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God against the Revolution
1 The Context for the Loyalist Argument

If government was God’s ordinance to man, little more need be said. Disagreement with government became rebellion against authority and, in turn, opposition to God.

Lawrence Leder

Much does it concern those who direct these tribunals to remember, that though they may destroy those persons who maintain the truth, yet can they not finally destroy truth itself: in attempting it, they may find, to their cost, that they fight against God.

Jonathan Boucher

“No taxation without representation!” “Give me liberty or give me death!” “Rulers have no authority from God to do mischief.” The slogans and the basic arguments of those Americans who rebelled against the British government in 1776 are familiar not only to scholars but also to generations of schoolchildren. Whether the leaders of the American Revolution were heroes who fought for their rights and liberty or ambitious men seeking social and economic promotion, their aversion to paying taxes and their desire to govern themselves are well known. College courses and political think tanks analyze, celebrate, and disseminate their ideas. Their ideas form the basis for accepted American political truth and for basic American principles that are transmitted to the rest of the world. This is largely true because they won. The voices and ideas of the losers—of those who remained loyal to England during the American Revolution—are virtually unknown. They were also Americans who loved the land in which they lived and desired what was best for it. They were as well (or better) educated
as the rebel spokesmen and appealed to strong legal, theoretical, rational, and biblical arguments. The best, most effective of them were clergymen. If one wants to properly understand the historical and philosophical context of the American Revolution, one must know and grapple with their arguments. This is a study of the arguments against the American Revolution made by Loyalist ministers.

Several of the Loyalist clergymen are generally considered to be the best spokesmen for their cause, and their sermons and pamphlets are particularly valuable because they cover the full range of Loyalist argument. Although a few lawyers and politicians made notable but limited contributions, public advocates for Loyalism were “relatively scarce” aside from churchmen. This was “the age of the sermon, which was the discourse from which most men imbibed their beliefs.” The preacher was a public figure, a “natural leader,” and “a learned man” who was often as well versed in the writings of modern political theorists and law as in the writings of prominent churchmen. The role of Patriot pastors in promoting and recruiting for the Revolution is well documented, along with analysis of the content of their message. Less known to scholars and to the public is the influence and content of the sermons and pamphlets published by Loyalist ministers. Perhaps the greatest testament to their effectiveness is the tremendous campaign by the Patriots to silence them, to prevent publication of their materials, and to destroy all copies of any materials that managed to make it to publication. This study seeks to fill the knowledge gap regarding the content of those writings.

Loyalist pamphlets often contained propaganda and polemics, but no more so than their Patriot counterparts. Loyalist sermons occasionally included Bible verses out of context and made applications from only loosely relevant passages, but they did that far less than did Patriot sermons. Loyalist pamphlets and sermons primarily appealed to history, law, and the Bible; Patriot pamphlets and sermons primarily appealed to theory, fear, and John Locke. Readers of the sermons and pamphlets from both would see common themes and subjects addressed, but from very different perspectives. The two sides have traditionally been labeled Whigs and Tories.

**Whigs versus Tories**

Donald Chidsey notes that both “‘Tory’ and ‘Whig’ were originally pejorative and borrowed without acknowledgment from the English.” Both terms had connotations of criminality in their etymologies. For reasons no one seems to know, during the time of conflict with Great Britain, Americans
began using “Whig” for liberal and “Tory” for conservative. It is critical at the outset to make it clear that neither American Whiggism nor American Toryism was the same as its English counterpart. The names were appropriated and some ideas and characteristics borrowed, but there is no equivalence between the groups from opposite sides of the Atlantic. Throughout this study, references to Whig or Tory are references to the American brands.

Contrary to popular belief and to popular history, there were no particular social, economic, or religious groups that were entirely Whigs or entirely Tories. Looking at it from the other angle, a Whig or a Tory might be from any part of the country, might be from any social or economic class, and might hold to any religious persuasion. Scholars have noted that “the average loyalist might come from any walk of life” and that “Loyalists, like their Patriot counterparts, came from all ranks of society.” Maya Jasanoff suggests that “a host of factors” were involved in choosing sides, “including core values and beliefs, self-interest, local circumstance, and personal relationships.” She puts the emphasis on “employers, occupations, profits, land, faith, family, and friendships.” In discussing the diversity of loyalism, Jasanoff notes that more than 700 people signed the little-known Loyalist “Declaration of Dependence” and that a majority of them were “ordinary people” such as “tavern-keepers and carpenters, farmers.”

