

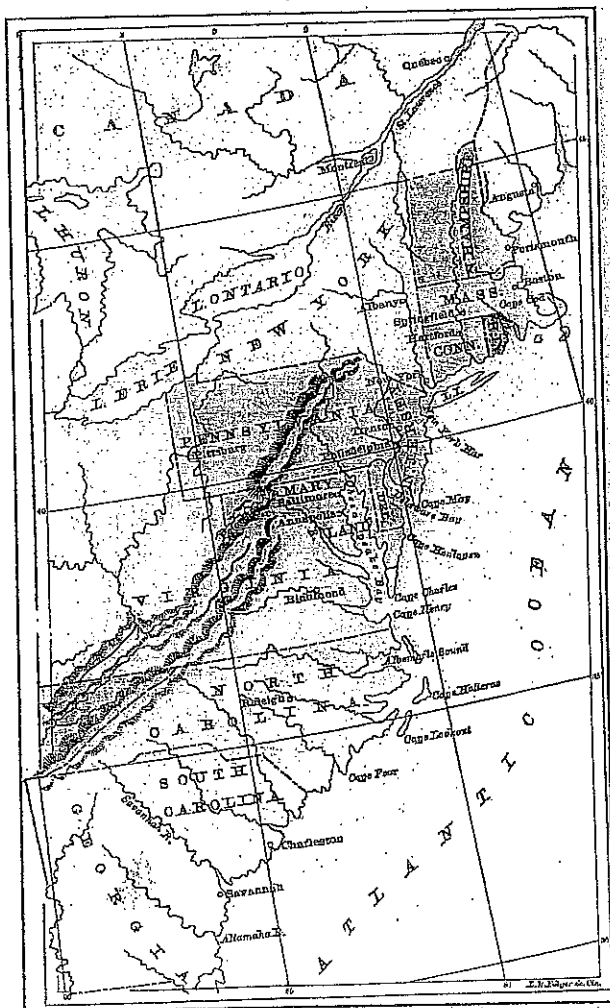
## SECTION 3

# Colonial Experience and Revolution

## Introduction

The knowledge colonists gained from their participation in their colonial governments influenced American thinking about constitutional principles. They also applied what they learned about the flaws of the British constitution during their struggle with the British to the American constitution. During the period immediately before the Revolutionary War, the colonists expressed many enduring principles in pre-revolutionary documents and pamphlets. These principles are found today in our Constitution.

Between 1607-1733, the British established thirteen colonies in North America.

