CHAPTER II

The Creation of a Mandate

COPIES of the Boston Port Act, which ordered the closing of the town’s harbor until the East India Company was indemnified for its lost tea, began reaching American ports during the second week of May 1774. Following weeks brought additional parliamentary blows: the Massachusetts Government Act, which drastically altered the structure of provincial government; the Administration of Justice Act; the amended Quartering Act; and the Quebec Act. Their political implications were immediately obvious. The time of watching and waiting was clearly over, but a period of intricate political maneuvering necessarily followed the first shock of surprise at the severity of the government’s actions. The eagerness with which Boston challenged the rest of the continent to come to its support further complicated the situation. At a town meeting on May 13, the Boston radicals had pushed through a resolution demanding the immediate stoppage of all American trade with Britain and the West Indies. This proposal met stiff opposition elsewhere, and the idea of convening a congress quickly emerged as the logical alternative to the Boston demand. The confusion that initially prevailed, though intense, was brief. By late June the basic agenda for the First Continental Congress, which was to meet in September, had been outlined. During the rest of the summer a strong popular mandate to abide by its determinations developed, bringing with
it a surprising degree of consensus about the policies the congress should pursue.

The Calling of a Congress

RESISTANCE leaders in Massachusetts had a natural tendency to equate the plight of their colony and its capital—"now suffering in the common cause," to use the stock phrase of 1774—with the common cause itself. Their anxiety generated much of the confusion that marked the early weeks of this new crisis. Invoking precedents set during the opposition to the Townshend duties and the Tea Act, the Boston town meeting directed its initial appeals for an immediate comprehensive boycott to the other principal American ports. There they were received by politicians who recalled the acrimonious collapse of non-importation in 1770, and by merchants who were reluctant to join any boycott until they had time to gain a clearer picture of events and, not incidentally, to build up their stocks of imported goods. Had the government chosen some milder response to the Boston Tea Party, their private reluctance to support Boston could have been more readily justified. The government's actions, however, preempted that possibility, and discussion quickly turned to the tactics, not the propriety of resistance.2

In New York and Philadelphia opposition to an abrupt stoppage of trade was so strong that active patriots instantly recognized that the calling of some sort of congress was the most acceptable alternative. The New York radical Isaac Sears had immediately raised the idea of non-importation, but by May 15, even before receiving the Boston proposal, he and Alexander McDougall urged the Boston Committee of Correspondence to agree to a prior meeting of committees representing the major ports. After another week of public agitation and closeted maneuvers, the newly formed Committee of Fifty-one formally proposed the meeting of a congress of provincial deputies, to frame "some unanimous resolution . . . not only respecting your deplorable circumstances, but for the security of our common rights."3 Sears and McDougall held out the hope that New York would eventually agree to a boycott, but the first reports to reach Boston from Philadelphia were even less encouraging. There, as letters from both the Committee of Correspondence chosen on
May 20 and resistance leaders writing privately made clear, the opinion prevailed that any boycott must be "reserved as our last resource." The Philadelphia leaders argued not only that a boycott should be the work of a congress, but that commercial resistance should be postponed until after the congress had first tried more pacific measures. A boycott could not be mounted, Thomas Mifflin informed Samuel Adams, "without some previous Step [being] taken to obtain Redress." The deputies should go to congress carrying

Details of Grievances which they severally labour under with respect to trade &c—These Details to be digested at the Congress into a petition Remonstrance Bill of Rights or into such Form as may be thought most eligible—The Deputies met to nominate a certain Number of their Body to go to England and lay their Grievances at the Foot of the Throne &c &c; this to be the last Attempt to petition or remonstrate.

Charles Thomson repeated the same arguments a week later.4

Nor was the initial response in New England unequivocally favorable to Boston. Although a Providence town meeting of May 17 endorsed the Boston proposal in principle, it too stated a clear preference for a congress. Writing from Connecticut, Silas Deane also insisted on the prior convening of a conference of the committees of correspondence. When Samuel Adams argued in reply that such a conference "cannot be had speedily enough to answer for the present Emergency," Deane reiterated his objections to hasty measures, endorsed the recommendations of the New York Committee, and conceded only that a preliminary conference of the northern committees might be held first.5