It is also important to understand at the outset that large numbers of Americans—perhaps as many as one third—were neither Whigs nor Tories but wanted to remain noncommittal, neutral, and simply left alone. Indeed, “in the more sparsely settled parts of the middle and southern colonies much of the population was inclined to acquiesce to whatever regime could maintain order and security.” So “the British and patriots were competing for the allegiance and respect of a sizable, uncommitted segment of the population which was loyalist, neutral, inoffensive, or disaffected, depending on an observer’s immediate perspective.” Key representatives of each side discounted this neutral group, however. Loyalist minister Jonathan Boucher proclaimed that “it is a certain fact, of the truth of which I at least am thoroughly convinced, that nine out of ten of the people of America, properly so called, were adverse to the revolt.” On the other side, Whig John Adams declared that “nine-tenths of the people” were “high whigs” in political thought, if not in support for the revolt. Hyperbole abounded on both sides when it came to claims of support.

Contrary to early histories and assumptions, the Whigs were not exclusively “common men” and the Tories were not distinctively wealthy
aristocrats. Scholarship has revealed that “loyalists, like patriots, were drawn from all classes. . . . It was not a conflict in which one side was predominately upper class and the other predominantly lower class.” Patrick Griffin concludes: “Loyalists included the recently arrived and the descendants of the oldest American families. They came from every colony and every social position and occupation and lived on the frontier and in cities.” Four of the richest men in the colonies were Whigs; and Virginia, which, along with New York, had the most large property holdings, had the smallest percentage of Tories. Less than 2 percent of the signers of Loyalist petitions in New York were officeholders. Signers were “not united by birth, profession, or class”; they “included apothecaries, farmers, shopkeepers, artisans, tavern owners, and cartmen. A substantial portion of the signers were those of middling stature, people who won no special favors and achieved no prominence under British military government.” The records of the Parliamentary commission on compensation for Tories financially hurt by the Revolution show that about 49 percent of claimants were farmers, 10 percent artisans, 19 percent merchants and shopkeepers, 10 percent officeholders, and only 9 percent professional men. These numbers reflect a cross section of the population, not elites. Ruma Chopra effectively summarizes the traditional view of the Tories versus the facts when she notes that “both loyalist and rebel included constituents from the privileged circles and also people in the margins of colonial society.” It was not a battle between “virtuous rebel farmers who bravely stood for liberty” and “colonial aristocrats who selfishly pursue[d] wealth and position.” The leaders on both sides were well educated and wealthy, but “the most disadvantaged in the colonies—the African-American slaves and the Native Americans—mostly sided with the British.”

William Nelson suggests that the leaders of both sides were oligarchs, with the difference between them being that the Tories needed British support, not that the Whigs were merely representatives of the common man. William Allen Benton agrees, arguing that the Whig and Tory oligarchies “were essentially identical in their functions, behavior and makeup,” with the difference between them being the “bases of their power.” As for the common man emphasis, Benton contends that “the Whig oligarchy was safeguarded by property qualifications for the participation in government.” Edmund Morgan explains that common people such as some merchants in New York City and some tenant farmers in the Hudson Valley joined with the Tories when they “felt that the local Revolutionary leaders threatened their interests more than the mother country did.” In other words, “social groups
that felt endangered or oppressed by the Revolutionary party” gravitated to the Tories, irrespective of theory or ideology. Both wealthy and common men became Loyalists for economic reasons.

Religious identification played an important role in choosing sides and “in many cases determined the sympathy of individuals who had no other interest at stake.” Interestingly, though the religious lines dividing Whigs and Tories were “quite clearly drawn,” they were not drawn with denominational borders. The traditional view is that Congregationalists and Presbyterians were Whigs and Anglicans (members of the Church of England) were Tories. The closest adherence to that notion came from the Anglican missionaries of the Society for the Propagation of the Gospel (SPG), who, like Anglican ministers, had all taken oaths of allegiance to the king. About 90 percent of the SPG missionaries kept that oath and were Tories. Aside from them, the truth is that “every Protestant denominational community, and even Jewish synagogues and Roman Catholic parishes, harbored Patriots, Loyalists, and neutralists,” although Catholics and Jews were predominately Patriots.

