

Chapter 3 Debate: What is the Relationship Between Parliament and the Colonial Legislatures?

Introduction

Teachers can use class debates to help students understand conflicting perspectives of a past time and place. This often involves dividing the class into two or more parts and assigning each group a role. Students are then encouraged to take on that role and argue their position. They need to argue the position they are assigned, *regardless* of whether or not they agree with that position. Sometimes, teachers may encourage students to know both sides of the argument and have the two sides switch roles midway through the debate.

Objectives of This Debate

- Students will be able to explain the opposing colonial and British views on the meaning of representation.
- Students will be able to explain the opposing colonial and British views on taxation.
- Students will be able to explain the opposing colonial and British views on the virtues of mercantilism.
- Students will be able to explain the opposing colonial and British views on the relationship between Parliament and the colonial legislatures.
- Students will describe how these opposing views contributed to a break in the Empire and ultimately the American Revolution.

Background

Historians have noted that before the French and Indian War, England largely let the American colonies go their own way – a policy of “salutary neglect.” This was largely a practical manner – the colonies were just too far away to closely rule. The impact of this neglect was a sense in the colonies that their colonial legislatures were sovereign within each colony, and in fact, equal to Parliament within and empire that they viewed as a type of “commonwealth.”

This all changed in the aftermath of the French and Indian War. The English government was in deep debt. From Parliament’s perspective, it was time for the colonies to “pay their own way.” The war, after all, had been fought for their benefit. A vast expanse of land had been added to America. British troops would need to remain there to protect that land. The colonies would have to foot the bill.

It was in this context that Parliament dramatically tightened regulations on the colonies, increased taxes, and began to actually enforce laws that had been on the books for a

century (The Navigation Acts). This came as a shock to the colonies and began a debate that culminated in the Revolutionary War. It explains how many colonists were transformed from a people who in 1763 were PROUD members of the British Empire, to people who only twelve years later took up arms against that very empire.

Procedures

This debate can be done in one class period, or broken into segments, with each issue debated separately – perhaps one per day as the unit is being taught.

The teacher should divide the class into two parts. One section will role-play members of colonial legislatures. The other group will represent members of Parliament (M.P.s). Students should be reminded that they should stick to their role and argue *passionately* for their position, despite what they personally may believe. They need to argue as if they are living in the world of the late 1760s, just as the debate over the relationship between the colonies and the mother country is heating up.

Each side of the debate should research their position on each of the key sources of contention between the colonies and Britain. Those were:

- The meaning of representation
- The right of Britain to tax the colonies
- The right of Britain to regulate colonial trade (and the benefits of mercantilism)
- The legal relationship between Parliament and the colonial legislatures

Students should be able to use *America: The Last Best Hope* to find dual perspectives on these issues, but teachers will also need to provide background through short lectures or explanations. Students can also do research on their own to find arguments to support their point of view. Primary sources from the period can be particularly valuable as a side builds its case.

The following chart represents basic points that should be covered by both sides. Teachers should not immediately give students these points. They might be offered to each side after students have had time to research on their own, or they might be withheld until after the debate and used as a summary or to debrief the debate.

A blank version of the chart is offered at the end of this debate. Students may use this blank chart to take notes as they research their positions in the debate.

When the debate takes place, arrange student desks or chairs with the two debate factions on opposite sides of the classroom *facing each other*. The teacher should serve as a moderator, beginning the proceedings, laying out the key question involved in each issue, and calling on members of each side in alternating order. If the debate begins to lag, the teacher may call a short break and have each side “caucus” to rethink their positions and prepare responses to arguments made by the other side.

REPRESENTATION

British View	Colonial View
<ul style="list-style-type: none"> • Believed in “virtual representation,” meaning that members of Parliament “virtually” represented all parts of the empire (rather than representing the interests of a specific district or region. Thus, the colonies WERE represented in Parliament, since M.P.s (members of Parliament) saw themselves as concerned with the interests of the entire empire, not just the district that elected them. • Reflected the fact that very few English people voted (property qualifications limited the vote to a small percentage of males in England). So M.P.s did not feel the need to closely represent the concerns of THEIR constituents. • Made sense to the British because representation in Parliament was not equal across England. Representatives in cities like London represented tens of thousands of people, while representatives from other regions might represent only a few hundred people (so called “rotten boroughs”). This was a result of the fact that Parliament had not created new districts to reflect massive population shifts brought on by the Enclosure Movement and urbanization. • Thus taxing the colonies was NOT “taxation without representation” as far as Parliament was concerned. The colonies were VIRTUALLY represented in Parliament! 	<ul style="list-style-type: none"> • Believed in “actual representation,” meaning that colonists expected representatives they elected to represent them directly. • Actual representation made sense to the colonists because it was more of a reality in America. Representation was more proportional than in England AND a far higher percentage of males voted because of far wider property ownership (like in England there were property qualifications to vote). • SO, colonists developed the perspective that THEIR representatives that THEY elected represented THEIR specific interests. • Thus, from the colonial perspective, the colonies were NOT represented in Parliament and thus British taxes WERE ‘taxation without representation.’ • KEY – BOTH SIDES believed in the concept of “NO TAXATION WITHOUT REPRESENTATION,” but they could not even agree with the meaning of representation!