By the end of the third week of May, then, the Boston Committee of Correspondence almost certainly knew that its proposed boycott would not go over easily, if at all, in Connecticut, New York, and Philadelphia. Taken aback by this opposition, the committee and its members shuffled awkwardly between issuing vague endorsements of a congress and more urgent pleas for a boycott. On May 21, for example, the committee wrote Providence that not one but two congresses—one of merchants, the other of "American States"—were necessary. But at the end of the month it was still arguing, in official letters to New York and Philadelphia, that an effective boycott could be mounted without the prior convening of a congress. And on June 8 the committee launched an ambitious campaign to bring the entire province of
Massachusetts into a Solemn League and Covenant to halt all commercial intercourse with Great Britain and the West Indies. Given the warnings against rash, unilateral actions that the committee had already received, its decision to promote the Solemn League seems rather puzzling. Why did the committee appear willing to risk alienating the intercolonial support it had long sought and now desperately desired? The surviving correspondence is not particularly revealing: motives have to be inferred from circumstances. Possibly the Boston leaders hoped to capitalize on the additional jolt just provided by the Massachusetts Government Act. Or perhaps they feared that a failure to organize quick and effective resistance within Massachusetts might encourage their local opponents to marshal support for a campaign to make restitution for the tea, and thus compromise their own efforts in the near future. The friendly address presented by a group of Boston merchants to the departing Thomas Hutchinson was already proving an embarrassment. To some extent the Solemn League may thus have been designed to overawe opposition within the town by enlisting support for strong measures from the rest of the province. But this risky initiative also had important continental implications. Moderates in other colonies might exploit signs of division or timidity in Massachusetts to argue against implementing any boycott and to push instead for the sort of bland and ineffectual measures being discussed in Philadelphia. Despite its local orientation, then, the Solemn League was probably intended to influence politics outside the province, by demonstrating not only that Massachusetts was united, but also that an effective boycott could be spontaneously fashioned by scattered communities acting without prior consultation. If Massachusetts set the example, the other colonies might well follow. But, conversely, if Massachusetts could not do so now, the others might refuse to do so later.

Before the response of rural Massachusetts could be registered, however, additional letters from Deane and Thomson and the first news from the southern colonies made it clear that compliance with the call for a congress could be delayed no longer. The Virginia assembly had been in session when news of the Port Act arrived. But the Burgesses had decided to complete their regular business before taking up the new crisis, and Governor Dunmore dissolved the legislature before a serious response to the Port Act could be considered. In two rump sessions on May
27 and 29, however, the members remaining in Williamsburg endorsed the "expediency" of a general congress and called a provincial convention to meet on August 1, though suggesting at the same time that no boycott should take place before these meetings were held. Political leaders in neighboring Maryland initially seemed more receptive than those of any other colony to the Boston proposal, but they, too, soon agreed that delay was necessary.9

During the second week of June the cumulative news from the southward evidently convinced the Massachusetts leaders, many of whom were then at Salem attending the General Court, that their accession to a congress must finally be announced. The presence of the loyalist Daniel Leonard on the committee appointed to report on the state of the province posed a minor obstacle to action. But after Samuel Adams had plied Leonard with "smooth & placid Observations" and Robert T. Paine enticed him to take several days off for a court appearance, the committee was able to deliver its report, which called for a congress to assemble at Philadelphia in early September. On June 17, behind doors locked to prevent the new governor, Thomas Gage, from dissolving the assembly, the General Court approved the committee’s proposal, invited the other colonies to a congress, and elected five delegates for the province.10

During the weeks that followed, the Boston leaders were also forced to admit that the desultory progress of the Solemn League and Covenant would prevent their implementing a program of commercial resistance even at the provincial level. Sharing the reservations already voiced by merchants and politicians in other colonies, the towns of rural Massachusetts placed greater emphasis on the importance of union than the necessity for some immediate response. What troubled them was not the idea of nonconsumption, which in a general sense they approved, but its timing, its emphasis on immediate action when other colonies and common sense called for prudence. "It was the General opinion of the Meeting," the Palmer Committee of Correspondence noted,

That it was best to Omit Sineing a Non Importation agreement until the General Congress had met. And then without the Least Dout there will be some wise and Good Plan fixt: Whereby Every Government will Joyn with one heart and one Mind, which will give Life and Strength to a Non Importation agreement and will do more Execution than Swords,
Spears, or Guns. Then we may Set under our own Vines and figtrees and
Eat the fruit of our own Industry and Not be obliged to Market the Best
of our Toilsum Labour to pay for the Insipped Superfluities of our cruel
and Impolitick Mother.

Even those towns that did sign the Covenant clearly regarded it
as an interim agreement, to be altered or discarded as the con­
gress might see fit.¹¹

Thus the fate of their early responses to the Coercive Acts
suggests that the Massachusetts radicals—veteran agitators as
they were—had miscalculated twice, failing to anticipate the
reactions not only of the other colonies but of their own province
as well. Relying on the rapid and spontaneous mobilization of
intercolonial opposition to the Tea Act of 1773 and on the defer­
ence the towns of Massachusetts had previously shown toward
the leadership of the Boston Committee, they temporarily ig­
ored the lessons inculcated in the early 1770’s, when in the
absence of effective cooperation colonial leaders had invested
new meaning in the need for prudent and united action.

