



BEN FRANKLIN'S WORLD

Episode 443: “How Independence Happened, Part 1: The Lee Resolution”

[00:00:00] Announcer: You’re listening to an Airwave Media podcast.

[00:00:04] Liz Covart: *Ben Franklin’s World* is a production of Clio Digital Media. And support for this episode comes from the Massachusetts Historical Society, the first historical society founded in the United States in 1791.

[00:00:16] Woody Holton: The Declaration of Independence that we’re all going to celebrate was really just one leg of a three-legged stool. And like a stool, it wouldn’t have held up without all three. That is, we’re going to declare independence, and that will permit us to do these other two things of confederate to actually win our independence, E pluribus unum, and all that. And the third leg is maybe the most important, and that is we’re going to get French allies. But they don’t mention France in particular, but that’s clearly who they’re talking about, so they developed this model treaty

[00:00:59] Liz Covart: Hello and welcome to episode 443 of *Ben Franklin’s World*, the podcast dedicated to helping you learn more about how the people and events of our early American past have shaped the present-day world we live in. And I’m your host, Liz Covart.

On July 1, 1776, the Second Continental Congress turned itself into a committee of the whole and began debating Richard Henry Lee’s resolution of June 7, 1776, about whether the colonies should declare their independence and form a new country.

Now, the debate lasted two days. John Adams of Massachusetts vigorously argued for the point of independence, and John Dickinson of Pennsylvania argued just as vigorously that July 1776 was way too early to declare independence. In the end, we know how it all turned out. On July 2, 1776, 250 years ago, the Second Continental Congress voted for independence.

But what was the process that brought the Second Continental Congress to that historic vote? What did the process of declaring independence actually look like? The answer begins not



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with the Declaration of Independence, but with that resolution, a three-part resolution introduced by Richard Henry Lee of Virginia on June 7, 1776.

Quote, "Resolved: 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."

As we just heard, the Lee Resolution didn't simply call for independence. It called for building a plan to forge foreign alliances and for a committee to draft Articles of Confederation.

It was Lee's resolution that set the Second Continental Congress on a definitive path for independence over the next eighteen months. Independence was not a single act. It was not only the act of declaring the colonies to be free and independent states, it was also the act of securing independence through foreign alliances, and the creation of a government that would allow the new United States to exist and govern itself as an independent nation.

So over the next three episodes, we're going to explore these three related parts of Richard Henry Lee's resolution. In this episode, we'll explore the Lee Resolution itself and how Virginia came to introduce it to Congress. In episode 444, we'll investigate the model treaty and the question of building foreign alliances, especially an alliance with France. And in episode 445, we'll dive into the creation of the Articles of Confederation, the very first constitution of the new United States.

Now, to help us understand Richard Henry Lee's Virginia resolution, we have two guests: Woody Holton and Terrance Rucker. Both have spent a considerable amount of time studying the Continental Congress, the revolution in Virginia, and the people who made it all work.

Now, during our exploration, Woody and Terrance reveal how pressure from ordinary voters, not just elite legislators, pushed Virginia and the other colonies toward independence, why it



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was Richard Henry Lee of Virginia who rose before Congress on June 7, 1776, and introduced the resolution that would set the colonies on a definitive path toward independence, and what the backroom lobbying, intercolonial persuasion, and Congressional floor fights looked like as Congress decided whether to adopt Lee's resolution to declare the colonies free and independent states.

But first, if undertaking deep dives into topics and questions like the United States' independence fire up your curiosity, you belong in the History Explorers Club. The History Explorers Club is a virtual community for curious adults to explore, discuss, and indulge in early American history. No scholarly background is needed, and no one will ever groan when you bring up a really cool historical fact.

Now, members get live historian talks, workshops, and a 24/7 forum to ask questions and discuss history. And right now, we're running our America 250 sale. New annual subscribers get three months free. So to learn more and to join the club, visit historyexplorers.club. That's historyexplorers.club. I can't wait to see you there, historyexplorers.club.

Okay, are you ready for our deep dive into Richard Henry Lee's Virginia resolution? Allow me to introduce you to our guest historians. Joining us we have two guests. Woody Holton is a Professor of History at the University of South Carolina. He's a multi-award-winning historian who has research expertise in the American Revolution. He's published five books about early America, including his Bancroft Prize-winning biography, *Abigail Adams*, and most recently, *Liberty Is Sweet: The Hidden History of the American Revolution*, which you may recall from episode 325.

Terrance Rucker is a Senior Historical Publication Specialist in the Office of the Historian at the United States House of Representatives. He completed his doctorate in history at George Washington University and has research expertise in congressional elections. As a Senior Historical Publication Specialist, Terry assists in editing the online biographical directory of the United States Congress and other publications such as the four-volume *Minorities in Congress* series.

Welcome back to *Ben Franklin's World*, Woody Holton and Terrance Rucker.



[00:06:52] Woody Holton: Thanks, Liz.

[00:06:53] Terrance Rucker: Thank you for having us.

[00:06:55] Liz Covart: So let's explore the process of independence. The Second Continental Congress voted to declare independence from Great Britain and to adopt the Declaration of Independence on July 2, 1776. Terry, set the scene for us. When did members of the Second Continental Congress really start talking about independence?

[00:07:15] Terrance Rucker: Once again, thank you for bringing me back. A small number of delegates discussed independence during the First Continental Congress, but were careful to mention it because many of their colleagues did not want to take that far of a step.

Instead, they wanted to protest the passage of the Coercive Acts through collective action. The provisions of the Continental Association of 1774 threatened economic boycotts if Great Britain did not repeal the Coercive Acts. As a result, independence seekers, dubbed radicals, realized that they needed to bring their colleagues toward their point of view in a gradual manner.

When the Second Continental Congress convened in May 1775, many delegates wanted to remain within the British Empire, but more members sought independence. The bulk of the independence-minded delegates came from Massachusetts and Virginia, while mid-Atlantic colonies like Maryland, Pennsylvania, and New York were more moderate.

Within each delegation were those who wanted independence, others preferred to remain as British subjects, and delegates who wanted some autonomy while remaining within the British Empire. Consequently, independence was discussed intermittently among radical delegates such as Richard Henry Lee and John Adams.

The colonial public's consideration of independence grew after the publication of Thomas Paine's *Common Sense* in January 1776. As it spread through Philadelphia, delegates mailed it to family, friends, and allies elsewhere, as others bought numerous copies. By March,



provincial congresses issued resolutions that enabled delegates to seek independence on the individual colony's behalf.

In May, the Continental Congress issued a resolution that encouraged colonies to seek independence. In a May 16 letter, Thomas Jefferson mentioned the possibility of forming state governments which require, quote, "greater exertion than our unorganized powers may at present effect," unquote, and could require delegates to return home for a short time.

[00:09:10] Liz Covart: Woody, I wonder if we could talk about Virginia and its path toward independence. We know that in Massachusetts, they are participating in a long series of protests, including the Boston Tea Party in December 1773, which led Great Britain to impose the Coercive Acts upon that colony. And these were acts of punishment, so they shut the port of Boston and transferred government power in Massachusetts to General Thomas Gage. It took it out of civilian hands.

So it's easy for us to see why some in Massachusetts were really interested in the possibility of independence, and of course, where Massachusetts went, the rest of New England usually followed.

