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A Conduct Incompatible with Their Character

PATRIOTS, LOYALISTS, & SPIES:

ESPIONAGE IN THE AMERICAN REVOLUTION

AND THE UNDERLYING SOCIAL AND IDEOLOGICAL REVOLUTION

IN THE AMERICAN COLONIES

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The American Revolution was a precarious and uncertain period in American history in which loyalties were tried, ideologies were tested, and identities shifted; the conflicted role of espionage in the American Revolution offers insight into this formative moment in the development of an American identity disparate from Britain. Espionage had a critical function in the American Revolution, both militarily and politically. Intelligence secured by spies affected the strategic outcome of the Revolutionary War and the public imagination was strongly influenced by the exposure of spies. However, experimentation in espionage during the Revolutionary War has been little examined by historians, especially in a social or ideological context. This paper will examine espionage in the context of colonial norms and conventions in order to reveal how it contributed to the underlying social and ideological revolution of the American Revolution and the emergence of a truly American identity.

Subject Category: History

Keywords: Espionage, Spies, American Revolution, Loyalists, Patriots, British, Identity

‘Circumstances of political importance, which involve the lives and fortunes of many, have hitherto kept secret what this paper now reveals. Harvey Birch has for years been a faithful and unrequited servant of his country. Though man does not, may God reward him for his conduct.

GEO: WASHINGTON’

It was the SPY OF THE NEUTRAL GROUND, who died as he had lived, devoted to his country, and a martyr to her liberties.

—James Fenimore Cooper, *The Spy*

I only regret that I have but one life to give my country.

—Nathan Hale

Introduction: Espionage and Insight into the American Revolution

The American Revolution has long been regarded as a formative moment in American history. However, some historians claim that the Revolutionary War was neither revolutionary nor accompanied by momentous social change, particularly in contrast to the great social revolutions and political upheavals of the nineteenth century. Indeed, the American Revolution marks a radical social and ideological break from Britain. This becomes readily apparent through the contrasting ways in which the Americans and British viewed and practiced espionage during the Revolutionary War. Espionage’s precarious, often contradictory role in the American Revolution points to the development of an American identity distinct from that of British subjects fighting for or against the British Crown. Colonial attitudes toward espionage thus serve as a barometer for the complex social changes that occurred during the American Revolution, a radical revolution of identity in which all Americans, regardless of their professed loyalties, took part.

Notwithstanding the wealth of primary sources, the pioneering research of historians such as Morton Pennypacker, and the evident strategic importance of espionage during the Revolution, the history of espionage has not been incorporated into the general historic consciousness of the American Revolution. Attention has admittedly been granted to particular Patriot spy rings, like the Culpers, and to major incidents, such as the infamous André affair and the capture and execution of the Patriot spy Nathan Hale, yet the sheer magnitude and influence of espionage is not commonly recognized.¹ Furthermore, the fundamental role that Loyalists played in the construction of the British system of espionage is almost entirely absent from the dialogue, rendering the discourse one-dimensional and shortsighted in its scope.² The history of Revolutionary War espionage has thus either been overlooked or trivialized as sensational history, with few historians exploring espionage in the greater ideological and social context of the American Revolution. Consequently, with espionage missing from the historical discourse,

¹ The Culpers were a Patriot spy ring that operated out of New York City from 1778 to 1783. Major John André was Adjutant-General to Sir Henry Clinton, Commander-in-Chief of the British Army. He was responsible for negotiating the betrayal of West Point with “the Traitor,” Benedict Arnold. André was captured and executed on October 2, 1780. Nathan Hale was a Patriot spy captured and executed without trial by the British on September 22, 1776.

² In my research, I discovered only one article that acknowledged the role Loyalists played in developing the British system of espionage. This was Roger Kaplan’s “The Hidden War: British Intelligence Operations during the American Revolution,” published in *The William and Mary Quarterly* in 1990.

crucial insight into the nature of the American Revolutionary War and the development of the American identity is lost. This paper will address the gap in the literature by examining military and social conventions as they applied to espionage from the perspectives of the Patriots, Loyalists, and British, and by analyzing the social and ideological undercurrents as well as the parallels and divergences of these interest groups and their respective courses of action in order to support a theory of change and to elucidate a developing American identity. This development was wrought with tensions and paradoxes.

