

# 6

## Securing Independence, Defining Nationhood

1776–1788





**AGRIPPA HULL** (Courtesy, Stockbridge Library Historical Collection, Stockbridge, Massachusetts)

**ON MAY 1, 1777**, eighteen-year-old Agrippa Hull, a free African-American man from Stockbridge, Massachusetts, enlisted in the Continental Army. Like most black recruits but relatively few whites, Hull enlisted not for a limited period but for the duration of the Revolutionary War.

Although his motives went unrecorded, Hull probably agreed to serve indefinitely because, lacking family and property, there was nothing certain in his postwar future. His military service changed all that. He spent the last four years as an orderly for General Thaddeus Kósciuszko, a Polish republican and abolitionist who had volunteered for the American cause. Upon discharge, Hull declined Kósciuszko's invitation to join him in Poland, returning instead to Stockbridge, where he was welcomed as a hero and became a New England celebrity until his death at age eighty-nine. A gifted storyteller, Hull regaled locals and visitors with accounts of his wartime experiences—of horrors such as assisting surgeons performing amputations, of such glorious American victories as Saratoga and Monmouth (discussed in this chapter), and of lighter moments such as Kósciuszko's finding him entertaining his black friends in the general's uniform. When Kósciuszko made a return visit to the United States in 1797, Hull and the Polish patriot reunited in New York to public acclaim.

As with thousands of other Americans, Hull's participation in the Revolution combined practicality and principle. Monetary reward, the pressures of family and community, and the respective appeals of each cause led men to decide whether to enlist as patriots or loyalists. For victorious patriots like Hull, military service strengthened a new national identity as American. One of Hull's most prized possessions was the order discharging him from service in the Continental Army, personally signed by George Washington.

For the new nation itself as well as for individuals like Hull, a distinctive identity as American emerged only gradually over the course of the war. In July 1776, the thirteen colonies had jointly declared their independence from Britain and formed a loosely knit confederation of states. Shaped by the collective hardships experienced during eight years of terrible fighting, the former colonists shifted from seeing themselves primarily as military allies to accepting one another as fellow citizens.

Americans were also divided over some basic political questions relating to the distribution of power and authority within the new nation. While the war was still under way, the United States of America was formalized with the adoption of the Articles of Confederation. But divisions remained, erupting in some states' struggles to adopt constitutions and, even more forcefully, in the national contest over replacing the Articles. The ratification of the Constitution in 1787 marked the passing of America's short-lived Confederation and a triumph for those favoring more centralization of power at the national level. It also left most of Agrippa Hull's fellow African-Americans in slavery.

**THE BATTLE OF PRINCETON (DETAIL), BY JAMES PEALE (1787)** The Continental Army's victory at Princeton in January 1777 was an important morale-booster after its retreat from New York, and secured American control of New Jersey. (Manuscript Division, Department of Rare Books and Special Collections, Princeton University Library)

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## FOCUS Questions

- What factors enabled the Americans to defeat the British in the American Revolution?
- How did the Revolution affect relationships among Americans of different classes, races, and genders?
- What political concerns were reflected in the first state constitutions and Articles of Confederation?
- What were the principal issues dividing proponents and opponents of the new federal Constitution?

## The Prospects of War

The Revolution was both a collective struggle that pitted the independent states against Britain and a civil war among American peoples. American opponents of independence constituted one of several factors working in Britain's favor as war began. Others included Britain's larger population and its superior military resources and preparation. America, on the other hand, was located far from Britain and enjoyed the intense commitment to independence of patriots and the Continental Army, led by the formidable George Washington.

### Loyalists and Other British Sympathizers

Even after the Declaration of Independence, some Americans remained opposed to secession from Britain, including about 20 percent of all whites. Although these internal enemies of the Revolution called themselves **loyalists**, they were “Tories” to

their patriot, or Whig, opponents. Whigs remarked, only half in jest, that “a tory was a thing with a head in England, a body in America, and a neck that needed stretching.”

Loyalists shared many political beliefs with patriots. In particular, most opposed Parliament's claim to tax the

colonies. Finding themselves fighting for a cause with which they did not entirely agree, some loyalists would change sides during the war. They probably shared the worry expressed in 1775 by

the Reverend Jonathan Boucher, a Maryland loyalist, who preached with two loaded pistols lying on his pulpit cushion: “For my part I equally dread a Victory by either side.”

Loyalists disagreed, however, with the patriots' insistence that independence was the only way to preserve the colonists' constitutional rights. The loyalists denounced separation as an illegal act certain to ignite an unnecessary war. Above all, they retained a profound reverence for the crown and believed that if they failed to defend their king, they would sacrifice their personal honor.

The mutual hatred between Whigs and Tories exceeded that of patriots and the British. Each side saw its cause as so sacred that opposition by a fellow American was an unforgivable act of betrayal. Americans inflicted the worst atrocities committed during the war upon each other.

The most important factor in determining loyalist strength in any area was the political power of local Whigs and their success in convincing their neighbors that Britain threatened their liberty. For several years, colonial resistance leaders in New England towns, tidewater Virginia, and coastal South Carolina had vigorously pursued a program of political education and popular mobilization. As a result, probably no more than 5 percent of whites in these areas were committed loyalists in 1776. Where elites and other leaders were divided or indecisive, however, loyalist sentiment flourished. Loyalist strength was greatest in New York and New Jersey, where elites were especially reluctant to declare their allegiance to either side. Those two states eventually furnished about half of the twenty-one thousand Americans who fought as loyalists.

The next most significant factor influencing loyalist military strength was the geographic distribution of recent British immigrants, who remained closely identified with their homeland. Among these newcomers were thousands of British soldiers who had served in the Seven Years' War and stayed on in the colonies, usually in New York, where they could obtain land grants of two hundred acres. An additional 125,000 English, Scots, and Irish landed from 1763 to 1775—the greatest number of Britons to arrive during any dozen years of the colonial era. In New York, Georgia, and the backcountry of North and South Carolina, where native-born Britons were heavily concentrated, the proportion of loyalists among whites probably ranged from 25 percent to 40 percent in 1776. During the war, immigrants from the British Isles would form many Tory units. After the Revolution, foreign-born loyalists were a majority of those whom the British compensated for wartime

“A tory was a thing with a head in England, a body in America, and a neck that needed stretching.”



**BENEDICT ARNOLD, PATRIOT TURNED LOYALIST** Arnold was a patriot general who defected to the British. A patriot street parade in Philadelphia in 1780 portrayed him as a two-faced tool of the devil. (*Library of Congress*)

property losses—including three-quarters of all such claimants from the Carolinas and Georgia.

Quebec's religious and secular elites comprised another significant white minority with pro-British sympathies. After the British had conquered New France in the Seven Years' War, the Quebec Act of 1774 retained Catholicism as the established religion in Quebec and continued partial use of French civil law, measures that reconciled Quebec's provincial leaders to British rule. When Continental forces invaded Quebec in 1775–1776, they found widespread support among nonelite French as well as English Canadians. After British forces repulsed the invasion, Britain's military, supported by local elites, retained control of Canada throughout the war.

The rebels never attempted to win over three other mainland colonies—Nova Scotia and East and West Florida—whose small British populations consisted of recent immigrants and British troops. Nor was independence seriously considered in Britain's thirteen West Indian colonies, which were dominated by absentee plantation owners who lived in England and depended on selling their sugar exports in the protected British market.

The British cause would draw significant wartime support from nonwhites. Before the war began, African-Americans made clear that they considered their own liberation from slavery a higher priority than the colonies' independence from Britain. After Virginia slaves flocked to Lord Dunmore's ranks, hundreds of South Carolina slaves had escaped and had taken refuge on British ships in Charles Town's harbor. During the war about twenty thousand enslaved African-Americans, mostly from the southern and middle colonies, escaped their owners. Most were recaptured or died, especially from epidemics, but a small minority achieved freedom, often after serving as laborers or soldiers in the

Royal Army. Among the slaveholders whose slaves escaped to British protection was Thomas Jefferson. Meanwhile, about five thousand enslaved and free African-Americans, mostly from New England, calculated that supporting the rebels would hasten their own emancipation and equality.

Although Native Americans were deeply divided, most supported the British, either from the beginning or after being pressured by one side or the other to abandon neutrality. In the Ohio country, most Shawnees, Delawares, Mingos, and other Indians continued to resent settlers' incursions, but some sought to remain neutral and a few communities initially supported the Americans. After Pontiac's War, Native Americans in the Great Lakes region had developed improved relations with British agents and now supported Britain's cause.

The most powerful Native American confederacies—the Six Nations Iroquois, the Creeks, and the Cherokees—were badly divided when the war broke out. Among the Six Nations, the central council fire at Onondaga, a symbol of unity since Hiawatha's time (see Chapter 1), died out. Most Iroquois followed the lead of the Mohawk chief **Joseph Brant** (Thayendagea) in supporting Britain. But the Oneidas and Tuscaroras, influenced by a New England missionary, actively sided with the rebels against other Iroquois. Creeks' allegiances reflected each village's earlier trade ties with either Britain or Spain (the latter leaned toward the colonists). Cherokee ranks were split between anti-American militants who saw an opportunity to drive back settlers and those who thought that Cherokees' best hope was to steer clear of the Anglo-American conflict.

The patriots also had other sources of Indian support. Native Americans in upper New England, easternmost Canada, and the Illinois and Wabash valleys were initially anti-British because of earlier

ties with the French, though many of them became alienated from the colonists during the war. In eastern areas long dominated by colonial governments, there were fewer Indians, most of whom supported the American war effort.

## The Opposing Sides

Britain entered the war with two major advantages. First, in 1776 the 11 million inhabitants of the British Isles greatly outnumbered the 2.5 million colonists, one-third of whom were either slaves or loyalists. Second, Britain possessed the world's largest navy and one of its best professional armies. Even so, the royal military establishment grew during the war years to a degree that strained Britain's resources. The number of soldiers stationed in North America, the British Isles, and the West Indies more than doubled from 48,000 to 111,000 men, especially after the war became an international conflict (see *Beyond America*). To meet its manpower needs, the British government hired thirty thousand German mercenaries known as Hessians and enlisted 21,000 loyalists.

Britain's ability to crush the rebellion was further weakened by the decline in its sea power, a result of budget cuts after 1763. Midway through the war, half of the Royal Navy's ships sat in dry dock awaiting major repairs. Although the navy expanded rapidly from 18,000 to 111,000 sailors, it lost 42,000 men to desertion and 20,000 to disease or injuries. In addition, Britain's merchant marine suffered from raids by American privateers. During the war rebel privateers and the fledgling U.S. navy would capture over 2,000 British merchant vessels and 16,000 crewmen.

Britain could ill afford these losses, for it faced a colossal task in trying to supply its troops in America. In fact, it had to import from Britain most of the food consumed by its army, a third of a ton per soldier per year. Seriously overextended, the navy barely kept the army supplied and never effectively blockaded American ports.

Because of the enormous strain that the war imposed, British leaders faced serious problems maintaining their people's support for the conflict. The war more than doubled the national debt, thereby adding to the burdens of a people already paying record taxes. Voters could not be expected to vote against their pocket-books forever.

The United States faced different but no less severe wartime problems. Besides

the fact that many colonists, slaves, and Native Americans favored the British, the patriots faced a formidable military challenge. American men were accustomed to serving as citizen-soldiers in colonial (now state) militias. Although militias often performed well in hit-and-run guerrilla skirmishes, they were not trained to fight pitched battles against professional armies like Britain's. Congress recognized that independence would never be secured if the new nation relied on guerrilla tactics, avoided major battles, and allowed the British to occupy its major population centers. Moreover, potential European allies would recognize that dependence on guerrilla warfare meant the rebels could not drive out the British army.

