

# Publisher's Note

*Defining Documents in American History*, by Salem Press, offers primary sources and in-depth analytical essays that explore the historical narratives of authors and the events and ideas of their period. The two-volume set *The American Revolution: 1754-1805* covers the period of colonial dissent prior to the revolution and proceeds through the tumultuous events in national formation. Designed for college-age students, the aim of the series is to advance historical document studies as an important activity in learning about history. The selection draws upon the major documents of the period, including early political tracts leading up to the revolution, as well as the governing documents of the colonies and the new nation. In addition, the collection offers less known yet essential primary sources from a diverse collection of authors viewing the revolution from multiple perspectives. The analysis of primary sources will establish the currency of the social and political meaning in primary source documents for today's researchers.

## Essay and Volume Format

*The American Revolution* set contains 65 complete and excerpted primary source documents and analytical essays. Each essay is 6,000 words, consisting of a 4,000-word analysis and a 2,000-word primary source. Readers will appreciate the diversity of the collected texts, including journals, letters, speeches, and political sermons, among other genres. Critical essays, written by historians and teachers, begin by introducing readers to the historical period, followed by a brief biography of the author and the events that occasion the composition of the document. An important feature of the essays is a close reading of the primary source that develops evidence of broader themes, such as author's rhetorical purpose, social or class position, point of view, and other relevant issues. In addition, essays are organized by chapter themes, highlighting major issues in the period, many of which extend across eras and continue to shape American life. Each chapter begins with an introduction that will explain the questions and problems, in some cases the dilemmas, underlying the subjects in the historical documents. A brief glossary highlights keywords important in the study of the primary source. Each essay offers a section of Additional Reading for further research.

## Special Features

- **80 Lesson Plans** follow national history standards for learning designed to guide students and educators in document analysis and historical comprehension. Study questions, activities, and suggested author pairings will establish the legacy of documents and authorship for readers today. In addition, comparative analysis highlights how documents often emerge from a myriad of influences.
- **Historical Timeline** and **Chronological List** of titles will support readers in understanding the broader events and subjects in the period.
- A **Bibliography** lists helpful supplemental readings for further study.

Documents in the colonial period may present a challenge for the uninitiated reader due to idiosyncrasies in language. The editors opted to maintain the colonial English language and spellings in a number of texts, while ensuring clarity for readers. This issue is most prominent in the use of the long “s” for the miniscule “s” used at the beginning or middle of a word (e.g., “vessel” is spelled “veffel”). In addition, many documents present a complex publication history. For several documents, we have maintained the editorial decisions for script and format made by publishers in the eighteenth and nineteenth century. While these texts may depart from the conventions of contemporary styles, we wish to maintain the authority of the original source of authorship or publication as a valuable element of historical document studies.

## Contributors

Salem Press would like to extend its appreciation to all involved in the development and production of this work. The essays have been written and signed by scholars of history, humanities, and other disciplines related to the essay's topics. Without these expert contributions, a project of this nature would not be possible. A full list of contributors' names and affiliations appears as front matter of this volume. Special thanks go to Peter Kratzke, PhD, for his expert guidance in the development of this volume. As much an admirer as scholar of Benjamin Franklin, Dr. Kratzke contributed a rhetorician's consideration of the significance of genre as a form of analysis in historical document studies for students and educators.

# Introduction

For most people—whether students, teachers, or curious citizens—encountering writings dating from the settling of America can be a bit disappointing. What we assume as the bounty of “American literature,” boldly proclaimed by the likes of later writers such as Washington Irving, Edgar Allen Poe, Mark Twain, and Toni Morrison, is instead composed of speeches by displaced and often dejected Englishers about cities on hills, oddly fragmented diaries about rustic life, and rambling excursions about spiritual questions. The subsequent century or so of materials does little to bolster our morale as readers. When we arrive at documents dating from 1750 through 1800, we may add to the obvious contextual backdrop of geographical isolation discordant questions about gender inequalities, Loyalist sympathies, and racial divides. Although the resulting cacophony of critical opinion might seem irrelevant to us today, it actually gives the materials a surprising currency, especially in how they dramatize a revolution seeking, to cite the United States Constitution, “to form a more perfect union.” The Constitution, of course, was not written in a vacuum, and the framers’ usage of *perfect* as an adjective signifies the qualities of caution and compromise essential to how the new nation could—and still does—proceed at all.

Because all writers in whatever era can use various forms for various functions, we move to a rhetorical approach to genre, a term that as a principle for categorization involves in this collection various subjects and themes: (1) founding documents, (2) speeches and political tracts, (3) the Revolution in letters, (4) political sermons, (5) voices of formation and dissent, (6) Native American narratives, and (7) African slave narratives. These categories of genres, though, are but a beginning point to discussion: What brings the words of these writers alive is how each adapted a given generic form in attempting to shape his or (less often) her culture. A large part of that culture was the spirit of the Enlightenment, and to get “behind the pen” (as it were) of Revolutionary writers is to see how, for instance, what might be now the Declaration of Independence’s self-standing platitudes (“We hold these truths to be self-evident . . .”) were at that time only the starting-point for assertions about what really mattered to the document’s different audiences (colonial, American, or

French): the ensuing evidence substantiating the call for revolution. By thus entertaining the dynamic nexus of what authors intended, what they actually wrote, how their readers responded to their words, and what happened as a result, we not only meet the founders of the United States, but we watch their words *in action* as the nation set in motion the ideas and events that tumbled into the nineteenth century.

## Genre as More Than Formal Category

Regardless of today’s favored critical approach, almost all literary scholars begin as what may be called children of the mid-twentieth-century critical movement called New Criticism. In this view, the text’s words are primary, standing or falling on their own. Most notable, perhaps, is how, across the generations, secondary students begin their study of literature through the daunting-but-exciting prospect of reading Shakespeare, his words of presumptive genius amounting to strangely written texts that are anything but what they were and are: the raw material of a theatrical production. Unfortunately, when the historical reality of Shakespeare’s theater is mentioned in the classroom, it is usually tangential to deciphering barren soliloquies and convoluted larger plots. The result is that the Globe Theatre is reduced to a footnote, not a place to inhabit (in one’s imagination) the unfolding of a living narrative. In contrast, once we see how playwright and audience and text combine to create a *performance*, literature takes on a wider meaning demanding a different view—of genre.

