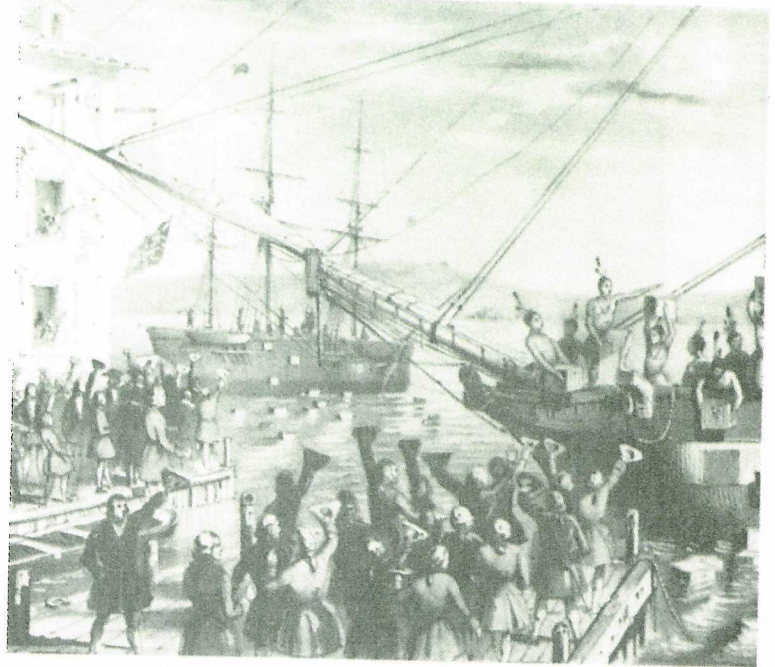


What basic rights are violated when the government orders private citizens to "quarter" soldiers?

Writs of assistance gave government officials new powers to search and seize colonial property. Colonists charged with various crimes were transported to England for trials that were frequently delayed.

The **Boston Massacre** of 1770 helped convince many Americans that the British government was prepared to use military and arbitrary rule to force the colonists into obedience. The **Tea Act** of 1773 reasserted the right of Parliament to tax the colonists and led to the **Boston Tea Party**. The British government responded angrily with what were called the **Intolerable Acts**, closing Boston harbor to all trade. These measures attacked representative government in Massachusetts by giving more

power to the royal governor, limiting town meetings, weakening the court system, and authorizing a massive occupation of the colony by British troops.



Do you think Locke would have supported the colonists' actions in the Boston Tea Party? Why? Why not?

Critical Thinking Exercise

IDENTIFYING VIOLATIONS OF RIGHTS

Each of the following situations is based on the experiences of colonists in America. Each has at least one British violation of a right that Americans thought they should have. If you had been an American colonist at the time, what rights would you claim on the basis of such experiences?

1. Your name is Mary Strong. You have lived in Charlestown most of your life and have strong feelings about how Massachusetts is being governed. Whenever you speak your mind freely, you find yourself arrested and put in an iron device that fits over your head like a mask to prevent you from talking.
2. Your name is Elsbeth Merrill. While you were baking bread this afternoon and awaiting the return of your husband, an agent of the king arrived to inform you that you must shelter four British soldiers in your home.
3. Your name is Lemuel Adams and you have a warehouse full of goods near Boston Harbor. The king's magistrate gives British officials a writ of assistance that enables them to search all homes, stores, and warehouses by the harbor to look for evidence of smuggling.

4. Your name is James Otis. You represent colonists who have been imprisoned and are being denied their right to a trial by a jury from their own communities. You argue that to deny their traditional rights as British subjects is illegal because it violates the principles of the British constitution. The royal magistrate denies your request and sends the prisoners to England for trial.
5. Your name is William Bradford. You have been arrested and your printing press in Philadelphia destroyed for printing an article criticizing the deputy governor. In the article you said the governor was like "a large cocker spaniel about five foot five."