Yet throughout their early campaign, the Boston radicals re­
tained two grounds for security. One was that the calling of a
congress, a project they had themselves considered in 1773, was
an alternative they could readily accept. The other was that the
implications of this crisis were too blatant for the other colonies
to ignore. Some of their correspondents, to be sure, admonished
the Boston leaders for their adventurism. “Nothing can throw us
into a pernicious confusion,” John Dickinson pointedly reminded
Josiah Quincy, “but one colony’s breaking the line of opposition,
by advancing too hastily before the rest.” Nevertheless, politi­
cians elsewhere were not inclined to criticize Boston too
severely. It was, Silas Deane complained, “very wrong, totally
and absolutely so,” for Boston to act unilaterally, “directly con­
trary to every principle of good reason and sound policy.” And
yet, Deane added, “Their present distracted situation must atone
for their errors, and we must do the best we can, for and with
them.”¹²

Moreover, despite their initial failure, the militant Boston
initiatives had one further consequence. The first step in building
a broad mandate for the coming congress was to portray it as a
sensible, prudent alternative to more extreme measures. By rais­
ing the specter of an immediate renewal of commercial resist­
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ance and the potential revival of intercolonial animosities, the resolutions of the Boston town meeting inadvertently provided a natural foil against which popular support for a congress could grow. What in 1773 had seemed to be one of the most provocative measures the colonists could pursue now emerged as a rational, even restrained course of action. Ironically, in the flurry of their early reactions, both the radical leaders in Boston and their moderate counterparts elsewhere failed to grasp that the decision to invest one central body with the leadership of resistance was in itself the single most innovative step the colonists could take. For although the events of 1774 gave new force to the tactics and principles of opposition, both of these drew on precedents well established during the previous decade. But the reorganization of the structure of resistance under the auspices of a congress carried with it the prospect of making American opposition more cohesive and efficient than it had ever been before.

Mobilizing Popular Opinion

The common agreement to defer major decisions to the forthcoming congress permitted a mild relaxation of the mood of crisis that had prevailed in the late spring. It brought no end to political maneuvers and discussions, however, but merely provided them with a new focus. By mid-June colonial leaders were busy defining the issues that the congress would have to consider and the measures it should pursue. Their efforts were complemented and reinforced by the wave of public meetings that were held throughout the colonies during the rest of the summer.

Two problems immediately seemed critical: the tone and content of the petition or declaration of rights the congress would predictably adopt, and the risks and benefits of a resumption of commercial resistance. The alternative courses of action seemed surprisingly clear. First, should the congress merely prepare a definitive statement of American rights, leaving the government to accept or reject these demands as it pleased; or should it strike a more conciliatory posture, propose concessions as well as grievances, and perhaps dispatch ambassadors to negotiate a settlement with the North ministry? Second, should the congress postpone adopting coercive measures until the fate of its petition were known; or should it petition and mount a boy-
cott simultaneously, reinforcing its statement of principles with an effective show of force?

If Samuel Adams and his circle were the obvious advocates of the more militant strategy, John Dickinson and the moderate whig leaders of Philadelphia—Joseph Reed, Charles Thomson, George Clymer—quickly emerged as the most insistent proponents of a conciliatory approach. From the outset they argued that the congress should follow the least provocative course possible: avoiding a boycott, drafting a temperate petition, offering to confirm Parliament’s right to regulate trade—even though, as Clymer admitted, they acknowledged the validity of “the opinion which old charters in many early transactions justify, that the absolute independence of the colonies from Parliament was intended.” To some extent, the other Philadelphia leaders were carried along by the strength of Dickinson’s commitment to reconciliation alone. Moreover, despite the aspersions that had recently been cast on his patriotism, the continental celebrity Dickinson had acquired through his *Letters from a Farmer in Pennsylvania* itself guaranteed that his views would have to be taken seriously, for he was one of only a handful of colonial leaders whose personal position could substantially affect public opinion. And Dickinson was “fixt in an Opinion of petitioning first,” Thomas Mifflin informed Samuel Adams, “whilst many of his Friends & our people generally think it will be of no Use, but may ruin the Cause by an unnecessary Delay”—an early sign of the adversary role Dickinson would play during the next two years.¹³

