

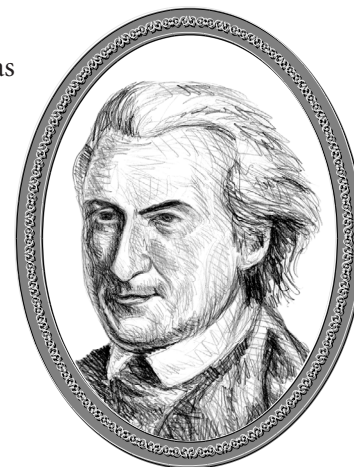
JOHN DICKINSON (1732–1808)

My dear countrymen, rouse yourselves, and behold the ruin hanging over your heads.

—John Dickinson, 1767



The carriage making its way down the streets of Philadelphia was carrying John Dickinson out of history. It was the morning of July 4, 1776, and the respected lawyer and “Penman of the Revolution” had decided to depart the city so that he would not be present at the day’s session of the Continental Congress. On this day, Dickinson knew, the Congress would approve the Declaration of Independence. It was the kind of radical step of which the conservative and cautious Dickinson disapproved. Though he had been for a decade one of the foremost essayists of American liberty, he still hoped that the colonies would work out their differences with Great Britain. Dickinson’s choice to leave meant that his name would largely be forgotten by posterity.



Background

John Dickinson was born on November 8, 1732, in Talbot County, Maryland. His family moved to Dover, Delaware, in 1740. There his parents raised young Dickinson in the Quaker tradition. After completing a classical education in Delaware, he studied law in London from 1753–1757. When he returned to the American colonies, he established a law practice in Philadelphia.

As a resident of both Delaware and Pennsylvania, Dickinson served in office in both colonies. He was elected to the Delaware Assembly in 1760. Two years later, he was chosen a member of the Pennsylvania Assembly.

“Penman of the American Revolution”

As tensions with Britain increased in the 1760s, Dickinson became an articulate defender of the liberties of Americans. He took the lead in penning the colonists’ objections to the Stamp Act of 1765. That year he wrote a pamphlet, *The Late Regulations Respecting the British Colonies*. In this essay he urged Americans to boycott British merchants in order to force repeal of the Act.

In 1767–1768, Dickinson authored the *Letters from a Farmer in Pennsylvania*. These essays appeared first separately in newspapers and were then published as a single pamphlet. In the *Letters*, Dickinson argued that British economic policies toward the colonies were reducing Americans to slavery. “My dear country men,” he intoned in his second letter, “rouse yourselves, and behold the ruin hanging over your heads.”

But Dickinson also urged prudence. “We cannot act with too much caution in our disputes,” Dickinson advised. He hoped that a settlement with Britain could be achieved if Americans united in petitioning the crown and Parliament for redress. The *Letters* were reprinted and read throughout the colonies and abroad: Benjamin Franklin, serving as a colonial agent in Britain, had them reprinted in London.

“The Liberty Song”

The *Letters from a Farmer in Pennsylvania* earned Dickinson the reputation as the foremost essayist of American liberty. Around this time, Dickinson also wrote the first American patriot song, “The Liberty Song.” Borrowing an English tune, he composed lyrics that reflected the spirit of his *Farmer Letters*: “In Freedom we’re born and in Freedom we’ll live/Our purses are ready/Steady, friends, steady/Not as slaves, but as Freemen our money we’ll give.” In the final stanza of the song, Dickinson counseled his fellow Americans that “by uniting we stand, by dividing we fall.”

In 1770, Dickinson was again elected to the Pennsylvania legislature. The following year he penned a “Petition to the King” on behalf of the legislature. Dickinson continued to believe that American grievances with the mother country could be resolved peacefully. In 1774, he chaired the Philadelphia Committee of Correspondence. Later that year, he was chosen by Pennsylvania as a member of the Continental Congress.

Independence

In 1775, Dickinson recognized that war was upon the colonies. Still, he hoped that America and Britain could work out their differences. In *Declaration of the Causes of Taking Up Arms* (1775), Dickinson wrote that Americans “have not raised armies with ambitious designs of separating from Great Britain, and establishing independent states.” For the Congress, he also drafted what became known as “the Olive Branch Petition.” In it, he pleaded with the king to respect the rights of the colonists. He also expressed his desire for “a happy and permanent reconciliation.”

In the summer of 1776, the Second Continental Congress met in Philadelphia to consider the issue of independence. Dickinson objected to the strong wording of Thomas Jefferson’s draft of the Declaration of Independence. When it became clear that Congress would approve the Declaration, Dickinson left Philadelphia. He could not consent to this fateful step, but he also refused to undermine his countrymen by voting against the measure.

