


*American Insurgents,
American Patriots*

THE REVOLUTION OF THE PEOPLE

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 *Hill and Wang*

A division of Farrar, Straus and Giroux

New York

The Reverend Zabdiel Adams understood what was at stake. In early January 1775—more than eighteen months before the signing of the Declaration of Independence—he told the members of a militia company in Lunenburg, Massachusetts, “We fervently pray, that you may never be called . . . to fight with, or shed the blood of British soldiers, *who are bone of our bone, and flesh of our flesh.*” But the prospects were dark. If “our invaluable liberties cannot be preserved, but by the sword, you will not shrink from danger, nor desert the cause, but be of good courage and play the men valiantly for your people, and the cities of your God.” Should they die, Adams assured them, “you will die in the bed of your honor.”²

The ideas that gave meaning to the American insurgency possess a simple elegance. The central element in popular political thought was a set of rights that God gave every man and woman long before they established civil government. These rights were universal; every human being could claim them. But rights carried responsibilities. God expected the people to preserve their rights. However burdensome this duty may have been in theory, it served to empower ordinary people in the contest against tyranny. As vigilant defenders of rights, they became judges of those who held authority, and in the imagined compact that bound rulers to subjects, it was the subjects who determined whether their magistrates were in fact working for the common good.

In general terms, the Americans were all children of the great seventeenth-century philosopher John Locke. But one should not exaggerate his influence. Many Americans had never read Locke’s work; quite a few would not have even recognized his name. They are probably best described as popular Lockians. They subscribed to his rights-based philosophy without much caring about intellectual genealogies. We encounter this perspective on state power in humble statements. Early in 1773 the inhabitants of Hubbardston, a small farming commu-

nity in Massachusetts, worked out for themselves the ligaments of this system of thought. In the language of the folk, they announced, “We are of opinion that Rulers first Derive their Power from the Ruled by Certain Laws and Rules agreed upon by Ruler and Ruled, and when a Ruler Breaks over Such Laws and Rules as agreed to by Ruler and Ruled, and makes new ones that then the Ruled have a Right to Refuse Such new Laws and that the Ruled have a right to Judge for themselves when Rulers Transgress.”³

We should remember as we reconstruct insurgent beliefs that the goal is not to understand better arguments for national independence or, still less, the rationale for adopting a republican form of government. Those issues came to the fore at a later date. The major challenge in 1775 was persuading ordinary people of the legitimacy of using violence against a constitutional government that no longer protected their rights. The most pressing decision in the lives of such men as Isaac Davis and Samuel Thompson turned on precisely this issue. How much, they asked, should a God-fearing person endure before taking up arms against the state?

For the Reverend John Cleaveland, the minister in the small village of Chebacco, Massachusetts, the moment came in the days following the British attack on Lexington and Concord. Writing in a local journal, Cleaveland declared, “King George the third adieu! No more shall we cry to you for protection! No more shall we bleed in defense of your person,—your breach of covenant! Your violation of faith! Your turning a deaf ear to our cries for justice, for covenanted protection and salvation from the oppressive, tyrannical and bloody measures of the British parliament, and putting a sanction upon all their measures to enslave and butcher us, have **DISSOLVED OUR ALLEGIANCE** to your crown and government!”⁴

I

A curious incident that occurred on or about six o’clock on the morning of July 18, 1775, reveals the centrality of rights thinking in justifying insurgency against the British Empire. The event opens a window for us onto the popular political culture of the day. Only a few weeks earlier,

militia units—one of them Isaac Davis's from Acton—had engaged British regulars at Lexington and Concord, and then later at Bunker Hill. In the intoxicating wake of these encounters, colonial troops from communities throughout New England rushed to the suburbs of Boston. As we have seen, Matthew Patten's son and his friends marched from New Hampshire to participate in the action. George Washington had not yet arrived to take command of the American forces; a formal declaration of independence would not be issued for almost a year.

During those exhilarating days when protest turned to armed resistance, rhetoric to violence, the main units of the Continental Line serving under General Israel Putnam—the man who rushed from Connecticut in 1774 to revenge the destruction of Boston—unfurled for the first time the standard they intended to carry into battle. The flag possessed immense significance for the insurgents, who before this time had trained within their own communities. It was emblematic of a larger cause; it provided a symbolic awareness of American unity.