But what about Virginia, Woody? We don't usually hear a lot of stories of people in Virginia protesting and being angry about the British crown. So could you tell us about the coming of the May 15, 1776 vote by the Fifth Virginia Convention—that basically instructed all of Virginia's delegates to the Continental Congress to declare independence.

So what was Virginia's process for moving towards this vote for independence?

[00:10:16] Woody Holton: Well, I agree with everything Professor Rucker just said, but I kind of want to add a personal approach to this, and I sometimes make fun of my younger colleagues who got interested in the Revolution when they saw *Hamilton*.

But then I remembered I got interested in the Revolution when I saw *1776*, and one of the best songs is when they send Richard Henry Lee off to convince the Virginia Convention to declare independence, mostly by appealing to his Virginia pride. But it's also not true.



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That is, that Richard Henry Lee did not go home to get this resolution. It came from Virginia, and specifically, it came from voters. Now, of course, the vast majority of Virginians were not allowed to vote. Forty percent of the five hundred thousand people in Virginia were enslaved, and of the remaining three hundred thousand half were women, and so they were denied the vote right at the start.

But something like half of white male adults could vote, and they had an election in April of 1776 that turned out many of the holdouts who had been opposing independence. So you could see how maybe some other people are going through the same evolution that I went through of at first thinking, as the play and the movie *1776* show, "Oh, it all started with John Adams, and he was trying to push independence and push independence, and he had to drag the rest of the Continental Congress along."

And that's true within Congress, that some, like Adams and Lee, as Terry mentioned, were way out front. But as a general thing, it was often Congress that was dragging its feet and the provincial conventions in the various colonies. And you had to have this pressure from below to get the conventions to change their minds and support independence. And then the conventions got their delegates in Congress to change their minds.

So I think it was an interesting combination of yes, as elite historians have been portraying forever and as the play nicely points out, there was pressure from above, but there was also pressure from below. And maybe you could say it took that. It took a two-front war to move the conservatives out of the way of declaring independence.

[00:12:26] Liz Covart: And just so we're clear on terminology, the Virginia Convention, that was Virginia's provincial congress, its revolutionary congress, right, which had started to govern the colony when the royal government collapsed, or as the revolutionaries were pushing the royal government out.

[00:12:41] Woody Holton: Yeah, it goes to the issue you mentioned. As you said, the Coercive Acts really did a number on Massachusetts, not only closed the port of Boston, but said they couldn't have town meetings except once a year to elect representatives and so forth. It really transformed the charter of Massachusetts.



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But Virginia and the other colonies were untouched by the Coercive Acts. People forget that. There was a Quartering Act, only applied to Massachusetts. Administration of Justice Act, only applied to Massachusetts, and so on. So none of the other colonies was targeted by any of those acts, unless you count the Quebec Act, which they did.

My point is that they were not internally transformed, and so A, you have to give them credit, the other twelve colonies, eventually all twelve signed on, for caring what was happening in Massachusetts. They had a lot of prejudices against those Puritans up there in Massachusetts in places like Virginia where almost everybody was either Evangelical or Anglican. So A, you give them credit for empathizing with others who are capital O others.

On the other hand, they also had a financial interest in that boycott that Professor Rucker mentioned, which is “we’re going to stop sending our tobacco to Britain as a protest.” Well, tobacco was in a terrible recession, and the boycott revived the price of tobacco. And “we’re going to stop buying stuff from Britain.” Well, those Virginians were deep in debt to British merchants, and so it helped them. It was a way of stopping your imports without killing your credit rating.

And so it was to me a fascinating combination of altruistic motives, “we really gotta help these Massachusetts people. They’re suffering.” As people constantly use this phrase, “they’re suffering in the common cause.” On the other hand, we can also help ourselves out of our economic woes.

And so my point is that Massachusetts’s charter, had people complied with the Coercive Acts, would’ve just been fundamentally transformed in a negative way. But the other colonies—to answer your question finally—continued. That is, they just turned their legislatures, which couldn’t meet without the approval of the governor, and the governor didn’t approve of what they were up to in any of these colonies except the two in New England where the governor was not chosen in London, but locally.

Anyway, in the majority of the colonies where they had a royal governor who could stop the legislature from meeting, they just renamed the legislature convention. And that convention,



small c, came from the sixteenth century wars of religion in England. But it's basically the legislature and they held elections.

And as I said, the really crucial election was that one in April 1776 that turned out the members of convention who had opposed independence.

[00:15:23] Liz Covart: Now one aspect of this that we may be wondering is about Dunmore's Proclamation and the role it may have played in moving Virginia toward independence. So Dunmore's Proclamation was the proclamation that Governor Dunmore, the last royal governor of Virginia, the proclamation that he issued offering freedom to any Virginia enslaved person who made their way to British lines and who was enslaved by a revolutionary.

And Virginia had always been the slave capital of British North America, and then later the United States, so slavery was a really important issue to its economy and its society. And so we have to wonder, did the issue of slavery and Dunmore's offer of freedom to enslaved people really help push Virginians towards independence?

[00:16:06] Terrance Rucker: I think that the Dunmore Proclamation basically galvanized particularly Virginia landowners who may have been conservative or moderate, who were feeling like, "hey, we're comfortable being citizens of the empire. We're fine with what's happening. Maybe people in Massachusetts have their issues and their protests, but we're okay with where we are."

But I think that proclamation really brought home to the landowner group is that, "okay, well now the British government is attacking us. It's attacking our position. It's attacking our economy. It's attacking our privileges. So if they're going to attack us like this, then maybe we should look elsewhere. Maybe we should consider at least getting more autonomy for ourselves." Which is what the Virginia House of Burgesses seemed to be moving towards, particularly after the Stamp Act Crisis.

But that proclamation really forced their hand in moving towards independence, but also going to Professor Holton's point on the ground, is that for enslaved laborers who were



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looking for ways to free themselves, to escape, looking at other options beyond life on a plantation, is this opened up an opportunity.

This opens up an opportunity to escape. This opens up an opportunity to possibly join the British Army. This opens up an opportunity to possibly move elsewhere within the empire, maybe move to British-held territory, which we see where a number of enslaved laborers move to New York, they move further to Canada, they're moving elsewhere throughout the empire during and after the war.

I think that, yeah, that proclamation for particularly people like Lee or Jefferson or others, this is them saying, "Okay, well, where's my place in the British Empire? And if my place is being threatened like this, I'm going to look at other options."

[00:18:00] Woody Holton: And I completely agree with that, and I would point people listening right now to the last five grievances in the Declaration of Independence. There's twenty-seven. It kind of does a weird thing that it complains about all these things the king has done, and then it flips over and blames Parliament for some of the things it's done.

But then there's five more grievances against the king, and I think those five final grievances, none of them refer to the things that Parliament had done back in the sixties, which I summarized for my students as the four T's: taxes, territory, trade, and treasury notes, paper money. None of those are in the sort of final argument for independence.

The final argument for independence, well, the final of the final five is, "He has excited domestic insurrections amongst us and has endeavored to bring on the inhabitants of our frontier, the merciless Indian savages, whose known rule of warfare," this is a lie, by the way, "is undistinguished destruction of all ages, sexes, and conditions." That's the capstone grievance.

But if I can mention just one more of those, "He has plundered our seas, ravaged our coasts, burnt our towns, and destroyed the lives of our people." See, those are all things, and this is complicated, but those are all things that the British had done to punish the colonists for what



the colonists had done, which was to protest what the British had done before that with those taxes, territories, or the four T's.