Since the creation of Ian Fleming's James Bond, the spy has earned iconic status as a popular cultural figure. In the eighteenth century, the spy had less favorable connotations than one might be inclined to believe. Bond conferred hero status on the spy; eighteenth-century military convention, by contrast, acknowledged that the procurement of intelligence was requisite in war, but regarded it as a necessary evil. Contemporary social convention also condemned espionage for its predication on willful deceit. Spies were reviled as traitors and profiteers. Espionage was associated with dissemblers and deceivers. In a world in which one's reputation, one's *fama*,³ was integral to respectability and influence, pretensions to another identity constituted willful deception and a moral offense to the social system.

In spite of this stigmatization, espionage came to play a prominent role in the conflict. While espionage figured significantly into the military policy of both the British and Patriot armies, it was an American phenomenon primarily engineered and directed by the Patriots and Loyalists. It would not have been possible for the colonists to engage in espionage if they had not undergone a significant social and ideological transformation. The prevalence of Patriot and Loyalist spies and the relative absence of British spies beg a closer examination of colonial identity. The colonists saw themselves as British subjects; however, espionage was inherently at odds with the social, ideological, and military conventions that informed British society. The decision of the Patriots and Loyalists to engage in espionage calls their professed identity as "British" subjects into question and points to the assumption of a new identity as "Americans." In this sense, the American Revolution was the incarnation of an underlying social and ideological revolution in the colonies.

Revolutionary Espionage: A Transition from Scout to Spy

The American Revolution was an experiment in espionage, and is best understood as a formative moment in the evolution of the modern conception of espionage. Although the term "espionage" encompassed a vast array of associations in the eighteenth century, there is an evidential shift in the role that intelligence played militarily in the Revolutionary War which can be observed in the context of both the British and Patriot armies. Within the European war tradition, military espionage consisted of scouts that were sent out by commanding officers on reconnaissance missions to determine the numbers and positions of the opposing troops, the state of munitions

³ *Fama*: "The voice or judgment of the many, public opinion; more freq. objectively, the fame, character, reputation which a man has, either in general or in particular, as a good or bad reputation, etc. (very freq. and class.)" (Second entry for "Fama" in Charlton T. Lewis, Ph.D. and Charles Short, LL.D, ed. and trans., *A Latin Dictionary* (Oxford: Clarendon Press, 1879), online, s.v. "fama," through the Perseus Project, <http://www.perseus.tufts.edu/cgi-bin/ptext?doc=Perseus%3Atext%3A1999.04.0059%3Aentry%3D%2317635> (accessed February 21, 2009).

and supplies, and the names of those in command.⁴ During the Revolutionary era, espionage evolved from missions of reconnaissance to professionalized, covert, and stable operations, where agents worked behind enemy lines under assumed identities. Although reconnaissance was still greatly employed by Americans, they came to depend more and more on a complex web of clandestine informants that needed to be managed, organized, and controlled. In fact, American espionage more closely resembled European political espionage than it did customary European military reconnaissance.

Spies had previously played an important role in the arena of government and politics, and political espionage was an integral facet of the European aristocratic court; politics were riddled with intrigue, whereas traditional European warfare was open and direct.⁵ The political and civil origins of the American Revolution blurred the line between politics and war, obscuring the military objectives of the Revolutionary War in a way that enabled spies to assume an integral role in the conflict. Thus, while traditional European warfare forestalled the devolution of espionage from the court to the field,⁶ the dually political and martial nature of the conflict in America opened up an ideal hybrid space for experimentation. Military espionage, however, was severely stigmatized in 1776 and the pioneers of the military espionage campaigns of the Revolutionary War went to great lengths to conceal their efforts from even their comrades in war. The transition from reliance on scouts to complex espionage networks for military intelligence was complicated and hindered by social and military ideological opposition to the use of spies.

In contrast to espionage, reconnaissance was considered an acceptable pursuit for a gentleman.⁷ Scouting was covert, but it was passive rather than active; it did not entail perverting one's identity or affiliation. Scouts did not transgress the lines of honor and integrity; they performed the military duty owed to their commanders. The stigma "spy" was reserved instead for dissemblers and traitors. The opinion of the day regarding spies was "mistrust all!"⁸ A spy was one who crossed enemy lines with an assumed identity, a concealed agenda, and a malicious intent to deceive.⁹ Spies were men for hire, beneath even mercenaries, and could be counted upon to sell out to the highest bidder. Contemporary popular publications, such as the pamphlet printed in both England and the colonies that reported the hanging of British spy, Major André, indicate that spies were universally reviled and punished with death by hanging, the most shameful mode of execution.¹⁰ The very art of deception at which spies excelled pointed to a deep moral flaw in their character; they were the antithesis of patriots and patricians.