Largely because they reported to a central government that kept records or to a single, organized mission agency, statistics for the Anglicans are more available and more reliable. According to the most recent and most in-depth study, 101 of the 311 Church of England ministers in the thirteen colonies became active Loyalists and twenty-seven were moderately or passively Loyalist. But seventy-six of them became active Patriots and fifty-four were moderate or passive Patriots despite their oath to support the king. Despite traps and pressure, fifty-nine of them were able to keep their political views and allegiance unknown.

Though religious affiliation clearly played a role, it may not have been the decisive factor for many. Claude Halstead Van Tyne suggests that “few men living south of New York seem to have had their politics influenced by their religion” unless they also had an economic motive. Of the 120 Anglican ministers in Virginia, only 22 percent were loyal; eleven of them “became members of local committees of safety while one became a brigadier general (and not a chaplain, either) in the Continental Army.” In Maryland, 40 percent were loyal, but that could be said of only five of twenty-three Anglican clergymen in South Carolina. Chopra notes that in the North, where two thirds of New York and New Jersey ministers remained loyal, there was greater Tory “intensity.” As will be seen in later chapters, “some Anglican clerics in the northern colonies associated loyalty to the Church as synonymous with loyalty to the empire.” Chopra concludes: “If the
Church of England supplied more loyalist spokesmen than any other single denomination, it must also be observed that the signers of the Declaration of Independence included more men of Anglican faith than any other.” In fact, more than half of those signers were Anglican, although none was a clergyman.10

Nelson concludes that the key to understanding which side a particular religious group would favor is to look at the “dominant local denomination.” Groups that were in “a local minority were everywhere inclined towards Loyalism, while adherents of the dominant local denomination were most often Patriots. In New England not many Congregationalists, in the Middle Colonies not many Presbyterians, in the South not many Episcopalians, were Tories. Conversely, most of the Anglicans in the North were Tories; so were many Presbyterians in the Episcopalian South.” In other words, the traditional view concerning these large denominations is not supported by the facts. Nelson’s theory also explains why smaller groups aligned mostly with the Tories. Most Quakers, German Pietists, and Dutch Reformed members were “passive Loyalists,” and “in New England even the Baptists were accused of 'not being hearty' in the American cause,” although Baptists tended to be Patriots in areas where Episcopalians were Loyalists. Perhaps the religious minorities had greater confidence in England’s ability and desire to respect their liberty, as opposed to the potential of majority tyranny in the emotionally charged realm of religion. Janice Potter suggests that “some religious minorities, such as the Palatinate Germans and Huguenots in New York, would have reason to equate Britain with religious liberty. Some religious minorities in Massachusetts also could, on the basis of their own experience, link the British connection with liberty.” New England in particular was not known for allowing religious liberty for minority groups. The two religious minorities that generally supported the Revolution and thus are the exception to the rule are the Catholics and the Jews. Nelson suggests a possible explanation: “It is possible that the Jews and Catholics were in such suspect and habitual minority that they felt obliged to follow what seemed majority opinion for their own safety.” Some wishing to be neutrals chose the Loyalist side as a result of “repressive revolutionary programs” that would not allow neutrality and demanded a choice of sides.11

Whether the category is social, economic, or religious, Nelson finds one common factor among Loyalists: “They represented conscious minorities, people who felt weak and threatened,” those who felt they “needed protection from an American majority.” Holger Hoock makes the same point regarding
ethnicity, religion, and occupation. David Fowler affirms that in New Jersey “religious minorities perceived the Crown as a buffer against the tyranny of the majority.” Nelson argues that this “assortment of minority groups” might have, in total throughout the colonies, “constituted a majority of Americans,” but without necessary unifying factors or leadership. “In this case the Revolution would have been, as it has sometimes been claimed to have been, the achievement of an organized and wilful minority.” In an effort to nail down the number of Whigs and Tories with some degree of accuracy, he muses on the long-suggested ratio of one third in favor of the Revolution, one third opposed, and one third neutral, and he suggests that “perhaps half as many Americans were in arms for the King, at one time or another, as fought on the side of the Congress.” The presence of the third, “middle group of passive citizens who had no clear point of view, who . . . wanted above all not to be disturbed” complicates this effort. Giving up on the overall problem, Nelson finally limits the discussion to “the politically active population of the colonies.” Nelson ultimately applies his own argument about compounding minority groups and settles on a ratio of one third Loyalists and two thirds “revolutionists.”