For the United States to succeed, the Continental Army would have to supersede the state militias and would need to fight in the standard European fashion. Professional eighteenth-century armies relied on the precisely executed movements of mass formations. Victory often depended on rapid maneuvers to crush an enemy's undefended flank or rear. Attackers needed exceptional skill in close-order drill to fall on an enemy before the enemy could re-form and return fire. Because muskets had a range of less than one hundred yards, armies in battle were never far apart. The troops advanced within musket range of each other, stood upright without cover, and fired volleys at one another until one line weakened from its casualties. Discipline, training, and nerve were essential if soldiers were to stay in ranks while comrades fell beside them. The stronger side then attacked at a quick walk with bayonets drawn and drove off its opponents.

In 1775, Britain possessed a well-trained army with a strong tradition of discipline and bravery under fire. In contrast, the Continental Army lacked an inspirational heritage as well as a deep pool of experienced officers and sergeants who could turn raw recruits into crack units. European officers such as Kósciuszko helped make up for the shortage of leaders. Although the United States mobilized about 220,000 troops, compared to the 162,000 who served the British, most served short terms. Even with bounties (signing bonuses), promises of land after service, and other incentives, the army had difficulty attracting men for the long term. Most whites and blacks who did sign up for multiyear or indefinite lengths of time were poor and landless. Such men joined not out of patriotism but because, as one of them, a jailed debtor named Ezekiel Brown, put it, they had "little or nothing to lose."

The Americans experienced a succession of heartbreaking defeats in the war's early years, and the new nation would have been hard-pressed had

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**GEORGE WASHINGTON, BY JOHN TRUMBULL, 1780** Washington posed for this portrait at the height of the Revolutionary War, accompanied by his enslaved servant, William Lee. (*The Metropolitan Museum of Art, Bequest of Charles Allen Munn, 1924 (24.109.88) Photograph © 1989 The Metropolitan Museum of Art*)

it not been for the military contributions of France and Spain in the war's later stages. Yet, to win the war, the Continentals did not have to destroy the British army but only prolong the rebellion until Britain's taxpayers lost patience with the struggle. Until then, American victory would depend on the ability of one man to keep his army fighting. That man was George Washington.

The young Washington's mistakes and defeats in the Ohio valley (see Chapter 5) taught him about the dangers of overconfidence and the need for determination in the face of defeat. He also learned much about American soldiers, especially that they performed best when led by example and treated with respect.

After resigning his commission in 1758, Washington had served in the Virginia House of Burgesses, where his influence grew, not because he thrust himself into every issue but because others respected him and sought his opinion. Having emerged as an early, though not outspoken, opponent of parliamentary taxation, he later sat in the Continental Congress. In the eyes of the many who valued his advice and remembered his military experience, Washington was the logical choice to head the Continental Army.

## War and Peace, 1776–1783

Until mid-1778, the Revolutionary War remained centered in the North, where each side won some important victories. Meanwhile, American forces prevailed over British troops and their Native American allies to gain control of the trans-Appalachian West. The war was finally decided in the South when American and French forces won a stunning victory at Yorktown, Virginia, in 1781. In the peace treaty that followed, Britain finally acknowledged American independence.

### Shifting Fortunes in the North, 1776–1778

During the second half of 1776, the two sides focused on New York. Under two brothers—General William Howe and Admiral Richard, Lord Howe—130 British warships carrying 32,000 royal troops landed at New York in the summer of 1776 (see Map 6.1). Defending the city, were 18,000 poorly trained soldiers under George Washington.

By the end of the year, William Howe's men had killed or captured one-quarter of Washington's troops and had forced the survivors to retreat from New York across New Jersey and the Delaware River into Pennsylvania. Thomas Paine aptly described these demoralizing days as “the times that try men's souls.”

With the British nearing Philadelphia, Washington decided to seize the offensive before the morale of his army and country collapsed completely. On Christmas night 1776, his troops returned to New Jersey and attacked a Hessian garrison at Trenton, where they captured 918 Germans and lost only four Continentals. Washington's men then attacked twelve hundred British at Princeton on January 3, 1777, and killed or captured one-third of them while sustaining only forty casualties.

The American victories at Trenton and Princeton had several important consequences. At a moment when defeat seemed inevitable, they boosted civilian and military morale. In addition, they drove a wedge between New Jersey's five thousand loyalists and the British army. Washington's victories forced the British to remove virtually all their New Jersey garrisons to New York early in 1777. Once the British were gone, New Jersey's militia disarmed known loyalists, jailed their leaders, and kept a constant watch on suspected Tories. Bowing to the inevitable, most remaining loyalists swore allegiance to the Continental Congress. Some even joined the rebels.



**MAP 6.1 THE WAR IN THE NORTH, 1775–1778** During the early years of the war, most of the fighting took place from Philadelphia northward.

After the Battle of Princeton, the Marquis de Lafayette, a young French aristocrat, joined Washington's staff. The twenty-year-old Lafayette was brave, idealistic, and optimistic. Given Lafayette's close connections with the French court, his presence indicated that France might recognize American independence and declare war on Britain. Before recognizing the new nation, however, King Louis XVI wanted proof that the Americans could win a major battle, a feat they had not yet accomplished.

Louis did not have to wait long. In the summer of 1777, the British planned a two-pronged assault intended to crush American resistance in New York State and thereby isolate New England. Pushing off from Montreal, a force of regulars and their Iroquois

allies under Lieutenant Colonel Barry St. Leger would march south along Lake Ontario and invade central New York from Fort Oswego in the west. At the same time, General John Burgoyne would lead the main British force south from Quebec through eastern New York and link up with St. Leger near Albany.

Nothing went according to British plans. St. Leger's force of nineteen hundred British and Iroquois advanced one hundred miles and halted to besiege 750 Continentals at Fort Stanwix. Unable to take the post after three weeks, St. Leger retreated in late August 1777.

Burgoyne's campaign appeared more promising after his force of eighty-three hundred British

and Hessians recaptured Fort Ticonderoga. But as Burgoyne continued southward, nearly seven thousand American troops under General Horatio Gates prepared to challenge him near Saratoga. In two battles in the fall, the British suffered twelve hundred casualties while failing to dislodge the Americans. Surrounded and hopelessly outnumbered, Burgoyne surrendered on October 17, 1777.

The **Battle of Saratoga** would prove to be the war's turning point. The victory convinced France that the Americans could win the war. In February 1778, France formally recognized the United States. Four months later, it went to war with Britain. Spain declared war on Britain in 1779, but as an ally of France, not the United States, and the Dutch Republic joined them in the last days of 1780 (see *Beyond America*). Britain faced a coalition of enemies, without allies of its own.

Meanwhile, as Gates and Burgoyne maneuvered in upstate New York, Britain's General Howe landed eighteen thousand troops near Philadelphia. With Washington at their head and Lafayette at his side, sixteen thousand Continentals occupied the imperiled city in late August 1777.

The two armies collided on September 11, 1777, at Brandywine Creek, Pennsylvania. In the face of superior British discipline, most Continental units crumbled, and Congress fled Philadelphia in panic, enabling Howe to occupy the city. Howe again defeated Washington at Germantown on October 4. In one month's bloody fighting, 20 percent of the Continentals were killed, wounded, or captured.

While the British army wintered comfortably in Philadelphia, the Continentals huddled eighteen miles away in the bleak hills of Valley Forge. Joseph Plumb Martin, a seventeen-year-old Massachusetts recruit, recorded the troops' condition in his diary: "The greatest part were not only shirtless and barefoot but destitute of all other clothing, especially blankets." However, he concluded, "we had engaged in the defense of our injured country and were willing nay, we were determined, to persevere as long as such hardships were not altogether intolerable." Shortages of provisions, especially food, would continue to undermine morale and, on some occasions, discipline among American forces.

The army also lacked training. At Saratoga, the Americans' overwhelming numbers more than their skill had forced Burgoyne to surrender. Indeed, when Washington's men had met Howe's forces on equal terms, they lost badly.

The Continental Army received a desperately needed boost in February 1778, when a German soldier of fortune, Friedrich von Steuben, arrived at Valley Forge. The short, squat Steuben did not look like a soldier, but this earthy German instinctively liked Americans and became immensely popular. He had a talent for motivating men (sometimes by staging humorous tantrums featuring a barrage of German, English, and French swearing); but more important, he possessed administrative genius. In a mere four months, General Steuben almost single-handedly turned the army into a formidable fighting force.

British officials decided to evacuate Philadelphia in June 1778 so as to free up several thousand troops for action against France in the West Indies. General Henry Clinton, the new commander-in-chief in North America, led the troops northward for New

"The greatest part were not only shirtless and barefoot but destitute of all other clothing, especially blankets but we had engaged in the defense of our injured country and were willing nay, we were determined, to persevere as long as such hardships were not altogether intolerable."



**BARON FRIEDRICH WILHELM VON STEUBEN** Portrayed here by Charles Willson Peale, the German general was instrumental in transforming the Continental Army into a formidable fighting force. (*Independence National Historic Park*)



## Beyond America

# GLOBAL INTERACTIONS



## The American Revolution as an International War

Originating as a conflict between Britain and its colonies in mainland North America, the American Revolution turned into an international war that extended to Europe, the West Indies, South America, Africa, and Asia. The widening of the war contributed directly to America's struggle for independence from Britain.

Britain and France had emerged as rival maritime empires nearly a century earlier (see Chapter 4, *Beyond America*), and had fought four major wars. Most recently, in the Seven Years' War (1754–1763), the balance of power between them shifted dramatically when France lost all its possessions in mainland North America and India.

The war left both nations facing enormous debts and populations that were heavily but inequitably taxed, especially in France. Britain also sought to finance and administer its suddenly enlarged empire. The East India Company, which functioned as both colonial government in India and monopolistic trade company throughout Asia, was financially troubled. Its local officials in India pursued personal profits, it had accumulated an enormous surplus of tea from China, and American colonists refused to buy its tea. To enhance Company revenues, Parliament passed the Tea Act (1773), which lowered the price of tea by lifting import duties and by allowing Company agents to sell directly to colonial consumers, bypassing American merchants. When, in the Boston Tea Party, radical protesters destroyed Company tea to prevent its unloading, British officials no longer doubted that Americans were disloyal to the empire.

The outbreak of Anglo-American conflict in 1775 provided France with an opportunity to avenge its defeat in the Seven Years' War. France borrowed even more money to supply funds and arms to the rebels and welcomed American ships at its ports. French military volunteers, most notably the Marquis de Lafayette, joined the American cause. France also sped up the rebuilding of its army and navy, achieving naval equality with Britain by 1778. Spain, an ally of France and rival of Britain for nearly a century, also contributed arms and

other supplies to the rebels. Imported weapons and ammunition were a critical factor in the American victory at Saratoga in October 1777.

As a result of Saratoga, France in February 1778 formally recognized American independence, allied with the United States against Britain, and renounced all territorial claims in mainland North America. After declaring war on Britain in June, France dispatched warships and troops to the West Indies, forcing Britain to evacuate Philadelphia and divert five thousand troops from North America to defend its sugar colonies. Over the next year, British troops seized France's military stronghold at St. Lucia while French forces captured the British colonies of St. Vincent, Grenada, and Dominica.