Moderates like Dickinson were well aware that prospects for reconciliation would also depend on developments in Massachusetts. Discussions of the central issues of petitions and resistance thus presupposed that an uneasy truce could be maintained in that colony while the government was being permitted to reconsider its repressive legislation. But that presumption was itself questionable, and the colonists therefore faced a third broad problem. Should Massachusetts be permitted to resist the execution of the new acts, even at the risk of jeopardizing the chances for successful negotiations with the government? Open defiance of the Massachusetts Government Act might provoke armed conflict with British troops; but a passive acceptance of the new administration could create damaging constitutional precedents and suggest that the colonists were uncertain of their arguments or unwilling to carry resistance too far.
Before any of these questions could be answered, however, the delegates to the First Congress would need reliable knowledge of the state of public opinion. In the late spring the seaports had dominated the earliest reactions to the new crisis, effectively defining the issues that needed to be resolved. They were the first to learn of the Port Act and—given the threats that both Parliament and Boston posed to their commerce—the most immediately concerned. Having been more directly involved in earlier phases of opposition, the inhabitants of the larger towns were also better prepared to reorganize the extra-legal committees that constituted the apparatus of resistance. Although the precise composition of these committees could itself spark heated controversy—as in New York and Philadelphia, where merchants, artisans, and politicians continually jockeyed for influence—their appointment was relatively easy to arrange.

The first wave of reaction to the Coercive Acts thus flowed through and deepened older channels of communication and organization that had rested largely unused in the early 1770’s. But beginning in early June, rural towns and counties in each of the colonies held meetings to draft their own resolutions, appoint committees of correspondence, and instruct their regular representatives or elect delegates to the forthcoming provincial conventions. Only in Massachusetts and some scattered towns in New England did the existence of standing committees of correspondence predate the passage of the Coercive Acts. Elsewhere these committees were being appointed either for the first time since the late 1760’s or not at all, and were thus the products, not the instigators of crisis.¹⁴

We still know all too little about how these meetings were organized and conducted, how many people comprised the “respectable number” who always seemed to attend, or who composed the new committees. Nor can we measure whether those recruited into this expanding cadre were motivated by ideological convictions, personal ambitions, or (what seems more likely) some indefinite combination of the two. In the political context of 1774, these committees remained extra-legal rather than revolutionary institutions. Only where local notables were closely tied to the royal governors, as in New Hampshire or western Massachusetts, did they pose a challenge to local élites and power structures.¹⁵ Even where the dissolution of colonial legislatures led to the calling of provincial conventions to elect delegates to
congress, the intention was to circumvent the prerogative of the governors, not to undermine or overthrow the existing constitutions of government. The provincial conventions met briefly, elected and instructed delegates, and adjourned. So, too, the local committees had little to do: once having dispatched their resolves to newspapers and neighboring communities, they also lapsed into inactivity.

Yet the significance of these meetings and committees transcended their initially limited responsibilities in several ways. In the first place, they commonly echoed the call for a congress while pledging to accept and carry out whatever policies it ultimately adopted. To a large extent, this strikingly deferential posture reflected a natural uncertainty and caution affecting local leaders everywhere. The simple magnitude of this new crisis and the likelihood of further British reprisals left political leaders at every level reluctant to take initiatives whose consequences might well prove awesome. Necessarily exerting their influence through extra-legal committees, they were also anxious to secure as much external support for their local actions as they could possibly muster. Linking their own existence to the deliberations of a body being ritualistically hailed as “the collected wisdom of the continent” was an obvious way of enhancing their own precarious status and authority. The notion of “hanging together” rather than separately must have already become attractive.

The delegates concurrently being appointed to the congress shared this mood of uncertainty or, as John Adams put it, “unutterable Anxiety.”16 But from their perspective, the simple appearance of these committees, pledging to support whatever decisions the congress reached, must have been an important source of reassurance. It was enough to know that a latent apparatus of resistance was already in place, since its existence suggested that a thorough, comprehensive boycott was not only practicable but could be set into operation on relatively short notice. Yet the results of these local meetings had even wider implications. Provincial assemblies and conventions could appoint and instruct delegates, and give the approaching congress a certain formal sanction. But it was left to these local meetings to outline what actions the people at large expected and were willing to accept. A system of opinion taking based on the communication of spirited resolves consciously framed for public
consumption and rhetorical effect was obviously crude and potentially unreliable. That, after all, was what the experience of the Boston Committee of Correspondence seemed to suggest: despite its previous extensive correspondence with the towns, the committee had somehow failed to detect the streak of political caution that undermined its campaign for the Solemn League. By default, however, no other adequate registers of public opinion were available at either the provincial or intercolonial level, and it seems reasonable to conclude that American leaders monitored these proceedings closely. Printed weekly in the newspapers, where they consumed whole columns of small print and often left little room for the publication of polemical essays, their cumulative influence was considerable.

These resolves did not resemble the provincial cahiers of Revolutionary France. They were not, that is, a mélange of parochial grievances that had to be converted into a generalized indictment of the existing regime before they justified political upheaval. Among all these local resolutions there were, to be sure, significant differences in emphasis, wording, and detail—in part reflecting the desire of local politicians to define and restate the issues in their own terms. Some raised matters of local concern, declaiming against gambling, horse racing, or the importation of slaves. Some enumerated articles to be exempted from non-importation or debated the timing of non-exportation; and others again recommended closing the courts or halting prosecutions for debt while trade was stopped. County meetings in Virginia and New Jersey commonly reaffirmed their loyalty to the crown, while those in Maryland did not. Virginians seemed particularly inclined to condemn the greed of the East India Company. New England towns urged their brethren to eschew all private controversies and act with forbearing charity.

