The Question of Home Rule

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NEARLY a hundred years ago, Carl Lotus Becker famously suggested that the American Revolution was, at base, an attempt to answer two questions. The first, which Becker termed "the question of home rule," involved the colonies' external rights vis-à-vis the British government (and, after 1776, each other); the second was the internal question "of who should rule at home." To this day American historians generally regard the second as the more significant, touching as it did on the gradual inclusion of "the common freeholder and . . . unfranchised mechanic" within the political nation as well as the refusal to make comparable concessions to women, blacks, or Native Americans.[1] As Jack P. Greene reminds scholars, however, the question of home rule was and is no less important. Indeed, in causative terms, the allocation of collective rights within the far-flung polity of the United States was probably of greater moment than the debates over the individual rights belonging to any particular class or group. By conferring on the post-1776 states the same rights as their colonial predecessors, the American Founders practically ensured that the white settlers whose interests the British Empire had so effectively served would remain firmly in control of the federal Republic that took its place on the North American mainland.

Of the various implications of this argument, probably none is more subversive than Greene's postcolonial contention that the Revolution preserved and in many ways intensified exploitative patterns set during the colonial era. In a rubric that dates to Progressive historians of Becker's generation, scholars have tended to think of the Revolution as marking a clean break, with the social and intellectual upheaval that accompanied independence constituting a radical (and usually democratic) attempt, in the words of Bernard Bailyn, "to begin the world anew." In its most pronounced, textbook form, the result is a narrative in which the republican ideology that animated men and women in 1776 becomes the dominant force in subsequent chapters of American history, setting the terms by which its various actors gained (or failed to gain) the benefits of citizenship. As Greene rightly cautions, the Revolution's "transformative power" in any

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[1] Carl Lotus Becker, *The History of Political Parties in the Province of New York, 1760–1776* (1909; repr., Madison, Wis., 1968), 22.

William and Mary Quarterly, 3d Series, Volume LXIV, Number 2, April 2007

area of American life was "far weaker" than such conventions would suggest, and the continuities it perpetuated were far greater. Despite the egalitarian claims in the Declaration of Independence, the chief obstacle to changing the post-1776 status quo was the sanction that the revolutionary settlement gave to the social and political order as it existed on the eve of independence. When abolitionists such as William Lloyd Garrison burned copies of the Constitution, denouncing it for the power it conferred on Southern slaveholders, they knew exactly what they were doing.[2]

If Greene's argument offers little comfort to the heirs of Becker and the Progressive tradition, it is no more likely to please historians with a vested interest in seeing the American Republic as a unitary nation-state. The Constitution of 1787, argues Greene, was "less a national than a federal settlement," ensuring that home rule continued to refer primarily to the states, not the union or nation. Practically the only constant in Thomas Jefferson's political philosophy was his conviction, born of the imperial crisis of the 1760s and 1770s, that concentrating power in a strong central government (whether British or American) was the single greatest threat to the union's integrity. When this principle clashed with others—as it did during the Missouri crisis of 1819–21 with congressional efforts to prevent the territory's citizens from legalizing slavery—Jefferson accepted, almost as a matter of course, that ultimate authority ought to remain with the states and the white settlers whose interests they represented. Although Britain's post-1783 empire was also, in many respects, a "virtual nation," Parliament's imperial sovereignty remained sufficiently vigorous to force West Indian planters to accept the end of slavery during the 1830s. In the United States, on the other hand, federalism kept the balance of power securely in the hands of Southern slaveholders.[3]

Based on these insights, Greene makes a strong case for "a colonization, as it were, of American national history," yet in his eagerness to

[2] Bernard Bailyn, *To Begin the World Anew: The Genius and Ambiguities of the American Founders* (New York, 2003); Jack P. Greene, "Colonial History and National History: Reflections on a Continuing Problem," *William and Mary Quarterly*, 3d ser., 64, no. 2 (April 2007): 249. For the Progressive scholarship of Becker's generation, see also Charles Austin Beard, *An Economic Interpretation of the Constitution of the United States* (New York, 1913); J. Franklin Jameson, *The American Revolution Considered as a Social Movement* (1926; repr., Princeton, N.J., 1967). Daniel T. Rogers examines the rise and fall of the republican synthesis in American historical writing (Rogers, "Republicanism: The Career of a Concept," *Journal of American History* 79, no. 1 [June 1992]: 11–38). For republicanism's antidemocratic tendencies, see Edward Countryman, "Indians, the Colonial Order, and the Social Significance of the American Revolution," *WMQ* 53, no. 2 (April 1996): 342–62. On the Constitution as a proslavery document, see J. William Harris, *The Making of the American South: A Short History, 1500–1877* (Malden, Mass., 2006), chap. 3.

[3] Greene, *WMQ* 64: 245; Eliga H. Gould, "*AHR Forum*: A Virtual Nation: Greater Britain and the Imperial Legacy of the American Revolution," *American Historical Review* 104, no. 2 (April 1999): 476–89. See also Peter S. Onuf, *Jefferson's Empire: The Language of American Nationhood* (Charlottesville, Va., 2000).