Spain, eager to reclaim Gibraltar from Britain, joined the war in 1779 as an ally of France but not of the Americans. (Spain feared that an independent United States would threaten Louisiana.) Spain and France then planned a massive invasion of England. Although they failed to launch the invasion, Britain as a precaution kept half its war fleet nearby and five thousand troops in Ireland, thereby spreading its forces even more thinly.

The Americans gained another ally when the Netherlands abandoned its alliance with Britain. Since the outbreak of the Revolution, Dutch merchants and Dutch West Indian planters had traded with the Americans. Many Dutch also linked their republican aspirations with those of the United States while resenting British domination of its trade and foreign policy. After the British in 1780 seized a Dutch convoy bound for France, the Netherlands declared war on Britain. British forces in 1781 captured most Dutch possessions in the West Indies and adjacent South American mainland.

Like the Netherlands, most European countries bristled under British naval domination and feared that Britain would interfere with their trade. To prevent such an outcome, Empress Catherine II ("the Great") in 1780 declared Russia's "armed neutrality." She asserted Russia's right as a neutral country to trade commodities with any nation, threatened to retaliate against any belligerent attempting to search

Russian ships, and called on other countries to join a League of Armed Neutrality. Sweden, Denmark, the Netherlands, Prussia, Portugal, Turkey, and several smaller nations joined the League. Recognizing its diplomatic isolation, Britain left League members alone (except the Netherlands) lest it find itself fighting even more enemies.

In 1781, a formidable French fleet commanded by Admiral François de Grasse sailed from France via the West Indies to Chesapeake Bay. Arriving in August, the fleet landed several thousand French troops. The French troops joined Continental forces under George Washington in besieging Lord Cornwallis's base at Yorktown while the fleet prevented any British from slipping out. The Franco-American trap forced Cornwallis to surrender in October.

Although the victory at Yorktown ensured America's independence, it did not end the international war. In 1782, Spain attempted, unsuccessfully, to seize Gibraltar. Meanwhile, de Grasse had returned to the Caribbean. Although failing to recapture St. Lucia, he seized St. Kitts after five weeks of fierce British resistance. As he prepared a massive French-Spanish invasion of Jamaica, British forces cornered his fleet in an inter-island passage called the Saintes and captured four ships and de Grasse himself. Elsewhere, France sought to regain territory it had lost to Britain in the Seven Years' War. In 1779, its forces seized Senegal in West Africa. The most powerful state in India, Mysore, had long resisted the British East India Company and, before 1763, had favored France. In 1780, the ruler of Mysore, Hyder Ali, joined four other Indian rulers (usually rivals of one another) in calling for "the expulsion of the English nation from India." Although the alliance failed to act, Hyder Ali led Mysore's forces in a standoff with British troops for two years. In 1782, a French naval fleet arrived to aid Mysore, threatening Britain's presence in South India.

By then, however, the war's protagonists were discussing terms of peace. The result of their negotiations was the Treaty of Paris (1783), under which America became independent; Britain and France returned all territories seized from one another in the Caribbean (except for one French-held island), India, and Senegal; and Britain returned a port at Ceylon (now Sri Lanka) to the Netherlands.

The American Revolution left a volatile mix in the North Atlantic. In achieving independence, the United States accelerated the appeal of republican ideals that were fomenting popular discontent with monarchies across Europe. Ironically, by supporting the birth of a revolutionary republic, the French



**HYDER ALI** While the American Revolution was unfolding, Ali led resistance to British rule in India. (Bridgeman Art Library Ltd.)

monarchy added to France's already crushing debts, thereby hastening its own downfall and the advent of an even more radical revolution in its own country. The French Revolution would in turn generate a new cycle of global warfare lasting until 1815.

## QUESTIONS FOR ANALYSIS

- What impact did other countries have on the struggle between Britain and its American colonies?
- How did the results of the war in mainland North America compare with the outcome elsewhere?



River. After capturing and losing Vincennes, Clark retook the French town for good in February 1779. With the British unable to offer assistance, their Native American allies were vulnerable. In May, John Bowman led a second Kentucky unit in a campaign that destroyed most Shawnee villages, and in August a move northward from Pittsburgh by Daniel Brodhead inflicted similar damage on the Delawares and Mingos. Although these raids depleted their populations and food supplies, most Ohio Indians resisted the Americans until the war's end.

Meanwhile, pro-British Iroquois, led by the gifted Mohawk leader Joseph Brant, devastated the Pennsylvania and New York frontiers in 1778, killing about seven hundred settlers. In 1779, American General John Sullivan retaliated by invading Iroquois country with thirty-seven hundred Continental troops, along with several hundred Tuscaroras and Oneidas who had broken with the other Iroquois nations. Sullivan fought just one battle, near present-day Elmira, New York, in which his artillery routed Brant's warriors. Then he burned two dozen Iroquois villages and destroyed a million bushels of corn, causing most Iroquois to flee without food into Canada. Untold hundreds starved during the next winter, when more than sixty inches of snow fell.

In 1780, Brant's thousand warriors took revenge on the Tuscaroras and Oneidas, and then laid waste to Pennsylvania and New York for two years. But this final whirlwind masked reality: Sullivan's campaign had devastated the pro-British Iroquois.

Fighting continued in the West until 1782. Despite their intensity, the western campaigns did not determine the outcome of the war itself. Nevertheless, they would have a significant impact on the future shape of the United States.

## Victory in the South, 1778–1781

In 1778, the war's focus shifted to the South. By securing southern ports, Britain expected to acquire the flexibility needed to move its forces back and forth between the West Indies—where they faced French and Spanish opposition—and the mainland, as necessity dictated. In addition, the South looked like a relatively easy target. General Clinton expected to seize key southern ports and, with the aid of loyalist militiamen, move back toward the North, pacifying one region after another.

The plan unfolded smoothly at first. In the spring of 1778, British troops from East Florida took control of Georgia. After a two-year delay caused by political bickering at home, Clinton sailed from New York with nine thousand troops and forced



**JOSEPH BRANT, BY GILBERT STUART, 1786** The youthful Mohawk leader was a staunch ally of the British during the Revolutionary War, and thereafter resisted U.S. expansion in the Northwest. (*Fenimore Art Museum, Cooperstown, New York*)

the surrender of Charles Town, South Carolina, and its thirty-four-hundred-man garrison on May 12, 1780 (see Map 6.3). However, the British quickly found that there were fewer loyalists than they had expected.

Southern loyalism had suffered several serious blows since the war began. When the Cherokees had attacked the Carolina frontier in 1776, they killed whites indiscriminately. Numerous Tories had switched sides, joining the rebel militia to defend their homes. The arrival of British troops sparked a renewed exodus of enslaved Africans from their plantations. About one-third of Georgia's blacks and one-fourth of South Carolina's fled to British lines or to British-held Florida in quest of freedom. Although British officials attempted to return runaway slaves to loyalist masters, they met with limited success. Planters feared that loss of control over their human property would lead to a black uprising. Despite British efforts to placate





**SURRENDER OF THE BRITISH AT YORKTOWN, 1781** French naval power combined with American military savvy to produce the decisive defeat of the British. (*Library of Congress*)

Greene to confront Cornwallis. Greene subsequently fought and lost three major battles between March and September 1781. “We fight, get beat, rise, and fight again,” he wrote back to Washington. Still, Greene won the campaign, for he gave the Whig militia the protection they needed to hunt down loyalists, stretched British supply lines until they snapped, and weakened Cornwallis by inflicting much heavier casualties than the British general could afford. Greene’s dogged resistance forced Cornwallis to leave the Carolina backcountry in American hands and to lead his battered troops into Virginia.

Cornwallis established a base at Yorktown, Virginia. Britain’s undoing began on August 30, 1781, when a French fleet dropped anchor off the Virginia coast and landed troops near Yorktown. Lafayette and a small force of Continentals from nearby joined the French while Washington arrived with his army from New York. In the **Battle of Yorktown**, six thousand trapped British troops stood off eighty-eight hundred Americans and seventy-eight hundred French for three weeks before surrendering with military honors on October 19, 1781.

## Peace at Last, 1782–1783

“Oh God!” Lord North exclaimed upon hearing the news from Yorktown. “It’s all over.” Cornwallis’s

surrender drained the will of England’s overtaxed people to continue fighting and forced Britain to negotiate for peace. John Adams, Benjamin Franklin, and John Jay were America’s principal delegates to the peace talks in Paris, which began in June 1782.

Military realities largely influenced the terms of the **Treaty of Paris** (1783). Britain recognized American independence and agreed to withdraw all royal troops from the new nation’s soil. The British had little choice but to award the Confederation all lands east of the Mississippi. Although the vast majority of Americans were clustered near the eastern seaboard, twenty thousand Anglo-Americans now lived west of the Appalachians. Moreover, Clark’s victories had given Americans control of the Northwest, while Spain had kept Britain out of the Southwest.

On the whole, the settlement was highly favorable to the United States, but it left some disputes unresolved. Under a separate treaty, Britain returned East and West Florida to Spain, but the boundaries designated by this treaty were ambiguous. Spain interpreted the treaty to mean that it regained the same Florida territory that it had ceded to Britain in 1763 (see Chapter 5). But the Treaty of Paris named the thirty-first parallel as Florida’s northern border,

“We fight, get beat, rise, and fight again.”

well south of the area claimed by Spain. Spain and the United States would dispute the northern boundary of Florida until 1795 (as discussed later in this chapter and in Chapter 7).

The Treaty of Paris failed to prevent several future disputes between Britain and America. Not bound by the treaty, which extended only to national governments, state governments refused to compensate loyalists for their property losses and erected barriers against British creditors' attempts to collect prewar debts. In retaliation, the British refused to honor treaty pledges to abandon forts in the Northwest and to return American-owned slaves under their control.

Notably missing in the Treaty of Paris was any reference to Native Americans, most of whom had supported the British to avert the alternative—an independent American nation whose citizens would covet their lands. In effect, the treaty left Native peoples to deal with the Confederation on their own, without any provision for their status or treatment. Joseph Brant and other Native American leaders were outraged. Not surprisingly, most Indians did not acknowledge the new nation's claims to sovereignty over their territory.

The Treaty of Paris ratified American independence, but winning independence had exacted a heavy price. At least 5 percent of all free males between the ages of sixteen and forty-five—white, black, and Native American—died fighting the British. Only the Civil War produced a

higher ratio of casualties to the nation's population. Furthermore, the war drove perhaps one of every six loyalists, several thousand slaves, and several thousand Native Americans into exile. Whites, blacks, and Indians moved to Canada, and whites moved to Britain and the West Indies. After finding that both the land and inhabitants in Nova Scotia were inhospitable, many blacks moved from there to the new British colony of Sierra Leone in West Africa. Perhaps as much as 20 percent of New York's white population fled. When the British evacuated Savannah in 1782, 15 percent of Georgia's whites accompanied them. Most whites who departed were recent British immigrants. Finally, although the war secured American independence, it did not address two important issues: what kind of society America would become and what sort of government the new nation would possess. But the war had a profound effect on both questions.

“Sir, I am a corporal.”  
“Oh,” replied General Putnam, “I ask your pardon, sir.”

## The Revolution and Social Change

As Chapter 5 explained, during the decade preceding the Revolution, nonelite colonists had become more politically active than previously. After 1776, the principles articulated in the Declaration of Independence and dislocations caused by the war forced questions of class, gender, and race into public discussion. As a result, popular attitudes regarding the rights of nonelite white men and of white women, and the future of slavery, shifted somewhat. Although the resulting changes were not substantive, the discussions ensured that these issues would continue to be debated in the United States. For Native Americans, however, the Revolution was a definite step backward.