But such nuances were secondary to more basic points of agreement. Taken collectively, these local resolutions created a powerful corpus of popular opinion supporting resistance rather than protest and militancy rather than concessions. Some meetings did stop short of endorsing commercial resistance or issuing detailed statements on the major constitutional questions, contenting themselves instead with promises to obey whatever recommendations the congress proposed. But such cautious resolutions were in a minority. Meetings that approved more detailed resolves agreed that Parliament had no right to tax the
colonies, violate their charters, or enact laws interfering with their "internal police." Their positions lay closer to the emerging theory of imperial federalism, which saw the crown as the only legitimate bond between colonies and mother country, than to the tenuous belief that some line could still be drawn between the powers Parliament could and could not exercise over America. The freeholders of Granville County, North Carolina, summarized this simplified notion of empire as succinctly as Thomas Jefferson or James Wilson were to do in their more polished essays:

Resolved, That the King at the head of his American Assemblies, constitutes a supreme Legislature in the respective Colonies, and that as Free men we can be bound by no law, but such as we assent to, either by ourselves, or our Representatives. . . . Resolved, That the executive power, constitutionally vested in the Crown and which presides equally over Great Britain and America, is a sufficient security for the due subordination of the Colonies without the Parliament's assuming powers of Legislation and Taxation which we enjoy distinct from, and in equal degree with them.17

This general repudiation of parliamentary authority and its recent abuse implied that the congress should not address the government as humble supplicants but issue an unequivocal, assertive declaration of colonial rights and grievances.

On the question of the tactics of opposition, the local resolutions also indicated that a resumption of commercial resistance, if carefully planned and uniformly enforced, was necessary. Various meetings expressed reservations on matters of detail: non-exportation was less popular than non-importation; some counties hoped to continue exporting their produce through late 1775; a few compiled shopping lists of goods to be exempted from a ban on imports. Doubts were also raised about the propriety of subjecting the West Indies to non-exportation. Lurking beneath the general approval of commercial resistance, then, were a number of troublesome details; but these merely reinforced the need to have a comprehensive plan framed for all the colonies.

Opposition to a boycott continued among clusters of interested merchants throughout the colonies, and some of the local meetings that failed to endorse commercial resistance may well have hoped it would not be adopted. But if they actually preferred to see the Philadelphia scheme of petitioning before stop-
ping trade prevail, they failed to endorse it publicly, and their silence was telling. In effect, the division of expressible public sentiment did not lie between those who favored or opposed a boycott, those who denied or recognized parliamentary authority, or even between those who differed as to whether petitioning should precede or merely accompany resistance. Rather it seemed to lie between those who were prepared to take relatively advanced positions on issues and tactics, and those who would defer to the decision of congress. Loyalist writers who later argued that the congress had been appointed to “fall upon some scheme to accommodate the dispute . . . and mark out a line of government” between Parliament and the colonies were projecting their own hopes, not accurately describing the actual course of public debate.\footnote{18}

These local resolutions assume greater importance when compared to the more cautious instructions that the provincial assemblies and conventions gave their delegates. Had other sources of public opinion not been available, they alone would scarcely have provided a decisive mandate for the congress. The resolves of the New England colonies, Connecticut excepted, were the sparsest. None of them pledged to abide by the decisions of the congress or even mentioned commercial resistance, although perhaps they simply assumed a boycott would occur and chose not to press the point openly. Six of the remaining eight colonies endorsed non-importation, and five of these six non-exportation, with varying degrees of enthusiasm. A Pennsylvania convention hastily called to exert pressure on the legal assembly supported a boycott, but argued almost plaintively that it should remain a last resort to be tried only after petitioning failed. Four of the five colonies pledging to obey the decisions of congress implied that their acquiescence might depend on their own delegates’ concurrence in the measures adopted.\footnote{19} Thomas Jefferson thought this one of the “Defects in the Association” adopted by the Virginia convention in August. “We are to conform to such resolutions only of the Congress as our deputies assent to,” he noted on his own copy of the Association, “which totally destroys that union of conduct in the several colonies which was the very purpose of calling a Congress.”\footnote{20}

Nonetheless, though the provincial resolves could have been more forceful, they could also have been more restrained. As it was, only Pennsylvania and Connecticut offered to grant volun-
tary aids to the crown, while only three colonies instructed their
delegates to press for renewed petitions to the crown and Parlia-
ment. On balance, then, the provincial instructions also con-
tributed to the substantial discretionary authority congress
would enjoy, while leaving the delegates free to rely on other
evidence which suggested that a strong response to the Coercive
Acts would prove generally acceptable.