So we can just look at the words of the founders themselves. They really isolate the five grievances. They were mad about all twenty-seven things, not to diminish the other twenty-two grievances, but they set aside these final five. As Pauline Maier pointed out, they set aside these final five to tell us, "Okay, this is what was intolerable. Everything before this, we could protest and hope for a change." And of course, they got changes, like the Stamp Act was repealed.

But these five things crossed the Rubicon and there's no turning back. We're ready to declare independence.

[00:20:02] Liz Covart: What I found really curious is the coincidence. So on May 15, 1776, the very same day that the Fifth Virginia Convention met and created the orders to have its delegates in the Second Continental Congress declare independence, on that same day, the Second Continental Congress also met and voted to adopt John Adams's resolution recommending that all of the colonies form new governments.

Would you tell us about John Adams's resolution and the ways in which just having the colonies create new governments that were not royally controlled really helped pave the way for others to adopt what would become known as the Lee or the Virginia Resolution on July 2, 1776?

[00:20:44] Woody Holton: Well, the remarkable thing about that May 15th resolve in Congress, as you said, the first remarkable thing is that they happened on the same day, and that really shows that independence wasn't guaranteed until it was voted for on July 2nd but it was very much in the air.

And to me, the most interesting thing about the May 15th resolve is not what happened in Virginia, because of course that couldn't be affected by something that happened the same day in the days before telegraph. What is remarkable to me is what happened in



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Massachusetts, John Adams's home colony, because there the towns took the May 15th resolution as a challenge.

"Oh, do you want to know whether we support independence or not?" And they just all crowded in with the case. I don't remember any town saying, "Oh no, we don't want to declare independence." Everybody was for it. So it was seen as a chance to speak on the part of many people, although formally it was a set up a government and it could be temporary, it could be permanent.

By that time, my current home state of South Carolina had already adopted a constitution, but had explicitly called it temporary, but this was encouraging the other states to do that. I can't think of a state that actually did that in response to John Adams's resolve.

In fact, the May 15th resolve ended up being more important for its preamble and what it said about Britain and the attraction of independence than for the resolution itself, which was all about, as you say, creating temporary or possibly permanent structures of government.

[00:22:14] Terrance Rucker: Following up on Professor Holton's point, since part of my obsession is studying legislation, Adams being the lawyerly soul that he was, he prepared and prefaced, I've noticed more and more a lot of what he was doing.

And so just want to take it back a couple of months to February 1776, when he produces a memorandum that outlines how Continental Congress radicals would pursue their goals for the year. And among those suggestions was seeking an alliance with France and Spain by sending ambassadors to their courts, forming a confederation of states, and a quote, "government to be assumed by every colony," which I take that as meaning a state government.

And then going on Professor Holton's point, the resolution itself is introduced on May 10th. The Congress then forms a committee consisting of Adams, Lee, and Edward Rutledge of South Carolina, a known moderate, and they're the guys who basically draft the preamble.



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Five days later, they submit this preamble that's more radical than the resolution itself, in that it publicly assigned blame to King George III, along with Parliament, for removing the empire's protection for the colonies, refusing to answer their petitions, and sending foreign mercenaries to subjugate them. And then the Congress subsequently decides that it should be published for public consumption.

I found an interesting letter that John wrote to Abigail where he says to her, quote, "Great Britain has at last driven America to the last step, a complete separation from her, a total absolute independence, not only of her Parliament, but of her crown, for such is the amount of the resolve of the 15th." Unquote. So I mean, for Adams, he's setting it up, and he moves forward with it, with his allies within the Continental Congress.

[00:24:03] Woody Holton: I'm fascinated by that.

[00:24:04] Terrance Rucker: Okay.

[00:24:05] Woody Holton: So tell me more about this John Adams. That was in early 1776 that Adams planned out the whole thing?

[00:24:11] Terrance Rucker: It's about February 22, 23, 1776, is the memorandum. I was going through Paul Smith's *Letters to the Delegates* volume. I was going through those. And I'd seen it mentioned elsewhere, and I wanted to look for the memorandum itself just to see what all did he outline. And that outline is, you see the preamble there. You see basically the Lee Resolution, more or less. Like you see the pieces of the Lee Resolution in there.

And so that's your other indicator where Adams and Lee are talking about this. I mean, because what, February 1776, they really start discussing it seriously in November. So that's about a good three to four months that they're discussing the idea of independent state governments. They're discussing the idea of moving forward with pushing the Continental Congress towards independence.

And I think part of that comes from the lessons that they learned from the First Continental Congress. In the First Congress, you had more moderates and conservatives. When the



Second Congress convenes, you have fewer of those people. Like Joseph Galloway isn't in there anymore. Isaac Low isn't in there anymore.

So they have a legislative agenda, and they are moving forward on that legislative agenda. And yeah, it's just the way he lays it out, it's a fascinating document to read.

[00:25:33] Woody Holton: And by the way, Liz, you remind me of the great point that Adams made in that May 15th preamble.

"It is necessary that the exercise of every kind of authority under the said crown should be totally suppressed." That's really the takeaway phrase. Don't you agree, Terry?

[00:25:50] Terrance Rucker: Yes, I do. My respect for at least Adams as a legislative strategist has grown as I've been studying this period. But I wanted to go back to a previous point that you made, Woody, about the pressure from below affecting members of the provincial congresses.

One thing I noticed between looking at the Continental Congresses and the provincial legislatures is in this period, really from January to June of 1776, there's a fascinating legislative push and pull between the provincial congresses and the Continental Congress.

The Continental Congress delegates were very careful to follow the instructions from their provincial legislatures. They kept in constant communication with colleagues at home. But at the same time, these legislatures are looking to the authority of the Continental Congress to move forward with what they want to do, whether it's through action through their committees of safety, through economic boycotts, funding for military defense, and taking steps towards greater autonomy.

So it's fascinating to me to see members of these two bodies gauging their feelings and attitudes, not only among each other, but among their constituents. And obviously you have more aggressive legislators like Lee and Adams constantly writing back and forth to their colleagues at home to see where they can push the envelope.



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Conversely, you do see moderates, I'm thinking in particular like Rutledge and Dickinson, they're writing to their contacts to see, okay, what can we do to slow this process down? What can we do to obstruct the process of where we disagree with our more radical colleagues? That's one of the things I'm seeing in the letters is this constant back and forth and push and pull that you see among these legislators because they're dealing with these incidents in real time, and they're dealing with it within an environment of warfare.

[00:27:14] Liz Covart: So on May 15, 1776, the Virginia Convention voted that its delegates to Congress should introduce a motion for independence to the Congress, and then they should vote in favor of declaring independence. So on June 7th, 1776, Richard Henry Lee and the Virginia delegation do as their instructions told them.

Lee stands up, he introduces the Virginia Resolution to the Second Continental Congress. Now, this resolution is quite famous, and we should really talk about it more, which we're going to do right after we take a moment to thank our episode sponsor.

Ben Franklin's World has been publishing episodes for nearly twelve years now, and it has always been a community effort. And right now, we're in the midst of our annual fundraising campaign. Between now and the end of July 2026, we'd like to add fifty new donors, and I can't think of a better time to ask. We're in the 250th anniversary year of the Declaration of Independence and the birth of the United States. It's a moment when the questions that this podcast has always asked feel more alive and needed.