The word *genre* itself has two Latin roots reflecting the tension between discourse function and form: *generare*, a verb meaning to generate, and *genus*, a noun meaning race or kind. In response, scholars have looked to balance genre’s two meanings by taking a rhetorical approach. For instance, the sonnet is often taught as a rigid form, but the whole history of the sonnet (which means nothing more or less than “little song”), from Petrarch in the fourteenth century to Shakespeare in the fifteenth to Claude McKay in the twentieth, testifies to how function simmering within form is never quite so static as it would seem. In the strict meaning of an old proverb that is rarely completed, the sonnet shows how “The proof of the pudding is *in the eating*.”

In this sense, a rhetorical approach to genre considers (1) intentionality (sonnets—or puddings—are no accident, fashioned by authors when they attempt to answer the problems central to their “rhetorical situations”), (2) categorization (sonnets have expected form, including various attributes), (3) social action/transaction (sonnets require not only “sonneteers” but sonnet-readers), and (4) critical appreciation/judgment (in the proof, no two sonnets are exactly the same). These considerations, in turn, raise a cluster of time-honored questions involving authors, audiences, and discourse forms, all pertaining to genre: When, where, why, and how does meaning occur? From a rhetorical emphasis, the answers mean that genre is not necessarily words on a page at all, and it is this flexible sense of communication and persuasion that is important for our appreciating the documents that shaped a new nation.

Any general definition of genre is prone either to problems with inductive (too narrow) or deductive (too wide) logic. Among scholars who study genre, one remarkably durable answer to this logical problem is Carolyn Miller’s concise phrase in her 1984 article “Genre as Social Action,” that genres are “typified rhetorical actions based in recurrent situations” (159). Miller’s definition has endured so well with genre scholars, perhaps, because it is at once adaptable to different critical perspectives yet precise in bundling three criteria for genre: rhetorical situation (what problem needs solving?), social action (how is it solved?), and typification (how are problems sufficiently similar to bear repeated response?). The first two criteria, in particular, emphasize the “in the eating” part of the pudding proverb, for genres do their work by *rhetorical* means. A flat tire on a car is a problem, but it calls for a physical, not a rhetorical, response. In contrast, when John Smith wished to sell his maps to seventeenth-century Englishmen for their physical travel, he also needed to sell the rhetorical *idea* of the New World. Likewise, by the time the colonists faced the physical prospect of revolution, they also needed to “sell” the idea of a new nation, and the genres they employed ranged from novel to imitative in discourse (form) and revolutionary to conciliatory in social action (function).

The study of genre is complex because the problem of each rhetorical situation is to some degree different from others. On the one hand, a genre’s continued use implies that it is in some way still effective. On the other hand, when a genre’s form does not change in response to the vagaries of arising problems, the genre

becomes irrelevant—at best, a static “container” (as it is sometimes called) that sustains the status quo. In his *The Ideology of Genre: A Comparative Study of Generic Instability* (1994), Thomas Beebee argues that all relevant genres thus become unstable because “genre is . . . never identical with itself, nor are texts fully identical with their genres. Furthermore, if genre is a form of ideology, then the struggle against or the deviations from genre are ideological struggles” (19). With documents from 1750 to 1800, it is no surprise, then, that ideological issues about religious freedom, political sovereignty, and economic opportunity, all manifest in the diverse demographic profiles of colonists, the variety of geographical places, and the polemical nature to colonial motivations, underlie almost every jot of ink represented in this collection.

### **Of Common and Great Men, Benjamin Franklin, and the Limits of Genre**

Taken through the longest critical lens possible, the foregrounding to the American Revolution was a two-century-long exploration of what realities might be wrought from the New World. From exploration to revolution, the American Enlightenment distilled the New World down to the fundamental polemic between positivistic and naturalistic conceptions of law. Representing the former were the views of Thomas Hobbes, who argued in texts such as his *Leviathan* (1651) that “might makes right” in protecting society from the “war of all against all”—*bellum omnium contra omnes*. Opposite Hobbes’ pessimism about human nature and society were the views of John Locke, who based his *Two Treatises of Government* (1689) on the idea that people create a “social contract” with their rulers. In the end, the triumph of the American Revolution is that the Founding Fathers attempted to harmonize the two positions, almost all documents about policy and procedure from this period showing a healthy regard for pragmatic checks and balances. In a letter to James Logan even as early as 1737, Benjamin Franklin (1706–1790) addressed the Hobbes-Locke polemic: “Hobbes . . . is somewhat nearer the Truth than that which makes the State of Nature a State of Love: But the Truth perhaps lies between both Extreams” (425). If the long history of settling the continent had proven anything to the country’s founders, it was that dreams are one thing while realities are quite another.

As wide a gap as there is between the two sides in the Hobbes-Locke polemic underlying the American

Enlightenment, just as divergent are the approaches we may take to interpreting the genres of the period. In general terms, these approaches range from observing how “the common man” actually lives day to day to interpreting how “great men” represent their larger society. Each approach is logically problematic in much the same way as any attempt to define genre. The first is prone to too-quick inductive leaps from particular evidence to general characterizations (why study one common man over another?) while the latter is often inaccurate in deductive application (great men are great not only because they are representative but because they are exceptional). Regardless, perhaps no individual answers both problems better than Franklin, whose example thereby gives us a critical portal into the whole. Franklin was an up-from-the-bootstraps embodiment of the American Dream of commercial opportunity and a genius of Enlightenment learning. He was a loyalist to England’s politics and a patriotic Founding Father. He was an insider as a colonist and an outsider as an ambassador. Finally, unlike the Calvinist theologian Jonathan Edwards (1703–1758), Franklin not only worked within the various parameters of his immediate world but also came to peer into America’s future. Even more importantly, Franklin’s life as a printer and writer encompassed widely and fully all the subjects and many of the genres categorized in this collection. However, this characterization of Franklin as polymath is far from simple. Biographer Carl Van Doren called Franklin “a harmonious human multitude” (782), while Walter Blair has also called Franklin a “Muddied Giant” (53). As a resolution of the two sides, Walter Isaacson comments in his 2004 biography that Franklin is “the founding father who winks at us” (2). At what, though, is Franklin winking? With Franklin as a conflation of common and great man, how we answer the question in a sense shapes how we consider this collection’s documents and genres.