### Egalitarianism among White Men

For much of the eighteenth century, members of the colonial gentry emphasized their social position by conspicuously consuming expensive English imports. By the late 1760s, however, many elite politicians began wearing homespun rather than imported English clothes to win popular political approval during the colonial boycott of British goods. When Virginia planters organized minutemen companies in 1775, they put aside their expensive officers' uniforms and dressed in buckskin or homespun hunting shirts of a sort that even the poorest farmer could afford. By 1776, the anti-British movement had persuaded many elites to maintain the appearance, if not the substance, of equality with common people.

Then came war, which accelerated the trend by pressuring the gentry, who held officers' rank, to show respect to the ordinary men serving under them. Indeed, the soldiers demanded to be treated with consideration, especially in light of the ringing words of the Declaration of Independence, “All men are created equal.” The soldiers would follow commands, but not if they were addressed as inferiors.

A few officers, among them General Israel Putnam of Connecticut, went out of their way to show that they felt no superiority to their troops. While inspecting a regiment digging fortifications around Boston in 1776, Putnam saw a large stone nearby and told a soldier to throw it onto the outer wall. The individual protested, “Sir, I am a corporal.” “Oh,” replied Putnam, “I ask your pardon, sir.” The general then dismounted his horse and hurled the rock himself, to the immense delight of the troops working there.

Unlike Putnam, many officers insisted that soldiers remain disciplined and subordinate under all circumstances. In May 1780—more than two years after the terrible winter at Valley Forge—Continental Army troops in New Jersey were again, in Joseph Plumb Martin's words, "starved and naked." "The men were now exasperated beyond endurance," Martin continued. "They could not stand it any longer." After a day of exercising with their arms, Martin's regiment defied orders to disarm and return to its quarters, instead urging two nearby regiments to join in protesting the lack of provisions. A colonel, who "considered himself the soldier's friend," was wounded when trying to prevent his men from getting their weapons. After several officers seized one defiant soldier, his comrades pointed their rifles at the officers until they released the soldier. Other officers tried without success to order the men to disarm and finally gave up. The soldiers' willingness to defy their superiors paid off. Within a few days, more provisions arrived and, as Martin put it, "we had no great cause for complaint for some time."

After returning to civilian life, the soldiers retained their sense of self-esteem and insisted on respectful treatment by elites. As these feelings of personal pride gradually translated into political behavior and beliefs, many candidates took care not to scorn the common people. The war thus subtly democratized Americans' political assumptions.

Many elites who considered themselves republicans did not welcome the apparent trend toward democracy. These men continued to insist that each social class had its own particular virtues and that a chief virtue of the lower classes was deference to those possessing the wealth and education necessary to govern. Writing to a friend in 1776, John Adams expressed alarm that "a jealousy or an Envy taking Place among the Multitude" would exclude "Men of Learning... from the public Councils and from Military Command." "A popular government is the worse Curse," he concluded, "despotism is better."

Nevertheless, most Revolutionary-generation Americans came to insist that virtue and sacrifice defined a citizen's worth independently of his wealth. Voters still elected the wealthy to office, but not if they flaunted their money or were condescending toward common people. The new emphasis on equality did not extend to propertyless males, women, and nonwhites, but it undermined the tendency to believe that wealth or distinguished family background conferred a special claim to public office.

Although many whites became more egalitarian in their attitudes, the Revolution left the actual distribution of wealth in the nation unchanged. The war had been directed at British imperial rule and not at the structure of American society. The exodus of loyalists did

not affect the class structure because the 3 percent who fled the United States represented a cross-section of society and equally well-to-do Whig gentlemen usually bought up their confiscated estates. Overall, the American upper class seems to have owned about as much of the national wealth in 1783 as it did in 1776.

## White Women in Wartime

White women's support of colonial resistance before the Revolution (see Chapter 5) broadened into an even wider range of activities during the war. Female "camp followers," many of them soldiers' wives, served military units on both sides by cooking, laundering, and nursing the wounded. A few female patriots, such as Massachusetts's Deborah Sampson, disguised themselves as men and joined in the fighting. But most women remained at home, where they managed families, households, farms, and businesses on their own.

Even traditional female roles took on new meaning in the absence of male household heads. After her civilian husband was seized by loyalists and turned over to the British on Long Island, Mary Silliman of Fairfield, Connecticut, tended to her four children (and bore a fifth), oversaw several servants and slaves, ran a commercial farm that had to be evacuated when the British attacked Fairfield, and launched repeated appeals for her husband's release. Despite often enormous struggles, such experiences boosted white women's confidence in their abilities to think and act on matters traditionally reserved for men. "I have the vanity," wrote another Connecticut woman, Mary Fish, to a female friend, "to think I have in some measure acted the *heroine* as well as my dear Husband the Hero."

As in all wars, women's public roles and visibility were heightened during the Revolution. Some women interpreted their public activities in militant terms. In 1779, as the Continental Army struggled to feed and clothe itself, Esther de Berdte Reed and Sally Franklin Bache (Benjamin Franklin's daughter) organized a campaign among Philadelphia women to raise money for the troops.

"A popular government is the worse Curse," Adams concluded, "despotism is better."

“I desire that you would Remember the Ladies, . . . [or] we are determined to foment a Rebellion and will not hold ourselves bound by any Laws in which we have no voice, or Representation.”

Not content to see their movement’s role as secondary, they compared it to those of Joan of Arc and other female heroes who had saved their people, and proclaimed that American women were “born for liberty” and would never “bear the irons of a tyrannic Government.”

The most direct wartime challenge to established gender relations came from **Abigail Adams**. “In the new Code of Laws which I suppose it will be necessary for you to make,” Adams wrote to her husband John in 1776, “I desire that you would Remember the Ladies.” Otherwise, she continued, “we are determined to foment a Rebellion and will not hold ourselves bound by any Laws in which we have no voice, or Representation.” Abigail made clear that, besides participating in boycotts and spinning bees, women recognized that colonists’ arguments



**ABIGAIL ADAMS** Painted by the famed artist Gilbert Stuart, this portrait conveys Adams’s personal power and intellectual depth. (Granger Collection)

against arbitrary British rule also applied to gender relations. Despite his high regard for his wife’s intellect, John dismissed her plea as yet another effort to extend rights and power to those who were unworthy. The assumption that women were naturally dependent—either as children subordinate to their parents or as wives to their husbands—continued to dominate discussions of the female role. For that reason, married women’s property remained, in Abigail’s bitter words, “subject to the control and disposal of our partners, to whom the law have given a sovereign authority.”

## A Revolution for African-Americans

The wartime situation of African-Americans contradicted the ideals of equality and justice for which Americans were fighting. About a half million blacks—20 percent of the total population—inhabited the United States in 1776, all but about twenty-five thousand of whom were enslaved. Even those who were free could not vote, lived under curfews and other galling restrictions, and lacked the guarantees of equal justice held by the poorest white criminal. Free blacks could expect no more than grudging toleration, and few slaves ever gained their freedom.

The early fighting in New England drew several hundred blacks into militia and Continental units. Some slaves, among them Jehu Grant of Rhode Island, ran off and posed as free persons. Grant later recalled that “when I saw liberty poles and the people all engaged for the support of freedom, . . . I could not but like and be pleased with such a thing.” But pressure from white southern politicians led Washington to ban blacks from serving on November 12, 1775, ironically just five days after Lord Dunmore’s proclamation invited enslaved Virginians to join the British.

Most wartime opportunities for African-American men grew out of the army’s need for personnel rather than a white commitment to equal justice. Just six weeks after barring all black enlistments, Washington decided to admit free blacks to the army. Two years later, he agreed to Rhode Island’s plea that it be allowed to raise a nonwhite regiment. Slaves could enlist and would be freed, in return for which the state paid their masters about \$2,400 in today’s currency. The regiment of African-Americans and Native Americans distinguished itself in several battles, including at Yorktown.

As desperate as he was for additional troops, Washington firmly opposed arming enslaved African-Americans. In 1779, as British troops poured from Georgia into South Carolina, Congress urged the two states to arm three thousand slaves.

As in Rhode Island, the slaves would be freed and their masters compensated. But fearing that such an action would “render slavery more irksome to those who remain in it,” Washington vetoed the plan.

Until the mid-eighteenth century, few Europeans and white Americans had criticized slavery at all. But in the decade before the Revolution, American opposition to slavery had swelled, especially as resistance leaders increasingly compared the colonies’ relationship with Britain to that between slaves and a master.

Given Quakers’ beliefs in human equality, it is not surprising that the earliest organized initiatives against slavery originated among Quakers. The yearly meeting of the New England Friends abolished slavery among its members in 1770, and yearly meetings in New York and Philadelphia followed suit in 1776. By 1779, Quaker slave owners had freed 80 percent of their slaves.

Although the Quakers aimed mainly to abolish slave-holding within their own ranks, some activists, most notably Anthony Benezet and John Woolman, broadened their condemnations to include slavery everywhere. Discussions of liberty, equality, and natural rights, particularly in the Declaration of Independence, also spurred antislavery sentiments. Between 1777 and 1784, Vermont, Pennsylvania, Massachusetts, Rhode Island, and Connecticut began phasing out slavery. New York did not do so until 1799, and New Jersey until 1804. New Hampshire, unmoved by petitions like that written in 1779 by Portsmouth slaves demanding liberty “to dispose of our lives, freedom, and property,” never freed its slaves; but by 1810 none remained in the state.

Rather than immediately abolishing slavery, the northern states took steps that weakened the institution, paving the way for its eventual demise. Most state abolition laws provided for gradual emancipation, typically declaring all children born of a slave woman after a certain date—often July 4—free. (They still had to work, without pay, for their mother’s master up to age twenty-eight.) Furthermore, northern politicians did not press for decisive action against slavery in the South. They argued that the Confederation, already deeply in debt as a result of the war, could not finance abolition in the South, and feared that any attempt to do so without compensation would drive that region into secession.

Yet even in the South, where it was most firmly entrenched, slavery troubled some whites. When one of his slaves ran off to join the British and later was recaptured, James Madison of Virginia concluded that it would be hypocritical to punish the runaway “merely for coveting that liberty for which we have paid the price of so much blood.” Still,

Madison did not free the slave, and no state south of Pennsylvania abolished slavery. Nevertheless, all states except South Carolina and Georgia ended slave imports and all but North Carolina passed laws making it easy for masters to manumit (set free) slaves. The number of free blacks in Virginia and Maryland rose from about four thousand in 1775 to nearly twenty-one thousand, or about 5 percent of all African-Americans there, by 1790.

These “free persons of color” faced the future as destitute, second-class citizens. Most had purchased their freedom by spending small cash savings earned in off-hours and were past their physical prime. Once free, they found whites reluctant to hire them or to pay equal wages. Black ship carpenters in Charleston (formerly Charles Town), South Carolina, for example, earned one-third less than their white coworkers in 1783. Under such circumstances, most free blacks remained poor laborers, domestic servants, and tenant farmers.

One of the most prominent free blacks to emerge during the Revolutionary period was Boston’s **Prince Hall**. Born a slave, Hall received his freedom in 1770 and immediately took a leading role among Boston blacks protesting slavery. During the war, he formed a separate African-American Masonic lodge, beginning a movement that spread to other northern cities and became an important source of community support for black Americans. In 1786, Hall petitioned the Massachusetts legislature for support of a plan that would enable interested blacks “to return to Africa, our native country...where we shall live among our equals and be more comfortable and happy than we can be in our present situation.” Hall’s request was unsuccessful, but later activists would revive his call for blacks to “return to Africa.”

