



## DECLARATION OF INDEPENDENCE

### INDEPENDENCE IN 1776?

#### TIME AND GRADE LEVEL

One 45 or 50 minute class period in a **Grade 9-12** US history, civics, or government course.

#### PURPOSE AND CRITICAL ENGAGEMENT QUESTIONS

History is the chronicle of choices made by actors/agents/protagonists in specific contexts. This simulation places students at the Second Continental Congress in 1776 and asks them consider the motion put forth by Richard Henry Lee on June 7: “That these United Colonies are, and of right ought to be, free and independent States.” The overarching goal of this lesson is to have students treat the momentous issue of independence with close attention to time and circumstance. Why did colonists *not* declare independence in the preceding decade, despite serious protests to imperial rule, but finally decide to do so in 1776? What had happened in the first six months of that year that contributed to a different outcome? By considering the options at different historical moments, students will have a keener sense of how political resistance evolved, years later, into national independence. This ConSource lesson works best in conjunction with the one that precedes it, “Independence in 1774?”

#### LESSON OBJECTIVES

\*Students will be able to explain the difference between fighting for the rights of British subjects (how colonists articulated their struggle against imperial policies in the 1760s and early 1770s) and declaring independence from a country they had known as their own.

\*Students will be able to cite and explain events in 1775 and 1776 that made colonists more receptive to the idea of independence: the British assault on Lexington and Concord, the royal declaration that colonies were in a state of rebellion, the Prohibitory Act that outlawed foreign trade, the dramatic increase in British forces tasked with suppressing the rebellion, and the addition of foreign mercenaries to those forces.

\*Students will be able to explain Thomas Paine’s argument for independence, particularly his critique of monarchy.

\*Students will be able to explicate how the Virginia Convention took the lead in May 1776 by announcing its intention to draft a new constitution and instructing its delegates to the Continental Congress to push for independence.

\*Students will be able to explain how aid from France, Spain, or the Netherlands was predicated on forming an independent nation: foreign powers would not overtly intervene in a British civil war.

\*Students will be able to explain the interrelation of Richard Henry Lee’s three congressional motions: declare independence, seek foreign assistance, and devise a new “plan of confederation” for the United States.

\*Students will be able to explain why the Continental Congress did not immediately pass the motion for independence, even though a majority of delegations supported it.

\*Students will be able to explain how tabling the motion allowed, in the words of John Adams, “the whole People maturely to consider the great Question of Independence” and “adopt it as their own Act.”

## **OVERVIEW OF THE LESSON**

### **Prefatory homework:**

**Handout A: Will War Lead to Independence?**

**Handout B: Richard Henry Lee’s Motion for Independence, June 7, 1776.**

### **In class:**

1. Homework review: 10 minutes
2. Presentation of the debate in Congress: 5-10 minutes
3. Student deliberation of the motion to declare independence: 10 minutes
4. Historical outcome of the motion to declare independence: 10 minutes
5. Summary discussion: 5-10 minutes.

Summary Homework / Extended Activities

## **MATERIALS**

### *Background handouts:*

A: Will War Lead to Independence?

B: Richard Henry Lee’s Motion for Independence, June 7, 1776

### *Classroom Handouts:*

C: Excerpts from Jefferson’s Notes on the Debates in Congress, June 8 and 10, 1776

D: Historical Outcome of the Motion to Declare Independence

## **PREFATORY HOMEWORK**

Distribute **Handout A: Will War Lead to Independence?** and **Handout B: Richard Henry Lee’s Motion for Independence, June 7, 1776.**

## CLASS ACTIVITIES: 45-50 MINUTES

### 1. HOMEWORK REVIEW: 10 minutes

When discussing questions on Handout A and Handout B, be sure to address all three components of Richard Henry Lee's motion and, in particular, how the need for foreign assistance affects the issue of independence. Also make sure students understand the current political divisions of the delegations in Congress.

### 2. PRESENTATION OF THE DEBATE IN CONGRESS: 5-10 minutes

Students read (silently or orally) **Handout C: Excerpts from Jefferson's Notes on the Debates in Congress, June 8 and 10, 1776**. If students are addressing these issues during the homework review, this can be shortened to a few passages to give a flavor of the debate in Congress.