Despite the unsatisfactory conclusion, Nelson’s theory is intriguing and might be the best explanation of nonideological factors in the choice between being a Whig or a Tory.

It was ideology, however—or at least ideas—that attracted or drove most people into one camp or the other. Griffin notes that Tories “believed the British program of sovereignty spoke to their ideas and their interests, and they remained loyal at great personal cost.” Max Savelle provides useful and representative summaries of Whig and Tory ideology. He boils down the Whig ideology to “the steady increase in the power of the representative, or popular, or ‘commons’ arm of government” with “the concept of individual ‘liberty’” at the center. The critical institutions to defend that liberty were representative government and a balance between the legislature and the executive—and of course the Whig ideology included a right of “resistance” or revolution for those who were not satisfied with their level of liberty. In Savelle’s characterization of the Tory ideology, “Tories stood against the popularization of government. They stood for a maintenance, even a strengthening, of the political connection with the mother country. Above all, they stood for a maintenance, even a strengthening, of the royal prerogative.” “For the Tories, the essential element in the government of the colonies was the prerogative of the Crown. This royal prerogative was a quality that was inherent in the kingship; it was not the gift of the people,
and therefore the people could neither diminish it nor take it away.” The Tories therefore affirmed the authority of the king, denied a right of revolution, and strongly opposed American independence.

Nelson supplies a somewhat different, more abstract, but equally helpful interpretation of the differences between the Whig and Tory ideologies. He sees the key distinction being the degree of emphasis on society versus the individual. Nelson argues that the Tories stressed the value and supremacy of society, with a man’s worth largely determined by his contribution to and accord with his fellow men. He suggests that “their theories about society were usually mere projections of their concern for the individual.” Like Savelle, Nelson emphasizes the centrality of liberty: “To the [Whigs], liberty was a concern of utmost importance, and liberty was to be found in the assertion of the rights of the individual against the priests and princes who would oppress him. The Tories were not indifferent to liberty, but they defined it differently. They believed that men were in more danger of being enslaved by their own unreason than by Church or State.”

Patriot Benjamin Rush provides insightful contemporary summaries of the motivations of each side. Of the Tories, Rush says:

There were Tories (1) from an attachment to power and office. (2) From an attachment to the British commerce which the war had interrupted or annihilated. (3) From an attachment to kingly government. (4) From an attachment to the hierarchy of the Church of England, which it was supposed would be abolished in America by her separation [sic] from Great Britain. This motive acted chiefly upon the Episcopal clergy, more especially in the Eastern states. (5) From a dread of the power of the country being transferred into the hands of the Presbyterians.

Rush leaves out the obvious: love of country and culture by proud Englishmen. Of his own faction, the Whigs, Rush says:

It cannot be denied, but that private and personal consideration actuated some of those men who took a part in favor of the American Revolution. There were Whigs (1) from a desire of possessing, or at least sharing, in the power of our country. It was said there were Whigs (2) from an expectation that a war with Great Britain would cancel all British debts. There certainly were Whigs (3) from the facility with which the tender laws enabled debtors to pay their creditors in depreciated paper money. (4) A few men were Whigs from
ancient or hereditary hostility to persons, or families who were Tories. But a great majority of the people who took part with their country were Whigs (5) from a sincere and disinterested love of liberty and justice.\textsuperscript{15}

Regarding the fourth group, Tory minister Jonathan Boucher claims that “private grudges gave rise to public measures. Such motives . . . lie beyond the reach of ordinary historians.” He then goes one step further: “I am not conscious that I should assert more than I can prove were I to declare that the revolt itself originated in private resentment.”\textsuperscript{16} From Rush’s perspective, though political and economic motivations were important on both sides, most Whigs were motivated by principle.