Once independence had been declared, however, Dickinson dropped his objections. He helped draft the Articles of Confederation, the first form of government for the newly independent nation. Many credit Dickinson with coining the term, “the United States of America,” which opens the Articles. Dickinson served in the Pennsylvania militia during the early years of the Revolution. He then returned to his estate in Delaware.

In 1781, Dickinson became governor of Delaware. Returning to Philadelphia the following year, he was elected governor of Pennsylvania. Dickinson thus was governor of both states at the same time for a two-month period. In 1783, he was asked to lend his name to a new college in Pennsylvania. Dickinson described the school as a “bulwark of liberty.” This phrase became the motto of Dickinson College.

The Constitutional Convention

In 1786, Dickinson chaired the Annapolis Convention, a meeting of five states that called for revisions to the Articles of Confederation. Many prominent Americans, including Dickinson, believed that the central government had to be strengthened. In 1787, Dickinson headed Delaware’s delegation to the Constitutional Convention in Philadelphia.

At Philadelphia, Dickinson quickly concluded that the Articles had to be replaced completely. But Dickinson distrusted any ideas that broke with English and colonial traditions. Always a practical man, he counseled his fellow delegates to rely on the tried and

true when creating political institutions. “Experience must be our only guide,” Dickinson advised. “Reason may mislead us.” Illness prevented Dickinson from taking a greater role at the Convention, and caused him to be absent the day the Constitution was signed.

During the ratification debates, Dickinson composed a series of essays, the *Letters of Fabius*, in support of the Constitution. The *Letters* were widely published in the spring of 1788 throughout the country. Like the more famous *The Federalist Papers*, they did much to win support for the Constitution. Echoing his words on the floor of the Convention, Dickinson advised that the Constitution ought to be tested before it was amended: “A little experience will cast more light upon the subject than a multitude of debates.”

Retirement and Death

Dickinson spent the last two decades of his life farming at his home in Wilmington, Delaware. He continued to follow politics, siding with the Jeffersonian-Republicans. He advocated a plan of gradual abolition of slavery in his state. On February 14, 1808, Dickinson died. Though still esteemed by his contemporaries at the time of his death, the renown of the “Penman of the Revolution” would slowly fade over time.



Reading Comprehension Questions

1. Why did Dickinson not attend the Continental Congress on the day that the Declaration of Independence was adopted?
2. What role did Dickinson play in the shaping of the Constitution?
3. What were the *Letters of Fabius*?

Critical Thinking Questions

4. Why does Dickinson deserve the title, “Penman of the Revolution”?
5. William Pierce, a delegate to the Constitutional Convention from Georgia, predicted that Dickinson “will ever be considered one of the most important characters in the United States.” Why do you think Dickinson has largely been overlooked by history?

VOCABULARY AND CONTEXT QUESTIONS

Excerpts from *Letter 2 of Letters from a Farmer in Pennsylvania (1768)*

1. **Vocabulary:** *Use context clues to determine the meaning or significance of each of these words and write their definitions:*
 - a. provinces
 - b. preside
 - c. lodged
 - d. calculated
 - e. mutually
 - f. intercourse
 - g. constituent
 - h. injurious
 - i. revenue
 - j. exerted
 - k. levying
 - l. innovation
 - m. abject

2. **Context:** *Answer the following questions.*
 - a. Who wrote this document?
 - b. When was this document written?
 - c. What type of document is this?
 - d. Who was the audience for this document?

IN HIS OWN WORDS: JOHN DICKINSON ON THE TOWNSHEND ACTS (1767)

Excerpts from *Letter 2 of Letters from a Farmer in Pennsylvania* (1768)

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, &c. [the Townshend Acts].

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 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 a revenue thereby was never intended. . . . Never did the British Parliament, till the period above mentioned think of imposing duties in America, FOR THE PURPOSE OF RAISING A REVENUE.

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.

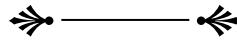
This I call an innovation; and a most dangerous innovation. . . . These colonies require many things for their use, which the laws of Great-Britain prohibit them from getting any where but from her. Such are paper and glass. . . .

Here then, my dear country men 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. . . . 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. . . .

Source: “Letter 2 of Letters from a Pennsylvania Farmer.” Teaching American History.org.
<<http://www.teachingamericanhistory.org/library/index.asp?document=25>>.