### 3. STUDENT DELIBERATION ON THE MOTION TO DECLARE INDEPENDENCE: 10 minutes

Divide students into four groups: delegations from New Hampshire, Massachusetts, Connecticut, and Georgia. Instruct student delegates: *You are under no instructions and are free to vote as you please. Even if most of the other delegates from your state favor independence, will you vote in favor of Richard Henry Lee's motion to declare independence at this time? You know that three state delegations (Maryland, New York, and Pennsylvania) are under instructions to oppose the motion, and you suspect that three other state delegations (New Jersey, Delaware, and South Carolina) might do so as well. Should your state delegation vote in favor of Lee's motion?*

Remind students of the key questions to address with their fellow delegates, listed at the end of Handout B:

*Do you think there is sufficient cause for declaring independence?*

*If so, should Congress declare independence when some colonies are not onboard? What is the threshold? A simple majority (7 of 13)? Unanimity? Something in between?*

*If independence is declared, do you think France and Spain are more likely to help the American rebels (to weaken the power of Great Britain, their traditional rival) or take advantage of the chaos in North America to regain some of the territories they have recently lost?*

*As you ponder this, take note of the state of the war at the moment, June 7, 1776. The British Army has withdrawn from Boston, but it is expected to make a massive assault on one or more of the other American ports: Newport, New York, Philadelphia, or Charleston. The colonies need foreign assistance and need it fast, but should they make this momentous move right now, with only a bare majority? And will France and Spain really help out, or might they let Britain and her colonies fight it out and then try to reassert their power in North America?*

At the end of these breakout groups, each state will take some action on Richard Henry Lee's motion: vote in favor, oppose, or perhaps table it. Teacher can decide whether to place tabling as an option. It might be more fun if students themselves come up that response.

#### 4. HISTORICAL OUTCOME ON THE DEBATE OVER INDEPENDENCE: 10 minutes

Teacher presents, or students read, the material in **HANDOUT D: HISTORICAL OUTCOME OF THE MOTION TO DECLARE INDEPENDENCE**.

#### 5. SUMMARY DISCUSSION: 5-10 minutes

Discuss the evolving politics of independence, first from the 1760s to 1774 (covered in the previous lesson, “Independence in 1774?”), and then from June 7, 1776, to July 2, 1776. What tipped the balance? How does John Adams’s statement—“Time has been given for the whole people maturely to consider the great question of independence . . . so that the whole people, in every colony of the thirteen, have now adopted it as their own act”—affirm popular sovereignty, the core principle of the nation’s founding?

Use this time to introduce or address any of the extended activities listed below.

### SUMMARY HOMEWORK / EXTENDED ACTIVITIES

1. What do you think might have happened if Massachusetts had declared independence in 1774? Would the other colonies have rallied to its support when the British Army tried to suppress the Massachusetts rebellion with military force? Would they have joined a war against the Mother Country at that time?
2. What do you think might have happened if Congress had passed Richard Henry Lee’s motion for independence when it was first presented, with only a slim majority? Would recalcitrant colonies have signed on?
3. Research the practice, common at that time, of constituents issuing instructions to their representatives. Start with this online article, which includes references for further consideration:

<http://www.common-place-archives.org/vol-09/no-01/raphael/>

Issuing instructions, although common in the Revolutionary Era, was also controversial. You can read how the First Federal Congress addressed the practice by consulting the ConSource lesson, [Republic or Democracy?](#) Discuss any of the sweeping questions at the end of that lesson:

- \*Should the people directly influence actions of their representatives?
- \*How can the will of the people be determined?
- \*Would instructions impede compromise?
- \*How do modern media affect popular involvement in political issues? Is this for better or worse?
- \*Has the influx of money into the political arena empowered or disempowered the people?
- \*People will always be divided, but why, in recent years, have political differences resulted in governmental gridlock?
- \*Has the move toward more popular involvement in politics contributed to the partisan divide, or might deeper popular involvement be part of the solution?

## Handout A: Will War Lead to Independence?

On April 19, 1775, British soldiers stationed in Boston marched on Concord, Massachusetts, to seize weapons and supplies that rebellious colonists had stored. Blood was shed and a war ensued. Most colonists, however, were not ready to declare independence from the country they had always known as their own. They blamed Parliament and the King's ministers for the escalating conflict but hoped that King George III might be more sympathetic to their cause. In an "[Olive Branch](#)" [petition addressed to the Crown](#), the Continental Congress claimed to be "your Majesty's faithful subjects of the colonies" and wished that "your Majesty may enjoy a long and prosperous reign."