Loyalist Jonathan Sewall’s explanation of the reason people became Whigs is less noble and high-minded. He is convinced that there are only two ways that people owning “a sufficient Share of landed property, in one of the finest Climates in the World; living under the mildest Government, enjoying the highest portion of civil and religious Liberty that the Nature of human Society admits, and protected in the Enjoyment of these, and every other desirable Blessing in Life, upon the easiest Terms, by the only Power on Earth capable of affording that protection” could or would give up that happy life and throw off that protection. Many were “hoodwinked, inflamed and goaded on” by “turbulent Spirits” and “desperate [sic] Demagogues” to see an imaginary advance of tyranny and threat to their liberty. In short, they were manipulated by republican propagandists to fear a “mere Delusion” of a threat to their happiness and to support “Chimerical Grievances” against a benign protector who was falsely accused of bad intentions. That was at the beginning, but “now many are intimidated by the Threats of their Country-men, and a Dispair [sic] of protection” from the committees enforcing the will of those demagogues. They were previously afraid of England taking away their liberty and now are afraid of the Patriots. In either case, Sewall cannot believe that people “so scituated [sic] for Happiness” would voluntarily take up the Whig cause; they must have been fooled or forced. Whether or not Sewall’s charge was correct, it is important to note that “content with the old order of things was the normal state, and that men had rather to be converted to the Whig . . . views than to the Tory” position.\textsuperscript{17} Sewall’s opening description of the life of Americans under British authority and protection along with a statement of respect for law and order constitutes his explanation of the motivation of Loyalists.
chapter one

Rush also identifies different types of Tories and Whigs in terms of their conduct. He suggests that there were “furious Tories who had recourse to violence”; “writing and talking Tories”; “silent but busy Tories” who disseminated what the writers produced; and “peaceable and conscientious Tories who patiently submitted to the measures of the governing powers, and who shewed nearly equal kindness to the distressed of both parties during the war.” Rush similarly divides the Whigs into four groups. Interestingly, his commentary indicates that he did not at all approve of three of the four types. First, there were “furious Whigs, who considered the tarring and feathering of a Tory as a greater duty and exploit than the extermination of a British army.” Rush says that these men were “generally cowards, and shrank from danger when called into the field by pretending sickness or some family disaster.” Second, there were economically “speculating Whigs,” who “infested our public councils, as well as the army, and did the country great mischief.” The third group was the “timid Whigs,” whose hopes “rose and fell with every victory and defeat of our armies.” The fourth type, of which Rush was presumably a member, was the “staunch Whigs.” Rush reports that these “were moderate in their tempers, but firm, inflexible, and persevering in their conduct.”

Rush the Whig and Sewall the Tory agree that there were many who were neither Whigs nor Tories. Sewall argues that “a very great Majority of Merchants and Traders throughout the continent . . . could they be protected in a Neutrality . . . would gladly remain quiet.” These were some of the people that Sewall said were Whigs out of fear of the Patriot committees. Scholars note that although the committees “possessed no constitutional legitimacy,” they “literally enforced the Revolution.” Maya Jasanoff refers to the most famous of them—the Sons of Liberty—as a “street gang.” Not only merchants and traders but also clergymen and members of certain other occupations were not allowed to remain neutral. Rush suggests that this third class “had no fixed principles and accommodated their conduct to their interest, to events, and to their company.” They tried to play each side off against the other and moved “toward the point of least resistance.” But, Rush contends, they “were not without their uses. They protected both parties in many instances from the rage of each other, and each party always found hospitable treatment from them.” Overall, by Rush’s accounting, the Whigs were the largest class, and this third class was “a powerful reinforcement to them” once the war began going the revolutionaries’ way. Chopra affirms the existence and primary motivation of this in-between group, contending
that “the proximity of the British army and the threat of local coercion” had
greater influence on the choice of many than ideological commitments. In
particular, those who “refused or hesitated to choose rebellion . . . risked
physical harassment, social isolation, and legal ostracizing from local en-
forcement agencies.” Many were coerced into support for the Patriot cause
by threats to their families and property.19