**Expectations**

BEYOND the intricate problems of fashioning a strategy and ap-
paratus of resistance, the congress would also have to frame a
definitive statement of American rights and grievances. Al-
though the colonists had little trouble identifying their basic
complaints, the welter of claims arising from overlapping Ameri-
can appeals to colonial charters, traditional English liberties, and
natural rights would have to be sorted out and coherently ar-
ranged. Moreover, the delegates would also have to decide how
the government and people of Great Britain were to be ap-
proached: what diplomatic “signals” would best convey the deli-
cate balance between American demands for a recognition of
their rights and the complementary hope for a plan of reconcilia-
tion that would leave the empire intact?

Custom dictated that any petition should be composed “in a
Language suited to the Ears of Princes,” as John Randolph wrote,
“and presented in a Manner in which Kings are usually ad-
dressed”—and politics required that it express fervent pledges of
loyalty to crown and empire, if not to Parliament. “Although we
are oppressed,” one North Carolina county resolved,

we will still adhere to the civil Obligation exacting our allegiance to the
best of Kings, as we entertain a most cordial affection to His Majesty’s
Person and can never wish to see the executive authority in other hands.
Blessed with freedom, we will cheerfully knee the throne erected by our
Fathers and kiss the sceptre they taught us to reverence.\textsuperscript{21}

But humility, many whig writers believed, could be carried too
far. American grievances should be plainly expressed, not coyly
disguised; whatever cobwebs still cluttered British perceptions
must at last be swept away. Thomas Jefferson sensed this clearly
when he proposed that the congress submit “an humble and
dutiful address” to George III, but also one “penned in the language of truth, and devoid of those expressions of servility which would persuade his majesty that we are asking favors and not rights.” Other writers suggested that the congress should simply “lay our claims before the Nation and demand a ratification of them,” or wondered whether “a sensible, manly, brave Remonstrance from the People of America to the People of England ... would not be productive of better effects than any Petition or Address to such a King, and such a Parliament?” Indeed, some questioned whether any petition should be sent at all. What could the Americans now say that Parliament had not known when it passed the Coercive Acts? As one Boston writer noted: “It will, therefore, be vain and ridiculous, and may perhaps be deemed disrespectful, for our Congress to offer a petition filled with old, trite, threadbare matters and arguments, which had a full discussion when the Acts passed.” John Randolph agreed. “The Americans may argue till Doomsday,” he wrote, “but I fear that they will find the Parliament deaf to their Reasoning, and their Eloquence unavailing.”

Randolph’s pessimism was a mark of his continuing loyalism, but the candor of these other writers reflected the clarifying impact of the Coercive Acts themselves. Plain speech was necessary because previously tangled constitutional issues had now been reduced to a stark simplicity. For what the legislation of 1774 revealed was that in the British view there were no practical or theoretical limits to the exercise of parliamentary sovereignty over the colonies. The attempt to draw the elusive line between the authority of Parliament and the rights of the colonies accordingly became fruitless. What might Parliament not do if it had already abrogated the royal charter of Massachusetts, interfered with the mechanics of administering justice, or, as in the Quebec Act, arbitrarily altered provincial boundaries? And if the authority to regulate trade could be construed to justify closing an American port entirely, was it safe to concede even that power to Parliament?

Pursuing arguments developed over the previous decade to a conclusion that was now both logical and expedient, whig pamphleteers such as Jefferson, James Wilson, and James Iredell worked out a definitive American position on the structure of the empire. Implicitly drawing on the central points raised by the Massachusetts General Court in its debates with Thomas Hutch-
inson, they sketched a theory of imperial federalism that would make the crown, in Jefferson’s words, “the balance of a great, if a well poised empire.” The proper “dependence of the Americans,” Wilson concluded, lay in their being “subjects of the King of Great Britain” only; no obedience was owed to Parliament. The colonial assemblies, hitherto often described as parliaments in miniature, would be elevated to effective parity with the Parliament of Westminster. Parliament and the American assemblies would belong to one polity by virtue of their common but parallel relations to the crown. The proper legislative functions of each would run no further than the respective boundaries of the realm of Great Britain and the individual colonies.