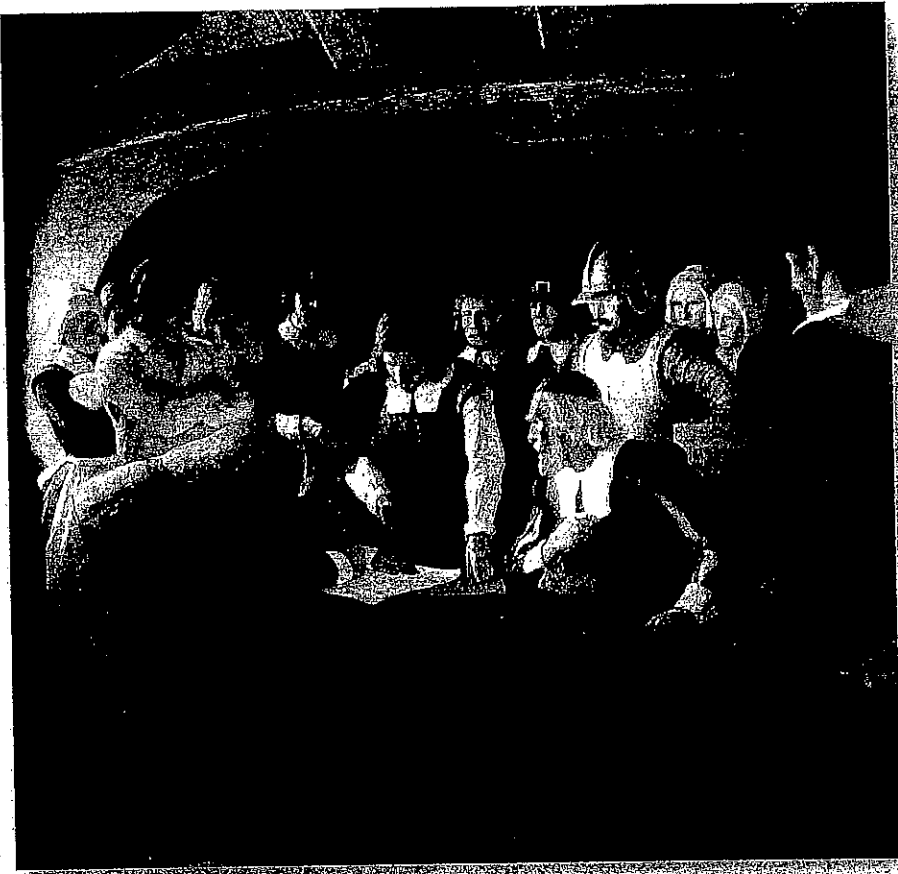


## Colonial Government Experiences

The English founded the thirteen colonies in North America in three ways.

- People agreed to a compact. A compact is an agreement.
- A company or corporation received a charter of incorporation from the monarch. A charter is a type of contract.
- An aristocrat received a grant of land from the crown. The grant also gave the aristocrat power to rule the colony.

The men who founded Plymouth Colony in 1620 used a compact. They signed a document called the Mayflower Compact. This created a community of like-minded religious believers. But these believers also agreed to form a civil government. **Civil** means of the state or government. The members of Plymouth Colony agreed to follow rules of a civil government as a condition of belonging to their community. The founders of compact colonies believed that government should be based on a social compact. Another term for social compact is **social contract**.



✦ The signing of the Mayflower Compact, depicted in this illustration, established both a religious community and a civil government.

By contrast, corporation colonies were established when the monarch granted a company a charter of incorporation. Colonists received the right to conduct colonial trade from the charter. The charter described the conditions, privileges, and rights of the company. The men who directed colony companies also received the right to establish a civil government.

Most colonies offered the colonists experience participating in government. At first, England did not have money to send governors from England as overseers. Mainly, the struggle between Parliament and the monarchy concerned the people of England. So, the colonists had great freedom in how they set up local governments. Each government was different. But by 1702, all colonial governments except Pennsylvania had

- An elected assembly
- A governor, and
- An advisory council.

Men who owned property in a colony could vote for assembly representatives. Assemblies collected taxes. They also made local laws. But the laws needed approval by the British government. Eventually, the British government started to appoint council members and the governor. The governor needed approval from the council for his actions, but the governor could also veto laws. However, the assemblies controlled the budget, including the governor's salary. Controlling the budget gave an assembly some power over the governor.

The three branches of government shared the governing. Their separate powers and functions checked and balanced the power of the others. No branch held more power than another.

## Shared Sovereignty and Local Representation

After the French and Indian War (1754–1763), the British government changed its policy in the colonies. The British had four goals:

1. To establish British sovereignty, or political authority, over colonial governments
2. To manage the colonies through its central government in Great Britain
3. To collect more of the colonies' trade profits. The British government wanted colonial profits to pay for the costs of the French and Indian War
4. To make the colonial governments the same

The British Parliament passed a series of **acts**, or laws, to reach its goals. The laws changed the balance of power between the three branches of colonial government. The governor became stronger. The central

government in Great Britain also became stronger. It now held more power than the local branches of government. The colonists' experiences with local governing led them to believe that the best government divided and shared power among its branches.

