"Was the American Revolution Just?"
by Mark Tooley

Americans of all stripes recently celebrated our country’s 234th birthday. But it is fashionable by some on the Religious Left to discredit the American Revolution as primarily the selfish reaction against reasonable taxation. In their eyes, the original Tea Partiers of 1773 are as offensive and today’s Tea Party rebels against big government. And since the Iraq War, if not before, the Religious Left has tried to reinterpret traditional Just War criteria into impossibly stratospheric standards, so that no war can ever be moral. Just War teaching thereby becomes a reflexive rebuke to all force, rather than a careful reasoning tool.

The stratospheric standard seems to afflict the critique of the American Revolution by John Keown, a respected ethicist at Georgetown University.

Recently I wrote for The American Spectator about an Evangelical Left commentator mocking America’s War for Independence as simply about greed. But that commentator, like most on the Evangelical Left, is overtly pacifist. Religious pacifists will sometimes deploy their version of Just War rules to prove the supposed impossibility of moral force. But they do not treat the tradition very seriously, except as an occasional rhetorical tool. Keown treats the tradition more seriously, and his critique of America’s founding late last year (“America’s War for Independence: Just or Unjust?”) was in the intellectually weighty Journal of Catholic Social Thought, affiliated with Villanova University. Keown’s rejection of America’s war for independence as immoral deserves a response.

Keown acknowledged that many Roman Catholics in revolutionary America enthusiastically supported independence from Britain. John Carroll, later America’s first Catholic bishop, famously accompanied Benjamin Franklin to Quebec to persuade (unsuccessfully ) Quebecers to join them against Britain. John’s brother, the statesman Charles Carroll, became the last living signer of the Declaration of Independence. But Keown still deduces that the American Revolution failed to meet the 7 traditional standards of Just War teaching: just cause, proportionality, right intention, competent authority, probability of success, last resort, and comparative justice.

Reluctantly, Keown granted that the Continental Congress may have qualified as a “competent authority” to wage war. The delegates were “moderates,” mostly elected by mass meetings in their respective jurisdictions and they waged war in a “controlled fashion.” Keown also seemingly admitted that America’s Revolutionaries had the “probability of success,” which should seem obvious, since they did in fact win. He is skeptical the Americans could have won without France. But it would seem that the British capacity to subdue a large and prosperous colony spread across half a continent, and opposite an ocean, was always doubtful, assuming American will persevered. Forty years later, the Duke of Wellington advised his government to end the
War of 1812 with America, even after Napoleon’s defeat, thinking the mission unnecessary and unwinnable. What was true in 1815 was probably true in 1775.

So Keown focused on the remaining 5 standards. Regarding whether war was a justified last resort, he surmised the colonists could have been more patient with economic pressure, while admitting that the ongoing boycott of British goods was disrupted by events at Lexington and Concord. Even that British military excursion Keown defended as a legitimate action by a “sovereign power” to “neutralize” arms potentially aimed against it. Keown pronounced the American insurrection “precipitate,” especially when Canada, Australia, and New Zealand achieved independence peacefully, and India gained it through civil disobedience. But Keown did not fully consider what impact America’s successful revolt and republic had on British governance, not to mention its eventual attitude towards other colonies.

Regarding the demand for “comparative justice,” Keown is skeptical that sufficient “values” were imperiled to “override the presumption against war.” He primarily disputed that war for American independence was a “just cause,” and accused the Americans of exaggeration when their Declaration of Independence inveighed against Britain’s plans for “absolute despotism” through “death, desolation and tyranny.” Regarding taxation, Keown asserted that American colonists were less taxed than the British, that Britain rightly expected help in paying for the French and Indian War, and that the colonies were unwilling to pay for their frontier defense. Besides, the Americans paid for more in taxes after the American Revolution, he noted.

As to American complaints of taxation without representation, Keown wrote that American legislatures were more democratic than the British Parliament, the colonies had effective paid agents representing them in London, and most British themselves had no direct role in electing their Parliament. Interestingly, Keown extensively quoted two English Protestants, the man of letters Samuel Johnson, and the Methodist evangelist John Wesley. Dr. Johnson insisted the Americans, or at least their ancestors, had foresworn the potential for voting at home in favor of riches in America. Rev. Wesley professed that he, like 90 percent of all Britons, had no direct representation in Parliament, yet still enjoyed civil and religious liberty to the “utmost.”

Keown defended the British closure of Boston’s port and other coercive acts as the justified reaction against American “criminality,” like the famous destruction of British tea. And British trials for Americans outside their own colony, without benefit of a local jury, was justified with local opinion unwilling to punish acts against the British crown. American fears for their liberty were “misplaced,” Keown insisted, as the British had “no plan to restrict colonial liberties or impose authoritarian administration.”