Several accounts of the dawn ceremony survive. The fullest explained that the largely untested colonial soldiers assembled “on Prospect-Hill, when the Declaration of the Continental Congress [calling on Americans to take up arms] was read; after which an animated and pathetic [expressing tenderness] Address to the Army was made by the Rev. Mr. Leonard, Chaplain to General Putnam's Regiment, and succeeded by a pertinent Prayer.”⁵ Leonard begged the Lord to preserve the “people of this land . . . [who] have been reduced to the dreadful alternative of submitting to arbitrary laws and despotic government; or taking up arms in defense of those rights and privileges, which thou, in thy goodness, hast conferred upon them as men and as Christians.”⁶

At that moment Putnam gave a prearranged signal. “The whole Army shouted their loud Amen by three Cheers, immediately upon which a Cannon was fired from the Fort, and the Standard lately sent to General Putnam was exhibited [,] flourishing in the Air, bearing . . . this Motto, ‘AN APPEAL TO HEAVEN.’”⁷ A loyalist spy confirmed the news. He reported to General Thomas Gage in Boston that “our people [have] got a famous New large Standard,” and when it was raised, “all of us huzzahed at once, then the Indeans [*sic*] gave the war hoop and to conclud[e], off[f] went [the] Cannon,” a grand ceremony “that was worth you seeing.”⁸

If Gage had in fact ventured outside the occupied city that July morning, he would have observed a single pine tree framed against a white background. Underneath the evergreen ran the words APPEAL TO HEAVEN. The inclusion of the tree in the design of the flag poses no mystery. It had a long, iconic history in New England. As a symbol of the region, the tree made its first appearance on coins minted in Massachusetts in the mid-seventeenth century. The three-word phrase, however, raises more complex issues. The insurgents surely hoped that the Lord would protect them in battle, but that was not all they were doing. Confronting General Gage's army, they appealed to God to bless the entire insurgency.

About the source of the soldiers' chosen motto, there can be little doubt. Ordinary Americans had encountered the phrase in the pages of John Locke's *Second Treatise*, where “Appeal to Heaven” appears numerous times.⁹ When Locke originally penned these words on the eve of England's Glorious Revolution in 1688, he associated them specifically with the biblical story of Jephthah in the eleventh chapter of Judges. When the Israelites begged Jephthah, “a mighty warrior,” to take up their cause against the Ammonites, he in turn asked God to decide the controversy. In other words, he made an appeal to heaven. “Let the LORD, who is judge, decide today for the Israelites or for the Ammonites.”

Locke was skating on thin ice. References to the Old Testament hardly disguised the radical implications of his argument, the fact of which he was uncomfortably aware.¹⁰ At a moment when his own countrymen had grown weary of Stuart tyranny, Locke counseled that in extreme cases, when a ruler forfeited the trust of the people and those people seeking justice found that the very judges entrusted to hear their cause had compromised their integrity by siding with the tyrant, the people had a right to take their political grievance to the Lord. Like Jephthah, they could make an appeal to heaven.

In Locke's interpretation of the biblical story the people had no assurance that God would in fact favor them over their enemies. He might even brand them rebels against lawful authority. In the penultimate paragraph of the final chapter of the *Second Treatise*, entitled significantly “Dissolution of Government,” Locke explains the insurgents' dilemma:

If a Controversie arise betwixt a Prince and some of the People, in a matter where the Law is silent, or doubtful, and the thing be of great Consequence, I should think the proper *Umpire*, in such a Case, should be the Body of the *People*. For in Cases where the Prince hath a Trust reposed in him, and is dispensed from the common ordinary Rules of the Law; there, if any Men find themselves aggrieved, and Think the Prince acts contrary to, or beyond that Trust, who so proper to *Judge* as the Body of the *People* . . . how far they meant it should extend? But if the Prince, or whoever they be in the Administration, decline that way of Determination, the Appeal then lies no where but to Heaven.¹¹

Much of what Locke had to say about political rights in the *Second Treatise* pertains to individuals, but in this crucial section he specifically described the appeal as an act of desperation by an entire community, which, after much suffering and deliberation, feels itself betrayed by rulers who claim constitutional authority. It is hard to imagine who during the dark days of mid-1775 would not have made a direct connection between Locke's counsel and the Americans' controversy—a thing obviously of “great Consequence”—with Great Britain. The language echoed out through the Massachusetts countryside, even to the smallest communities such as Hubbardston.