Franklin was a man who neither suffered fools gladly nor expected too much of imperfect humans. The two qualities surfaced in how he utilized written and unwritten genres. From the former point of view, Franklin kept his focus on bottom-line results, a principle informing his sense of civic benefits to religious practice, scientific investigation, and economic frugality. His generic maxims composing *Poor Richard’s Almanack* represent his encompassing pragmatism: “He that lives upon Hope,” Franklin’s earthy literary creation Richard Saunders says in the 1736 edition, “dies farting” (1200).

At the same time, Franklin was keenly interested in moral causes and action, especially in how people treated each other. Over his life, he increasingly became an abolitionist (in 1787, he became the president of the Pennsylvania Society for Promoting the Abolition of Slavery), and, in a satire such as “Remarks Concerning the Savages of North America” (1784), Franklin argued how Native American society, not its white counterpart, was centered on civility in manners, sympathy in intellect, and usefulness in education. Franklin desired in himself and his fellow citizens the kind of social action that combined both success and virtue.

Because he embodied both the common man and the great man, Franklin’s *Autobiography* (1771–1790) acts as a kind of central document to the period, the whole centering on a single philosophical question: Can human beings purposefully modify moral character even while pursuing success? In the *Autobiography*’s second part, Franklin, the man of method-and-results, recounts undertaking “the bold and arduous Project of arriving at moral Perfection” (66). An archetype for the genre of today’s “self-help” manuals, whereby individuals become a kind of studied form unto themselves, Franklin’s project entails that he “master” twelve progressively more difficult virtues, one at a time: temperance, silence, order, resolution, frugality, industry, sincerity, justice, moderation, cleanliness, tranquility, and chastity. Like Icarus, though, Franklin comes crashing down in failure. In his typical good cheer, Franklin is compelled to add humility to the list. “I cannot boast of much Success in acquiring the *Reality* of this Virtue,” he recalls, “but I had a good deal with regard to the *Appearance* of it” (75). Franklin then ends his discussion with a touch of self-deprecation: “For even if I could conceive that I had completely overcome it, I should probably [be] proud of my Humility” (76). Franklin’s comic effect aside, the point remains—and it is a key one for reading not only the *Autobiography* but most documents and genres associated with the American Enlightenment—that we can, at long last, become at least better human beings.

Franklin’s *Autobiography* stops short in 1757, the most illustrious parts of Franklin’s real life still to be told. Notably here, two of his later responses to arising rhetorical situations speak volumes about the nature and limits to genre. On the public stage, Franklin faced the limits of using genre in a conventional sense. In 1772, Franklin found himself in possession of some letters by Massachusetts Governor Thomas Hutchinson

and Lieutenant Governor Andrew Oliver to Thomas Whatley, a leading member of the British government, advocating that the English take increasingly repressive measures over the colonists. In an ill-conceived attempt to show that only a few people were to blame for colonial unrest, Franklin sent the letters to Massachusetts Speaker Thomas Cushing, who laid them before the Massachusetts House on June 2, 1773. Hutchinson, in turn, obtained Franklin's correspondence to Cushing and sent it to England's Lord Dartmouth, colonial secretary. In whichever direction he turned, Franklin was vilified. He outraged the radicals in the colonies for his meddling, and, on January 29 of the next year, Solicitor General Alexander Wedderburn excoriated Franklin as a thief before the British Privy Council, in language so ruthless that newspapers did not print it (Morgan 202). The event is one those frozen-in-time tableaux in American history. Standing in the so-called cockpit and dressed in an unusual-for-him suit of spotted Manchester velvet, Franklin responded to Wedderburn's attack with utter silence. In other words, Franklin, a man who could have summoned whatever response based in his long experience with civic, professional, and academic written genres, instead chose a kind of anti-genre: "I made no justification of myself," he explained in a letter, "but held a cool, sullen silence, reserving myself to some future opportunity" (Lopez and Herbert 192). Franklin would find his opportunity four years later, but his generic retaliation would be sartorial, not linguistic. For the signing of the Treaty of Alliance with France, Franklin retrieved from mothballs the very same, by-then faded suit of Manchester velvet that he had worn in the cockpit. Franklin explained that his donning the suit was "to give it a little revenge" (Isaacson 347). Revenge, Franklin obviously knew, is the pudding best eaten cold.

As much as in his public dealings, Franklin used genre in his private relationships. In particular, he banished his illegitimate son William (born in 1730, and to whom the *Autobiography* is ostensibly addressed) when William maintained British loyalties during the Revolutionary War. To William—who as a boy had helped Franklin fly his kite, who as a young man had traveled with Franklin in 1757 to England, there receiving an honorary master of arts degree from Oxford at the same time his famous father received an honorary doctorate of law, and who as an established citizen had become the Royal Governor of New Jersey in 1762—Franklin ultimately felt little more than loathing. In 1784,

Franklin wrote William, "Nothing has ever hurt me so much and affected me with such keen Sensations, as to find myself deserted in my old Age by my only Son; and not only deserted, but to find him taking up Arms against me, in a Cause, wherein my good Fame, Fortune and Life were all at Stake" (1096). Far more stinging, perhaps, than letters and discussions composed of words, Franklin would use a legal genre to take his final rhetorical action. In his will, Franklin left William virtually nothing (Wood 163). Suffice it to say that Franklin was not a man whom one could either attack or betray with impunity, and that the United States now honors Franklin by placing his likeness on the hundred-dollar bill—a different kind of genre denoting but also symbolizing (at least temporary) socioeconomic power—seems merely perfect.

### Surveying the Documents and Genres

Taken as an instrument of rhetorical action, genre is a powerful tool for analyzing this collection's documents. With Franklin's career of connecting written and unwritten genres to social action as an exemplary case, almost all documents and genres from the period in some way involve the creation of the United States as a culture and as a nation. Biography, historical context, and even illuminating less-literary genres will all play their part in our appreciation of the documents. Amy Devitt emphasizes in her *Writing Genres* (2004) that "the genres that develop from a group's interactions . . . reciprocally reinforce the group's identity and nature by operating collectively rather than individually. It is no logical leap to argue that genres, which reflect and construct recurring rhetorical situations, also reflect and construct a group of people" (36). This sort of wider cultural (or even ideological) view raises the time-honored cluster of questions involving authors and audiences: When, where, why, and how does meaning occur? A brief sampling of this collection's categories demonstrates how the answers also implied who was to benefit or suffer in the birth of the nation.