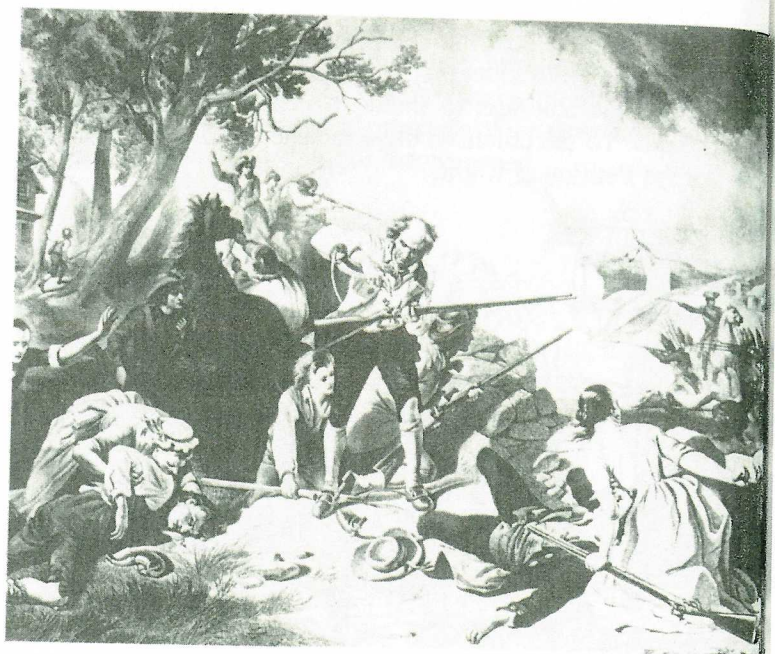
Should publishers be prohibited from printing criticisms of government leaders? Why? Why not?

How did the colonists organize to resist British control?

Committees of Correspondence were formed to publicize colonial opposition and coordinate resistance throughout the colonies. In the fall of 1774, twelve of the thirteen colonies sent representatives to a meeting in Philadelphia to decide on the best response to the actions of the British government. The meeting was the **First Continental Congress**. Its members agreed to impose their own ban on trade with Great Britain in an attempt to force the British government to change its policies toward the colonies. British officials, however, considered that decision an act of irresponsible defiance of authority and ordered the arrest of some leading colonists in Massachusetts.

By this time many of the more radical colonists, especially in New England, were beginning to prepare for war against Great Britain. They believed it was the right of the people to overthrow any government that no longer protected their rights. The colonists formed civilian militia of **Minutemen**, supposedly ready at a minute's notice to respond to the British attack that everyone expected.

On April 19, 1775, British troops tried to march to Concord, Massachusetts, where they had heard that the Minutemen had hidden arms and ammunition. The colonists were alerted by Paul Revere and William Dawes who rode through the countryside warning people that the British were about to attack. On that day, at the towns of Lexington and Concord, war broke out between the colonies and Great Britain—the "shot heard around the world" had been fired.



What ideas were used to justify the Revolutionary War?

What was the purpose of the Declaration of Independence?

With Americans fighting the British, Richard Henry Lee of Virginia introduced a resolution in the Continental Congress on June 7, 1776, that called for a declaration of independence.

The **Declaration of Independence** was drafted by Thomas Jefferson. The Declaration announced the final, momentous step in the colonies' resistance to the British government. It renounced that government's sovereignty over them.

Every state, no matter what its form of government or constitution, must have an authority beyond which there is no appeal. **Sovereignty** means that supreme authority in a state.



Why did colonial leaders believe a formal declaration of independence was needed?

Sovereignty in Britain rests in the British Parliament. Parliament can, as some have said, “do anything but make a man a woman.” It could, if it wished, repeal the English Bill of Rights or the remaining guarantees of Magna Carta, or in other ways change Britain’s unwritten constitution. Parliament would not likely use its sovereign power in such ways because of respect for the unwritten constitution by its members and by the British people as a whole.