The Continental soldiers who justified their own political resistance through an “Appeal to Heaven” did not have to rummage through musty libraries to read Locke's words. Nor did they have to rely on ministers such as the Reverend Leonard or educated lawyers to tell them what the seventeenth-century theorist had written. A popular edition of the *Second Treatise* had just been issued by a Boston publisher who, in a newspaper announcement, assured Americans, “Perhaps there never was a Time since the Discovery of this new World, when the People of all Ranks every where show'd so eager a Spirit of Inquiry into the Nature of their Rights and Privileges, as at this Day.” The printer declared that in these troubled times “it has therefore been judged very seasonable and proper to put it in the Power of every free Man on this Continent to furnish himself at so easy a Rate with the noble Essay just now re-published.”

During much of the eighteenth century, Americans had not paid much attention to Locke's writing, especially not to his theory of government.¹² But after 1773 the imperial crisis thrust his work into the center of colonial political thought. The confrontation with traditional constitutional authority gave Locke new relevance; better than other sources then available to the people, he explained why in the name of fundamental rights they must resist. It was in this climate that the advertisement for the *Second Treatise* guaranteed that “this Essay alone, well studied and attended to, will give to every intelligent Reader a better View of the Rights of Men and of Englishmen.” Women as well as men were invited to study Locke's arguments. The American printer also noted that he completely dropped Locke's *First Treatise*, a market decision that not only lowered the price of the new popular edition but also saved “all Lovers of Liberty” the nuisance of having to slog their way through a “prolix Confutation of [Sir Robert] Filmer and his Disciples, few of which are yet to be found in this Country.”¹³

To comprehend the significance of an appeal to heaven, however, one did not have to read the *Second Treatise*. Several years earlier the members of the Massachusetts House of Representatives had engaged in a hot debate with the colony's lieutenant governor about the implications of Locke's political theories for the doctrine of parliamentary sovereignty. The lieutenant governor happened to be Thomas Hutchinson, and there can be no doubt that when the elected representatives of the people spoke about rights, they lectured Hutchinson on the writings of “the great Mr. Locke.” In an exchange followed closely throughout the colony, they quoted from the *Second Treatise*, arguing that in certain constitutional disputes between the people and their rulers, “the people have no other remedy . . . but to appeal to heaven.”¹⁴

British contemporaries were perhaps the first to point out how aggressively Americans mouthed notions about rights. Dean Josiah Tucker, an English religious figure who wrote thoughtfully about the imperial economy, found it almost impossible to take the colonists seriously in this regard, and in *The Respective Pleas and Arguments of the Mother Country, and of the Colonies, Distinctly Set Forth*, published in 1775, he weighed the solid “Facts and Precedents” advanced by the leaders of Parliament against the Americans' airy rhetoric about “what they call immutable Truths—the abstract Reasonings, and the eternal

Fitness of Things—and in short to such Rights of Human Nature which they suppose to be unalienable and indefeasible.” Even at this early date, Tucker labeled the colonists “the Disciples of Mr. Locke,” a description that suggested they—like the Irish of an earlier generation—had succumbed to a kind of ideological madness. To this characterization, Tucker’s spirited adversary Richard Price responded, “Glorious title!”

In 1782 Tucker was still grumbling about the fuzzy-thinking Americans, and in a pamphlet entitled *Cui Bono?* he imagined what would happen should the provincial insurgents actually emerge from the war victorious. “When that happy Day should come,” the dean observed with bitter sarcasm, “all Grievances, and all Complaints would cease for ever. The People of *America* were to be blessed with a *Lockean* Government, the only just one, the only free one upon Earth.” Other English writers took up the chorus, announcing as early as 1775 that the colonists had foolishly appointed Locke “their political Apostle” and “their professed Director.” John Roebuck, a London pamphleteer, added more soberly in 1776 that the “present revolt has arisen solely from speculative notions” about natural rights.¹⁵