Even if America’s revolution was just, was it “proportionate” to the good it sought? Keown thinks not, even though the new nation’s democracy was “impressive.” But arguing against it, Keown claimed the revolution “opened the door to the decimation of the Native Americans [and] also pitted colonist against Parliament, white American against African-American, neighbor against neighbor, and father against son. He also
alleged that America’s Revolution may have spawned the French Revolution and its “bloodbath.” Finally, Keown argued that Americans lacked “right intent,” because they refused British peace overtures and mistreated loyal Tories, often seizing their property. In fact, all of the British “peace” overtures, including the 1778 overture by Lord Carlisle, demanded America submit to the British crown. Adamant Tories got better treatment than defeated American “traitors” likely would have. And the atrocities on British prisoner ships, where American deaths exceeded combat mortality, likely rank as the war’s worst crimes.

Perhaps Keown’s charge that American independence prolonged slavery is his most egregious. Britain abolished slavery in 1833, freeing about 800,000 slaves in its colonies, primarily the Caribbean. British abolition was achieved after decades of humanitarian appeals but was accelerated by a bloody slave revolt and repression in Jamaica. Interestingly, abolition of the British slave trade in 1807 was almost concurrent with America’s own end to the importation of slaves, as mandated by the Constitution. Would Britain have abolished slavery in 1833, with compensation for owners, if America’s own then 2 million slaves were included?

And to what extent did America’s Revolution, with its rhetoric about human equality, fuel abolitionism in both America and Britain? How would an imperial and unchallenged Britain have dealt with America’s tribal peoples? Britain’s record before the Revolution, and its treatment of indigenous people in Africa and Asia later, provide no clear evidence that the end result would have differed. As to Keown’s claims of American paranoia about British plots against their liberties, he of course wrote with benefit of hindsight. Americans were primarily Whigs and identified with the 18th parliamentary cause against royal authoritarianism. The Tory regime in London, still tainted for many by its historic fealty to the crown, aroused not unjustified suspicions. More importantly, America’s Founders, many of them inspired by Calvinist doubts about human nature, rightly feared any assaults upon liberty, however incremental, as potential steps towards tyranny.

America’s British overlords were revoking colonial charters, imposing direct parliamentary taxes without consent from colonial legislatures, dissolving and relocating those legislatures, restricting the right to trials by their peers, putting colonial judges onto their own payroll, and quartering large numbers of British troops in the colonies whose targets clearly were the colonials and not external enemies. After Lexington and Concord, the British king declared war on his subjects, for which he hired German mercenaries. As to Boston’s “criminality,” the Americans were to be taxed for any offloaded tea, whether they bought it or not. Peacefully dumping the tea in Boston Harbor seems almost Gandhi-like.

As to faulting the French Revolution’s crimes on the very different American Revolution, this is akin to blaming Christianity for its heresies and imposters. The French collapse into irreligion, murder and dictatorship, in the aftermath of royal ineptitude and repression, should not be faulted on the American Revolution’s principles of ordered liberty. Keown quoted John Wesley’s opposition to the American Revolution, which was
mostly a rehash of Samuel Johnson’s critique. But Wesley as late as 1775 called Americans an “oppressed people” who “asked for nothing more than their legal rights, and that in the most modest and inoffensive manner.” Only later, fearing potential revolution in Britain itself, did Wesley condemn the Americans.

Wesley’s main disciple in America, who would essentially create American Methodism, was Francis Asbury, who vigorously dissented from Wesley’s view on the war, saying he was “truly sorry that the venerable man ever dipped into the politics of America.” If Wesley had “been a subject of America, no doubt he would have been as zealous an advocate of the American cause.” Asbury would later meet President George Washington, that “matchless man,” and hail the “most excellent constitution of these states, which is at present the admiration of the world.” As Keown acknowledged, early American Catholics largely agreed with the Methodist Bishop about the new republic.

Keown concluded that the American Revolution is widely viewed as “just” but likely failed to satisfy all, or perhaps not any, of Just War’s 7 criteria. He hoped this conclusion would “provoke a renewed appreciation of the strictness of the just war tradition.” But bending Just War standards into an asymptotic and unattainable measure, rather than simply disputing American independence per se, seems to be the wider goal of many on the Religious Left, who will welcome Keown’s arguments. Meanwhile, shouldn’t Keown, who is himself English, also examine whether British actions during 1775-1781 meet Just War criteria?!