Underlying almost all documents and genres from 1750 to 1800 is a prevailing American pragmatism—a view, again, of *perfection* as a dynamic process, not a static product. The first four categories of this collection, founding documents, speeches and political tracts, the Revolution in letters, and political sermons, involve genres establishing the new nation. Founding documents show writers creating documents for immediate audiences but always with an eye to the future.

As a result, Thomas Jefferson draft revised (perhaps with Franklin's help, according to some scholars) the Declaration's opening, from "We hold these truths to be sacred and undeniable" to "self-evident." The nation's ideological future, Jefferson and the committee felt, would have to be based on the Enlightenment principle of rationality. With speeches and political tracts, the ethos of the writer preceded the words themselves. For example, in his "American Independence," delivered in Philadelphia prior to the signing of the Declaration, the firebrand Samuel Adams knew well his own reputation and, so, began by anticipating counterargument: "I will not deny the charge of my enemies, that resentment for the accumulated injuries of our country, and an ardor for her glory, rising to enthusiasm, may deprive me of that accuracy of judgment and expression which men of cooler passions may Possess. Let me beseech you, then, to hear me with caution, to examine without prejudice, and to correct the mistakes into which I may be hurried by my zeal." That Adams could write with such self-awareness only solidified his case.

The Revolution in letters—the letter genre somewhat fogged in our imagination today by the prevalence of electronic media—often serves to give us a glimpse into the collision of the private and public spheres. To his wife, Martha, George Washington appealed on June 8, 1775, that she be patient while he assumed the position of commander-in-chief of the Continental Army. After a long explanatory opening paragraph, Washington concluded with a human appeal transcendent to all relationships: "I therefore beg of you to summon your whole fortitude & Resolution, and pass your time as agreeably as possible—nothing will give me so much sincere satisfaction as to hear this, and to hear it from your own Pen." Political sermons figure differently than the relatively intimate occasion of letters. For instance, Samuel Williams (1743–1817), a man with a Franklinian scholasticism in his roles as Congregational minister, professor of mathematics and natural philosophy at Harvard, and a founder of the University of Vermont, began his "A Discourse on the Love of Our Country" (1774), "The wise and benevolent Author of nature has made the human race capable of continual advances towards a state of perfection and happiness." "Capable," though, may be taken as the fulcrum of Williams' argument, for the isolation of the colonies made the continued connection to Britain all but impossible.

The remaining three categories of genre in this collection, "Voices of Formation and Dissent," "Native

American Narratives," and "African American Narratives," reveal a far-from-harmonious culture. With voices of formation and dissent, one such as Jupiter Hammon, a slave whose poetry was the first published of African American writers, advocated in his 1786 speech to the African Society titled "Address to the Negroes of the State of New York" that only gradual emancipation would be possible. Native American narratives are just as difficult in terms of their representativeness. For instance, Joseph Brandt (1742–1807), a Mohawk who worked as an interpreter for the British Indian Department, wrote, prophetically, in his 1776 letter to Lord George Germain that Native American loyalties and efforts were undervalued. Likewise, African Slave narratives such as that by Olaudah Equiano (1745–1797; also known as Gustavus Vassa), served to rally the sense and sensibility of the abolitionist movement. He concluded the first part of his *Narrative of the Life* (1797) by rhetorically asking whether culturally powerful groups were always powerful. "Every rational mind," he wrote, "answers, No. Let such reflections as these melt the pride of their [European] superiority into sympathy for the wants and miseries of their fable brethren, and compel them to acknowledge, that understanding is not confined to feature or colour." The solution to the slavery issue would take opposite paths: while England abolished slavery in 1833 through an act of Parliament, the United States moved more slowly, toward a bloodier destiny.

The importance of American documents and genres from 1750 to 1800 cannot be underestimated in the sweep of American history and culture. During this crucial half-century, writers knew that their words were more than rhetorical "hot air," and the effect of what they said registered in the country's subsequent struggle with expansionism, industrialism, and the inevitable battle over human rights at the beating heart of the nation's Civil War. The war ended, Reconstruction followed, the West was "conquered," and the modern world emerged. Regardless, today's sociopolitical landscape continues to face the implications of Jefferson's words that "all men are created equal" in such issues as illegal immigration and fair practice in international trade. The Enlightenment project that is the United States, it seems, is still a work in progress, and we do well to reconsider how the nation was constituted through the forms and functions of genre in appreciating our current situation.

Peter Kratzke, PhD

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## ■ Letters from a Farmer in Pennsylvania to the Inhabitants of the British Colonies

**Date:** December 7, 1767

**Author:** Dickinson, John

**Genre:** newspaper essay

*“Upon the whole, the single question is . . . whether the parliament can legally take money out of our pockets, without our consent.”*

### Summary Overview

Historians have called John Dickinson of Pennsylvania the “Penman of the Revolution” for his writings during the Revolutionary era. In the two decades before independence, he wrote most of the major tracts and petitions at the First and Second Continental Congress, several pamphlets articulating colonial grievances, and the *Letters from a Farmer in Pennsylvania to the Inhabitants of the British Colonies* (also known as *Farmer’s Letters*), his most well-known and influential piece. Writing under a pseudonym “a Farmer,” these twelve letters first appeared in colonial newspapers in 1767 and 1768, after which they were released in pamphlet form. They were published in all thirteen colonies and throughout Europe, and they became one of the most significant pro-independence publications of the day, second only to Thomas Paine’s *Common Sense*, published in 1776. *Farmer’s Letters* united the colonies against Britain by providing a cogent explanation as to why British tax policies robbed Americans of their rights and liberties. In addition, they raised serious constitutional questions about what powers the colonies had in the empire and what powers the British had. *Farmer’s Letters* made Dickinson the face of the American protest movement.

