TEACHING DEMOCRACY WEBINAR SERIES

No Taxation Without Representation?

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Primary Sources Selected by
Alan Taylor, Professor of History, UC Davis

CHAPTER 5

The American Revolution, 1763–1783

27. Virginia Resolutions on the Stamp Act (1765)


The passage of the Stamp Act by Parliament in 1765 inspired the first major split between colonists and Great Britain. Pressed for funds because of the enormous expense it had incurred in fighting the Seven Years' War, Parliament for the first time attempted to raise money from direct taxes in the colonies rather than through the regulation of trade. The act required that all sorts of printed material produced in the colonies carry a stamp purchased from authorities.

By imposing the stamp tax without colonial consent, Parliament directly challenged the authority of local elites who, through the assemblies they controlled, had established their power over the raising and spending of money. They were ready to defend this authority in the name of liberty. Virginia's House of Burgesses approved four resolutions offered by the fiery orator Patrick Henry. The Burgesses rejected as too radical the last three resolutions that follow, including one calling for outright resistance to unlawful taxation.

Whereas, the Honourable House of Commons in England, have of late drawn into question how far the General Assembly of this colony hath power to enact laws for laying of taxes and imposing duties payable by the people of this, his Majesty's most ancient colony; for settling and ascertaining the same to all future times, the House of Burgesses of this present General Assembly have come to the following resolves.

Resolved, that the first adventurers, settlers of this his Majesty's colony and dominion of Virginia, brought with them and transmitted to their posterity, and all other his Majesty's subjects since inhabiting in this his Majesty's colony, all the privileges and immunities that have at any time been held, enjoyed, and possessed by the people of Great Britain.

Resolved, that by two royal charters granted by King James the first, the colonists aforesaid are declared and entitled to all privileges and immunities of natural born subjects, to all intents and purposes as if they had been abiding and born within the realm of England.

Resolved, that the taxation of the people by themselves, or by persons chosen by themselves to represent them, who can only know what taxes the people are able to bear, or the easiest method of raising them, and must themselves be affected by every tax laid on the people, is the only security against a burdensome taxation, and the distinguishing characteristic of British freedom, without which the ancient constitution cannot exist.

Resolved, that his Majesty's liege people of this ancient colony have enjoyed the right of being thus governed by their own Assembly in the article of taxes and internal police, and that the same have never been forfeited, or any other way yielded up, but have been constantly recognized by the king and people of Great Britain.

Resolved, therefore, that the General Assembly of this colony, together with his Majesty or his substitutes, have in their representatives capacity, the only exclusive right and power to lay taxes and imposts upon the inhabitants of this colony; and that every attempt
to vest such power in any other person or persons whatever than the General Assembly aforesaid, is illegal, unconstitutional, and unjust, and has a manifest tendency to destroy British as well as American liberty.

Resolved, that his Majesty’s liege people, the inhabitants of this colony, are not bound to yield obedience to any law or ordinance whatever, designed to impose any taxation whatsoever upon them, other than the laws or ordinances of the General Assembly aforesaid.

Resolved, that any person who shall, by speaking or writing, assert or maintain that any person or persons other than the General Assembly of this colony, have any right or power to impose or lay any taxation on the people here, shall be deemed an enemy to his Majesty's colony.

Questions

1. Why do you think the Virginia House of Burgesses adopted the first four resolutions but rejected the final three?

2. What would be the difference between resting the resolutions’ arguments on “British freedom” and appealing to a more universal concept of liberty?

28. Petition of North Carolina Regulators (1769)


Even as the dispute between Britain and America over taxation grew deeper during the 1760s, several colonies experienced internal social divisions. Rural areas had a long tradition of resistance by settlers and small farmers against the claims of land speculators and large proprietors. One