One can appreciate why English commentators such as Tucker might have greeted the colonists’ rights talk as an intellectual muddle.¹⁶ Yet his criticism missed a key point about the relation between ideas and mobilization. The ordinary Americans whom he found so objectionable were advancing a positive case for the defense of their own God-given rights. Although their arguments may have lacked sophistication, they successfully translated abstract concepts about rights into a persuasive justification for resistance and sacrifice. It is within this popular context that we should try to understand why a writer in the *Pennsylvania Packet* would announce on April 19, 1775, as a matter of fact, “The venerable name of LOCKE carries so much weight and authority, that on every subject relative to politics or government, his arguments seem irresistibly persuasive.”¹⁷ Such claims certainly made sense to the young American soldiers who volunteered for the Continental Army in Massachusetts in April 1775. Anticipating that they might soon participate in real combat, they took an oath to protect “the free exercise of all those civil and religious rights and liberties, for which many of our forefathers fought, bled, and died.”¹⁸

II

Popular political thought in insurgent America began with an imagined contract. At some moment long before recorded history, people had lived in a state of nature. Commentators disagreed about whether living in such a society had been a pleasant experience. To be sure, everyone possessed valuable rights, mostly associated with the free possession of property. In the state of nature, people could do pretty much as they pleased. That was the problem. Freedom without constraint promoted a kind of thuggery. The strong preyed on their weaker neighbors and seized property to which they had no claim other than the irresponsible exercise of physical power. As the Reverend Samuel Williams explained in 1775, the state of nature gave license to “lawless, desperate, and designing men, [who] joined together for the purposes of fraud, rapine, and oppression.”¹⁹

However nasty such a society might have been in the natural state, ordinary people refused to give it up without powerful assurance that the establishment of government and society would not compromise their God-given rights to property. In order to secure fundamental rights from violent assault, they transferred to rulers the responsibility to judge and punish those who threatened the peace of civil society. According to the Reverend Samuel Lockwood, a Connecticut minister, “no people, who have tasted the sweets of liberty and enjoyed the happiness of freedom” would ever subject themselves to a ruler “but from a rational prospect of benefit to the whole, and to each individual.” The goal of government was “not to loose, but . . . to secure and perpetuate their personal liberties and properties, unmolested; as well as to enjoy the pleasures of social life, to be found in society only.”²⁰ In these terms, therefore, good government was a rational bargain; it protected basic rights without encroaching on the inviolability of property.

About the ultimate source of their rights, the people had no doubts. God gave them to men and women; rights were a fundamental aspect of the human condition. This religious element in popular political thought provided an irrefutable foundation for rights claims. The celebrated leaders of the day—such men as John Adams and George Washington—tended to place less emphasis on the spiritual essence of rights talk than did ordinary Americans.

Possession of fundamental rights—even the right to hold property—made no sense to insurgent Americans in the absence of other people. As they repeatedly declared, man is a sociable animal. It was in his nature to reach out to others to form families, communities, and associations held together by a sense of mutual obligation. Hermits deserved no respect precisely because their isolation cut them off from proper social exchange. According to the Reverend Samuel Lockwood, God made man “a sociable creature, capable of the delights and advantages of social life; to be enjoyed in pursuing his own good, with that of others at the same time; consequently, his happiness in degree must consist, in the exercise of those social virtues essential to his nature.”²⁸ Other commentators praised “the social state” while condemning the “solitary state.”²⁹ Within popular political thought, insistence on cooperation meant that revolutionary rights theory avoided the kind of aggressive, often selfish individualism that modern critics sometimes associate with liberalism.³⁰ Living in society not only made men and women more fully human, it also provided them with an opportunity to work together to fulfill God’s expectations.