### Defining Moment

The French and Indian War (1754–63) left the British Empire in shambles. After nine years of fighting, Britain had neither the resources nor capital to pay off its war debt or to defend its newly acquired territories in

North America. Parliament looked to the colonies for help. Before 1764, the colonies had been paying taxes to their local legislatures where they were taxed by their elected representatives. But when Parliament imposed new taxes on them designed to centralize and fortify the empire, it sparked a firestorm in the colonies. The first of the taxes, the Sugar Act of 1764, raised duties on sugar and molasses. The second tax, the Stamp Act of 1765, targeted newspaper items, cards, dice, bills of lading and legal documents. After the Stamp Act was repealed in 1766, Parliament passed the Declaratory Act the same year, reaffirming its authority over the colonies. The last of revenue-raising measures included the Townshend Acts of 1767, which imposed duties on lead, glass, tea, and paint. These acts compelled Dickinson to respond.

In *Farmer’s Letters*, Dickinson provides a clear and compelling reason why colonists must resist British taxation policies. “Upon the whole,” Dickinson observes, “the single question is, whether the parliament can legally impose duties to be paid by the people of these colonies only, for the sole purpose of raising a revenue . . . whether the parliament can legally take money out of our pockets, without our consent.” As a fierce advocate of the British Constitution, Dickinson argues that the colonists should have the same rights and liberties in the colonies as British subjects have in Great Britain, including the right to be taxed by one’s elected representatives. Moreover, he believes that the taxes were an unconstitutional infringement on colonial rights, because British colonists in America had been

taxing themselves for nearly 150 years. Thus, Dickinson believes that Parliament's powers are limited. In "Letter II" he argues that Parliament's powers need not be supreme in all matters of the empire but only in some areas operating within specifically defined spheres of authority. He does this not by appealing to higher law or colonial charters, as had some protest writers, but rather by calling to his readers' attention the historic rights of British subjects in relation to Parliament. *Farmer's Letters* helped to unite the colonies against oppressive British policies, but also advanced an argument that no other writer had made: that Parliament and the American legislative assemblies each shared sovereign and coequal legislative powers in the empire. Dickinson believes that both legislatures could levy taxes in the empire, but one could not encroach on the sovereignty of the other.

### Author Biography

John Dickinson was born to a prominent Quaker family on November 13, 1732, in Talbot County, Maryland. When he was eight years old, his family moved to Dover, Delaware, where they purchased a large estate. During his early years he enjoyed the privileges that his father's wealth offered. Educated by a tutor in his youth, Dickinson began legal training in Philadelphia when he turned eighteen, reading law with John Molland, one of the most respected lawyers in the city. At twenty-one, Dickinson enrolled at the Middle Temple at the Inns of Court in London, where he studied for several years, beginning in 1753, earning a barrister at law degree and making him one of only a handful of Americans in that generation to have studied there.

When Dickinson returned to Philadelphia in 1757, he began practicing law. In 1760 he was elected to the Delaware Assembly, becoming Speaker of the House that same year. With his family's residence in Delaware and his home in Philadelphia, Dickinson spent the next twenty years crisscrossing both places and becoming thoroughly involved in the politics of each state. Elected to the Pennsylvania Assembly in 1762, he became embroiled in a proprietary dispute pitting him against Benjamin Franklin and Joseph Galloway, two leading spokesmen who wanted to re-

place Pennsylvania's 1701 Charter of Privileges with a royal charter.

In 1770, Dickson married Mary (Polly) Norris, the daughter of the wealthy Quaker politician Isaac Norris II. The couple had five children, all born between 1771 and 1783. In addition to his legal practice, Dickinson made a lucrative living in real estate and other business ventures, establishing himself as one of the wealthiest men in the region. He owned thirty-seven slaves, whom he eventually freed in his later years.

In national politics, Dickinson cut a large figure. No other revolutionary figure of the day can claim to have written or spoken as much on behalf of American rights and liberties as Dickinson. At the Stamp Act Congress in 1765, he wrote tracts and petitions that the Congress sent to the King. He wrote a number of pamphlets addressing colonial liberties such as *An Address to the Committee in Barbados* (1766), *The Late Occurrences in North American*, and the *Policy of Great Britain, Considered* (1766) and the *Letters from a Farmer in Pennsylvania* (1767–68). Between 1774 and 1776, he drafted more than half of the major publications at the First and Second Continental Congresses, earning him the affection of his countrymen. Though he did not sign the Declaration of Independence in 1776, calling it premature, he later supported it and fought to preserve it by enlisting in the Pennsylvania state militia. In June of 1776, he wrote the first draft of the Articles of Confederation, the first Constitution for the new United States. In the early 1780s he served as the president of both Delaware and Pennsylvania.

The Constitutional Convention was Dickinson's final act in public life. After chairing the Annapolis Convention in 1786, a deliberative body that had convened to discuss commercial affairs, he attended the Constitutional Convention in 1787 as a delegate from Delaware. He played a vigorous role in both the writing and ratification of the Constitution, having written a series of newspaper essays, called the *Letters of Fabius*, which urged ratification. He retired from political life after the Constitution was ratified in 1788. He died in Wilmington, Delaware, on February 14, 1808. Dickinson College in Carlisle, Pennsylvania, was named after him.

## HISTORICAL DOCUMENT

*Letter II*

My dear Countrymen,

There is another late act of parliament, which appears to me to be unconstitutional, and as destructive to the liberty of these colonies, as that mentioned in my last letter; that is, the act for granting the duties on paper, glass, etc.

The parliament unquestionably possesses a legal authority to regulate the trade of Great Britain, and all her colonies. Such an authority is essential to the relation between a mother country and her colonies; and necessary for the common good of all. He who considers these provinces as states distinct from the British Empire, has very slender notions of justice, or of their interests. We are but parts of a whole; and therefore there must exist a power somewhere, to preside, and preserve the connection in due order. This power is lodged in the parliament; and we are as much dependent on Great Britain, as a perfectly free people can be on another.

I have looked over every statute relating to these colonies, from their first settlement to this time; and I find every one of them founded on this principle, till the Stamp Act administration. All before, are calculated to regulate trade, and preserve or promote a mutually beneficial intercourse between the several constituent parts of the empire; and though many of them imposed duties on trade, yet those duties were always imposed with design to restrain the commerce of one part, that was injurious to another, and thus to promote the general welfare. The raising of a revenue thereby was never intended. Thus the King, by his judges in his courts of justice, imposes fines, which all together amount to a very considerable sum, and contribute to the support of government: But this is merely a consequence arising from restrictions that only meant to keep peace and prevent confusion; and surely a man would argue very loosely, who should conclude from hence, that the King has a right to levy money in general upon his subjects. Never did the British parliament, till the period above mentioned, think of imposing duties in America for the purpose of raising a revenue. Mr. Greenville first introduced this language, in the preamble to the 4th of geo. III Chap. 15, which has these words—"And whereas it is just and necessary

that a revenue be raised in your Majesty's said dominions in america, for defraying the expenses of defending, protecting, and securing the same: We your Majesty's most dutiful and loyal subjects, the commons of Great Britain, in parliament assembled, being desirous to make some provision in this present session of parliament, toward raising the said revenue in America, have resolved to give and grant unto your Majesty the several rates and duties herein after mentioned." etc.