The most widely recognized African-American among whites was the Boston poet and slave Phillis Wheatley. Wheatley drew on Revolutionary ideals in considering her people’s status. Several of her poems explicitly linked the liberty sought by white Americans with a plea for the liberty of slaves, including one that was autobiographical:

*I, young in life, by seeming cruel fate  
Was snatch’d from Afric’s fancy’d happy seat:  
Such, such my case. And can I then but pray  
Others may never feel tyrannic sway?*

Most states granted some civil rights to free blacks during and after the Revolution. Free blacks

Portsmouth slaves demanded liberty “to dispose of our lives, freedom, and property.”



**PHILLIS WHEATLEY, AFRICAN-AMERICAN POET** Wheatley was America's best-known poet at the time of the Revolution. Despite her fame, she remained a slave and died in poverty in 1784. (Library of Congress)

had not participated in colonial elections, but those who were male and met the property qualification gained this privilege in a few states during the 1780s. Most northern states repealed or stopped enforcing curfews and other colonial laws restrict-

ing free African-Americans' freedom of movement. These same states generally changed their laws to guarantee free blacks equal treatment in court hearings.

The Revolution neither ended slavery nor brought equality to free blacks, but it did begin a process by which slavery eventually might have been extinguished. In half the nation, the end of human bondage seemed to be in sight. Many white southerners viewed slavery as a necessary evil rather than as a positive good. Slavery had

begun to crack, and free blacks had made some gains. But events in the 1790s would reverse the tentative move toward egalitarianism (as discussed in Chapter 7).

## Native Americans and the Revolution

Whereas Revolutionary ideology held out at least an abstract hope for white women, blacks, and others seeking liberty and equal rights within American society, it made no provision for Native Americans wishing to remain independent of European-Americans. Regardless of which side they had fought on—or whether they had fought at all—Native Americans suffered worse than any group during the war. During the three decades encompassed by the Seven Years' War and the Revolution (1754–1783), the Native population east of the Mississippi declined by about half, and many Indian communities were uprooted. Moreover, in an overwhelmingly agrarian society like the United States, the Revolution's implicit promise of equal economic opportunity for all male citizens set the stage for territorial expansion onto Native American landholdings. Even where Indians retained their land, newly arrived whites posed dangers in the form of deadly diseases, farming practices inimical to Indian subsistence (see Chapter 3), and alcohol.

Despite these threats, most Native Americans continued to incorporate useful aspects of European culture into their own. For several centuries, Indians in eastern North America had selectively adopted European-made goods, domestic animals, and even Christianity into their lives. Many Indians, especially those no longer resisting American expansion, participated in the American economy by working for wages or by selling food, crafts, or other products. But Native Americans never gave up their older ways altogether; rather, they combined elements of the old and the new.

Although flexible on matters of culture, Native Americans did insist on retaining control of their homelands and their ways of life. Unable to do so, Samson Occum (see Chapter 4) and several hundred disillusioned Christian Indians from New England in 1784 established the new community of Brothertown on land granted them by the Oneida Iroquois in upstate New York. In a similar spirit, the Chickasaws of the Mississippi valley addressed Congress in 1783. While asking “from whare and whome we are to be supplied with necessaries,” they also requested that the Confederation “put a stop to any encroachments on our lands, without our consent, and silence those [white] People who... inflame and exasperate our Young Men.”

The Chickasaws requested that the Confederation “put a stop to any encroachments on our lands, without our consent, and silence those [white] People who... inflame and exasperate our Young Men.”

In the Revolution's aftermath, it appeared doubtful that the new nation would concede even this much to Native Americans.

## Forging New Governments, 1776–1787

In establishing new political institutions, revolutionary Americans endeavored to guarantee liberty at the state level by minimizing executive power and by subjecting all officeholders to frequent scrutiny by voters. In turn, the new national government was subordinate, under the Articles of Confederation, to the thirteen states. Only after several years did elites, fearing that excessive decentralization and democracy were weakening the states, push through more hierarchical frames of government. Meanwhile, challenges facing the Confederation made clear to many elites the need for more centralized authority at the national level as well.

### From Colonies to States

Before 1776, colonists had regarded their popularly elected assemblies as the bulwark of their liberties against encroachments by governors wielding executive power. Thereafter, the legislatures retained that role even when voters, rather than the British crown, chose governors.

In keeping with colonial practice, eleven states maintained bicameral (two-chamber) legislatures. Colonial legislatures had consisted of an elected lower house (or assembly) and an upper house (or council) appointed by the governor or chosen by the assembly (see Chapter 4). These two-part legislatures mirrored Parliament's division into the House of Commons and House of Lords, symbolizing the assumption that a government should have separate representation by the upper class and the common people.

Despite participation by people from all classes in the struggle against Britain, few questioned the long standing practice of setting property requirements for voters and elected officials. In the prevailing view, the ownership of property, especially land, gave voters a direct stake in the outcome of elections. Whereas propertyless men might vote to please landlords, creditors, or employers, sell their votes, or be fooled by a demagogue, property owners supposedly had the financial means and the education to vote freely and responsibly. Nine of the thirteen states slightly reduced property requirements for voting, but none abolished such qualifications entirely.

Another colonial practice that persisted beyond independence was the equal (or nearly equal) division of legislative seats among all counties or towns, regardless of differences in population. As a result, a minority of voters usually elected a majority of assemblymen. Only the most radical constitution, Pennsylvania's, sought to avoid such outcomes by attempting to ensure that election districts would be roughly equal in population.

Despite the holdover of certain colonial-era practices, the state constitutions in other respects departed radically from the past. Above all, they were written documents that usually required popular ratification and could be amended only by the voters. In short, Americans jettisoned the British conception of a constitution as a body of customary arrangements and practices, insisting instead that constitutions were written compacts that defined and limited the powers of rulers. Moreover, as a final check on government power, the Revolutionary constitutions spelled out citizens' fundamental rights. By 1784, all state constitutions included explicit bills of rights that outlined certain freedoms that lay beyond the control of any government.

The earliest state constitutions strengthened legislatures at governors' expense. In most states, the governor became an elected official, and elections themselves occurred far more frequently. Whereas most colonial elections had been called at the governor's pleasure, after 1776 all states scheduled annual elections except South Carolina, which held them every two years. In most states, the power of appointments was transferred from the governor to the legislature. Legislatures usually appointed judges and could reduce their salaries, and legislatures could impeach both judges and governors (try them for wrongdoing). By relieving governors of most appointive powers, denying them the right to veto laws, and making them subject to impeachment, the constitutions gave governors little to do except chair councils that made militia appointments and supervised financial business. Pennsylvania went further, simply eliminating the office of governor.

As the new state constitutions weakened the executive branch and vested more power in the legislatures, they also made the legislatures more responsive to the will of the voters. Nowhere could the governor appoint the upper chamber. Eight constitutions written before 1780 allowed voters to select both houses of the legislature; one (Maryland) used a popularly chosen "electoral college" for its upper house; and the remaining "senates" were filled by vote of their assemblies. Pennsylvania and Georgia abolished the upper house altogether.

States' weakening of the executive branch and enhancement of legislative and popular authority reflected Americans' fears of centralized authority, rooted in bitter memories of royal governors who had acted arbitrarily.

Despite their high regard for popularly elected legislatures, Revolutionary leaders described themselves as republicans rather than democrats. These words had different connotations in the eighteenth century than they do today. To many elites, democracy suggested mob rule or, at least, the concentration of power in the hands of an uneducated multitude. In contrast, republicanism presumed that government would be entrusted to virtuous leaders elected for their superior talents and commitment to the public good. For most republicans, the ideal government would delicately balance the interests of different classes to prevent any one group from gaining absolute power. A few, including John Adams, thought that a republic could include a hereditary aristocracy or even a monarchy if needed to counterbalance democratic tendencies. But having rid themselves of one king, even most elites did not wish to enthrone another.

In the first flush of revolutionary enthusiasm, elites had to content themselves with state governments dominated by popularly elected legislatures. Gradually, however, wealthier landowners, bankers, merchants, and lawyers reasserted their desires for centralized authority and the political prerogatives of wealth. In Massachusetts, where voters had thus far resisted having a constitution at all, an elite-dominated convention in 1780 pushed through a constitution largely authored by John Adams. The document stipulated stiff property qualifications for voting and holding office, state senate districts that were apportioned according to property values, and a governor with considerable powers in making appointments and vetoing legislative measures. The Massachusetts

constitution signaled a general trend. Georgia and Pennsylvania substituted bicameral for unicameral legislatures by 1790. Other states raised property qualifications for members of the upper chamber in a bid to encourage the "senatorial element" and to make room for men of "Wisdom, remarkable integrity, or that Weight which arises from property."

States raised property qualifications in a bid to make room for men of "Wisdom, remarkable integrity, or that Weight which arises from property."

## Formalizing a Confederation, 1776–1781

As in their revolt against Britain and their early state constitutions, Americans' first national government reflected widespread fears of centralized authority and its potential for corruption and tyranny. It also reflected their strong attachments to their states (the former colonies) and the states' elected legislatures, as opposed to the newly declared nation.

In 1776, John Dickinson, who had stayed in the Continental Congress despite having refused to sign the Declaration of Independence, drafted a proposal for a national constitution. Congress adopted a weakened version of Dickinson's proposal, called the **Articles of Confederation**, and sent it to the states for ratification in 1777. But only in February 1781—six months before the American victory at Yorktown—did the last state, Maryland, agree to ratification.

The Articles of Confederation explicitly reserved to each state—and not to the national government—"its sovereignty, freedom and independence." The "United States of America" was no more than "a firm league of friendship" among sovereign states, much like today's European Union. As John Adams later explained, Congress never thought of "consolidating this vast Continent under one national Government" but instead erected "a Confederacy of States, each of which must have a separate government."

Under the Articles, the national government consisted of a single-chamber Congress, elected by the state legislatures, in which each state had one vote. Congress could request funds from the states but could not enact any tax without every state's approval, and could not regulate interstate or overseas commerce. The approval of seven states was required to pass minor legislation; nine states had to approve declarations of war, treaties, and the coining and borrowing of money. Besides for taxes, unanimous approval was required to ratify and amend the Articles. The Articles did not provide for an independent executive branch. Rather, congressional committees oversaw financial, diplomatic, military, and Indian affairs, and resolved interstate disputes. Nor was there a judicial system by which the national government could compel allegiance to its laws. The Articles did eliminate all barriers to interstate travel and trade, and guaranteed that all states would recognize one another's judicial decisions.

## Finance, Trade, and the Economy, 1781–1786

Aside from finishing the war on the battlefield, the greatest challenge facing the Confederation was

putting the nation on a sound financial footing. The war cost a staggering \$160 million, a sum that exceeded by 2,400 percent the taxes raised to pay for the Seven Years' War. Yet even this was not enough; to finance the war fully, the government had borrowed funds from abroad and printed its own paper money, called Continentals. Lack of public faith in the government destroyed 98 percent of the value of the Continentals from 1776 to 1781, an inflationary disaster that gave rise to the expression "not worth a Continental."

Seeking to overcome the national government's financial weakness, Congress in 1781 appointed a wealthy Philadelphia merchant, Robert Morris, as Superintendent of Finance. Morris proposed that the states authorize the collection of a national import duty of 5 percent, which would finance the congressional budget and guarantee interest payments on the war debt. Because the Articles required that every state approve any national tax, the import duty failed because Rhode Island alone rejected it.