So if you've been thinking about supporting this podcast, now is the time to do it, especially if the show has become part of your routine or if you found yourself going down a historical rabbit hole with lots of open books and browser tabs because of a conversation you heard on this show. Please consider supporting us.

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So thank you for listening, thank you for caring about this history, and thank you for helping us continue to tell it. And a sincere thank you to Elizabeth F., Stacy F., Marsha F., Ellen F., Kevin F., and Linda F. for your generous support. Thank you so much.

The Massachusetts Historical Society is marking the 250th anniversary of the Declaration of Independence with a new exhibit, *1776: Declaring Independence*. Now, the centerpiece of this exhibit is the society's original John Dunlap broadside. This is one of the first printed copies of the Declaration of Independence, and as you stand there and read it, Governor Maura Healey reads it along with you. The MHS also has several other versions of the declaration on display, including a remarkable vellum version that John Quincy Adams had made in 1826 for the surviving signers of the declaration.

But the object that I keep thinking about and turning to is the one that curator Sara Georgini led me to herself. This is a royal coat of arms. Now, inside a large wooden frame with elaborate gold leaf carvings all around it, the royal coat of arms features the lion and unicorn of the United Kingdom. This, too, was carved from wood by Moses Deshon. Now, this particular coat of arms hung outside the Boston Province House. After the first public reading of the Declaration of Independence on July 18, 1776, that's when it was first read in Boston, revolutionaries went throughout the town and tore down every royal symbol that they could find, including this very coat of arms. Now, you can still see the large nail holes on the edges of the frame, evidence of the force it took to pull it down off the building.

Now, what I really like about this object is what Sara noted. The coat of arms is really evidence of how the revolution wasn't just an ideological movement. It was also a movement of physical acts of strength. So if you're in Boston between now and December 19, 2026, I highly recommend a visit to the MHS to see this remarkable exhibit.

[00:31:17] Dynamic Ad Break: Audio varies and may shift timestamps in the second half of this episode by 1-2 minutes. Thank you for supporting *Ben Franklin's World*.

[00:31:18] Liz Covart: So on June 7, 1776, Richard Henry Lee and the Virginia delegation do as their instructions told them. Richard Henry Lee stands up before the Second Continental Congress, and he introduces the Virginia Resolution.



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Now this resolution is really famous. So Terry and Woody, I wonder if you would tell us about it and why it's a historically important resolution.

[00:31:42] Terrance Rucker: To me, the Lee Resolution is a culmination of that Adams February 1776 memorandum and an extension of the Virginia Convention's instructions of May 15th. The resolution charged to the colonies, quote, "are and ought to be free and independent states," unquote, that are, quote, "absolved from all allegiance to the British Crown," unquote, and that, quote, "all political connection between them and the state of Great Britain is and ought to be totally dissolved" unquote.

Along with declaring this political separation, the resolution advised the Congress to, quote, "take the most effectual measures for forming foreign alliances," unquote, and design a plan of confederation to "be prepared and transmitted" to the "colonies for their consideration and approbation."

Congress's response to this resolution is very deliberate. After it was introduced, Congress put off discussing it for a day as it moved on to other business. According to Thomas Jefferson's notes, they deliberated over the resolution for two days. Opposition came quickly from moderates like James Wilson and John Dickinson of Pennsylvania, Robert Livingston of New York, and Edward Rutledge of South Carolina.

Supporters such as Adams and Lee insisted that a declaration of independence was really a declaration of fact that already existed. To allow delegates to get authorization from their respective legislatures to consider Lee's resolution, the Congress postponed a vote for three weeks in which they would take it up again in early July.

In the meantime, the Congress moved forward on three parts of Lee's resolution. On June 11, it appointed a committee to draft the declaration that included Adams, Franklin, Sherman, Livingston, and Thomas Jefferson as chair. The next day, the Congress appointed a large committee to prepare a, quote, "form of confederation," unquote, that consisted of a delegate from each colony. Finally, it appointed a third committee to prepare a treaty plan for foreign powers that consisted of Dickinson, Franklin, Adams, Benjamin Harrison of Virginia, and Robert Morris of Pennsylvania.



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[00:33:52] Woody Holton: Right. So the Declaration of Independence that we're all going to celebrate was really just one leg of a three-legged stool. And like a stool, it wouldn't have held up without all three.

That is, we're going to declare independence, and that will permit us to do these other two things of confederate, to actually win our independence, E pluribus unum and all that. And the third leg is maybe the most important, and that is we're going to get French allies. But they don't mention France in particular, but that's clearly who they're talking about, so they developed this model treaty.

There were people in Congress, Jefferson took notes on the conversations outside of the room as well as inside, and there were guys in Congress in early June 1776 who said, "If we can just declare independence quick enough, we can have a French fleet on our side of the Atlantic by the end of the summer."

And of course, that was way too optimistic. It took until February of 1778 before they even convinced the French to get in, and then that fleet didn't arrive until June of 1778. So two years later than people started talking about getting the French in.

But you had to declare independence in order to get the French to participate. And so I think this helps. I was talking about those final five grievances in the Declaration of Independence, and I'll now give you yet another reason, well why now? Okay, new things are happening like Dunmore's regiment is on the offense in some ways in Virginia and Maryland. And we've just found out that German mercenaries, who they called Hessians, they're on the way.

Lots of other things are happening, but one of the things that's becoming increasingly clear to everybody is we need French allies in order to win the war. And so I'd say of the three things that Terrance just mentioned, the crucial one is the alliance. But then you need to declare independence before you can get the alliance because the French had made it clear, and everybody understood, that the French were not going to ally themselves with a portion of the British colonies that is temporarily separate but may go back at any time. You had to declare independence to get the French in.



And that, by the way, explains why the Declaration of Independence does not criticize monarchy at all. *Common Sense*, which Terry mentioned, is all about trashing the whole idea of monarchy and doesn't think we should have a monarchy or anybody in between; monarchy's a terrible idea. But the Declaration of Independence doesn't say that. It's full of criticism of a monarch, George III of Britain, but no criticism of the concept of monarchy.

And why would you criticize monarchy when the point of this declaration, the biggest point of it, is to get a monarch, King Louis XVI of France, to come into the war on your side

[00:36:40] Liz Covart: I'm really curious about the Virginia Resolution, because it seemed like Congress took this resolution a lot more seriously than, say, when North Carolina voted to have its members vote for independence in April 1776.

And historians love to talk about when the formation of the new Continental Army was happening in May and June 1775, how a Virginian had to lead that army. So could we talk about why Virginia was seen as so important to the American Revolution, and why it needed to be the colony pushing for these really important significant moves by the Second Continental Congress? Why couldn't the resolution for independence come from North Carolina?

[00:37:25] Woody Holton: Well, first, I agree with your point about Washington. The commander-in-chief had to come from Virginia, and it's a reminder that George Washington was a DEI hire. That is, he turned out to be a great general. He was terrible at first, in my opinion, but ended up being a great general.

And so not taking anything at all away from him, but they made it very clear that, yes, he showed up in uniform. Hey, you dress for the job you want. So yes, he showed up in uniform, and yes, he had experience, not in conventional warfare, though, only in forest warfare against Indians.

So yes, there were other reasons to choose him, but as you say, Adams made it clear that it was really about representation. It's gotta be a broader thing, and we gotta have representation from the South. So I agree about that.