King George was *not* more sympathetic to their cause. [In August he declared](#) that "divers wicked and desperate persons" throughout "our colonies and plantations in North America" were in "open and avowed rebellion." To suppress the uprising, he dispatched thousands of additional troops and dozens of ships. Even so, through the rest of the year, public figures were reluctant to advocate a complete break with Great Britain for fear of being branded traitors.

A recent immigrant from England, Thomas Paine, had no reputation to lose. [In a pamphlet titled \*Common Sense\*](#), published in January 1776, he challenged the merits of the British Constitution, revered at least in name by patriots and Tories alike. That reverence was misplaced, Paine argued. The Constitution was built upon "the remains of two ancient tyrannies: . . . First.—The remains of monarchical tyranny in the person of the king. Secondly.—The remains of aristocratical tyranny in the person of the peers [House of Lords]." Only the House of Commons, representing the people, contributed in any way to the "freedom" so cherished by British colonists in North America. The other two pillars of the Constitution only stood in the way.

In plain and sometimes crude language, Paine lambasted the very idea of a monarchy. He used logic: "The state of a king shuts him from the world, yet the business of a king requires him to know it thoroughly." He used derision: "One of the strongest *natural* proofs of the folly of hereditary right in kings, is, that nature disapproved it, otherwise she would not so frequently turn it into ridicule by giving mankind an *ass for a lion*." Mockingly, he pointed to the Norman invasion and the roots of British monarchy: "A French bastard landing with an armed banditti, and establishing himself king of England against the consent of the natives, is in plain terms a very paltry rascally original.—It certainly hath no divinity in it. . . . The plain truth is, that the antiquity of English monarchy will not bear looking into."

Paine buttressed his case with practical considerations. America need not depend on British trade, he stated. "Our corn will fetch its price in any market in Europe, and our imported goods must be paid for, buy them where we will. . . . As Europe is our market for trade, we ought to form no partial connection with any part of it." And nobody could dispute Paine's contention that governance from across the Atlantic Ocean presented needless difficulties. "To be always running three or four thousand miles with a tale or a petition, waiting four or five months for an answer, which when obtained required five or six more to explain it, will in a few years be looked upon as folly and childishness." America was just too large and far distant for this sort of nonsense. "There is something very absurd, in supposing a continent to be perpetually governed by an island," he stated flatly.

Paine's timing was fortuitous. Shortly after the publication of *Common Sense*, word arrived that Parliament had banned all trade between the thirteen rebellious colonies and any country whatsoever. [John Adams summarized the colonists' reaction](#) to this Prohibitory Act, as it was labeled: "It throws thirteen Colonies out of the Royal Protection, levels all Distinctions, and makes us independent in Spight [spite] of our supplications and Entreaties... It may be fortunate that the Act of Independency should come from the British Parliament rather than the American Congress."

Now, at last, talk of "independency" was on the table. That prospect received another boost early in May, when colonists learned that the Crown was dispatching 45,000 troops to suppress the American rebellion, including a large contingent of mercenaries from German states such as Hesse. (These would soon be labeled Hessians.) Just then, the British warships *Roebuck* and *Liverpool* sailed up the Delaware River toward Philadelphia, their giant cannons seemingly primed to pound the Continental Congress and the entire city into submission. Emotionally, Philadelphians easily conflated these two nuggets of news. Foreigners, at the bequest of the Crown, might soon invade their city!

At this juncture, conventions in several colonies debated whether or not to declare independence—and if so, how to do so. Should each colony declare independence on its own, or should they all wait for the Continental Congress to do so?

## QUESTIONS

1. Why didn't the outbreak of war in April 1775 lead immediately to a declaration of independence?
2. What was so revolutionary about Thomas Paine's argument?
3. What external events helped bolster Paine's call for independence?

## Handout B: Richard Henry Lee's Motion for Independence, June 7, 1776.

On April 12, 1776, [North Carolina's Provincial Congress instructed its delegates to Congress](#) to “to concur with the Delegates of the other Colonies in declaring Independency, and forming foreign alliances.”