Denying that Parliament had any right to legislate for the colonies called into question the future status of the Navigation Acts, whose validity the colonies had nominally accepted for a century. Was Parliament to retain the power to regulate the channels of commerce? James Wilson, for one, argued that it should not. “Why may not this power be intrusted to the king,” he asked, “as a part of the royal prerogative?” Other whig writers suggested that a continued parliamentary exercise of this power could still be justified—but only in the form of a concession freely offered by the colonies as a practical basis for compromise, not as a matter of right. The determinative view of this issue was most carefully outlined in the Fairfax County (Virginia) Resolves, traditionally attributed to George Mason and George Washington. In the past, they noted, parliamentary regulation of trade “was thought just and reasonable,” and so the Americans had “cheerfully acquiesced in It,” even though it was “in some Degree repugnant to the Principles of the Constitution.” If Parliament would now renounce its unconstitutional claims over the colonies, a renewal of this earlier concession could be negotiated. Even then, a number of Americans believed that the navigation system required liberal revision and the removal of arbitrary restrictions on colonial exports and commerce. “Why,” asked Thomson Mason, the author of a lengthy series of essays in the Virginia Gazette, “should not Britons on this have as good a right to extend their trade to every corner of the globe as those on the other side of the Atlantic?”

Nowhere was the difficulty of arguing a contrary position more embarrassingly revealed than in John Dickinson’s midsummer Essay on the Constitutional Power of Great-Britain
over the Colonies in America, which marked a final attempt to discover the line between parliamentary authority and American liberty. Dickinson accepted the orthodox denial of Parliament’s authority in matters of internal legislation and taxation. But, he argued,

As to the second head, a power of regulating our trade, our opinion is, that it is legally vested in parliament, not as a supreme legislature over these colonies, but as the supreme legislature and full representative of the parent state, and the only judge between her and her children in commercial interests, which the nature of the case in the progress of their growth admitted.

Demonstrating the validity of this assertion was another matter, however. Dickinson’s supporting reasoning was neither elegant nor clear; his text, one commentator has observed, “disappears altogether in a sea of footnotes and footnotes to footnotes,” and throughout he seemed more concerned with denying the familiar British rejoinder that “a power of regulation is a power of legislation, and a power of legislation, if constitutional, must be universal and supreme in the utmost sense of the words.” After clumsily attempting to recount how Parliament had acquired its power over trade, Dickinson abruptly announced: “We will proceed on a concession, that the power of regulating trade is vested in Parliament.”

Why Dickinson hoped the government would now accept distinctions it had previously ridiculed remains uncertain. Nevertheless, he was not alone in arguing that the congress would have not only to catalogue grievances but to devise substantive proposals for accommodation. Other writers who were still prepared to defend the supremacy of Parliament—and who would thus not quibble over the regulation of trade—thought the road to compromise lay in finding some reliable mode of granting the aids and requisitions that Britain sought. The delegates should use their “united zeal and abilities in substituting some adequate, permanent, and effectual supply . . . in the place of uncertain, ineffectual requisitions,” wrote the author of the pamphlet A Letter from a Virginian. And in South Carolina, William Henry Drayton proposed the solution of erecting “a HIGH COURT of ASSEMBLY of North America,” to be elected, with the king’s consent, by the colonial assemblies, and authorized to “grant general aids to the British Crown,” apportion the quota
to be paid by each colony, and pass certain general “Acts of Legislation” binding on all the provinces. 29

The Letter from a Virginian was patently a loyalist pamphlet. Drayton was a trimming politician who had opposed non-importation in 1769, whose conversion to whig principles followed a stormy dispute over his seat on the provincial council, and who would still go only so far as to deny that Parliament could “legally exercise over the Colonies, any powers which it cannot exercise over Great Britain.” 30 Like Dickinson, such writers could muster little popular support for their proposals; but at the very least the simple propagation of their ideas nurtured an expectation that the delegates would have to consider plans of accommodation. By the late summer of 1774, then, even tories and trimmers were willing to vest wide discretionary authority in the congress. Where some moderates questioned whether the delegates had been chosen with sufficient propriety to enable them to act for the continent, the Letter from a Virginian conceded that they were “chosen as freely as the Circumstances of the Times would admit; with less Cabal and Intrigue than is usually employed for a Seat in many of our legal provincial Assemblies, and without even the Suspcion of Venality”; they would be “the Oracles of our Country,” whose “Opinions will have the Effect of Laws.” Other loyalists made a virtue of necessity. Fearing that “incendiaries, scattering abroad the firebrands of faction,” would further inflame a “populace, already intoxicated with a few magical wands,” Thomas Bradbury Chandler asked “Whether full confidence ought not to be reposed in the wisdom, the prudence, and patriotic spirit of our representatives at the congress, who are generally men of property, and have much more to risque than most of their constituents?” 31

In private and public writings alike, Americans spoke of the approaching congress in what can only be described as worshipful terms. “The Congress is the whole Secrit,” wrote one merchant. “What they do, I have no doubt will answer, for I suppose never in any Part of the world ever appear’d so many bright Luminaries in all probability as will there.” William Smith, the New York historian, called it “the grand Wittenagemoot,” after the ancient Anglo-Saxon council of dignitaries. “Our whole dependence is in the wisdom, prudence and determination of the Congress,” a Connecticut politician wrote, “the highest and most respectable Council that ever was (and perhaps that ever will be)
in America, who will give laws to the whole Continent, laws like unto those of the Medes and Persians, which must not be altered, but must and I believe will be strictly and most religiously observ’d.”