Belief in man’s natural sociability led logically to the conclusion that private grievances had no legitimacy in organized protest. Individual interests or the demands of a noisy faction served only to fragment communities, to spawn civil war, and, when pushed to excess, to invite anarchy. The Reverend John Zubly made precisely this point at the opening of the Georgia Provisional Congress in July 1775. “There was a time when there was no King in Israel, and every man did what was good in his own eyes,” he noted. “The consequence was a civil war in the nation, issuing in the ruin of one of the tribes, and a considerable loss to all the rest.”³¹

However much the loyalists protested that popular resistance to Great Britain had degenerated into mob action and mindless violence, the insurgents could always respond that they were looking out for the common good, not the self-serving interests of a small body of troublemakers. They specifically rejected the notion that a group of people were justified in overthrowing a ruler simply because they did not like him or because he supported policies that made some subjects unhappy. A challenge to constitutional government based on no more than self-interest could never win God’s approval. Indeed, according to

the Reverend Nathaniel Niles, “The true spirit of a mob consists in unconstitutional violence, done with a design to bring about some private end.”³²

In July 1774 the Reverend Nathan Fiske expanded on this idea before a congregation in Massachusetts: “When people oppose the authority of their rulers, it is generally called insurrection and rebellion. And when a mob assumes the government into their own hands, they are in danger of committing such violence and outrage as are many degrees beyond the guilt and mischief of bare opposition.” For Fiske, resisting “arbitrary rulers” was one thing, while engaging in “lawless riots” that had the capacity to become “tyrannical, imperious, and oppressive” was quite another.³³ This is an important point. American insurgents provide no comfort to those in our own time who claim that a single cause or narrow agenda justifies armed violence against neighbors or the state. Those who resisted the British Empire spoke for the common good; they reached out to distant strangers, creating broad political solidarities. They would have regarded those who are prepared to employ violence in the name of a particular vision of the truth not only as self-serving but also as threats to the larger goals of a just society.

During the anxious months before publication of the Declaration of Independence, the most pressing challenge for unhappy Americans was deciding precisely when in fact a ruler had gone too far. As the Reverend Peter Whitney explained, “In these cases the people must be judge of the good or ill conduct of their rulers; to the people they are accountable.”³⁴ Resistance was a serious undertaking. Within the popular political culture, each person had an obligation to define the tipping point that separated incompetence from despotism, frivolous complaint from a lawful appeal to heaven. Insurgents walked a fine line. A mistaken judgment on their part might encourage anarchy. By the same token, accommodating a genuinely corrupt regime threatened the security of the people’s fundamental rights.

The responsibility for making a correct judgment fell to ordinary Americans. As one minister informed the members of the Georgia Provincial Congress, “When a people think themselves oppressed and in danger, nothing can be more natural than that they should inquire into the real state of things, trace their grievances to their source, and endeavor to apply the remedies which are most likely to procure relief.”³⁵

The Reverend Andrew Eliot, a respected New England minister, laid out the challenge as clearly as did any of his contemporaries: "It is exceedingly difficult to determine exactly where submission ends, and resistance may lawfully take place, so as to leave no room for men of bad minds unreasonably to oppose government, and destroy the peace of society."³⁶

In small communities throughout America, insurgents carefully weighed the evidence of misrule, looking for signs that British authorities had in fact systematically and irrevocably betrayed fundamental rights. They had some help in this matter. Educated pamphleteers who drew upon the lessons of more than a century of English history provided them with a list of symptoms that indicated when tyranny was on the rise. According to this literature, one sounded the alarm if the king and his counselors tried to censor the free press, raised standing armies, or incurred huge national debts. These actions informed vigilant subjects that the famed balanced constitution was in grave danger.

How much attention ordinary people paid to these writings is not clear. They generally assessed the danger to their rights in less historical, often more religious language, which while lacking specificity had the advantage of provoking a highly passionate response. The Reverend Eliot advised, for example, "where rulers pervert their power to tyrannical purposes; when they evidently encroach on natural and constitutional rights; when they trample on those laws which were made to limit the regal power, and defend the people, submission, if it can be avoided, is so far from being a duty, that it is a crime . . . It is an offense against God, who is good to all, and who has appointed government for the welfare and happiness, and not for the destruction of his creatures."³⁷