But I think the reason that what was going on in Halifax County, North Carolina, and actually Mecklenburg County, North Carolina, too, on the two opposite ends of the state, that that was important. But North Carolina was not that important. North Carolina was just too humble a place to have the oomph that a Virginia would have.

[00:38:30] Terrance Rucker: And that was actually something I hadn't thought about before, but at least from what I was finding was that at least in terms of discussing where a colony should go and how it should go about itself, it's interesting how the Virginia colony's debates were basically published, studied by others in other colonies.

I mean, for the May 15 convention decision, the resolutions were printed with long explanations that people in other colonies could read and consider. So there's clearly an intention that, at least for among Virginia officials, a broader audience is going to be looking at what we're doing and how we're conducting ourselves. I'm not sure as to how other colonies conducted themselves in that regard, but with Virginia, it seemed very deliberate to me.

But then also within their delegation, there seemed to be less division than compared to New York or Pennsylvania. The Massachusetts delegates had a certain reputation. And there's a reputation that they had to try to just diminish it; you see it in the First Continental Congress, and you see within the Second Continental Congress that they're too radical, they're taking things too far. "I don't want to go this far," if you're, I don't know, Maryland or Jersey compared to the Massachusetts folks.

But in the case of Virginia, well, "the Virginians are considering it, then maybe we should consider it too." So that's something I want to look into more, is that, I guess, the perception of moderation among colonies, within colonial delegations at the time.

[00:40:01] Woody Holton: I want to add to Terry's point real quick about unity. There were conservatives in Virginia, like good old Landon Carter, who's just had to be dragged into independence, and they finally convinced him by saying, "We're going to have anarchy if we don't have independence."



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And so when those are the two options, as one person said, “and no longer suffer the people to live without law,” because it was technically anarchy, right? There was no British government operating, and the government that was operating wasn’t an official one, it was this convention. And so that’s one reason that a lot of very conservative people came along to support independence, is that they got convinced that it’s better than the alternative.

But also, another thing that really united the white Virginians was their loathing of their governor. And it’s right there in the May 15th resolve that’s our topic today, because they criticize him for, and I’m quoting now, "Carrying on a piratical and savage warfare," that savage being of course a dig at Native Americans. "Carrying on a piratical and savage war against us, tempting our slaves by every artifice to resort to him, and training and employing them against their masters."

So what was going to end up as the capstone grievance in the Declaration of Independence, "He has excited domestic insurrection amongst us," is already there in the May 15th resolve from Virginia.

[00:41:21] Liz Covart: Yeah, and I also wonder to what extent it was about economics, and I mean economics in terms of the money that it would take to fund the war. Because Virginia will send the most troops to fight and Massachusetts will send the second-most amount of troops to fight.

But it also seemed that throughout the colonial period, everyone looked to Virginia as the wealthiest mainland colony. They had what colonists considered to be the most genteel society within colonial America, and colonists in other colonies, including Massachusetts, would compare themselves to Virginians. So Virginia seemed to have held this really prominent role in British North America, so maybe it made sense that independence could really only be led by Virginia.

[00:42:04] Woody Holton: Yeah, they claimed to be the richest colony. South Carolina also claimed to be the richest colony, and South Carolina was not quite as unified, although close.



[00:42:12] Liz Covart: Now, could we talk about the Virginians in the Second Continental Congress? There was Richard Henry Lee, who introduced the Virginia Resolution, but the colony actually had quite a few congressmen.

Also representing Virginia were Carter Braxton, Thomas Jefferson, Thomas Nelson Jr., Richard Bland, George Wythe, and Francis Lightfoot Lee, who was Richard Henry Lee's brother.

So why was it that it was Richard Henry Lee who introduced the resolution to Congress and not one of these other Virginia delegates?

[00:42:42] Terrance Rucker: To me, it's that he had the connections. And what I mean by that is he was an active delegate in the Continental Congress who worked closely with the Adams's on independence initiatives. He was also a prominent advocate for independence or autonomy within his home legislature.

And as one of the most powerful delegations within the Congress, the delivery of the Virginia Convention instructions and the issuing of the June 7 resolution by the same person makes a powerful statement.

And his actions afterwards indicate where he is, where he is and where he's going. Immediately after delivering this resolution, Lee returns to Virginia to work on the state constitution. He carries with him a draft of a state constitution from Thomas Jefferson, who wanted to go back home and work on that, seemingly more so than the Declaration of Independence, but he needed to stay in Philadelphia to make sure that the declaration was carried through to its final conclusion.

So my analysis is speculative, but to me it's he wanted to be within the center of the action, whether it's the Virginia House of Burgesses, whether it's the Continental Congress, whether it is the General Assembly, well, at least the proto-General Assembly by June of 1776. He seemed to be this forceful legislator, and that's what he acted on.



[00:44:06] Woody Holton: I'd also say that he had the history. As I look at that list of all of the Virginia delegates in Congress, I can't think of anybody else who was active in opposition to the Stamp Act eleven years earlier. It's ironic that he was so active in opposing the Stamp Act, given that it was later revealed that he had applied for the position of Virginia stamp collector, but he weathered that storm. And so he did have that history.

And actually, Terry, you made another good point that I hadn't thought about, which is that it's not like the Declaration Committee, once that was decided, when they appointed that committee on June 11, they made it almost inevitable that Jefferson would write the Declaration of Independence. You know, John Adams later said, "I'm the one who talked him into writing it," and that made for another great song in the movie and play *1776*. "Mr. Adams, I say you should write it," and all of that. '

But it was actually inevitable that Jefferson, right from the appointment of the committee, because Congress had a convention that the person they want to chair the committee is the first name they give. So it was understood that Jefferson would be the chair of the committee. And as all of us academics know, if you're appointed the chair of a committee, that means you do all the work that the committee gets credit for.

And so my point is that Jefferson was chosen, but Terry, I think, opens up the interesting possibility that Lee volunteered. He had the history, he had the connections, and he was a great public speaker, unlike Jefferson, for instance. So he may have just said, "I can handle this," and the others went along with it.

[00:45:37] Liz Covart: Now, Terry, you mentioned this earlier, that Congress actually took a couple of days to debate and consider the Virginia Resolution of June 7, 1776. What do we actually know about that debate and how congressmen were thinking about independence during that time?

[00:45:55] Terrance Rucker: The best record that I've been able to see was Jefferson's notes about it. And he clearly outlines who was for it and who was against it.



Edward Rutledge offers also some additional insights to that. He felt that the sensible part of the House, being the Congress, would oppose the declaration of resolution. He does name among his allies, such as Dickinson and Livingston, that they were basically taking on Massachusetts, Virginia, and the Georgia delegations. So he talks about that fight. And there's also a letter I found where he tries to convince allies like John Jay to come to Philadelphia to oppose the passage of the declaration.

But I want to discuss a little bit the committee structure within the Continental Congress. It's—I mean, of course, I'm always comparing it to the future US House of Representatives—but for this generation of delegates, many of them were familiar with committees through their provincial legislatures. But there's a tension between managing the ever-increasing workload of the Continental Congress as a result of the war and the delegates' fears of creating an independent center of power within the Continental Congress, that leads to an inconsistent approach that persists all throughout the history of the Continental and eventually the Confederation Congresses.