There were therefore several types of Whigs and Tories and a variety of
motives for choosing to be a Whig or a Tory, some of which were material
and others a matter of principle. Some people may have been manipulated
or intimidated, and consequently had the choice essentially made for them.
When they did choose, Whigs favored the popularization of government,
emphasis on personal liberty, and the aggrandizement of the individual.
But how would that play out in terms of their views of the structure and
function of government? Whigs argued for “the substitution of regular
units of representation systematically related to the distribution of popu-
lation; . . . alterations in the definition of seditious libel so as to permit full
freedom of the press to criticize the government; and the total withdrawal
of government control over the practice of religion.” They believed in “civil
supremacy” over the military (as opposed to military independence), and
they opposed the concept of standing armies. Until the Declaration of Inde-
pendence, American Whigs supported the king as a constitutional monarch
whose “chief business was to protect the Americans from parliamentary or
ministerial oppression. His prerogative was a check on power rather than
power itself.” And they made it clear that they would be ready to overthrow
his rule “if ever he should step out of his constitutional role.” In fact, the
threat of “ministerial aggrandizement seemed particularly pressing” in the
American colonies, “for there . . . the executive branches of government . . .
held, and used, powers that in England had been stripped from the crown in
the settlement that had followed the Glorious Revolution as inappropriate
to the government of a free people.”20

American Whigs looked wistfully at the idea of the Glorious Revolution,
with many considering it a sort of starting point rather than a consumma-
tion of the quest for liberty. “After extensive controversy there emerged an
agreement that the British constitution was fixed and that finite limits were
imposed on governmental power, an essential position given the nature of
colonial political institutions and their constant efforts to expand the limits
of their own authority.” In part that led the colonial assemblies to claim
to be endowed with all of the rights of the House of Commons. In part it
meant that government must be “balanced” between the legislature and the executive. In part it legitimized a right of resistance and justified revolution when government exceeded its proper limits. Whigs were taught the right of resistance by the after-the-fact apologist for the Glorious Revolution: John Locke. A “Lockean notion about the contractual basis of government” was commonplace and appeals to Locke “a completely natural performance” among Whigs. The Tory press recognized his influence and mocked the central Lockean doctrines of a “state of nature” and equality: “Now, if the Whigs establish their republic, they ‘will reduce all men into a state of nature,’ and perhaps the next step would be to cut off the legs of the tallest, that no man might look over the head of his neighbors.”

Whig pastors in particular imbibed Lockean theory with enthusiasm and poured it out to their congregants to justify rebellion. Indeed, Savelle claims that the “classic American statement of the right of revolution was that pronounced by pastor Jonathan Mayhew in his famous sermon of 1750 [A Discourse Concerning Unlimited Submission and Non-Resistance to the Higher Powers].” Mayhew acknowledged his intellectual debt to Locke and his premises were Lockean. There were, of course, many other important sources for Whig thought, but it is not within the scope of this overview chapter to discuss them with specificity. The players in this study emphasized and cited Locke, not Trenchard and Gordon or other English or continental libertarians. The Patriot preachers overwhelmingly if not exclusively cited the celebrated and sagacious Locke, and the Loyalist ministers treated Locke as their primary if not exclusive philosophical adversary.

According to the Whigs, government was limited and could be resisted by force if it overstepped its bounds. By the mid-1770s, American Whigs believed that condition had been met. It is also beyond the scope of this introductory chapter to address all of the particular issues and complaints that led the Americans to engage in rebellion against the British government. Virtually all of them will be addressed in succeeding chapters as the Tory clergymen respond to and answer them. For the purposes of this introduction, one multifaceted issue will serve as a core cause of the American Revolution from the Whig perspective: taxation. Increases in and enforcement of taxes levied on the colonies by Parliament resulted in acts of defiance, violence, and destruction of property that ramped up tension and confrontation. That necessitated greater use of policing force by the British government and in turn more confrontation. Familiar historical examples abound, such as the intimidation of stamp agents, the Boston
the context for the loyalist argument

Massacre, the Boston Tea Party, and the events at Lexington and Concord. More importantly for the study of political thought, however, numerous views concerning various types of parliamentary taxation highlighted the fundamental differences in principle between the Whigs and Tories. As Van Tyne observes, once the British repealed all of the “obnoxious acts . . . except the tea duty” and replaced the objectionable Francis Bernard as governor of Massachusetts, there “was nothing now to fight for except a principle. Then it was that the difference between Whig and Tory political philosophy became defined.”