A few months after came the Stamp Act, which reciting this, proceeds in the same strange mode of expression, thus—"And whereas it is just and necessary, that provision be made for raising a further revenue within your Majesty's dominions in America, towards defraying the said expences, we your Majesty's most dutiful and loyal subjects, the commons of Great Britain, etc. give and grant," etc. as before.

The last act, granting duties upon paper, etc. carefully pursues these modern precedents. The preamble is, "Whereas it is expedient that a revenue should be raised in your Majesty's dominions in America, for making a more certain and adequate provision for defraying the charge of the administration of justice, and the support of civil government in such provinces, where it shall be found necessary; and towards further defraying the expences of defending, protecting and securing the said dominions, we your Majesty's most dutiful and loyal subjects, the commons of Great Britain, etc. give and grant," etc. as before.

Here we may observe an authority expressly claimed and exerted to impose duties on these colonies; not for the regulation of trade; not for the preservation or promotion of a mutually beneficial intercourse between the several constituent parts of the empire, heretofore the sole objects of parliamentary institutions; but for the single purpose of levying money upon us.

This I call an innovation; and a most dangerous innovation. It may perhaps be objected, that Great Britain has a right to lay what duties she pleases upon her exports, and it makes no difference to us, whether they are paid here or there.

To this I answer. These colonies require many things for their use, which the laws of Great Britain prohibit

them from getting any where but from her. Such are paper and glass.

That we may legally be bound to pay any general duties on these commodities, relative to the regulation of trade, is granted; but we being obliged by her laws to take them from Great Britain, any special duties imposed on their exportation to us only, with intention to raise a revenue from us only, are as much taxes upon us, as those imposed by the Stamp Act.

What is the difference in substance and right, whether the same sum is raised upon us by the rates mentioned in the Stamp Act, on the use of paper, or by these duties, on the importation of it. It is only the edition of a former book, shifting a sentence from the end to the beginning.

Suppose the duties were made payable in Great Britain?

It signifies nothing to us, whether they are to be paid here or there. Had the Stamp Act directed, that all the paper should be landed at Florida, and the duties paid there, before it was brought to the British colonies, would the act have raised less money upon us, or have been less destructive of our rights? By no means: For as we were under a necessity of using the paper, we should have been under the necessity of paying the duties. Thus, in the present case, a like necessity will subject us, if this act continues in force, to the payment of the duties now imposed.

Why was the Stamp Act then so pernicious to freedom? It did not enact, that every man in the colonies should buy a certain quantity of paper—No: It only directed, that no instrument of writing should be valid in law, if not made on stamped paper, etc.

The makers of that act knew full well, that the confusions that would arise from the disuse of writings, would compel the colonies to use the stamped paper, and therefore to pay the taxes imposed. For this reason the Stamp Act was said to be a law that would execute itself. For the very same reason, the last act of parliament, if it is granted to have any force here, will execute itself, and will be attended with the very same consequences to American liberty.

Some persons perhaps may say that this act lays us under no necessity to pay the duties imposed because we may ourselves manufacture the articles on which they are laid; whereas by the Stamp Act no instrument of

writing could be good unless made on British paper, and that too stamped.

Such an objection amounts to no more than this, that the injury resulting to these colonies, from the total disuse of British paper and glass, will not be so afflicting as that which would have resulted from the total disuse of writing among them; for by that means even the Stamp Act might have been eluded. Why then was it universally detested by them as slavery itself? Because it presented to these devoted provinces nothing but a choice of calamities, embittered by indignities, each of which it was unworthy of free men to bear. But is no injury a violation of right but the greatest injury? If the eluding the payment of the taxes imposed by the Stamp Act, would have subjected us to a more dreadful inconvenience than the eluding of the payment of those imposed by the late act; does it therefore follow, that the last is no violation of our rights, tho' it is calculated for the same purpose the other was, that is, to raise money upon us, without our consent? . . . Great Britain has prohibited the manufacturing iron and steel in these colonies, without any objection being made to her right of doing it. The like right she must have to prohibit any other manufacture among us. Thus she is possessed of an undisputed precedent on that point. This authority, she will say, is founded on the original intention of settling these colonies; that is, that she should manufacture for them, and that they should supply her with materials. The equity of this policy, she will also say, has been universally acknowledged by the colonies, who never have made the least objection to statutes for that purpose; and will further appear by the mutual benefits flowing from this usage, ever since the settlement of these colonies.

Our great advocate, Mr. Pitt, in his speeches on the debate concerning the repeal of the Stamp Act, acknowledged, that Great Britain could restrain our manufactures. His words are these—"This kingdom, as the supreme governing and legislative power, has always bound the colonies by her regulations and restrictions in trade, in navigation, in manufactures—in everything, except that of taking their money out of their pockets without their consent." Again he says, "We may bind their trade, confine their manufactures, and exercise every power whatever, except that of taking their money out of their pockets without their consent."

Here then, my dear countrymen, rouse yourselves, and behold the ruin hanging over your heads. If you ONCE admit, that Great Britain may lay duties upon her exportations to us, for the purpose of levying money on us only, she then will have nothing to do, but to lay those duties on the articles which she prohibits us to manufacture—and the tragedy of American liberty is finished. We have been prohibited from procuring manufactures, in all cases, any where but from Great Britain (excepting linens, which we are permitted to import directly from Ireland). We have been prohibited, in some cases, from manufacturing for ourselves; and may be prohibited in others. We are therefore exactly in the situation of a city besieged, which is surrounded by the works of the besiegers in every part but one. If that is closed up, no step can be taken, but to surrender at discretion. If Great Britain can order us to come to her for necessaries we want, and can order us to pay what taxes she pleases before we take them away, or when we land them here, we are as abject slaves as France and Poland can show in wooden shoes and with uncombed hair.