The colonists thought that the new laws violated the social contract between Great Britain and the colonies. At first, the colonists did not seek independence. They tried to negotiate the social contract. They believed they had certain rights. For example, they tried to keep their right to be tried in colonial courts. Parliament took away that right by passing the Coercive Acts of 1774. Under the Coercive Acts, British officials accused of a crime could be taken to England and tried.

In negotiating their rights, the colonists proposed a division of sovereignty. In other words, the colonists wanted to share power with Great Britain. They wanted to collect colonial taxes. Also, they wanted to make local laws. The colonists thought they should run the local courts, too. On the other hand, the colonists believed that the British government should make decisions about matters concerning the entire British Empire. They believed decisions about international trade, foreign affairs, and the defense of the empire belonged to government bodies in Great Britain. The colonists expressed their wish for shared sovereignty in the Declaration of Resolves of the First Continental Congress (1774). But the British Parliament rejected this proposal.

Representation in government was another area of conflict between the colonists and the British. The colonies could not elect representatives to Parliament. Most members of Parliament believed they each individually represented the interests of Great Britain as a whole. Because the colonies were part of the empire, every Parliament member represented the interests of the colonies. But the colonists believed in electing people locally to represent them in government.



✦ Henry Bouquet served in the British Army and defended Britain's colonies during the French and Indian War. He is well known for his role in a conflict, depicted in this illustration, which occurred after the war concluded. The conflict was Pontiac's Rebellion (1764).

### WHAT IS CONGRESS?

*Congress* is a word that means "coming together to meet." It may also refer to the law-making or legislative body of a nation. The men who assembled at the First Continental Congress of 1774 came together to strategize ways to deal with acts or laws passed by the British Parliament. They did not intend to declare independence. Likewise, the colonists did not consider their congress to be a new national government.

# Four Constitutional Principles

The colonists found it difficult to resolve their differences with the British about representation and sharing power. More and more they believed the British government had violated the terms of the social contract. During the Second Continental Congress (1775), the colonists in attendance began to act like an independent nation by officially establishing a Continental Army. This action ultimately led to a declaration of independence from Great Britain. First, however, Thomas Paine, a democratic political thinker, wrote an influential pamphlet titled *Common Sense*. In the pamphlet, published in January 1776, Paine argued that independence from Great Britain was a logical outcome of British-American history to that point. Paine offered five main arguments. First, America would be ruined by British wars for empire, which would destroy colonial international commerce. Second, it was "absurd" for a continent to be governed by an island. Third, the British system was corrupt because it gave governing powers to people through hereditary rights. Fourth, monarchy did not allow for checks and balance. The same people who made laws were appointed as ministers to serve the king. Fifth, only independence could secure peace on the continent. The pamphlet persuaded many colonists to support independence from Britain.

On August 2, 1776, every member of the Second Continental Congress signed a document called The Unanimous Declaration of the Thirteen United States of America. We know this document as The Declaration of Independence. The Declaration of Independence described four lasting American constitutional principles.

The first principle is that all men have natural rights. These rights are theirs from birth. They include the rights to life, liberty, and the pursuit of happiness. They include all other rights that support the rights to life, liberty, and the pursuit of happiness, many of which the framers of the Constitution later outlined in our Constitution.

The second principle is that government must be based on a social contract between those who agree to come together in a society to be governed by particular laws and the government that enforces those laws for the common good.

The third principle is the principle of popular sovereignty. People must consent to be governed and grant supreme political authority to government.

The fourth principle is that when government breaks the social contract, it is no longer valid. Therefore, people have the right to revolt against the government after carefully weighing all alternatives.

A fifth constitutional principle expressed in the Declaration of Independence held a different meaning in the eighteenth century from its meaning today. The principle is that all men are created equal. Equality in the eighteenth century meant that no man held greater rights by birth than any other man. The colonists believed that the British system was corrupt because it granted hereditary rights to aristocrats to sit in the House of Lords. Until 1911, the House of Lords could veto legislation. Americans did not believe that such great hereditary powers should be granted to anyone.