When Parliament lowered the tax on tea to such an extent that British tea became cheaper to buy than that of any other country, Benjamin Franklin saw an ulterior motive. Britain’s “wise scheme” was to entice Americans to give up their protests, buy the tea, and thereby “keep up the exercise of the right” of Parliament to tax the Americans. Franklin said, however, that the Americans acted from principle, not interest, and that 30 pence a year in tea tax would not be “sufficient to overcome all the patriotism of an American.” Whigs did not emphasize the price of goods due to taxation but rather the principle of whether Parliament had a right to tax the colonists at all. Famously, the American Whigs claimed that the British constitution guaranteed “no taxation without representation.” John Joachim Zubly declared: “Every impartial man will allow that this is the foundation of the whole dispute.” Part of the dispute between Whigs and Tories lay in the meaning of the word “representation.” To Tories, representation meant that the classes of the community were represented in Parliament. For them, the appropriate phrase was “no taxation except that voted by the House of Commons.” To Whigs, representation meant that there was a seat in Commons occupied by a person elected by the people of a geographical community—that each person taxed had an opportunity to vote for a member of Commons making the tax decision. Because of the difference in meaning, the two sides often talked past each other.

The Whigs also distinguished between types of taxes. Some denied Parliament’s right to tax the colonies internally but recognized its right to tax them externally. Some distinguished between taxation for revenue purposes and taxation designed to regulate the trade of the British empire. Others denied Parliament’s right to levy any taxes at all on the Americans. “Beyond the question of constitutional law was the question of expediency. The Whig held that the claim of the right to tax was fraught with too much danger to be admitted even if it were constitutional” because of the possibility of
abuse. Once the right was granted, miniscule taxes today could become oppressive taxes tomorrow. Tories “pointed to the fallacy of contesting the use of power simply because of the possibility of abuse.” By that logic, government—including the colonial assemblies—could never be granted any power because they might abuse it.

It is important to note that many, if not most, Tories shared the Whigs’ disdain for some of the acts of Parliament and policies of government ministers. The Tories were Americans too; they had to pay the taxes, and they suffered from ministerial overreach. As Nelson says, “The British government’s decision at the end of the Seven Years War to reform colonial administration and to tax the colonies threw the American Tories into confusion. They were as indignant as other Americans at what seemed an unjust and arbitrary exercise of British authority” and “their indignation as Americans ran ahead of their alarm as Tories.” In addition, they were on board with what initially appeared to be an American cause, but not when it became a revolutionary one. He admits that a few Tories “mildly defended the Stamp Act,” but most of them “condemned the Stamp Act as wholeheartedly as did the Whigs.”

A couple of representative examples will serve to make the point. Just before the repeal of the Stamp Act, the venerable Tory Thomas Bradbury Chandler declared: “Every Friend therefore to the Happiness of the Colonies, or even of Great Britain, who is acquainted with the Case as it really is, must wish that the Parliament would relax of its Severity.” Nearly ten years later, on the precipice of conflict, he admits that the “peace and happiness of the American colonies had been, for some time, interrupted and disturbed, by certain acts of the British Parliament.” He wants the colonies “released from parliamentary taxation” with an “assurance of our willingness to contribute, in some equitable proportion, towards defraying the public expenses” under a new “American Constitution” under, in turn, “the superintending authority of Great-Britain.” Jonathan Boucher calls the Stamp Act “exceptionable,” complains that “this terrible Stamp Act” is “in every Sense, oppressive, impolitic & illegal,” and calls the Royal Proclamation of 1763 limiting colonial expansion westward “very impolitic, as well as unjust.” He further charges that the “best & dearest Rights” of Americans “have been mercilessly invaded by Parliament” and calls opposition to the Townshend Acts “the most warrantable, generous, & manly, that History can produce.”

The Tory clergymen were not blind apologists for the British government. Their willingness to be critical of actual British excesses is one of the
factors that makes their sermons and pamphlets compelling and credible. They agreed with the Whigs on many of the problems, but they disagreed strenuously regarding what actions were appropriate in response to British offenses. Fundamentally, Loyalists “wished to resolve any disagreements within the existing constitutional framework.”