Directions: After reacting to Dickinson’s letter in your identity group, underline those sections that reveal his desire for reconciliation with Britain, and circle those sections that reveal his willingness to question British authority.

LIBERTY



Liberty was the central political principle of the American Revolution. As Patrick Henry, one of its staunchest supporters, famously intoned, “Give me liberty or give me death.” Henry was not alone in his rhetorical fervor. Indeed, no ideal was proclaimed more often in the eighteenth-century Anglo-American world than liberty.

The idea of liberty defended by the American Founders came from several sources. The most venerable was English common law. Beginning in the late medieval period, writers in the common law tradition developed an understanding of liberty which held that English subjects were free because they lived under a system of laws which even the Crown was bound to respect. Leading English jurists argued that these legal limits on royal power protected the subject’s liberty by limiting the arbitrary use of political power.

Under English common law, liberty also consisted in the subject enjoying certain fundamental rights to life, liberty and property. William Blackstone (1723–1780), the leading common lawyer of the eighteenth century, argued that these rights allowed an English subject to be the “entire master of his own conduct, except in those points wherein the public good requires some direction or restraint . . .” For Blackstone, these English rights further protected the subjects’ liberty by making them secure in their persons from arbitrary search and seizure, and by ensuring that their property could not be taken from them without due process of law.

In order to preserve these fundamental rights, the English common law allowed the subject the right to consent to the laws that bound him by electing representatives to Parliament whose consent the monarch had to obtain before acting.

Common lawyers in the seventeenth and eighteenth centuries did not view these rights and the liberty they protected as the gift or grant of the monarch; rather, they believed that they were an Englishmen’s “birthright,” something that inhered in each subject and that therefore could not be taken away by royal prerogative.

This common law understanding of liberty was central to the seventeenth-century struggles against the Stuart monarchy. Prominent jurists and Parliamentarians such as Edward Coke (1552–1634) took the lead in the attempt to limit what they saw as the illegal and arbitrary nature of the Stuarts’ rule. This struggle culminated in the Glorious Revolution

of 1689 and the triumph of Parliamentary authority over the Crown. For champions of English liberty, the result of this century-long struggle was the achievement of political liberty. They further argued that, as a result of this struggle, Britain in the eighteenth century had the freest constitution in the world. According to the French writer Montesquieu (1689–1755), Britain was “the only nation in the world, where political and civil liberty” was “the direct end of the constitution.”

This seventeenth century struggle between royal power and the subject’s liberties made a great impression on the American Founders. They absorbed its lessons about the nature and importance of liberty through their reading of English history as well as through their instruction in English law.

A second and equally influential understanding of liberty was also forged in the constitutional battles of the seventeenth century: the idea that liberty was a natural right pertaining to all. The foremost exponent of this understanding of liberty in the English-speaking world was John Locke (1632–1704). Locke’s political ideas were part of a wider European political and legal movement which argued that there were certain rights that all men were entitled to irrespective of social class or creed.

Like the common lawyers, Locke saw liberty as centrally about the enjoyment of certain rights. However, he universalized the older English understanding of liberty, arguing that it applied to all persons, and not just to English subjects. Locke also expanded the contemporary understanding of liberty by arguing that it included other rights—in particular a right to religious toleration (or liberty of conscience), as well as a right to resist governments that violated liberty. In addition, Locke argued that the traditional English common



law right to property was also a natural right, and was an important part of the subject's liberty.

Locke began his political theory by arguing that liberty was the natural state of mankind. According to Locke, all men are “naturally” in a “State of perfect Freedom to order” their “Actions, and dispose of their Possessions, and Persons as they think fit, within the bounds of the Law of Nature, without asking leave, or depending upon the Will of any other Man.”

However, Locke did not argue that this natural liberty was a license to do whatever we want. “Freedom is not,” he argued, “A Liberty for every Man to do what he lists (For who could be free, when every other Man's humour might domineer over him?).” Rather, Locke held that since all men are “equal and independent, no one ought to harm another in his Life, health, Liberty, or Possessions.” According to Locke, each of us has “an uncontrollable Liberty to dispose of our persons and possession,” but we do not have the right to interfere with the equal liberty of others to do the same.

In Locke's political theory, men enter into society and form governments to better preserve this natural liberty. When they do so, they create a political system where the natural law limits on liberty in the state of nature are translated into a legal regime of rights. In such a system, Locke argued, each person retains his “Liberty to dispose, and order, as he lists, his Person, Actions, Possession, and his whole Property, within the Allowance of those Laws under which he is; and therein not to be subject to the arbitrary Will of another, but freely follow his own.”