The operational rule was that a committee was appointed whenever a majority of colonies voted in favor of a dually seconded motion to appoint one. Any delegate could make this motion on any issue that he wanted to, but this was usually done at the start of business in the morning. After a motion to appoint a committee was adopted, nominations were offered for committee slots.

Once the list was approved, the president read aloud while the delegates voted by secret ballot. After that, Secretary Charles Thomson tabulated the ballots, and the president announced the names of the committee members. If it was a three-person committee, the top three candidates won the seats, and the person with the most votes became the chair.

Since the votes came from the floor, committees usually received specific instructions, but Congress's workload increased dramatically in late 1775 and 1776 due to the war.

[00:48:10] Woody Holton: The person with the most votes became the chair

[00:48:13] Terrance Rucker: Yes.



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[00:48:14] Woody Holton: I'm learning that too even now. And so that's very interesting that Jefferson, who had just joined Congress, it's almost—you remember Martin Luther King was chosen to run the Montgomery Bus Boycotts because he just got into town and no one hated him yet. And so maybe there was some of that, but also that just shows good writing gets attention. And so he was already known by all those veterans as a great writer, I guess.

[00:48:37] Terrance Rucker: It was, I can't remember the name of the piece now, but it was published right after the first Federal Congress dissolved, in which he blames the king. That's one of the first public statements where you see him blaming the king as much or more than Parliament.

[00:48:52] Woody Holton: Oh. You're talking about in '74.

[00:48:54] Terrance Rucker: Yeah, and this is what makes him a national multi-colonial star and really just sends his career skyward. But, um, the final note I want to make about the committees is for the Continental Congress as a whole, they initially started with ad hoc committees. They're basically formed as needed.

They try to move towards permanent committees as the war progressed. But the inconsistency with the appointment of members to committees, because it's based on votes, on who's voting for whom, so it depends on who's present, who's available, who can do the work, prevented delegates from gaining expertise within specific topics.

And when you think about the modern congresses, house members and senators usually try to develop an area of legislative expertise which they can use when they're serving on committees. The Continental Congress goes in a different direction because of the fear of the concentration of power. Also, the high rates of absenteeism and turnover within the state delegations led to inconsistent results as Congress tried to make policies within wartime.

I mean, to me, the fact that the Declaration of Independence committee produced a finalized draft within three weeks and then they were able to vote on it in early July is exceptional in a lot of ways. Because the Foreign Treaty Plan you don't see till September of 1776, which was about three months later. The Articles of Convention draft that they vote on, although they go



through numerous ones, they really don't approve of it for another seventeen months, till about, that's what, November 1777, so about seventeen to eighteen months.

And then other committees, some were more consistent than others, but it's kind of a catch as can approach that they took. But in light of how they were formed, in light of the war, which was the main priority, it's a wonder that they accomplished as much as they did within such a pressure cooker of time and stress and pressure.

[00:50:48] Liz Covart: Woody, you've been referring back to the musical *1776*, which is a very popular representation of the Second Continental Congress and its inner workings. And we know from that play that it suggested that there was a lot of backroom politicking in Congress.

Do we know if there was any backroom politicking or debates about the Virginia Resolution as the Second Continental Congress was deciding whether or not it should accept it and vote to declare independence?

[00:51:16] Terrance Rucker: There's plenty of, I'd say, politicking, whether upfront or backroom. Many of the debates and discussions that delegates are making on the floor also take place off the floor, particularly within the taverns. Jefferson's notes indicate the floor fights.

Other letters indicate fights that are occurring off of the floor. I mean, I found one or two letters in which Adams is writing to people back home in Massachusetts about it. He's asking, who was it James Warren, who's the Speaker of the Massachusetts Provincial Legislature, to shore up support for independence.

I'd mentioned Rutledge, the letter he writes to John Jay talking about how they're going to oppose it. He's asking Jay to come to Philadelphia to help him.

There's another letter I found with John Adams where he's talking to Archibald Bulloch of South Carolina, and Bulloch isn't able to come to Philadelphia, but Adams asks him to continue to influence the legislature at home towards independence.



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So there's lobbying and politicking all over the place, but also within those three weeks between when Lee's resolution is issued and when the Continental Congress votes on it, delegates are going home or writing at home, looking for instructions from their legislatures, "Should we vote for this or not? What is our approach? What can I do? What will you allow me to do?"

I'm thinking of Maryland in particular, because Maryland had a divided delegation, and you definitely had some people who are for it and some people who weren't. I'm thinking it's Samuel Chase. That's it. He's writing to Chase and he's saying, "Hey, can you do what you can within your home legislature to vote for independence?"

Because Maryland was one of the more iffy delegations. Pennsylvania took a more radical approach, I guess, with its legislature first saying no, but then you had various, I think, legislators kind of forcing the Pennsylvania delegation's hand, which they eventually vote yes. But it's very touch and go inside and outside of the chambers of the Continental Congress. The letters are the best way to track it, I think.

[00:53:26] Woody Holton: Both Maryland and Pennsylvania had instructed their delegates to vote no on independence. So to get them—you know, it didn't have to be unanimous. There was nothing legal that required it to be unanimous, as it would be, for instance, to change the Articles of Confederation, which was the third leg of that stool that Congress adopted in July of '76. But it didn't have to be unanimous, but it would sure be valuable to have it be unanimous, and they needed every vote because New York was also iffy.

And so they had these two colonies, Pennsylvania and Maryland, both proprietary colonies originally, that were voting no on independence. And in both cases, there was a revolution within the colony to force the legislature to change its mind and withdraw the anti-independence instruction and support independence.

And they literally kind of did a coup. They create, in Pennsylvania, the Philadelphia people called a committee and started to write their own constitution and basically to overthrow the legislature. And the legislature, to prevent that coup from going forward, gave the coup



plotters what they wanted, which was a withdrawal of the Pennsylvania anti-independence resolution.

And in Maryland, why did the legislature instruct its delegates that they could support independence or at least no longer ban them from voting for independence? The legislature instructed its delegates, because the legislature was instructed by county conventions. And so Pauline Maier, who I mentioned before, she found ninety examples of resolutions of independence that preceded the famous one of July 4, 1776.

You can start with just July 2, where they published the exact language of Lee's Resolve, which also will show up unedited, unchanged, in the final resolution of independence that "these colonies are and of right ought to be free and independent states." So that happened two days before, that's when they actually declared independence.

But you can go all the way back to things you mentioned, Liz, like the Halifax County, North Carolina resolves and the Mecklenburg County, North Carolina resolves, and all of these town votes that I mentioned in Massachusetts, and the county votes in Maryland, and the vote in those April elections in Virginia. And I understand the allure, now I follow it myself to the extent I can in modern politics, of what's going on in the back room.

But I think we should shift the metaphor if we really want to see where the oomph for independence was coming from, from the back room to "the people out of doors," as Al Young and people before him called them. Ordinary people really were having a huge impact on this decision.

[00:56:10] Terrance Rucker: I found the quotes that I was looking for. The quote that I have from the Rutledge letter to John Jay describing the debates over those two days for Lee Resolution, he says, quote, "The whole argument was sustained on one side by R. Livingston, Wilson, Dickinson, and myself, and by the power of all New England, Virginia, and Georgia on the other." That's his description.