TAXATION

British View	Colonial View
<ul style="list-style-type: none"> British believed they had the right to levy all taxes necessary for the colonies. They saw no distinction between “internal” and “external” taxes. British landowners believed themselves to already be overtaxed. Thus THEY did not want to pay more taxes to pay for maintaining the empire. If troops had to be sent to America to defend the empire, AMERICANS should pay for that protection. A stamp tax was a common tax in England, why should it not also be levied in America? Britain was bankrupt – largely through fighting wars that benefited the Americans (like the French and Indian War). Why shouldn’t the colonies pay the cost of this war? Shouldn’t they pay for their OWN protection? 	<ul style="list-style-type: none"> Many colonists accepted the right of Britain to levy “external” taxes – such as duties that regulated trade. That was a proper role for the “Mother Country” in the empire. Colonists would NOT accept “internal” taxes – taxes within the colonies designed strictly to raise revenue. Such taxes were illegal, in the colonial view, due to the lack of representation. To the colonists the Stamp Tax was clearly an internal tax. The stamp tax was also offensive because it was a tax that affected people from all walks of life – not just merchants. It seemed to colonists to be an example of Britain saying, “IN YOUR FACE colonies, we are in control – get used to it!” Another difficult aspect of the Stamp Tax was that stamps had to be purchased with SPECIE (hard money, gold and silver). Specie was in short supply in the colonies. As time went on, many colonists came to deny the British right to issue EITHER internal or external taxes on the colonies due to the lack of representation.

TRADE REGULATIONS

British View	Colonial View
<ul style="list-style-type: none"> • The Empire based its trade policies on the concept of mercantilism. Mercantilism was based on the belief that there was a finite amount of wealth in the world. Wealth was defined as hard money (Specie, gold and silver). Any wealth Britain gained, then, would be at the expense of their enemies. Thus, it was critical for the empire to always keep EXPORTS OVER IMPORTS (which brought wealth TO the empire). • Colonies were a great mercantilistic advantage for the British. They could get raw materials from <i>within</i> the empire, thus NOT having to import them from a rival. • The British believed the colonies existed to serve the greater economic needs of the Empire. • Although the colonies were restricted to trading with England, The British argued that this offered the colonies a <i>guaranteed market</i> for their goods. • Britain also argued that colonial merchants benefited from the protection offered by the British Navy – the greatest in the world. • THUS, Britain saw mercantilism and MUTUALLY beneficial. However, if the system did work to the advantage of the mother country – that is the purpose of colonies, to serve the Mother Country! 	<ul style="list-style-type: none"> • Mercantile policy required the colonies to virtually sell all raw materials to Britain and buy all finished products from Britain (The Navigation Acts). • The colonists resented that imperial law prevented them from even producing many finished goods (hats, iron, etc.). They HAD to buy these from England. • This restricted the colonies to trading with Britain EVEN if it was more profitable to trade with other nations (This is why many colonial merchants, like John Hancock, turned to SMUGGLING). • The colonies needed British finished goods MORE than England needed colonial raw materials. This created a BALANCE OF PAYMENTS CRISIS for the colonies. Money was flowing away from the colonies, creating a SHORTAGE OF SPECIE (making taxes like the Stamp Tax even harder to pay). • The colonies came to believe they had OUTGROWN mercantilism and the system worked only for the benefit of the Mother Country. Merchants believed they could make far greater profits if American was independent.

RELATIONSHIP BETWEEN PARLIAMENT AND COLONIAL LEGISLATURES

British View	Colonial View
<ul style="list-style-type: none"> • Parliament was SUPERIOR to all colonial assemblies. • This was obviously true, because Parliament CREATED each colony, issued their charters and in many cases created their assemblies. • Parliament had the right to veto any colonial legislation, meaning they were clearly superior to the colonial legislatures. • England sent Royal Governors to the colonies to represent the interests of Parliament and the Crown to the colonial legislatures. These governors could also veto colonial legislation. 	<ul style="list-style-type: none"> • For over 150 years (until 1763), Parliament had done very little to oversee colonial legislatures, giving them the sense that they were sovereign. • Colonists had come to see the empire as a type of “Commonwealth,” with colonial legislatures roughly equal to Parliament, sharing a common loyalty and obedience to the King. • IN PRINCIPLE, it was true that Parliament could veto the laws of colonial legislatures, but IN REALITY, this rarely happened. Britain was simply too far away. Laws passed in the colonies took months to make their way to England and, if vetoed, months more to let the colonies know this. • Royal Governors were SUPPOSED to represent Parliament and the Crown in the colonies, but many governors received appointments as political favors, not because of their administrative ability. AND, the colonial legislatures often controlled them because they PAID THEIR SALARY (through their “power of the purse.”)

Student Debate Sheet

Name _____

Date _____

As your group researches their position on these issues, use the following table to record your views and prepare for the debate. As the debate progresses, take notes on the other group's arguments in the opposite column.

REPRESENTATION

British View	Colonial View

Student Debate Sheet

Name _____

Date _____

As your group researches their position on these issues, use the following table to record your views and prepare for the debate. As the debate progresses, take notes on the other group's arguments in the opposite column.

TAXATION

British View	Colonial View

Student Debate Sheet

Name _____

Date _____

As your group researches their position on these issues, use the following table to record your views and prepare for the debate. As the debate progresses, take notes on the other group's arguments in the opposite column.

TRADE REGULATIONS

British View	Colonial View

Name _____

Date _____

RELATIONSHIP BETWEEN PARLIAMENT AND COLONIAL LEGISLATURES

Perspectives	
British View	Colonial View