Meanwhile, seeing themselves as sovereign, most states had assumed some responsibility for the war debt and begun compensating veterans and creditors within their borders. But Morris and other nationally-minded elites insisted that the United States needed sources of revenue independent of the states to attract capital and to establish a strong national government. Hoping to panic the country into seeing things their way, Morris and New York congressman Alexander Hamilton engineered a dangerous gamble known later as the Newburgh Conspiracy. In 1783, the two men secretly persuaded some army officers, then encamped at Newburgh, New York, to threaten a coup d'état unless the treasury obtained the taxation authority needed to raise their pay, which was months in arrears. But George Washington, learning of the conspiracy before it was carried out, ended the plot by delivering a speech that appealed to his officers' honor and left them unwilling to proceed. Although Morris may not have intended for a coup to actually occur, his willingness to take such a risk demonstrated the new nation's perilous financial straits and the vulnerability of its political institutions.

When peace came in 1783, Congress sent another tax measure to the states, but once again a single legislature, this time New York's, blocked it. From then on, the states steadily decreased their contributions to Congress. By the late 1780s, the states had fallen behind nearly 80 percent in providing the funds that Congress requested to operate the government and honor the national debt.

Nor did the Confederation succeed in prying trade concessions from Britain. The continuation after the war of British trade prohibitions contributed to an economic depression that gripped New England beginning in 1784.

A short growing season and poor soil kept yields so low, even in the best of times, that farmers barely produced enough grain for local consumption. New Englanders also faced both high taxes to repay the money borrowed to finance the Revolution and a tightening of credit that spawned countless lawsuits against debtors. Economic depression and overpopulation only aggravated the region's miseries.

The mid-Atlantic states, on the other hand, were less dependent on British-controlled markets for their exports. As famine stalked Europe, farmers in Pennsylvania and New York prospered from climbing export prices. By 1788, the region had largely recovered from the Revolution's ravages.

Southern planters faced frustration at the failure of their principal crops, tobacco and rice, to return to prewar export levels. Whereas nearly two-thirds of American exports originated in the South in 1770, less than half were produced by southern states in 1790. In an effort to stay afloat, many Chesapeake tobacco planters shifted to wheat, while others began growing hemp. But these changes had little effect on the region's exports and, because wheat and hemp required fewer laborers than tobacco, left slave owners with a large amount of underemployed, restless "human property."

## The Confederation and the West

Another formidable challenge confronting the Confederation was the postwar settlement and administration of American territory outside the states. White American squatters and speculators were already encroaching on these lands, and Native Americans were determined to keep them out. Britain and Spain supported the Indian nations in the hope of strengthening their own positions between the Appalachians and the Mississippi. Congress hoped to impose order on the process of settling these lands and to gain revenue through selling individual tracts.

After the states surrendered claims to more than 160 million acres north of the Ohio River, (see Map 6.4), Congress established procedures for surveying this land in the **Ordinance of 1785** (see

The "United States of America" was no more than "a firm league of friendship."



**MAP 6.4 STATE CLAIMS TO WESTERN LANDS, AND STATE CESSIONS TO THE FEDERAL GOVERNMENT, 1782–1802** Eastern states' surrender of land claims paved the way for new state governments in the West.

Going to the Source and Map 6.5). Subsequently, in the **Northwest Ordinance** (1787), Congress defined the steps for the creation and admission of new states. This law designated the area north of the Ohio River as the Northwest Territory and provided for its later division into states. It forbade slavery while the region remained a territory, although the citizens could legalize the institution after statehood.

The Northwest Ordinance outlined three stages for admitting states into the Union. First, during the initial years of settlement, Congress would appoint a territorial governor and judges. Second, as soon as five thousand adult males lived in a territory, voters would approve a territorial constitution and elect a legislature. Third, when the total population reached sixty thousand, voters would ratify a state constitution, which Congress would have to approve before granting statehood.

The most significant achievements of the Confederation, the Ordinance of 1785 and

Northwest Ordinance had lasting effects. Besides laying out procedures for settling and establishing governments in the Northwest, they later served as models for organizing territories farther west. The Northwest Ordinance also established a significant precedent for banning slavery from certain territories.

The Northwest Territory seemed to offer enough land to guarantee property to American citizens for centuries. This fact satisfied republicans like Thomas Jefferson who feared that the rapidly growing white population would quickly exhaust available land east of the Appalachians and so create a large class of landless poor who could not vote. Such a development would undermine the equality of opportunity among whites that expansionist republicans thought essential for a healthy nation.

The realization of these expansionist dreams was by no means inevitable. Most “available” territory from the Appalachians to the Mississippi

## The Ordinance of 1785

This act of the Continental Congress established procedures by which American families could settle what would soon be called the Northwest Territory. Reflecting Enlightenment rationality, the Ordinance imposed an arbitrary grid of

straight lines and right angles (the boundaries of townships and private landholdings) across the natural landscape. It also ignored Native Americans' claims that previous treaties ceding the land were invalid.

### AN ORDINANCE FOR ASCERTAINING THE MODE OF DISPOSING OF LANDS IN THE WESTERN TERRITORY

Be it ordained by the United States in Congress assembled, that the territory ceded by individual States to the United States, which had been purchased of the Indian habitants, shall be disposed of in the following manner:

A surveyor from each state shall be appointed by Congress or a committee of the States, who shall take an Oath for the faithful discharge of his duty, before the Geographer of the United States, who is hereby empowered and directed to administer the same; and the like oath shall be administered to each chain carrier, by the surveyor under whom he acts.

.....

The surveyors, as they are respectively qualified, shall proceed to divide the said territory into townships of six miles square, by lines running due north and south, and others crossing these at right angles, as near as may be, unless where the boundaries of the late Indian purchases may render the same impracticable, and then they shall depart from this rule no farther than such particular circumstances may require; and each surveyor shall be allowed and paid at the rate of two dollars for every mile, in length, he shall run, including the wages of chain carriers, markers, and every other expense attending the same.

The first line, running due north and south as aforesaid, shall begin on the river Ohio, at a point that shall be found to be due north from the western termination of a line, which has been run as the southern boundary of the state of Pennsylvania; and the first line, running east and west, shall begin at the same point, and shall extend throughout the whole territory.... The geographer shall designate the townships... by

numbers progressively from south to north, always beginning each range with number one; and the ranges shall be distinguished by their progressive numbers to the westward. The first range, extending from the Ohio to... Lake Erie, [shall be] marked number one. The Geographer shall personally attend to the running of the first east and west line; and shall take the latitude of the extremes of the first north and south line, and of the mouths of the principal rivers.

The lines shall be measured with a chain; shall be plainly marked by chaps [axe marks] on the trees, and exactly described on a plat [map]; whereon shall be noted by the surveyor, as their proper distances, all mines, salt springs, salt-licks, and mill seats, that shall come to his knowledge; and all water courses, mountains and other remarkable and permanent things, over and near which such lines shall pass, and also the quality of the lands.

The plats of the townships respectively, shall be marked by subdivisions into lots of one mile square, or 640 acres, in the same direction as the external lines, and numbered from 1 to 36; always beginning the succeeding range of the lots with the number next to that with which the preceding one concluded. And where, from the causes before mentioned, only fractional part of a township shall be surveyed, the lots, protracted thereon, shall bear the same numbers as if the township had been entire. And the surveyors, in running the external lines of the townships, shall, at the interval of every mile, mark corners for the lots which are adjacent, always designating the same in a different manner from those of the townships....

**Source:** *Journals of the Continental Congress, 1774–1789* (Washington: U.S. Government Printing Office, 1933), vol. 28, pp. 375–376.

### QUESTIONS

1. In what ways would the survey acknowledge particular features of the landscape?
2. In what ways did the survey constitute a service to prospective settlers?



Go to the website at [www.cengage.com/history/boyerending7e](http://www.cengage.com/history/boyerending7e) for additional primary sources on this period.



**MAP 6.5 THE NORTHWEST TERRITORY, 1785–1787** The Ordinance of 1785 provided for surveying land into townships of thirty-six sections, each supporting four families on 160-acre plots. In 1787, the Northwest Ordinance stipulated that states ultimately be created in the region.

River belonged to those peoples whom the Declaration of Independence had condemned as “merciless Indian savages.” Divided into more than eighty tribes and numbering perhaps 150,000 people in 1789, Native Americans were struggling to preserve their own independence. At post-war treaty negotiations, they repeatedly heard Confederation commissioners scornfully declare, “You are a subdued people... we claim the country by conquest.”

Under threats of continued warfare with the United States, some northwestern Indian leaders gave in to American pressure. The Iroquois, who had suffered heavily during the war, lost about half their land in New York and Pennsylvania in the second Treaty of Fort Stanwix (1784). In the treaties of Fort McIntosh (1785) and Fort Finney (1786), Delaware and Shawnee leaders, respectively, were

obliged to recognize American sovereignty over their lands. But upon hearing of the treaties, most tribal members angrily repudiated them on the grounds that they had never authorized their negotiators to give up territory.

Native Americans’ resistance to Confederation encroachments also stemmed from their confidence that the British would provide the arms and ammunition they needed to defy the United States. As noted in discussing the Treaty of Paris, the British had refused to abandon seven northwestern forts within U.S. boundaries. With Indian support, Britain hoped eventually to reclaim lands that lay within the Northwest Territory.

The Mohawk Joseph Brant emerged as the initial inspiration behind Indian resistance in the Northwest. Courageous in battle, skillful in diplomacy, and highly educated (he had translated an Anglican prayer book and the Gospel of Mark into Mohawk), Brant became a celebrity when he visited King George in London in 1785. At British-held Fort Detroit in 1786, he helped organize some northwestern Indians into a military alliance to exclude Confederation citizens north of the Ohio River. But Brant and his followers, who had relocated beyond American reach in Canada, could not win support from Iroquois who had chosen to remain in New York, where they now lived in peace with their white neighbors. Nor could he count on the support of the Ohio Indians, whom the Iroquois had betrayed in the past (as discussed in Chapters 4 and 5).

“You are a subdued people... we claim the country by conquest.”

Seizing on disunity within Indian ranks, western settlers organized militia raids into the Northwest Territory. These raids gradually forced the Miamis, Shawnees, and Delawares to evacuate southern Indiana and Ohio. The Indians' withdrawal northward, toward the Great Lakes, tempted whites to make their first settlements north of the Ohio River. In spring 1788, about fifty New Englanders sailed down the river in a bulletproof barge named the *Mayflower* and founded the town of Marietta. Later that year, other newcomers established a second community on the site of modern-day Cincinnati. By then, another phase in the long-running contest for the Ohio valley was nearing a decisive stage (as discussed in Chapter 7).

The Confederation confronted similar challenges in the Southeast, where Spain and its Indian allies took steps to keep American settlers off their lands. The Spanish found a brilliant ally in the Creek leader **Alexander McGillivray**. In some fraudulent treaties, two Creeks had surrendered extensive territory to Georgia that McGillivray intended to regain. McGillivray negotiated a secret treaty in which Spain promised weapons so that the Creeks could protect themselves “from the Bears and other fierce Animals.” Attacking in 1786, the Creeks shrewdly expelled only those whites occupying disputed lands and then offered Georgia a cease-fire. Eager to avoid approving taxes for a costly war, Georgia politicians let the Creeks keep the land.

Spain also sought to prevent American infiltration by denying western settlers permission to ship their crops down the Mississippi River to New Orleans. As noted earlier, Spain had negotiated a separate treaty with Britain and had not signed the Peace of Paris, by which Britain promised the United States export rights down the Mississippi. In 1784, the Spanish closed New Orleans to American commerce. Spain and the United States negotiated the Jay-Gardoqui Treaty (1786), which opened Spanish markets to American merchants and renounced Spanish claims to disputed lands—at the cost, however, of postponing American exporters' access to New Orleans for another twenty years. Westerners and southerners charged that the treaty sacrificed their interests to benefit northern commerce, and Congress rejected it.