And the letter that Adams writes to South Carolina delegate Archibald Bulloch. Adams is sad that Bulloch is unable to come to Philadelphia to promote independence, but is encouraged to



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know that he was named the head of the delegation. Having a strong advocate in Charleston to Adams was a, quote, "station in which you may render more essential service," unquote, as an independence advocate in South Carolina than in Philadelphia.

So the politicking is going not only in the room, but in letters, in taverns, elsewhere. We look at lobbying campaigns today. This is how the lobbying worked at that time, and it's good that we have so many records to really piece that together.

[00:57:19] Woody Holton: Terry mentioned John Dickinson. I just want to say very briefly, because you also mentioned earlier, Terry, the Articles of Confederation. Dickinson voted against independence or opposed independence, and he's shown in the movie *1776* very patriotically saying, "Although I opposed independence, I'm going to go off and fight in the war," and he did. His brother was the commander-in-chief of the Pennsylvania militia, if I remember right.

But he also drafted the Articles of Confederation, and Jane Calvert has written about his draft of the articles, and it's fascinating because it's, I won't quite say it was pro-Indigenous people, but it was much less anti-Indigenous people than the Articles eventually adopted, much less the US Constitution of 1787.

It's also often says "he or she" kind of language because it was gender-inclusive language. Dickinson, although an opponent of independence, was really radical in other ways that, that Jane Calvert has written about so people can find articles by her explicating that.

[00:58:19] Liz Covart: Well, thank you, Woody. That's a really great preview of two episodes from now when we will speak with Jane Calvert about John Dickinson and the Articles of Confederation committee.

[00:58:29] Terrance Rucker: If I can add a quick postscript to Dickinson's leaving the Continental Congress, just to give you the idea of delegations and politics. His replacement was Benjamin Rush, and basically Benjamin Franklin, who was more or less head of the delegation, went to Pennsylvania legislators like, "Well, we need a replacement for Dickinson. I want Rush."



And Rush was pro-independence. So the replacement of a moderate like Dickinson with a more radical member like Rush shows you how the politics is working in real time. Like Franklin wanted an advocate, an independence advocate within the Continental Congress

[00:59:07] Liz Covart: Now we've described the Virginia Resolution as a three-legged stool. It first called for the colonies to declare their independence from Great Britain, and then it called for a plan for forging foreign alliances, and then for a committee to draft articles of confederation so that the newly independent nation could govern itself.

Now, what happened after Congress decided that it was going to adopt the Virginia Resolution? What did Congress do next to carry out the three parts of this resolution?

[00:59:36] Woody Holton: Well, as you know, they didn't adopt it in June. They voted on the 10th to give it three weeks because the Congress stated explicitly in their journal, "Hey, we know we've got some colonies that have been instructed to vote no on independence, but things have changed, and we want to give them a chance to reconsider, so we're going to take three weeks."

Now, three weeks was not time enough to get a message down to Georgia and back up. You really couldn't make it to South Carolina either, but three weeks, that was probably a compromise going on in those backgrounds because some people wanted six weeks so that you could reach all the way down to Savannah, Georgia. But whatever, they decided to give it three weeks.

And that's the period when, as I was mentioning before, people were imagining what will happen if we declare independence, and the big thing that will happen is we'll get French aid to win this war.

[01:00:26] Liz Covart: So we're now 250 years removed from the Virginia Resolution, and as we think about it now, 250 years later, where do you think we should place the Virginia Resolution on our list of important acts of the American Revolution?



[01:00:38] Terrance Rucker: I would place it very high because it set the Continental Congress on a definitive legislative course for the next eighteen months. The approval of the resolution on July 2nd, and the announce of the declaration itself on July 4th, is relatively fast, about three weeks.

But the approval of a treaty plan did not occur until three months later in September 1776. Delegates did have a chance to defend the declaration in mid-September when they refused to revoke it during negotiations with Great Britain on September 11th. The document that became the Articles of Confederation took a more torturous path as Committee of Twelve considered these drafts over the next about seventeen to eighteen months.

Once approved, Congress debated it for another few months until a version was approved in November 1777. Of course, it would take nearly four years for the colonies to approve it, but that's another story.

I mentioned that the Lee Resolution set the Congress on a legislative path, but the overarching concern for many delegates was managing the war. The Congress itself would be forced to leave Philadelphia for Baltimore in late 1776 due to the threat of a British invasion. In the fall of 1777, they fled Philadelphia completely when British forces occupied Philadelphia. And then they were eventually able to return by the summer of 1778.

So in terms of just a guiding path for this institution, I would place the Lee Resolution very high.

[01:02:07] Woody Holton: I'd place it pretty high, not quite as high as you do, Terry. Just because I once was invited to give a lecture on the turning points of the Revolutionary War and ended up giving a lecture denouncing the idea of turning points of the Revolutionary War. Because if you take the May 15th resolve, if that's what we're memorizing in the A Push, AP US history classes, if we're memorizing May 15th, then we're tempted to forget April of 1776 when the voters voted out the anti-independence members of their convention.

And likewise, if we talk about when Pennsylvania voted for independence, then we forget that they did so under the threat of a coup, and likewise in Maryland, and we forget about the



county conventions that instructed the provincial convention to instruct the delegates in Congress from Maryland to stop opposing independence.

So I'm only wary of it in that I'm wary of all red letter dates because the red letter dates tend to give you the back of the two-dollar bill. That is the famous John Trumbull painting of a bunch of rich white guys making history when there's a lot behind that.

[01:03:12] Liz Covart: Well, let's move into the "Time Warp." This is the segment of the show where we ask you a hypothetical history question about what might have happened if something had occurred differently or if someone had acted differently.

So in your opinion, what might have happened if Congress had voted down the Virginia Resolution? When do you think the Second Continental Congress would have moved for independence, and how do you think the revolution would have been different if Congress had voted the Virginia Resolution down?

[01:03:40] Terrance Rucker: With the overall trend among the delegates and the public moving towards independence, I think the Lee Resolution could have been brought up again and approved eventually. But the Continental Army's losses in New York and New Jersey during the summer and fall of 1776, and the British capture of New York City on September 15th, would have dampened delegates' enthusiasm for declaring independence, and likely given conservatives and moderates a reason to delay or block it. It also could have motivated them to sue for peace.

I also believe that it would have halted some colonies' momentum to form their own state governments. The war would become more of a grinding stalemate if things persisted. I think it would have extended the timeline, it would have made the war more costly, and it would have made, I think, declaring independence more controversial.

[01:04:36] Woody Holton: I thoroughly agree. The timing was crucial. The Congress declared independence on July 2, 1776. That's the same year that New Jersey, by the way, settled on its famous constitution under which propertied women voted for the next thirty-some years before they took it away in the early nineteenth century. And July 2, most



importantly of all, is the day that the first British troops landed on Staten Island as they built up towards thirty thousand troops, the largest deployment of British naval force before World War I.

And as Terry said, they were about to go into this series of victory at Long Island, at Kips Bay, and New York, and White Plains, and all the way through to throwing the Americans out of New Jersey. And then, of course, the important American reversal of Washington crossing the Delaware on Christmas night 1776 to capture the Hessian garrison at Trenton.

So my point is that if they hadn't done it when they did it, if Virginia hadn't set the ball rolling, and then you have your month to check in with the constituents, that is the provincial conventions and congresses. If that ball hadn't started rolling when it did, if they'd waited a little bit longer after all these defeats, you cannot make an announcement like this right after you've suffered a terrible defeat. Lincoln held back his preliminary Emancipation Proclamation until he got a win on September 17, 1862 at Sharpsburg/Antietam, and then he announced it.