According to William Allen Benton, a third middle-ground term is necessary in light of the fact that most Tories originally held some Whig views and some went from being enthusiastic Whigs to active Loyalists. He calls the latter “Whig-Loyalists.” “The Whig-Loyalists functioned as Patriots before the American Revolution and then became supporters of British rule in America.” Ironically, given the traditional view of the Whigs being the faction of the common man, Benton argues that these men moved seamlessly from one camp to the other on the basis of “principles which upheld oligarchy.” After discussing six “categories of belief and conduct” between Whiggism and Toryism, he asserts that “the Whig-Loyalists were neither ambivalent nor indecisive. During the course of the revolutionary struggle they made decisive changes of affiliation in keeping with their ideological beliefs.” Though they shared or sympathized with Whig complaints, they could not go so far as to support revolution or independence. Arguably, the preeminent Whig-Loyalist was John Joachim Zubly.

According to Randall Miller, editor of a collection of Zubly’s writings, Zubly was the only Whig pamphleteer in Georgia. He also “espoused a radical Whig constitutional interpretation” and served in the Continental Congress. Miller conversely claims that “much truth obtains in the charge” that Zubly was “the archetypal Loyalist.” He suggests that both can be true because Zubly was a Whig-Loyalist. Indeed, all of Zubly’s extant pamphlets support the Whig cause, including The Law of Liberty, which was a sermon preached before the Second Provincial Congress of Georgia on July 4, 1775. In that sermon, he calls for “a most conscientious regard to the common laws of the land. Let our conduct shew that we are not lawless.” He urges what he later urges as a Loyalist: restraint, negotiation, and peaceful protest. “Let us convince them that we do not complain of law, but of oppression; that we do not abhor these acts because we are impatient to be under government, but being destructive of liberty and property, we think them destructive also of all law.”

This preacher with impeccable Whig credentials suddenly became a Tory when talk of independence in the Continental Congress became more serious. As Miller explains, Zubly became a Loyalist because “he loved America
and so sought to avoid her destruction in a civil war. Zubly [like other leading Loyalist ministers] believed that reconciliation and reform were possible within the empire.” Zubly’s primary Loyalist expressions were not published in pamphlets but in newspaper articles. There he excoriates the Patriots for their violence, their violation of civil rights, and ultimately their assault on “law and liberty.” He sees what he had warned against in *The Law of Liberty*: “remedies that [are] worse than the disease.” Zubly is representative of many Loyalists who “felt equally torn between [their] sympathy for colonial rights and [their] aversion to rebellion and violence.” They were “peaceful, sober-minded citizens, who perhaps had more than half sympathized with the Whig movement thus far, but the thought of civil tumult and even war had checked their noble rage” in a way that it had not checked that of the Patriots. “Most significantly,” says Griffin, “these men and women also considered themselves American.”

An episode from the Revolution illustrates the two sides. When well-known Patriot Joseph Warren died at Bunker Hill, a letter was found in his pocket from his classmate and friend, Congregationalist pastor Lemuel Hedge. In the letter, Hedge, a Loyalist, “professed a sincere interest in the liberty of his country, although he admitted his doubts in regard to the issue of the Revolutionary struggle.” In the eighteenth century, having doubts was the polite way of saying that one did not believe in or agree with something. The same concern for liberty impelled one man to the battlefield of a revolution and led his friend to seek a less radical and more peaceful solution.

There is a sense in which most Loyalists could be labeled Whig-Loyalists. They “loved America with a sincerity not surpassed by the most high-minded Whigs,” and they were willing to recognize and criticize errors made by the British government. In the long run, that willingness may be a key factor in identifying them as Loyalists rather than Tories. They were loyal to the Crown, but not blindly. Their recognition and discussion of British errors will be examined in greater depth in Chapter 5. They were willing to see and disapprove of British injustices, but they were not willing to take up arms against their sovereign, preferring to seek a negotiated, conciliatory settlement.

**Terminology**

During the heat of conflict, both sides tried to define the other in the public mind. In response to the Boston Port Act of 1774, refusal to send