This inclination to view the congress in such deferential terms inhibited speculation about the actual decisions it would reach, and too many uncertainties remained for contemporaries to be able to predict its outcome with any measure of confidence. Nevertheless, the events of the summer did shape the proceedings of the First Congress in several critical ways. In the first place, they provided the assembling delegates with a remarkably broad mandate. Relatively unhindered by restrictive instructions, empowered to canvass a wide range of issues, assured of popular support for their decisions, the delegates had almost effortlessly acquired the prerogative of defining the future course of resistance. At the same time the events, meetings, and discussions of these months did give advocates of a more militant strategy certain important advantages. Had the government been more discriminating in its choice of punishments for Massachusetts, the inherent difficulty of mobilizing an intercolonial consensus would have been greatly enhanced. But the impact and tenor of the Coercive Acts themselves narrowed the scope of potential differences among the leaders of American opposition—both those who had been active in earlier campaigns and those who were entering the movement for the first time—by creating a situation that seemed to demand a forthright response, expressed not merely in the renewal of commercial resistance but also in the preparation of unequivocal statements of colonial rights and grievances. And the apparent severity of this new crisis placed a further premium on the maintenance of unity for its own sake, a consideration that in coming months often induced both the more moderate and militant wings of resistance to cooperate in measures that neither entirely favored.

This emphasis on unity, consensus, and deference to the new congress—much of it couched in a patriotic rhetoric that sounds inherently suspect to modern ears—strikes a sharp contrast with much of what we know about the reality of local and intercolonial politics that summer. As political leaders outside Massachusetts had used the idea of a congress to circumvent Boston’s impulsive demand for immediate retaliation, so, too, in some communities pleas for unity became the obvious tools of en-
trenched interests and local élites resisting challenges from newly assertive groups. When, for example, a group of Philadelphia artisans urged the moderate city committee appointed in mid-June to hold additional mass meetings, the committee replied that it had

a firm confidence that whatever the congress shall devise and recommend, will be adhered to not only by every province but by every city and County and we hope by the individuals of each province. We think it best therefore to refrain from all Meetings which may have tendency to shew any diversity of Sentiments among ourselves. We are now happily united. We are all animated in the general cause and pursuing the constitutional Mode for obtaining redress of our grievances. Let us therefore wait the event of the Congress.

But such appeals were not merely defensive. Many Revolutionary leaders believed that no local issue was of the same order of magnitude as the struggle with Britain. Whatever expedient uses such pleas might have had in specific localities, the emotional energy invested in this patriotic rhetoric—which can be as easily traced in private as in public writings—suggests that it was not merely a superficial gloss concealing more interested or concrete motives or actions. It is plausible to assume, rather, that elements of a revolutionary ideology had in fact penetrated more deeply within the various levels of colonial society than even contemporaries suspected. If anything, resistance leaders were taken aback by the dimension of the popular response to the Coercive Acts. “The Boston Port bill,” Samuel Adams later recalled, “suddenly wrought a Union of the Colonies which could not be brought about by the Industry of years in reasoning on the necessity of it for the Common Safety.”

It is, of course, possible that politicians like Adams failed to identify and understand the complex and disparate motives, attitudes, and even anxieties that led thousands of colonists to participate in the early stages of rebellion. Perhaps the crisis of imperial authority was merely the occasion that individuals and groups seized to pursue goals different from those motivating a more articulate, ideologically aroused élite. In recent years, some historians have suggested that this process of popular mobilization and the colonists’ adoption of a distinctive political ideology could have come only in response to a series of unsettling social changes: an increasing stratification of society, subtle shifts in the
relations between classes, ambivalent attitudes toward the superiority of metropolitan culture, the emergence of new personality types shaped by demographic and economic forces, and other dislocating phenomena. All of these forces may have been somehow at work—although it must be observed that this argument remains largely conjectural and quite possibly unprovable. But in any event, there is little evidence to suggest that an awareness of these changes actually influenced the perceptions of Revolutionary leaders. They explained the scope and spontaneity of the general response to the Coercive Acts as a rational reaction to the manifest implications of this new turn in British policy and as an outgrowth of the larger political education of the past decade. The preservation of the rough consensus the British government had created naturally became one of the principal responsibilities of the delegates to the First Congress. Recent events certainly encouraged them to believe that their decisions would command widespread popular support. But the delegates could also not afford to forget how abruptly a seemingly unified movement had dissolved in 1770, and how difficult it had been to reorganize effective opposition thereafter.