## WHO READ COMMON SENSE?

People bought 600,000 copies of Thomas Paine's *Common Sense*. At the time, the population of the colonies was 3,000,000. Slaves made up 20 percent and indentured servants made up 50 percent of the population. Indentured servants had their passage to the colonies paid in exchange for an agreement to serve a master for 4-7 years. The servant became the property of the master for the term of the contract.

## COMMON SENSE;

ADDRESSED TO THE  
INHABITANTS  
OF  
AMERICA,

On the following interesting  
SUBJECTS.

- I. Of the Origin and Design of Government in general, with concise Remarks on the English Constitution.
- II. Of Monarchy and Hereditary Succession.
- III. Thoughts on the present State of American Affairs.
- IV. Of the present Ability of America, with some miscellaneous Reflections.

Man knows no Master save GOD and HEAVEN.  
Or those, whom choice and common good ordain.  
THOMSON.

PHILADELPHIA:  
Printed, and Sold, by R. BELL, in Third-Street.  
MDCCLXXVI.

Thomas Paine's pamphlet *Common Sense* (1776) is credited with convincing many colonists to support the movement for independence from Great Britain.

The colonists did not for the most part believe that all men were truly equal. They believed that privilege and social distinctions between free men should be based on merit or achievement. In other words, the colonists believed that all free men should have the opportunity to earn social privilege. It wasn't until the Fourteenth Amendment was ratified, or approved, at the close of the American Civil War in 1865 that the Constitution finally embraced the principle that all men are truly equal under the law.

## A Written Constitution

The British constitution has never existed in a single written document. It draws its principles from many sources, including acts of Parliament. Americans decided to write a constitution because of the way the British Parliament changed the British constitution and rights of the colonists through legislation after the French and Indian War. By passing legislation, the British violated the original terms of the social contract. The colonists believed that this violation justified revolution and independence.

Americans believed that the principles of a constitution should be contained in one source separate from and above a legislature. They wanted the U.S. Constitution to outline basic principles and rights. They wanted to make sure that particular rights could not be changed or eliminated. Americans believed a written Constitution would guarantee people particular rights for all time. You will learn more about these rights in Chapter Three.

✦ The Declaration of Independence expresses defining American constitutional principles.



**IMPORTANT TERMS***Write Out - Term: definition***1** Match the terms in the right column with the definition in the left column.

- A. A word meaning "coming together to meet." It may also refer to the law-making or legislative body of a nation
- B. An agreement
- C. A type of contract
- D. Another term for social contract
- E. A word for the ordinary life activities of people as opposed to religious or other type of activities
- F. The constitutional principle that people must consent to be governed and grant supreme political authority to government

Compact

Civil

Congress

Popular

Sovereignty

Social

Compact

Charter

**REVIEWING FACTS**

- 2** List the three branches of colonial governments that existed in all colonies but Pennsylvania by 1702.
- 3** Name the document in which the colonists expressed their wish for shared sovereignty with Great Britain.
- 4** List the five constitutional principles described in the Declaration of Independence.

**REVIEWING MAIN IDEAS**

Use complete sentences to answer the following questions.

- 5** Who could vote for colonial assembly representatives?
- 6** How would you describe the colonists' plan for shared sovereignty with the British government?
- 7** How did the way the colonists view government representation differ from the view of British Parliament members?
- 8** What did equality mean in the eighteenth century?
- 9** What reason did the colonists give to justify revolution and independence from England?
- 10** How does the Declaration of Independence reflect the ideas of John Locke?
- 11** Why did Americans want a written constitution?

**UNDERSTANDING CONCEPTS**

- 12** Take a look at your state's constitution. Which of the five American constitutional principles described in the Declaration of Independence do you think it expresses? List the principles. Next, write a paragraph explaining which of the principles on your list is the most important. Provide reasons for your choice.