Rebellion against the sovereignty of a government to which the colonists and generations of their forbears had sworn allegiance was a serious matter. Members of the Continental Congress believed it important to justify this action to other nations, to win both sympathy and active support.

What were the main ideas and arguments of the Declaration?

The Declaration of Independence is the best summary available of the colonists’ ideas about government and their complaints about British rule. It does not make an appeal on behalf of the king’s loyal subjects to the fundamental “rights of Englishmen.” The Declaration renounces the monarchy itself and appeals to those natural rights common to all men and women everywhere. It identifies sovereignty with the people.

The complete text of the Declaration of Independence is in the Reference Section. These are its most important ideas and arguments:

1. The rights of the people are based on natural law, that is a higher law than laws made by men. Its existence is “self-evident.” It is given by God and is “unalienable.” Neither constitutions nor governments can violate this superior law. If a government violates the law and deprives the people of their rights, they have the right to change that government or abolish it and form a new government.

2. A compact or agreement existed between the colonists and the king. By the terms of this compact, the colonists consented to be governed by the king—deriving his “just powers from the consent of the Governed”—so long as he protected their rights to “life, liberty, and the pursuit of happiness.”
3. “Whenever any form of government becomes destructive of those Ends” for which government is created, it is the right of the people to “alter or abolish it” and to create a new government that will serve those ends.
4. The king had violated the compact by repeatedly acting with Parliament to deprive the colonists of those rights he was supposed to protect. These violations and other abuses of power, the Declaration argued, suggest the creation of an “absolute Tyranny” over the colonies by a “Tyrant” who is “unfit to be the Ruler of a free People.” He is accused of
 - seeking to destroy the authority of the colonial legislatures by dissolving some and refusing to approve the laws passed by others
 - obstructing the administration of justice by refusing to approve laws for support of the colonial judiciary and making judges dependent on his will alone
 - keeping standing armies among the people in time of peace without the approval of the colonial legislatures
 - quartering soldiers among the civilian population
 - imposing taxes without consent
 - depriving colonists of the right to trial by jury
 - attacking the colonial charters, abolishing laws, and changing fundamentally the constitutions of colonial governments.

5. The colonists therefore had the right to withdraw their consent to be governed by the king of Great Britain and to establish their own government as “Free and Independent States...absolved from all allegiance to the British Crown.”



What problems did the newly independent states face?

What impact did the experience of the American Revolution have on American constitutionalism?

During the first years of independence, the grievances that had persuaded the American colonists to seek independence had an effect on how Americans shaped their state and national governments. The abuses of power by the British government made them distrustful of strong central government and strong executive power. The violation of such fundamental rights as

- freedom of speech and assembly
- trial by jury
- security from illegal search and seizure of property, and
- protection from military rule

convinced them to secure these rights by formal declarations in the new state constitutions and eventually in the U.S. Constitution.

What do you think?

1. The Declaration of Independence states that people have a right to abolish their government. Under what circumstances, if any, do you think such an action is justified? Would the Founders agree?
2. Would the Declaration of Independence justify a state leaving the union if a majority of its citizens wished to do so? Why or why not?
3. What was the intended audience for the Declaration of Independence? Does this focus explain the Declaration of Independence’s appeal to “natural rights” instead of to “rights of Englishmen”?

Reviewing and Using the Lesson

1. How would you describe British policies toward the colonies before the 1750s? How did these policies change in the 1760s and 70s?
2. What were the colonists’ objections to the new British policies? What rights did the colonists claim the policies violated?
3. How would you explain the term “sovereignty”? What was the conflict between Great Britain and the colonies over sovereignty? How was this conflict resolved?
4. What are the basic ideas and arguments set forth in the Declaration of Independence? Why was it written?
5. Imagine that you are a merchant, a farmer, a craftsman, or a royal official living in one of the American colonies in 1776. People all around are talking about fighting for independence from Great Britain; some are in favor and some are opposed. Write a speech, a letter to the editor, or a short skit expressing your views on this important issue. Be sure to explain the reasons for your position.