On May 15, 1776, the [Virginia Convention passed unanimously this resolution](#):

“That the Delegates appointed to represent this Colony in General Congress be instructed to propose to that respectable body to declare the United Colonies free and independent States, absolved from all allegiance to, or dependence upon, the Crown or Parliament of Great Britain; and that they give the assent of this Colony to such declaration, and to whatever measures may be thought proper and necessary by the Congress for forming foreign alliances, and a Confederation of the Colonies.”

On June 7, following instructions from his state convention, Virginia's Richard Henry Lee offered [three resolutions on the floor of the Continental Congress](#):

*That these United Colonies are, and of right ought to be, free and independent States, that they are absolved from all allegiance to the British Crown, and that all political connection between them and the State of Great Britain is, and ought to be, totally dissolved.*

*That it is expedient forthwith to take the most effectual measures for forming foreign alliances.*

*That a plan of confederation be prepared and transmitted to the respective Colonies for their consideration and approbation.*

The first resolution, which declared independence, was of course the heart of the matter. The third resolution followed from the first—in the absence of British rule, what would follow? The second was necessary as well. The rebellious colonials could not successfully stave off the King's Army and Navy without money and arms from France, Spain, or the Netherlands, yet these powers refused to interfere with Britain's internal affairs by aiding her colonies. Only if the rebels formed a separate union could they expect to form “foreign alliances” and receive the assistance they needed.

In class, as delegates to the Continental Congress, you will be considering Richard Henry Lee's resolutions. There is a catch, however: not all delegates are free to vote as they please. Here is the breakdown.

Delegates for *three* colonies—Virginia, North Carolina, and Rhode Island—are instructed to vote in *favor* of independence.

Delegates from *four* colonies—New Hampshire, Massachusetts, Connecticut, and Georgia—are under no instructions, but the majority of each delegation *favours* independence.

Delegates from *three* colonies—Maryland, New York, and Pennsylvania—are instructed *not* to vote for independence. (Shortly, Pennsylvania delegates will be released to vote as they please, but the majority of them personally oppose declaring independence at this time.)

Delegates from *three* colonies—New Jersey, Delaware, and South Carolina—are under no instructions, but the majority of each delegation *opposes* independence at this time.

Since Congress runs by majority rule, it could declare independence by a seven-to-six margin. You are a delegate from a colony that has not issued instructions to vote one way or the other. Should you vote to declare it at this time?

**QUESTIONS TO CONSIDER:** (You will be addressing these questions in class as delegates to the Continental Congress)

Do you think there is sufficient cause for declaring independence?

1. If so, should Congress declare independence when some colonies are not onboard? What is the threshold? A simple majority (7 of 13)? Unanimity? Something in between?
2. If independence is declared, do you think France and Spain are more likely to help the American rebels (to weaken the power of Great Britain, their traditional rival) or take advantage of the chaos in North America to regain some of the territories they have recently lost?
3. As you ponder this, take note of the state of the war at the moment, June 7, 1776. The British Army has withdrawn from Boston, but it is expected to make a massive assault on one or more of the other American ports: Newport, New York, Philadelphia, or Charleston. The colonies need foreign assistance and need it fast, but should they make this momentous move right now, with only a bare majority? And will France and Spain really help out, or might they let Britain and her colonies fight it out and then try to reassert their power in North America?

## **Handout C: Excerpts from Jefferson's [Notes on the Debates in Congress, June 8 and 10, 1776.](#)**

### **It was argued by Wilson, Robert R. Livingston, E. Rutlege, Dickinson and others:**

That tho' they were friends to the measures themselves, and saw the impossibility that we should ever again be united with Gr. Britain, yet they were against adopting them at this time:

That the conduct we had formerly observed was wise & proper now, of deferring to take any capital step till the voice of the people drove us into it:

That they [the people] were our power, & without them our declarations could not be carried into effect:

That the people of the middle colonies (Maryland, Delaware, Pennsylv., the Jersies &: N. York) were not yet ripe for bidding adieu to British connection ...

That some of them had expressly forbidden their delegates to consent to such a declaration, and others had given no instructions, consequently no powers to give such consent:

That if the delegates of any particular colony had no power to declare such colony independant, certain they were the others could not declare it for them; the colonies being as yet perfectly independant of each other ...