Ministers such as Eliot laid out for insurgents a practical justification for resistance. To be sure, ordinary people should always remember that governments can and should do things that may be unpopular. They have authority to levy taxes, raise troops, and enforce regulatory policies. Such matters may be annoying, but they are not in themselves legitimate causes for armed rebellion. At issue, therefore, was not the actual burden of supporting government, but rather the conviction based on observation that it had imposed taxes and raised troops through procedures that any reasonable person would describe as arbitrary. One did not have to review the long and contentious history of English lib-

erty to appreciate when an allegedly lawful government started acting in an unlawful way. People could interpret the political evidence for themselves. Parliament endorsed the Coercive Acts as a punishment; the army of occupation in Boston had no interest in preserving basic rights. Personal experience revealed the tipping point. "When punishments are mediated and inflicted to gratify revenge, or merely to show power and superiority; or when they greatly exceed the demerit of the crime; or involve a whole community in distress for the offenses of a few; when acts are made and continued, yea, and enforced by military power, which, in general, are considered as unconstitutional and grievous; all these are instances of oppression."³⁸

Within a political culture so profoundly influenced by religion, it seemed logical to assume that arbitrary rulers would most likely be men lacking righteousness. As the Reverend Nathan Fiske observed, "If a king does not rule in righteousness, his subjects will, in many instances, have their rights and liberties, and perhaps their lives endangered, if not destroyed."³⁹ In 1774 the Reverend Samuel Lockwood preached a similar message in Connecticut. "No one can pretend that civil government, as an ordinance of GOD, was ever designed to advance men to seats of dignity and rule, to plume themselves with the gilded feathers of state; in order to indulge sloth—luxury—and avarice, at publick expense, much less wantonly to exercise the power with which they are invested, in acting the tyrant. Nor yet, to improve fawning dependents and parricides, to oppress the subjects with unconstitutional decrees, and unrighteous measures, which they will greedily execute, for a low title, and a piece of bread. *Surely no.*"⁴⁰

This rhetoric—at least before 1776—rarely condemned monarchy as a form of government. It was still possible for ordinary colonists to imagine righteous kings who ruled in the fear of God and who saw arbitrary acts as an assault on the people's rights. Almost no one who participated in resistance on the ground advocated the creation of a new republic. But within a theoretical framework in which the people claimed the right to judge the ruler's fitness to rule—and in which despotic and unrighteous acts by a king eroded his legitimacy—it did not take much to persuade Americans that monarchy itself worked against the true interests of the people. As a writer in the *Norwich Packet* (Connecticut) observed, "Whenever any man declares that Englishmen

have no other title to their liberty than the will of the Prince, he may be said most severely to touch the people, and deserves to be severely reprov'd for his impudence. Blessed be God, we do not hold our liberties by the precarious tenor of any man's will. They are defended by the impregnable bulwarks of law, and guaranteed by the most awful sanctions; and whoever asserts to the contrary is a liar, and the truth is not in him."⁴¹

What distinguished popular rights thinking—indeed, what made it resonate so powerfully among American insurgents—was its unmistakable call for resistance. Unlike the more abstract political theories put forward by constitutional lawyers and enlightened thinkers at the time, this bundle of ideas encouraged action rather than reflection. It spoke directly to questions of individual responsibility and personal sacrifice. From the people's perspective, if their rulers had become tyrants who ignored normal channels of complaint, the ordinary subject had no choice but to take up arms against the state. God specifically rejected neutrality or passive resistance. Within such a religious mind-set, resistance became an obligation. Arguments of this sort had a long history, going back to the earliest years of the Protestant Reformation. But in this atmosphere the rhetoric acquired renewed persuasiveness. Readers of the *Connecticut Gazette* (New London), for example, learned just after passage of the Coercive Acts that "the man who refuses to assert his right to liberty—property—and life—is guilty of the worst kind of rebellion. He commits high treason against GOD."⁴² In 1774 the Reverend Jonathan Parsons repeated what most ordinary Americans viewed as common sense. "As Christians," he observed, "we may not give up those rights and privileges that Christ has purchased for and bestowed upon us; for giving them up, would not only reflect great dishonor upon Christ, but would be inconsistent with the peace and welfare of the people and therefore be quite intolerable."⁴³

About the character of the resistance sanctioned by God, the people had no doubts. The moment for petitions had passed. For more than a decade, colonial assemblies had urged Parliament to reconsider policies that the people deemed oppressive. These supplications had failed to bring relief. It is not surprising, therefore, that after British forces closed Boston Harbor, the people's resolve stiffened. Religious obligation came to be associated with armed violence.