Unable to prevent American settlers from occupying territory it claimed in the Southeast (see Map 7.2), Spain sought to win the newcomers' allegiance by bribes and offers of citizenship. Noting that Congress seemed ready to accept the permanent closing of New Orleans in return for Spanish concessions elsewhere, many settlers began talking openly of secession. As young Andrew Jackson (the

future U.S. general and president) concluded in 1789, making some arrangements with the Spanish seemed “the only immediate way to obtain peace with the Savage [Indians].” Although only a few settlers actually conspired with Spain against the United States, the incident revealed the new nation's weak authority in newly settled areas.

Young Andrew Jackson concluded that making some arrangements with the Spanish seemed “the only immediate way to obtain peace with the Savage [Indians].”

## Toward a New Constitution, 1786–1788

The Jay-Gardoqui Treaty revealed deep-seated tensions beneath the surface appearance of American national unity. Despite the nation's general prosperity outside New England, a growing minority was dissatisfied with the Confederation for various reasons. Bondholders, merchants, and shippers wanted a central government powerful enough to secure trading privileges for them abroad and to strengthen America's standing in the Atlantic economy. Land speculators and western settlers sought a government that would pursue a more activist policy against Spain, Britain, and Native Americans in the West, and prevent citizens there from defecting. Urban artisans hoped for a national government that could impose uniformly high tariffs and thereby protect them from foreign competition. Meanwhile, wealthy elites decried state governments that refused to clamp down on debtors and delinquent taxpayers, many of whom were organizing resistance movements.

Impatience turned to anxiety in 1786 after Massachusetts farmers threatened to seize a federal arsenal and march on Boston. A national convention called to consider amendments to the Articles instead proposed a radical new frame of government, the Constitution. In 1788, the states ratified the Constitution, setting a bold new course for America.

## Shays's Rebellion, 1786–1787

The depression that had begun in 1784 persisted in New England, which had never recovered from the loss of its prime export market in the British West Indies. With farmers already squeezed financially, the state legislature, dominated by commercially minded elites, voted early in 1786 to pay off its Revolutionary debt in three years. This



**INDEPENDENCE HALL, PHILADELPHIA, 1776** While the Continental Congress deliberated inside on the grave issues of the day, city residents outside carried on with their everyday lives. (Picture Research Consultants & Archives)

ill-considered policy necessitated a huge tax hike. Meanwhile, the state's unfavorable balance of payments with Britain had produced a shortage of specie (gold and silver coin) because British creditors refused any other currency. Fearing a flood of worthless paper notes, Massachusetts bankers and merchants insisted that they, too, be paid in specie, while the state mandated the same for payment of taxes. Lowest in this cycle of debt were thousands of small family farmers.

The plight of small farmers was especially severe in western Massachusetts, where agriculture was least profitable. Facing demands that they pay their debts and taxes in hard currency, which few of them had, farmers held public meetings. As in similar meetings more than a decade earlier, the farmers—most of whom were Revolutionary War veterans—discussed “the Suppressing of tyrannical government,” referring this time to the Massachusetts government rather than the British. Reminiscent of pre-Revolutionary backcountry

“regulators” (see Chapter 5), farmers led by Daniel Shays in 1786 shut down the courts in five counties. Then in January 1787, they marched on a federal arsenal at Springfield, Massachusetts. But troops, funded by Boston elites to quell the uprising, reached the arsenal first and beat back the rebels. Thereafter, the troops scattered or routed bands of insurgents. Although the movement was defeated militarily, sympathizers of Shays won control of the Massachusetts legislature in elections later that year, and cut taxes and secured a pardon for their leader.

The Shaysites had limited objectives, were dispersed with relatively little bloodshed, and never seriously threatened anarchy. But their uprising, and similar but smaller movements in other states, became the rallying cry for advocates of a stronger central government. By threatening to seize weapons from a federal arsenal, the Shaysites unintentionally enabled nationalists to argue that the United States had become vulnerable to “mobocracy.”

Writing to a fellow wartime general, Henry Knox, for news from Massachusetts, an anxious George Washington worried that “there are combustibles in every state, which a spark might set fire to,” destroying the Republic.

Instead of igniting an uprising from below, as Washington feared, Shays’s Rebellion sparked elite nationalists into action from above. Shortly before the outbreak of the rebellion, delegates from five states had assembled at Annapolis, Maryland. They had intended to discuss means of promoting interstate commerce but instead called for a general convention to propose amendments to the Articles of Confederation. Accepting their suggestion, Congress asked the states to appoint delegations to meet in Philadelphia.

## The Philadelphia Convention, 1787

In May 1787, fifty-five delegates from every state but Rhode Island began gathering at the Pennsylvania State House in Philadelphia, later known as Independence Hall. Among them were established figures like George Washington and Benjamin Franklin, as well as talented newcomers such as Alexander Hamilton and James Madison. Most were wealthy and in their thirties or forties, and nineteen owned slaves. More than half had legal training.

The convention immediately closed its sessions to the press and the public, kept no official journal, and even monitored the aged and talkative Franklin at dinner parties lest he disclose details of its discussions. Although these measures opened the convention to charges of being undemocratic and conspiratorial, the delegates preferred secrecy to minimize public pressure on their debates.

The delegates shared a “continental” or “nationalist” perspective, instilled through their extended involvement with the national government. Thirty-nine had sat in Congress, where they had seen the Confederation’s limitations firsthand. In the post-war years, they had become convinced that unless the national government was freed from the control of state legislatures, the country would disintegrate. Although the legislatures had instructed them to consider amendments to the Articles, most were prepared to replace the Articles altogether with a new constitution that gave more power to the national government.

The first debate among the delegates concerned the conflicting interests of large and small states. **James Madison** of Virginia boldly called for the establishment of a strong central government rather than a federation of states. Madison’s **Virginia Plan** gave Congress virtually unrestricted powers to legislate, levy taxes, veto state laws, and authorize military

force against the states. As one delegate immediately saw, the Virginia Plan was designed “to abolish the State Govern[men]ts altogether.” The Virginia Plan specified a bicameral legislature and fixed representation in both houses of Congress proportionally to each state’s population. The voters would elect the lower house, which would then choose delegates to the upper chamber from nominations submitted by the legislatures. Both houses would jointly name the country’s president and judges.

Madison’s scheme aroused immediate opposition, however, especially his call for state representation according to population—a provision highly favorable to his own Virginia. On June 15, William Paterson of New Jersey offered a counterproposal, the so-called **New Jersey Plan**, which recommended a single-chamber congress in which each state had an equal vote, as under the Articles.

The two plans exposed the convention’s great stumbling block: the question of representation. The Virginia Plan would have given the four largest states a majority in both houses. Under the New Jersey Plan, the seven smallest states, which included just 25 percent of all Americans, could have controlled Congress. By July 2, the convention had arrived “at a full stop,” as one delegate put it. Finally, a “grand committee,” consisting of one delegate from each state, proposed the Great (or Connecticut) Compromise, whereby each state would have an equal vote in the upper house while representation in the lower house would be based on population. Although Madison and the Virginians doggedly opposed this compromise, it passed on July 17.

Despite their differences over representation, Paterson’s and Madison’s proposals alike would have strengthened the national government at the states’ expense. No less than Madison, Paterson wished to empower Congress to raise taxes, regulate interstate commerce, and use military force against the states. The New Jersey Plan, in fact, defined congressional laws and treaties as the “supreme law of the land” and would also have established courts to force reluctant states to accept these measures. But other delegates were wary of undermining the sovereignty of the states altogether. Only after a good deal of bargaining did they reconcile their differences.

As finally approved on September 17, 1787, the **Constitution of the United States** (reprinted in the Appendix) was an extraordinary document, and not merely because it reconciled the conflicting interests of large and small states. In contrast to the Articles of Confederation, the Constitution provided for a vigorous national authority that superseded that of the states in several significant

ways. Although it did not incorporate Madison's proposal to give Congress a veto over state laws, it followed the New Jersey Plan by asserting in "the supremacy clause" that all acts and treaties of the United States were "the supreme law of the land." The Constitution vested in Congress the authority to lay and collect taxes, to regulate interstate commerce, and to conduct diplomacy. States could no longer coin money, interfere with contracts and debts, or tax interstate commerce. All state officials had to swear to uphold the Constitution, even against acts of their own states. The national government could use military force against any state. Beyond these powers, the Constitution empowered Congress to enact "all laws which shall be necessary and proper" for the national government to fulfill its constitutional responsibilities. These provisions added up to a complete abandonment of the principle on which the Articles had rested: that the United States was a federation of sovereign states, with ultimate authority concentrated in their legislatures.

To allay the concerns of more moderate delegates, the Constitution's framers devised two means of restraining the power of the new central government. First, in keeping with republican political theory and the state constitutions, they established a **separation of powers** among the national government's three distinct branches—executive, legislative, and judicial; and second, they designed a system of **checks and balances** to prevent any one branch from dominating the other two. In the bicameral Congress, states' equal representation in the Senate was offset by proportional representation, by population, in the House; and each chamber could block measures approved by the other. Furthermore, where the state constitutions had deliberately weakened the executive, the Constitution gave the president the power to veto acts of Congress; but to prevent abuse of the veto, Congress could override the president by a two-thirds majority in each house. The president could conduct diplomacy, but the Senate had to ratify treaties. The president appointed a cabinet, but only with Senate approval. The president and any presidential appointee could be removed from office by a joint vote of Congress, but only for "high crimes," not for political disagreements.

To further ensure the independence of each branch, the Constitution provided that the members of one branch would not choose those of another, except for judges, whose independence would be protected because they were appointed for life by the president with the "advice and consent" of the Senate. For example, the president was

to be selected by electors, whom the states would select as their legislatures saw fit. The number of electors in each state would equal the number of its senators and representatives. In the event of a deadlock among the electors, the House of Representatives, with one vote per state, would choose the president. The state legislatures would elect the members of the Senate, whereas members of the House of Representatives would be chosen by direct popular vote.

In addition to checks and balances, the founders devised a system of shared power and dual lawmaking by the national and state governments— "**federalism**"—in order to place limits on central authority. Not only did the state legislatures have a key role in electing the president and senators, but the Constitution could be amended by the votes of three-fourths of the states. Thus, the convention departed sharply from Madison's plan to establish a "consolidated" national government entirely independent of, and superior to, the states.

A key assumption behind federalism was that the national government would limit its activities to foreign affairs, national defense, regulating interstate commerce, and coining money. Most other political matters would be left to the states. Regarding slavery in particular, each state retained full authority.

The dilemma confronting the Philadelphia convention centered not on whether slavery would be allowed but only on the much narrower question of whether slaves should be counted as persons when it came to determining a state's representation at the national level. For most legal purposes, slaves were regarded not as persons but rather as the chattel property of their owners, meaning that they were on a par with other living property such as horses and cattle. But southern states saw their large numbers of slaves as a means of augmenting their numbers in the House of Representatives and in the electoral meetings ("colleges") that would elect the nation's presidents. So strengthened, they hoped to prevent northerners from ever abolishing slavery.