Perhaps the nature of the necessities of dependent states, caused by the policy of a governing one for her own benefit, may be elucidated by a fact mentioned in history. When the Carthaginians were possessed of the island of Sardinia, they made a decree, that the Sardinians should

not raise corn, nor get it any other way than from the Carthaginians. Then, by imposing any duties they would upon it, they drained from the miserable Sardinians any sums they pleased; and whenever that oppressed people made the least movement to assert their liberty, their tyrant starved them to death or submission. This may be called the most perfect kind of political necessity.

From what has been said, I think this uncontroversial conclusion may be deduced, that when a ruling state obliges a dependent state to take certain commodities from her alone, it is implied in the nature of that obligation; is essentially requisite to give it the least degree of justice; and is inseparably united with it, in order to preserve any share of freedom to the dependent state; that those commodities should never be loaded with duties, for the sole purpose of levying money on the dependent state.

Upon the whole, the single question is, whether the parliament can legally impose duties to be paid by the people of these colonies only, for the sole purpose of raising a revenue, on commodities which she obliges us to take from her alone, or, in other words, whether the parliament can legally take money out of our pockets, without our consent. If they can, our boasted liberty is but

*Vox et praeterea nihil.*

A sound and nothing else.

## GLOSSARY

**article:** item for sale, a commodity

**commodity:** article of trade or commerce

**duties:** taxes charged by a government, especially on imported goods

**intercourse:** dealings or communication between individuals, groups, or countries

**levy:** to impose or collect taxes

**Stamp Act:** a tax by the British Parliament on colonial newspapers, government documents, college diplomas, cards, dice, and other items

**vox et praeterea nihil:** a Latin phrase meaning “a sound and nothing else”

### Document Analysis

Colonial pamphleteers often used pseudonyms to hide their identities, especially if they were writing something controversial. Calling himself a “Pennsylvania Farmer,” John Dickinson’s essay collection *Letters from a Farmer in Pennsylvania* was indeed controversial. The text of “Letter II” represents his attempt to clarify the British Constitution and to expose Britain’s tax policies as a new and dangerous innovation over the colonies. When Parliament passed a series of acts in the 1760s, beginning first with the Sugar Act in 1764 and concluding with the Townshend Acts in 1767, Dickinson believed that these acts robbed Americans of the right of self-government and were thus unconstitutional intrusions of American rights and liberties.

In “Letter II,” which is the second of twelve letters first published in the *Pennsylvania Chronicle* in late 1767 and early 1768, Dickinson asserts that the new taxes impinged on the colonists’ right to self-government. He makes this argument by appealing to history, challenging Parliament’s claim that it was sovereign in all aspects in the empire, including the right to tax its overseas colonies. For Dickinson, it is a matter of sovereignty—who can tax and by what authority. In the eighteenth century British jurists defined sovereignty as the final, supreme, unqualified authority. This meant that power had to be lodged in Parliament, which the king had vested with governing power to administer the affairs of the empire. But Dickinson challenges that assertion, contending that the fundamental powers of sovereignty are not concentrated in Parliament alone, but divided equally with the colonies in a unique power-sharing arrangement that had existed since the first settlements were established in 1607. For nearly two centuries, Dickinson posits, Americans have exercised complete control over all matters of local government in the colonies, while British imperial officials handled all matters of external concern over the colonies. Americans have administered justice through common-law courts and customs, maintained law and order through their local, law-enforcing constabularies, and most of all, taxed themselves through their own self-appointed representatives. For their part, British officials have reviewed colonial legislation through a Board of Trade, levied moneys in the form of customs duties to regulate colonial commerce, and administered full and complete control over the military and foreign policy in the empire. Dickinson’s

point in “Letter II” is that the empire has always operated according to federal principles, despite claims by Parliament that its power cannot be divided.

For Dickinson, then, Parliament has the authority to regulate trade in its overseas dominions because it had always done so. It is therefore appropriate for Parliament to impose duties on colonial trade because those taxes “were always imposed with design to restrain the commerce of one part, that was injurious to another,” which promoted “the general welfare in the empire,” Dickinson writes. But after 1763, with the Sugar, Stamp, and Townshend Acts, Parliament had exceeded its authority. It was not imposing taxes for the purposes of regulating trade in the empire but to raise a revenue to pay off a war debt. Imperial officials have done this, Dickinson laments, not to manage colonial trade “but for the single purpose of levying money on us,” which he calls “a most dangerous innovation.”

This dangerous innovation had thus violated a decades-old constitutional practice in which British American colonists taxed themselves to raise revenue for Great Britain. To underscore the point, Dickinson appeals to history to bolster his claim, calling his “dear countryman” to unite and resist Parliament’s unconstitutional and oppressive taxes. He focuses on manufacturing. Except for linens, which the colonists could still import from Ireland, Parliament forbade the colonies from exporting their manufactured items or importing goods that were not from Great Britain. This policy, Dickinson decries, has made the colonies “a city besieged.” “If Great Britain can order us to come to her for necessaries we want, and can order us to pay what taxes she pleases before we take them away, or when we land them here, we are as abject slaves as France and Poland.”

Dickinson’s comparison of Americans to slaves is a careful choice. Throughout *Farmer’s Letters* and particularly in “Letter II,” he frequently alludes to slaves and slavery to characterize the colonists’ condition. Dickinson is part of a generation of Americans who read widely in British Whig literature. Among the authors he frequently cites are two British writers, John Trenchard and Thomas Gordon, whose *Cato’s Letters* (1720–23), condemning the corruption of King George I, taught Dickinson about the dangers of tyrannical government. Dickinson also read John Locke, the popular English philosopher whose writings demonstrated a connection between taxes and property, consent and

representation. Locke wrote that when government leaders issue taxes on people without their consent, they become slaves to the government.

Dickinson appropriates this language but goes a step further. For him, slavery means more than Parliament coercing the colonies into paying taxes and depriving them of their property. It also relegates them to a status similar to other disenfranchised people in the Atlantic world who pay taxes without their consent, including women, children, free blacks, poor whites, and others who could not vote in the eighteenth-century British Empire but had to pay taxes anyway.