For Locke, as for the common lawyers, the rule of law was necessary for liberty. In Locke's view, “the end of law is not to abolish or restrain, but to preserve and enlarge Freedom.” According to Locke, “Where there is no Law, there is no Freedom. For Liberty is to be free from restraint and violence from others which cannot be, where there is no law.”

Building on both the English common law and on Locke's ideas, the eighteenth-century English writer Cato argued “that liberty is the unalienable right of mankind.” It is “the power which every Man has over his own Actions, and his Right to enjoy the Fruit of his Labour, Art, and Industry, as far as by it he hurts not the Society, or any members of it, by taking from any Member or by

hindering him from enjoying what he himself enjoys.” Cato was the pseudonym for two British writers, John Trenchard and Thomas Gordon. Their co-authored *Cato's Letters* (1720–1723) were widely read in the American colonies.

On the eve of the American Revolution, then, the received understanding of liberty in the Anglo-American world was a powerful amalgam of both the English common law and the liberal ideas of writers like Locke and Cato. On this view, liberty meant being able to act freely, secure in your basic rights, unhindered by the coercive actions of others, and subject only to the limitation of such laws as you have consented to. Central to this idea of liberty was the right to hold property and to have it secure from arbitrary seizure. In addition, under the influence of Locke, liberty was increasingly being seen on

both sides of the Atlantic as a universal right, one not limited to English subjects. Equally influential was Locke's argument that if a government violated its citizens' liberty the people could resist the government's edicts and create a new political authority. However, despite the gains that had been made since the seventeenth century, many Englishmen in the eighteenth century still worried that liberty was fragile and would always be endangered by the ambitions of powerful men.

Since the first settlements were established in the early seventeenth century, the American colonists shared in this English understanding of liberty. In particular, they believed that they had taken their English rights with them when they crossed the Atlantic. It was on the basis of these rights that they made a case for their freedom as colonists under the Crown. In addition, in the eighteenth century, the colonists were increasingly influenced by the Lockean idea that liberty was a natural right. As a result, when they were confronted with the policies of the British Crown and Parliament in the 1760s and 1770s to tax and legislate for them without their consent, the colonists viewed them as an attack on their liberty.

In response, the colonists argued that these British taxes and regulations were illegal because they violated fundamental rights. They were particularly resistant to the claims of the British Parliament, as expressed in the Declaratory Act of 1766, to legislate for the colonies “in all cases whatsoever.” By 1774, following the Boston Tea Party organized by Samuel Adams and John Hancock, and the subsequent

No ideal was proclaimed more often in the eighteenth-century Anglo-American world than liberty.

Coercive Acts, many leading colonists such as Thomas Paine and James Otis argued that they had a natural right to govern themselves, and that such a right was the only protection for their liberty. In addition to several essays in defense of rights, including *Letters from a Farmer in Pennsylvania*, John Dickinson wrote the first patriotic song, “The Liberty Song.”

This colonial thinking about liberty and rights culminated in the Declaration of Independence issued by the Continental Congress in 1776, which proclaimed that, because their liberty was endangered, the colonists had a natural right to resist the English King and Parliament.

Having made a revolution in the name of liberty, the American challenge was to create a form of government that preserved liberty better than the vaunted British constitution had done. In doing so, the founders turned to the ancient ideal of republican self-government, arguing that it alone could preserve the people’s liberty. They further argued that the modern understanding of liberty as the possession of rights needed to be a central part of any proper republican government. Beginning in 1776, in the midst of the Revolutionary War, all of the former colonies began to construct republican governments which rested on the people’s consent and which included bills of rights to protect the people’s liberty.

Since there was widespread consensus among the Founders that liberty required the protection of rights and the rule of law, much of the political debate in the crucial decades following the American Revolution revolved around the question of which institutional arrangements best supported liberty. Was liberty best protected by strong state governments jealously guarding the people’s liberties from excessive federal authority, as leading Anti-Federalists like George Mason contended; or, was an extended federal republic best able to preserve the freedom of all, as leading Federalists like James Madison and Alexander Hamilton argued?

The era of the American Revolution also gave birth to a further series of important debates about liberty. Was slavery, as some Americans in the eighteenth century were beginning to recognize, an unjust infringement upon the liberty of African Americans? Were women, long deprived of basic legal rights, also entitled to have equal liberty with their male fellow citizens? By making a Revolution in its name, the Founders ensured that debates about the nature and extent of liberty would remain at the center of the American experiment in self-government.

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Suggestions for Further Reading

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