Representing states that had begun ending slavery, northern delegates opposed giving southern states a political advantage by allowing them to count people who had no civil or political rights. As Madison—himself a slave owner—observed, "it seemed now to be pretty well understood that the real difference of interests lay, not between the large & small [states] but between the N. & South." But after Georgia and South Carolina threatened to secede if their demands were not met, northerners agreed to the "**three-fifths clause**," allowing

three-fifths of all slaves to be counted for congressional representation and, thereby, in the electoral college.

The Constitution also reinforced slavery in other ways. Most notably, it forbade citizens of any state, even those that had abolished slavery, to prevent the return of escaped slaves to another state. The Constitution limited slavery only to the extent of prohibiting Congress from banning the importation of slaves before 1808, and by maintaining Congress's earlier ban on slavery in the Northwest Territory.

Although leaving much authority to the states, the Constitution established a national government whose sovereignty, unlike under the Articles of Confederation, clearly superseded that of the states. Having thus strengthened national authority, the convention had to face the issue of ratification. For two reasons, it seemed unwise to submit the Constitution to state legislatures for ratification. First, the delegates realized that the state legislatures would reject the Constitution, which shrank their power relative to the national government. Second, most of them rejected the idea—implicit in ratification by state legislatures—that the states were the foundation of the new government. The opening words of the Constitution, “We the People of the United States,” underlined the delegates’ conviction that the government had to be based on the consent of the American people themselves, “the fountain of all power” in Madison’s words, and not of the states.

In the end, the Philadelphia convention provided for the Constitution’s ratification by special state conventions composed of delegates elected by the voters. Approval by nine such conventions would put the new government in operation. Because any state refusing to ratify the Constitution would legally remain under the Articles, the possibility existed that the country would divide into two nations.

Under the Constitution, the Framers expected the nation’s elites to continue exercising political leadership. Seeking to rein in the democratic currents set in motion by the Revolution, they curtailed what they considered the excessive power of popularly elected state legislatures. And while they located sovereignty in the people rather than in the states, they provided for an electoral college that would actually elect the president. The Framers did provide for one crucial democratic element in the new government, the House of Representatives. Moreover, by making the Constitution flexible and amendable (though not easily amendable), and by dividing political power

among competing branches of government, the Framers made it possible for the national government to be slowly democratized, in ways unforeseen in 1787.

## The Struggle over Ratification, 1787–1788

The Constitution’s supporters began the campaign for ratification without significant popular support. Expecting the Philadelphia convention to offer some amendments to the Articles of Confederation, most Americans hesitated to replace the entire system of government. Undaunted, the Constitution’s friends moved decisively to marshal political support. In a clever stroke, they called themselves “Federalists,” a term implying that the Constitution would more nearly balance the relationship between the national and state governments, and thereby undermined the arguments of those hostile to a centralized national government.

The Constitution’s opponents became known as “Antifederalists.” This negative-sounding title probably hurt them, for it did not convey the crux of their argument against the Constitution—that it was not “federalist” at all since it failed to balance the power of the national and state governments. By augmenting national authority, Antifederalists maintained, the Constitution would ultimately doom the states and the people’s liberty.

The Antifederalist arguments reflected Anglo-Americans’ long-standing suspicion of centralized executive power, reiterated by Americans from the time of the Stamp Act crisis, through the Revolution, to the framing of the first state constitutions and the Articles of Confederation. Patrick Henry feared that a president “of ambition and abilities” could, as commander in chief, use the army to “render himself absolute,” while another Antifederalist feared that the national government would “fall into the hands of the few and the great.” Compared to a distant national government, Antifederalists argued, state governments were far more responsive to the popular will. They acknowledged that the Framers had guarded against tyranny by preserving limited state powers and devising a system of checks and balances, but doubted that these devices would succeed. The proposed constitution, concluded one Antifederalist, “nullified and declared void” the constitutions and laws of the states except where they did not contradict federal

Patrick Henry feared that a president “of ambition and abilities” could, as commander in chief, use the army to “render himself absolute.”



**MAP 6.6 FEDERALIST AND ANTIFEDERALIST STRONGHOLDS, 1787–1790** Federalists drew their primary backing from densely populated areas, while Antifederalist support was strongest among small farmers in interior regions.

mandates. Moreover, for all its checks and balances, opponents noted, the Constitution provided no guarantees that the new government would protect the liberties of individuals.

Although the Antifederalists advanced some formidable arguments, they confronted a number of disadvantages in publicizing their cause. While Antifederalist ranks included some prominent figures, none had the stature of George Washington or Benjamin Franklin. As state and local leaders, the Antifederalists lacked their opponents' contacts and experience at the national level, acquired through service as Continental Army officers, diplomats, or members of Congress. Moreover, most American newspapers were pro-Constitution and did not hesitate to bias their reporting in favor of ratification.

The Federalists' advantages in funds and political organizing proved decisive. The Antifederalists failed to create a sense of urgency among their supporters, assuming incorrectly that a large majority

would rally to them. Only one-quarter of the voters turned out to elect delegates to the state ratifying conventions, and most had been mobilized by Federalists.

The Constitution became the law of the land when the ninth state, New Hampshire, ratified it on June 21, 1788. Federalist delegates prevailed in seven of the first nine state conventions by margins of at least two-thirds. Such lopsided votes reflected the Federalists' organizational skills and aggressiveness rather than the degree of popular support for the Constitution. The Constitution's advocates rammed through approval in some states "before it can be digested or deliberately considered," in the words of a Pennsylvania Antifederalist.

But unless Virginia and New York—two of the largest states—ratified, the new government would be fatally weakened. In both states (and elsewhere), Antifederalist sentiment ran high among small farmers, who saw the Constitution as a scheme favoring

city dwellers and moneyed interests (see Map 6.6). Prominent Antifederalists in these two states included New York governor George Clinton and Virginia's Patrick Henry, Richard Henry Lee, George Mason, and future president James Monroe.

At Virginia's convention, Federalists won crucial support from the representatives of the Allegheny counties—modern West Virginia—who wanted a strong national government capable of ending Indian raids from north of the Ohio River. Western Virginians' votes, combined with James Madison's leadership among tidewater planters, proved too much for Henry's spellbinding oratory. On June 25, the Virginia delegates ratified by a narrow 53 percent majority.

The struggle was even closer and more hotly contested in New York. Antifederalists had solid control of the state convention and would probably have voted down the Constitution, but then news arrived that New Hampshire (the ninth state) and powerful Virginia had approved. Federalist leaders Alexander Hamilton and John Jay spread rumors that if the convention failed to ratify, pro-Federalist New York City and adjacent counties would secede from the state and join the Union alone, leaving upstate New York landlocked. When several Antifederalist delegates took alarm at this threat and switched sides, on July 26 New York ratified by a 30 to 27 vote.

So the Antifederalists went down in defeat, and they did not survive as a political movement. Yet their influence was lasting. At their insistence, the Virginia, New York, and Massachusetts conventions approved the Constitution with the accompanying request that it be amended to include a bill of rights protecting Americans' basic freedoms. Moreover, Antifederalists' concerns for the sovereignty of states under the Constitution's federal framework would be echoed in the bitter political debates that roiled the new government during its first decade and long thereafter.

Antifederalists' objections in New York also stimulated a response in the form of one of the great

classics of political thought, *The Federalist*, a series of eighty-five newspaper essays penned by Alexander Hamilton, James Madison, and John Jay. The Federalist Papers, as they are commonly termed, had little influence on voting in the New York convention. Rather, their importance lay in articulating arguments defending the Constitution and addressing Americans' wide-ranging concerns about the powers and limits of the new federal government, thereby shaping a new political philosophy.

The Constitution, insisted *The Federalist's* authors, had a two-fold purpose: first, to defend the rights of political minorities against majority tyranny; and second, to prevent a stubborn minority from blocking well-considered measures that the majority believed necessary for the national interest. Critics, argued *The Federalist*, had no reason to fear that the Constitution would allow a single economic or regional interest to dominate. "Extend the sphere," Madison insisted in *Federalist* No. 10, "and . . . you make it less probable [than in a small republic] that a majority of the whole will have a common motive to invade the rights of other citizens, . . . [or will be able to] act in unison with each other." The country's very size and diversity would neutralize the attempts of factions to push unwise laws through Congress.

Madison's analysis was far too optimistic, however. As the Antifederalists predicted, the Constitution afforded enormous scope for special interests to influence the government. The great challenge for Madison's generation would be how to maintain a government that would provide equal benefits to all and at the same time accord special privileges to none.

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citizens, [or will be able  
to] act in unison with  
each other."

# CHRONOLOGY

# 1776–1788

<b>1776</b>	British force American troops from New York City.	<b>1784</b>	Spain closes New Orleans to American trade. Economic depression begins in New England. Second Treaty of Fort Stanwix.
<b>1777</b>	Congress approves Articles of Confederation. American victory at Saratoga.	<b>1785</b>	Ordinance of 1785. Treaty of Fort McIntosh.
<b>1777–1778</b>	British troops occupy Philadelphia. Continental Army winters at Valley Forge.	<b>1786</b>	Congress rejects Jay-Gardoqui Treaty. Treaty of Fort Finney. Joseph Brant organizes Indian resistance to U.S. expansion.
<b>1778</b>	France formally recognizes the United States; declares war on Britain.	<b>1786–1787</b>	Shays's Rebellion in Massachusetts.
<b>1779</b>	Spain declares war on Britain. John Sullivan leads American raids in Iroquois country.	<b>1787</b>	Northwest Ordinance. Philadelphia convention frames federal Constitution.
<b>1780</b>	British seize Charles Town.	<b>1787–1788</b>	Alexander Hamilton, James Madison, and John Jay, <i>The Federalist</i> .
<b>1781</b>	Articles of Confederation ratified. Battle of Yorktown; British General Cornwallis surrenders.	<b>1788</b>	Constitution ratified.
<b>1783</b>	Treaty of Paris.		

## CONCLUSION

The entry of North Carolina into the Union in late 1789 and of Rhode Island in May 1790 marked the final triumph of an uncertain nationalism. Among whites, blacks, and Native Americans alike, the American Revolution was a civil war as well as a war of national independence. So long as the war involved only Britain and America, it cost both sides heavily in casualties and finances without producing a conclusive result. Once other nations joined the anti-British cause, making the Revolution an international war, the tide turned. Now fatally over-extended, Britain was defeated by American-French forces at Yorktown and obliged to surrender.

Winning the war proved to be only the first step in establishing a new American nation. Forming

new governments at the state and national levels was just as challenging. The early state constitutions and the Articles of Confederation reflected the concerns of most white Americans to limit sharply the political power of elected officials, particularly executives. Over time, elites favoring stronger executive power gained support from others in altering several state constitutions and, most decisively, in replacing the Articles of Confederation with the new federal Constitution. The Constitution definitely limited democracy; but by locating sovereignty in the people it created a legal and institutional framework within which Americans could struggle to attain democracy. In that way, its conception was a fundamental moment in the history of America's enduring vision.

## KEY TERMS

loyalists (p. 154)

Joseph Brant (p. 155)

Battle of Saratoga (p. 159)

Battle of Yorktown (p. 165)

Treaty of Paris (p. 165)

Abigail Adams (p. 168)

Prince Hall (p. 169)

Articles of Confederation (p. 172)

Ordinance of 1785 (p. 173)

Northwest Ordinance (p. 174)

Alexander McGillivray (p. 177)

James Madison (p. 179)

Virginia Plan (p. 179)

New Jersey Plan (p. 179)

Constitution of the United States (p. 179)

separation of powers (p. 180)

checks and balances (p. 180)

“federalism” (p. 180)

“three-fifths clause” (p. 180)

*The Federalist* (p. 183)

## FOR FURTHER REFERENCE

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