That if such a declaration should now be agreed to, these delegates must (now) retire & possibly their colonies might secede from the Union:

That such a secession would weaken us more than could be compensated by any foreign alliance ...

That we had little reason to expect an alliance with those to whom alone as yet we had cast our eyes:

That France & Spain had reason to be jealous of that rising power which would one day certainly strip them of all their American possessions:

That it was more likely they should form a connection with the British court, who, if they should find themselves unable otherwise to extricate themselves from their difficulties, would agree to a partition of our territories, restoring Canada to France, & the Floridas to Spain, to accomplish for themselves a recovery of these colonies ...

### **On the other side it was urged by J. Adams, Lee, Wythe and others:**

That no gentleman had argued against the policy or the right of separation from Britain, nor had supposed it possible we should ever renew our connection: that they had only opposed it's being now declared:

That the question was not whether, by a declaration of independance, we should make ourselves what we are not; but whether we should declare a fact which already exists ...

That as to the king, we had been bound to him by allegiance, but that this bond was now dissolved by his assent to the late act of parliament, by which he declares us out of his protection, and by his levying war on us, a fact which had long ago proved us out of his protection ...

That it would be vain to wait either weeks or months for perfect unanimity, since it was impossible that all men should ever become of one sentiment on any question ...

That a declaration of Independance alone could render it consistent with European delicacy for European powers to treat with us ...

That the present campaign [Washington's army was preparing for a massive British attack on New York] may be unsuccessful, & therefore we had better propose an alliance [with France, Spain, or Holland] while our affairs wear a hopeful aspect ...

## HANDOUT D: HISTORICAL OUTCOME OF THE MOTION TO DECLARE INDEPENDENCE.

On June 10, [Congress decided to postpone the vote on independence for three weeks](#), until July 1. In the meantime, expecting that more colonies might come around, it appointed a five-person committee “to prepare a declaration” that would affirm Richard Henry Lee’s first resolution and explain the reasons for declaring independence to the world.

The delay paid off. Within two weeks, Delaware and New Jersey instructed their delegates to vote for independence. In Maryland, conventions in several counties demanded that the Provincial Convention reverse its prior opposition and instruct its delegates to the Continental Congress to vote in favor of independence. On June 28, in an emergency session, [Maryland’s Provincial Congress voted unanimously in favor of independence](#). News of Maryland’s reversal reached Congress on the morning of July 1, just as delegates were about to vote on Richard Henry Lee’s motion. “See the glorious Effects of County Instructions,” Maryland’s [Samuel Chase wrote to John Adams](#). “Our people have fire if not smothered.”

Still, as of July 1, three colonies were not yet on board: South Carolina, Pennsylvania, and New York.

Delegates from South Carolina, free to vote as they pleased, opposed independence. But with British forces staged for an imminent attack on Charleston, these delegates reversed their position the following day, fearing that if they didn’t join in, other colonies (soon to become states) would not come to their aid.

The Pennsylvania delegation was divided, three in favor of independence and four opposed. But once Maryland and South Carolina had flipped, Robert Morris and John Dickinson, who personally opposed independence, abstained so as not to stand in the way. This left three in favor and only two opposed—Pennsylvania was in!

That left only New York. That colony’s delegates remained under instructions not to vote for independence—but they were not instructed to vote against it either, so they abstained. The final tally on July 2, the date that Congress formally declared independence: twelve states (no longer colonies!) in favor, none opposed, with one abstention.

The next day, July 3, [John Adams wrote to his wife Abigail](#):

*“Time has been given for the whole People maturely to consider the great Question of Independence, and to ripen their Judgment, dissipate their Fears, and allure their Hopes, by discussing it in News Papers and pamphlets, by debating it in Assemblies, Conventions, Committees of Safety and Inspection, in Town and County Meetings, as well as in private Conversations, so that the whole People, in every Colony of the thirteen, have now adopted it as their own Act.”*

It was not Congress alone that decided to break ties with Great Britain. The “whole People” now proved, by their actions, that they could and would take the reins of government into their own hands. (“Whole” in this sense does not mean every single person, but a clear majority.) “Popular sovereignty”—the legitimacy of government depends on the will of the people—was affirmed at our nation’s inception.