debunk the Revolution's transformative, epochal character, he risks losing sight of what may be the richest irony of all. Although the ideals that inspired Becker clearly mattered less to early Americans than they would to their children and grandchildren—the words "all men are created equal," after all, only appear in the Declaration's second paragraph—people on both sides of the Atlantic correctly regarded the project of turning colonies into states as epochal and transformative. Insofar as independence meant assuming the same rights and responsibilities as the "civilized" states of Europe, this transformation was potentially at odds with America's colonial past, especially in matters involving the hot-button issue of slavery. Yet statehood also greatly enhanced the rights that Anglo-American settlers claimed over "stateless" people in their own vicinity, including Indians, free and enslaved blacks, and European squatters. As George Washington warned the Cherokee in his valedictory address of 1796, the Indians' only hope for survival in the new system of American states was to abandon nomadic hunting for settled agriculture and to form their nations into regular governments. Without such changes, the continent's first inhabitants would increasingly find themselves exposed to "hunger and cold," unable to trade with white merchants and, Washington implied, at the mercy of hostile settlers.[4]

Although the implications were especially dire for Native Americans, the colonies' statehood was no less transformative for their European neighbors. In the diplomatic memorial that the North ministry commissioned him to write in 1779, Edward Gibbon observed that, by unilaterally declaring independence, the rebellious colonies were behaving as though "*revolt* hath more extensive rights than those of *war*" and as though they had a "lawful title to conquest, which they could not have made but in contempt of both law and justice." With the peace of 1783, Britain conceded the legality of this initial conquest, yet in many eyes the United States remained a kind of pirate republic whose inclusion among the

[4] Greene, *WMQ* 64: 249 ("a colonization"); George Washington, "Address to the Cherokee Nation," Philadelphia, Aug. 29, 1796, in [John Rhodehamel, ed.], *George Washington: Writings* (New York, 1997), 956–60 ("hunger and cold," 956). On the Declaration as part of an international transformation, see Peter S. Onuf, "A Declaration of Independence for Diplomatic Historians," *Diplomatic History* 22, no. 1 (Winter 1998): 71–83; David Armitage, *The Declaration of Independence: A Global History* (Cambridge, Mass., 2007). For the Declaration's changing meaning and the shift in emphasis from the first paragraph, which focuses on home rule, to the second, see Pauline Maier, *American Scripture: Making the Declaration of Independence* (New York, 1997). On slavery, see esp. Christopher Leslie Brown, *Moral Capital: Foundations of British Abolitionism* (Chapel Hill, N.C., 2006). On Indians, see Eric Hinderaker, *Elusive Empires: Constructing Colonialism in the Ohio Valley, 1673–1800* (Cambridge, 1997); Stuart Banner, *How the Indians Lost Their Land: Law and Power on the Frontier* (Cambridge, Mass., 2005). The Revolution's effect on stateless peoples is the subject of a book I am currently writing on the American Revolution and the legal geography of the Atlantic world. See also Linda K. Kerber, "Toward a History of Statelessness in America," *American Quarterly* 57, no. 3 (September 2005): 727–49.

civilized states of Europe masked a continued penchant for illegal acts of violence and aggression against the hemisphere's other powers. In British colonies such as Upper Canada, metropolitan vigilance and settler loyalism were sufficient to hold such tendencies at bay. In the Spanish borderlands of Florida, Texas, and California, the American Republic expanded inexorably west and south. Although the settlers who spearheaded this expansion followed patterns set during the colonial era, they also drew on notions of sovereignty that were new and innovative, reenacting in each territory the home rule proclaimed in 1776 and asserting rights of conquest and self-government that went well beyond those of their own predecessors, let alone those of American settlers still subject to the British Crown.[5]

If only because of the uses to which contemporaries put it, there are sound reasons to view the American Revolution as a transformative event. That transformation, however, was preeminently a matter of clarifying and intensifying settler rights first articulated during the colonial era. In an overview of the scholarly literature, Joyce E. Chaplin notes that "studies of the Revolution among early Americanists have slowed" of late, with historians increasingly turning to the implications of American independence for Britain and the British Caribbean, the Revolution's consequences for the African slave trade, and its legacy for Native Americans, among other subjects. In part this waning interest in the Revolution's internal dimensions reflects the apparent completeness with which historians investigated the question of who would rule at home and the democratically "seductive vision of political transformation" that they discovered.[6] But the shift toward what may be called the Revolution's outer history—toward a history that places equal emphasis on the Republic's federal, postcolonial character—is also a sign that the question of home rule, which once seemed so straightforward, was every bit as fluid, contentious, and important. Although the history that results is unlikely to be quite as seductive as the one that Becker helped inaugurate, it promises to be no less significant.

[5] *The* Justifying Memorial *of the King of* Great Britain, *in Answer to the* Exposition, *&c. of the Court of* France, in *The Annual Register, or a View of the History, Politics, and Literature, For the Year 1779* (London, 1780), 22: 409. For Gibbon's authorship of the memorial, see Patricia B. Craddock, *Edward Gibbon: Luminous Historian, 1772–1794* (Baltimore, 1989), 134–35. On the United States as a pirate republic, see Eliga H. Gould, "American Independence and Britain's Counter-Revolution," *Past and Present*, no. 154 (February 1997): 107–41; Gould, "A World Transformed? Mapping the Legal Geography of the English-Speaking Atlantic, 1660–1825," *Wiener Zeitschrift zur Geschichte der Neuzeit* 3, no. 2 (2003): 24–37. On the American Republic's threat to Spain's American empire, see David J. Weber, *The Spanish Frontier in North America* (New Haven, Conn., 1992), chap. 10; James E. Lewis Jr., *The American Union and the Problem of Neighborhood: The United States and the Collapse of the Spanish Empire, 1783–1829* (Chapel Hill, N.C., 1998).

[6] Joyce E. Chaplin, "Expansion and Exceptionalism in Early American History," *Journal of American History* 89, no. 4 (March 2003): 1440–41 (quotations, 1441).