The American Revolutionary War (1775–83), as it is most frequently termed, was not a truly a revolutionary war. A revolution, as commonly defined, is the overthrow and replacement of a government or social order with a new system of government or social order. The American colonists had no intention whatsoever of overthrowing King George III or the British Parliament or interfering with the Anglican Church in England. Thirteen of Great Britain’s North American colonies wanted political independence from British rule. The “Revolutionary War” is more properly called the War for American Independence, but it was really a war for the independence and self-determination of thirteen colonies united by common causes. Nor was the war part of an internal a civil war for control of Great Britain or the British Empire. The thirteen colonies were geographically separated from Britain and saw compelling reasons for separating from British
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Political control and determining their own political and economic destinies.

On July 4, 1776, thirteen British colonies jointly announced their Secession from Great Britain. North Carolina had already declared its independence on May 15, 1775, and Thomas Jefferson used much of the language of the North Carolina Mecklenburg Declaration in writing the Declaration of Independence. Virginia had also made such a declaration in early 1776. The joint thirteen colony resolution declared to the world their just reasons:

“When in the Course of human Events, it becomes necessary for one people to dissolve the Political Bands which have connected them with another, and to assume among the Powers of the Earth, the separate and equal Station to which the Laws of Nature and of Nature’s God entitle them, a decent Respect to the Opinions of Mankind requires that they should declare the causes which impel them to Separation.”

The Declaration of Independence goes on to say that,

“…Governments are instituted among Men, deriving their just powers from the Consent of the Governed, that whenever any Form of Government becomes destructive to these Ends, it is the Right of the People to alter or abolish it, and to institute new Government…”

The Declaration goes on to list numerous grievances against the British Crown and Parliament. Most of these had to do with the British Crown and Parliament usurping the powers of the colonial legislatures. Among the most prominent of these were unjust taxes and taxation without representation. The next most common group of grievances was that the British Crown and Parliament would not listen to their complaints and pleas for relief. These arguments were strongly analogous to later Southern claims in 1860 and 1861 on States Rights.

In the closing paragraph the signers declare that the colonies are “Free and Independent States.” This paragraph also contains the words, “appealing to the Supreme Judge of the World” and “with firm Reliance on the Protection of divine Providence.” Note that the United States of America were not formed into a single national state, but a confederation of independent and sovereign states, having rights of self-government.

The right of self-determination for people seeking independence is firmly established in international law. With U.S. backing, Panama seceded from Colombia in 1903. Norway seceded from Sweden in 1905. In the United States, the right of self-determination and therefore secession is supported by the precedence of the Declaration of Independence which declared our own secession from Great Britain.

While the Declaration of Independence is of immense importance as a founding document, it is the Constitution of 1787 and the Bill of Rights ratified in 1791 that are the official founding documents. The Constitution was made official by the approval of the people of each state acting independently in convention, not by the people of the United States in general. Nor did these states surrender
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their sovereignty to the United States. Only limited governmental powers were delegated to the Federal Government, and every state reserved the right to withdraw these powers. In fact, three states—Rhode Island, Virginia, and New York—specifically stated in their ratifications that they reserved the right to withdraw. Other states had less strongly worded reservations, but no state would have ratified the Constitution if they believed that in doing so they would be surrendering their newly won independence. It was to guarantee the sovereignty of the states that the ninth and tenth amendments were added to the Bill of Rights.

The Ninth Amendment: “The enumeration in the Constitution of certain rights shall not be construed to deny or disparage others retained by the people.”

The Tenth Amendment: “The powers not delegated to the United States by the Constitution, nor prohibited by it to the States, are reserved to the States respectively, or to the people.”

Since the Constitution was ratified by sovereign states who desired to retain their sovereignty, it is a compact or contract between the states and the Federal Government acting as their delegated agent. The nation’s first Chief Justice, John Jay, although a proponent of a strong central government, in the case of Chisholm versus the State of Georgia, expressly declared that the U.S. Constitution was a compact. The right of withdrawal or secession is inherent in the basic document, but the Ninth and Tenth Amendments further establish it as a right of each state. It is thus the option of each State, not the Federal Government, whether it shall remain in the Union or withdraw. The right of secession was almost universally accepted until Lincoln came up with a new theory of the Constitution in 1861 based on an 1833 text by Supreme Court Justice Story.

New Hampshire’s constitution of 1792 contains strong words reserving its sovereign powers as a state. In 1798 Thomas Jefferson and James Madison circulated the Kentucky and Virginia Resolutions among the states. These resolutions strongly supported the Doctrine of States Rights and thus also the right of secession. Together these Resolutions became known as the “Principles of ’98.”

The Kentucky Resolution, the work of Thomas Jefferson, asserts States Rights in very strong terms:

“This Commonwealth is determined to submit to no undelegated and consequently unlimited power, in no man, or body of men on earth, even the President...When powers are assumed which have not been delegated, a nullification of the act is the rightful remedy; and every state has a natural right in cases not within the compact...to nullify of their own authority all assumptions of power by others within their limits...In the questions of power then, let there be no more heard of confidence in man; but bind him down from mischief by the chains of the constitution.”

No states disagreed. The Principles of ’98 were the principles of the Constitution and Bill of Rights.
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The New England states threatened secession on five occasions: in 1803 because they feared the Louisiana Purchase would dilute their political power; in 1807 because the Embargo Act was unfavorable to their commerce; in 1812 over the admission of Louisiana as a state; in 1814 (the Hartford Convention) because of the War of 1812; and in 1845 over the annexation of Texas (which had seceded from Mexico). From 1803 to 1845, any time New England felt their political power or commercial dominance might suffer, they threatened secession. Many New England abolitionists favored secession because the Constitution allowed slavery.

As early as 1825 the right of secession was taught at West Point. William Rawle’s *View of the Constitution* specifically taught that secession was a right of each state and was used as a text at West Point in 1825 and 1826 and thereafter as a reference. Rawle was a friend of both George Washington and Benjamin Franklin, and his 1825 text was highly respected and used at many colleges. A subsequent text by James Kent maintained the same position and was used at West Point until the end of the war in 1865. Several Union and Confederate generals were at West Point during the time Rawle’s text was used. Rawle even spelled out the procedure for a state to secede, explaining:

“The secession of a state from the Union depends on the will of the people of each state. The people alone…hold the power to alter their constitution.”

The right of secession was very well stated by none other than by Congressman Abraham Lincoln himself in 1848:

“All people anywhere, being inclined and having the power, have the right to rise up and shake off the existing government and form a new one that suits them better. This is a most valuable and most sacred right, a right which we hope and believe is to liberate the world.”

But Lincoln had changed his mind by 1861 and played the role of George III. The secession of as many as fourteen states, including Missouri, Kentucky, and Maryland, seeking to escape the hardships of Northern political and economic dominance, would be ruinous for U.S. tax revenues, of which over 80 percent of the burden fell on the South. Low-tariff Southern free trade would also devastate the prosperity of high-federal-tariff ports of the Northern shipping industry.