⁴ Roger Kaplan, "The Hidden War: British Intelligence Operations during the American Revolution," *The William and Mary Quarterly, Third Series, Vol. 47, No. 1* (Jan., 1990), <http://www.jstor.org/stable/2938043> (accessed February 22, 2009).

⁵ Gunther Rothenberg, "Military Intelligence Gathering in the Second Half of the Eighteenth Century, 1740-1792," in *Go Spy the Land*, ed. Keith Neilson and B.J.C. McKercher (Westport, Conn.: Praeger, 1992), 99.

⁶ *Ibid.*

⁷ Alexander Rose, *Washington's Spies: The Story of America's First Spy Ring*. (New York: Bantam Books, 2006), 16. Also in Kaplan, 117.

⁸ Major Robert Donkin, *Military Collections & Remarks* (New-York: Printed by H. Gaine, at the Bible and Crown, in Hanover-Square, MDCCLXXVII [1777].) In the Early American Imprints, Series 1: Evans 1639-1800, Document Number 15289, 119.

⁹ Charles Inglis, "The Case of Major John André, Adjutant-General to the British Army, Who was put to Death by the Rebels, October 2, 1780, candidly represented: with remarks on the said case," (New York: Printed by James Rivington., MDCCLXXX [1780].) In the Early American Imprints, Series 1: Evans 1639-1800, Document Number 16731, 16.

¹⁰ Hugo Grotius, *Rights of War and Peace*, trans. A.C. Campbell, A.M. (New York & London: M. Walter Dunne,

The opposing notions about spies and scouts highlight a tension between ideology and actual policy; the war correspondence of British and American generals reveals that military operations hinged on vast and intricate networks of intelligence. The question remains: if espionage was so morally offensive to the culture, politics, and society of both Britain and America, how did it come to play an integral role in the Revolutionary War, and what is to be learned from this paradox?

Military Perspectives on Espionage

Classical Sources on Military Convention

The classical treatises that informed European military convention in the late eighteenth century assumed an inimical stance toward espionage. A fundamental seventeenth-century source on European military convention, Hugo Grotius' *Rights of War and Peace*, stressed a strict gentleman's code of honor in war. This code, known as *Tacit Faith*, entailed openness and integrity, and consequently condemned "[t]he KNOWN and DELIBERATE UTTERANCE of anything contrary to our real conviction, intentions, and understanding."¹¹ Espionage, with its deceptive nature and tainted association with base profiteering, was by definition inherently at odds with *Tacit Faith*. Spies and espionage receive, at best, deficient attention from Grotius; they are only mentioned in the context of recommendations for punishment and admonitions against their use. In accordance with the Law of Rhadamanthus, "[t]hat it is right for every one to suffer evil proportioned to that which he has done,"¹² spies were condemned to death. Grotius' familiar appeal to the tenets of Greek mythology conveys the deeply classical nature of European military thought. Espionage on the whole was understood as inappropriate and ill-befitting of good and proper warfare, since the pretensions and subterfuge necessitated by its clandestine nature were innately at odds with the notion of warfare as a gentlemanly and decorous affair.

The military strategy of the Americans in the Revolutionary War was criticized by the British for its allegedly pedestrian and underhanded execution. One British commentator scoffed, "The rebellion now in America seems to come under this head [of little war], from the nature of the country, and the cowardliness of the rebels, who delight more in murdering from woods, walls, and houses, than in shewing any genius or science in the art military."¹³ The Patriots' wily military strategy stood in sharp contrast to the principles of European aristocratic warfare, yet the aforementioned indictment indicates that espionage was not the sole manifestation of America's ideological departure from Britain. By condemning Americans for their "cowardliness," the British failed to recognize that these new military strategies manifested a larger divergence not just from the customs of traditional warfare, but also from European ideological prerogatives. The honor and gentlemanly codes that were integral to both Britain's military and society bore no particular relevance to the Americans. The American army was not a coterie of aristocratically trained soldiers. It was composed primarily of civilian patriots who

1901), 167. *Rights of War and Peace* was originally published in 1625.