Dickinson further illustrates the danger of British tax policies by appealing to a dramatic episode in history, in which he draws examples from the ancient world to argue that Parliament has no right to tax the colonists on goods they were forced to import from Britain. He remarks that when the Carthaginians possessed the island of Sardinia, they passed a decree declaring that Sardinians could only get corn from the Carthaginians. The Carthaginians, Dickinson claims, then imposed exorbitant duties on the corn, draining Sardinians of “any sums they pleased.” When the Sardinians protested these harsh and oppressive duties, their warlike oppressors “starved them to death” and made them suffer unspeakable cruelties. Dickinson’s point is clear: unless his “countryman” unite against corrupt British policies, they would experience a similar fate as the Sardinians. The British government will deprive them of their money and set a precedent that would eventually destroy them financially.

Dickinson’s rhetoric is forceful but not treasonous. He does not advocate a separation from Great Britain in 1767, the year he began writing *Farmer’s Letters*. He views himself as a proud British subject. He has read widely in British history and literature and has studied law at the Inns of Court in London. Moreover, by 1767 he has already served in colonial politics for nearly a decade. He understands the British Constitution. He zealously advocates for British rights and liberties. What he wants is for Parliament to recognize the Constitution he reveres and loves. Consequently, his protests in “Letter II” also express his affection for the empire. He sees the colonies as “but parts of a whole” in this far-reaching and powerful empire. He believes that there has to be “some power to preside and preserve” the connection between the colonies and Great Britain. He ascribes that power to Parliament because it can regulate trade in the empire and prevent one

dominion from levying excessive duties at the expense of another.

But he does not believe Parliament can tax for revenue purposes. It would set a dangerous precedent and thereby rob the colonists of a longstanding constitutional practice where they had taxed themselves. If Parliament “can legally take money out of our pockets without our consent,” Dickinson affirms, then colonial liberty would be nothing more than a sham. It would be “vox et praetera nihil,” a Latin phrase which he translated as “a sound and nothing else.”

Dickinson’s taxation-regulation distinction seems tenuous at best since it was impossible for American colonists to determine what would be taxed for revenue and what would be taxed for trade, but that was presumably not the point. Dickinson’s argument seems to be that British history has demonstrated that all duties previously imposed in the empire were not for the purposes of raising revenue but only for regulating trade. This was true with the Navigation Acts Parliament passed in the 1660s, and it is also true, Dickinson reasons, for Americans living in Britain’s thirteen mainland colonies.

In advancing this position, Dickinson is the first of a long line of protest writers to invoke the historic rights of British subjects in a defense of the rights and liberties of American colonists. Whereas other writers would refer to natural rights’ principles, claiming that the taxes constituted an assault on colonists’ property, Dickinson advances a legalistic view of the taxes and thus offers a way to end the imperial crisis. He sees that if Parliament could accept its long history of sharing power with the colonies, then it might renounce its policies and implement reforms allowing the colonists to govern themselves.

When Dickinson first advanced these ideas in 1767, critics quickly assailed them for placing formal, constitutional limitations on Great Britain’s sovereignty by dividing what was supposed to be indivisible. However, he also had supporters. For example, when the wealthy Boston merchant and later signer of the Declaration of Independence John Hancock read *Farmer’s Letters*, he immediately made arrangements to visit Philadelphia so as to hear more from Dickinson.

Historian David Ramsay, writing in the eighteenth century, said that American colonists avidly read *Farmer’s Letters* and extolled them as the best defense of American rights and liberties. *Farmer’s Letters* was published in Boston, Philadelphia, New York, and

Charleston, as well as in smaller cities. Across the Atlantic, they were published in London, Paris, Dublin, and Amsterdam. In addition, they went through multiple editions in pamphlet form, spanning as far east as Hartford and Boston and as far south as Williamsburg and Charleston.

What did the British ministry think of *Farmer's Letters*? The general consensus seems to have been that Dickinson was responsible for stirring up rebellion and revolution in the colonies. Perhaps it is no surprise, then, that Dickinson's home was torched by the redcoats—a fate that was not shared by other prominent colonial leaders such as George Washington and Thomas Jefferson.

*Farmer's Letters*, then, made Dickinson the de facto leader of the protest movement and one of the most important American voices in the decade before independence. Clearly written and effectively argued, the *Farmer's Letters*, especially “Letter II,” helped to unite Americans against British imperial policies they deemed unjust and unfair. What is even more important is that *Farmer's Letters* provided a principled appeal explaining why Americans had the right to tax themselves.

### Essential Themes

When American colonists cried “no taxation without representation” in their pamphlets and petitions, British officials assured them that they were “virtually” represented in the empire: even though they did not have an actual seat in Parliament, the British ministry still took their interests to heart. Many Britons, the officials noted, lived in districts in England where they did not have a member of Parliament for whom they voted. So when protesters such as Dickinson complained that they did not have an actual seat in Parliament, it fell on deaf ears.

That neither side could resolve their differences ultimately led Americans to declare independence in 1776. Neither side could adequately explain what the other side could and could not do. Americans insisted with Dickinson that they could not be taxed without their consent, while the English insisted that legislation and taxation were inseparably connected. Americans stated their positions in a number of pamphlets and petitions protesting the taxes, but none of them could explain how Parliament could manage the affairs of the empire if it could not tax. Nor could they articulate what would happen to Parliament's authori-

ty if it had to rely on colonial consent to administer colonial legislation. Finally, few writers seemed to consider the practical and constitutional implications that would arise if there existed two units in the empire that both had with the authority to tax and legislate in the same geographical area. For the British, it was not clear what would prevent the one from encroaching on the territory of the other.

Most of the colonial writers were content to live with the ambiguities and contradictions inherent in their positions. Many were content to focus on the wisdom and expediency of the taxes without questioning Parliament's right to administer those taxes. Dickinson saw things differently, however. During the imperial crisis, he formed a dynamic and innovative position of sovereignty that would later become the foundation of American federalism. In “Letter II,” he argues that the British Empire is not the consolidated empire that Parliament officials have made it out to be. Rather, over the course of the seventeenth and eighteenth centuries, he observes, the empire functioned much like a federal state by dispersing and dividing its sovereign powers to constituent units of government. This position highlights the two points that characterize the tone and message of this letter, namely, that Dickinson had a deep distrust of concentrated power and that he was fiercely committed to the idea of limited government.

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