And Dunmore had done the same thing. He'd already printed up his Emancipation Proclamation on November 7, 1775, but he didn't issue it until victory at Kemp's Landing, Virginia, where the commander on the patriot side was captured by one of his own former slaves fighting under Governor Dunmore.

In a sense, we can think of the Declaration of Independence as originally written as an Emancipation Proclamation for white folks. Unfortunately, it was a whites only Emancipation Proclamation, but you could put it in that category. And like Lincoln and Dunmore, the Congress couldn't issue that right after a series of defeats, which is all they had in '76. They had one victory, which Congress didn't know about on July 2, which was in South Carolina, where the British tried to enter Charleston Harbor and were pushed back.

But as Terry said, you had nothing but defeats ahead for Washington's army. And even worse in Canada, where two armies had been sent north from the rebel United States to try to make Quebec a fourteenth colony and failed miserably, and then were dying in droves to smallpox,



as Elizabeth Fenn's book and others since then have all shown. So there was just nothing but defeat.

So I think independence just since you ask a hypothetical question, my hypothetical answer, independence would have happened on January 1, 1777. That is, after word got around about Washington's one big victory of 1776 so that they could do it after a win. And we'd be talking not about the spirit of '76, but about the spirit of '77.

[01:07:47] Liz Covart: Now, Terry, we know that the Office of the Historian of the United States House of Representatives often has commemorative publications and exhibits, and it's 2026 and the 250th anniversary of the Declaration of Independence, so does the Office of the Historian have any special exhibits or publications that we should be aware of?

[01:08:05] Terrance Rucker: Yes, we do. In January, we launched a new webpage that celebrates the 250th anniversary of the signing of the Declaration of Independence. The page features new blogs, such as Thomas Paine's *Common Sense*'s effect on the Continental Congress. We have a new list that features Continental Congress members who fought in the American Revolution.

And a fun feature that we developed is what we call the "76 Revolutionary Facts in Honor of 1776." And that will enable you to learn about different facts about the Continental Congress, that includes their occupations, their early lives, their connections to the US House of Representatives. So it's a little bit of demographic information, some of the acts of the pre-federal congresses, and their connections to the modern house.

We've also added to that page updates to feature biographical information about the signers of the Declaration of Independence and the Articles of Confederation, along with our other informational pages that feature the meeting places of the Continental Confederation Congresses, its presiding officers, and any historical highlights or blogs that feature the Continental and Confederation Congresses. So yeah, it's the America 250 page, and you can find that on the office's website at history.house.gov.



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[01:09:28] Liz Covart: And Woody, it's been a few years since we talked about *Liberty is Sweet*. Are you working on another American Revolution-based research project?

[01:09:36] Woody Holton: I am. Right now, it's called *A Fever Crept In*, and it's about diseases other than smallpox in the Revolutionary War. I say other than smallpox because Elizabeth Fenn covered that topic so well in *Pox Americana*, and Andrew Wehrman found a lot of new things to say about it. Anyway, there's been a ton about smallpox, so I'm saying a little bit about that.

But for instance, maybe most relevant to what we're talking about, I just have gotten the numbers together. There's been a big debate about Benjamin Quarles's estimate that about eight hundred African Americans fought in the Ethiopian Regiment under Governor Dunmore after his Emancipation Proclamation. And my frenemy, Zach Rakove, says, "Oh, there were only about three hundred." And people like me who are interested in Ethiopian Regiments say, "Oh no, it's probably more like a thousand."

Well, what I've recently discovered researching disease, and not just smallpox, but also typhus—which kills at a higher rate than smallpox that struck those soldiers—that more than a thousand of them tragically died, not in battle, very few died in battle, but more than a thousand died of those two diseases. And so of course, if more than a thousand died, then you can't have only three hundred ever fighting with him.

And there were still several hundred who left Virginia with Governor Dunmore on August 7 of 1776. Then there were clearly more than a thousand. So one of the little points I'll be able to make in this book is that Benjamin Quarles, who was always so careful, he wrote that book, *The Negro and the American Revolution*, during Jim Crow, so he was always very careful, and sure enough, he undercounted the number of African Americans who fought in an alliance for their freedom under Governor Dunmore.

[01:11:21] Liz Covart: If we have more questions about the Second Continental Congress, how it operated, or the Lee Resolution, where's the best place for us to get in contact with you?



[01:11:29] Woody Holton: Holton@sc.edu.

[01:11:31] Terrance Rucker: If you're seeking to reach me, you can reach me through the office's email address at history@mail.house.gov. If you'd like to visit the office website and the America 250 page, please visit history.house.gov.

[01:11:45] Liz Covart: Terrance Rucker and Woody Holton, thank you so much for rejoining us and for taking us through the Lee Resolution and what it was like to get it through Congress.

[01:11:53] Terrance Rucker: Thank you so much for having us. This was a wonderful discussion.

[01:11:56] Woody Holton: Yeah, and despite what I said about red letter dates, it is an important one, so thank you for foregrounding it, Liz.

[01:12:01] Liz Covart: What did it take to break the most powerful empire in the world? As Woody Holton and Terrance Rucker make clear, the answer was messier and far more democratic than we usually think. Richard Henry Lee's introduction of the Virginia Resolution on June 7, 1776 may look like a decisive act of statesmanship, a moment when elite leaders steered history, but as we just discovered, Lee's words were the culmination of months of letter-writing campaigns, tavern debates, county conventions, and town votes stretching from New Hampshire to Georgia.

Ordinary people out of doors had as much to do with the move toward independence as John Adams or Richard Henry Lee did. And as we heard, Virginia's voters turned out the anti-independence members of their provincial Congress in April 1776 so that they could push the vote for independence. So the three-legged stool of independence was built because people at every level of society were pushing for its construction.

Now, our conversation also leaves us with a clearer sense of the Virginia Resolution's ambition. Richard Henry Lee and John Adams understood from the very beginning that declaring independence was only the start of building a new nation. After Congress declared



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the colonies to be free and independent states, the new United States would need to forge foreign alliances among Great Britain's mortal enemies, France, Spain, and the Netherlands, in the hope of winning its war for independence and securing sovereign nation status among the powers of the Earth.

And that brings us to episode 444. Next week, we'll be investigating the second leg in this three-legged stool of independence, the Model Treaty. You'll find more information about Terry and Woody, plus notes, links, and a transcript for everything we talked about today on the show notes page, benfranklinworld.com/443.

Friends tell friends about their favorite podcasts, so if you're enjoying this series on the Lee Resolution, I hope you'll tell your friends and family about it. Production assistance for this podcast comes from Joseph Adelman, Karin Wulf, and Morgan McCullough. Breakmaster Cylinder composed our custom theme music.

This podcast is part of the Airwave Media Podcast Network. To discover and listen to their other podcasts, visit airwavemedia.com. Finally, Woody challenged us to look beyond the back room of politics to the people out of doors, the voters, county conventions, and the everyday Americans who attended town meetings to push for independence going forward. So what do you think we gain or lose by shifting our gaze away from men like Richard Henry Lee and John Adams and toward the everyday Americans who helped make independence possible? I'm really curious what you're thinking here, so please tell me, liz@benfranklinworld.com.

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