¹¹ Grotius, 295.

¹² *Ibid*, 221. In Greek mythology, Rhadamanthus was the son of Zeus and Europa. He was one of three judges of the dead.

¹³ Donkin, 223.

viewed the conflict as having a distinctly political and civil nature – a perspective the British would consistently fail to understand and appreciate.

Espionage was not entirely outside the scope of military convention, but it was severely sanctioned. War came down to a matter of honor, and to deceive was to place oneself outside that code of honor. The Patriots' and Loyalists' willingness to go against these conventions supports the case for an American ideological shift irrespective of loyalty to the revolutionary cause or the Crown.

Contemporary Sources on Military Convention

War treatises written during the Revolution reveal important changes in the practical and ideological dynamic of warfare. Conventional contemporary treatises such as the British Major Robert Donkin's *Military Collections & Remarks*, while neither openly encouraging the use of spies nor dwelling upon their use at any length, do acknowledge their application and offer practical advice for their employ. Nonetheless, like the classical treatises, the contemporary treatises written by Europeans unequivocally persist in the opinion that spies were dishonorable, disreputable men for hire who were not to be trusted.

According to Donkin, successful espionage was based upon a system of mistrust. Indeed, he opens his section on spies with the emphatic warning that they cannot be trusted.¹⁴ Donkin typifies the spy as an individual who is characteristically opportunistic and duplicitous. He encourages officials to "sow them in the enemy's camp without their knowing of each other" and "beware they have not received *double fees*."¹⁵ Donkin believed that spies could only be trusted to sell out to the highest bidder. Therefore, as a precaution, each spy's information had to be independently verified before it was accepted. Donkin asserts that "Tis not impolitic, when you apprehend a traitor among your Spies, to appear to believe him; as you may thro' him deceive the adversary by employing him in a matter you have no intention to execute, and which he will not fail to communicate to your antagonist."¹⁶ One of his concluding remarks, that "they must all be well paid," sums up the contemporary military opinion that spies were greedy connivers who could not be trusted under any circumstances.¹⁷ Donkin's assertion that officials ought to count upon their spies to feed them false information implies that the duplicity required of successful espionage rendered spies inherently unreliable; thus mistrust was the basis of all successful espionage.

What is extraordinary about *Military Collections & Remarks* is that spies receive consideration at all. Donkin makes a break with convention by openly acknowledging the role of espionage in warfare. It should be noted, however, that Donkin treats spies as external to the European picturesque vision of war as a classic and romantic endeavor befitting gentlemen. Commentary such as Donkin's does not emerge until the American Revolution. Donkin, a British general writing in the thick of the conflict, would have been significantly influenced by the tactical proceedings of the American Revolution, and his treatise indicates a kind of osmosis between American and British ideas which can most aptly be attributed to the input of the

¹⁴ Donkin, 119.

¹⁵ Ibid.

¹⁶ Ibid, 120.

¹⁷ Ibid.

Loyalists who fought alongside the British.¹⁸ While it is apparent from Donkin's tone, as well as from the classical treatises that continued to inform the military conventions of the day, that espionage was still a taboo or distasteful subject, the fact of its discussion indicates that practice, if not ideology, was changing.

A Conflicted Perspective on the Role of Espionage in Warfare

Support for the practice of espionage during the Revolutionary War was never unanimous within the ranks of American officers. An ideological divorce from Britain was not at this point complete, and European military custom still carried weight in the minds of some. Heated debates on the appropriateness of espionage arose between American officers, and the service of the Patriot spy Nathan Hale was one such occasion. The American Captain William Hull, a friend of Hale, strenuously advised him against service as a spy on principle:

Admitting that [Hale] was successful, who would wish success at such a price? Did his country demand the moral degradation of her sons, to advance her interests? Stratagems are resorted to in war; they are feints and evasions, performed under no disguise; are familiar to commanders; form a part of their plans, and, considered in a military view, lawful and advantageous. The tact with which they are executed, exacts admiration from the enemy. But who respects the character of a spy, assuming the garb of friendship but to betray? The very death assigned him is expressive of the estimation in which he is held. As soldiers, let us do our duty in the field; contend for our legitimate rights, and not stain our honour by the sacrifice of integrity.¹⁹

Hull opposed espionage on ideological grounds similar to those on which the British established their opposition. Espionage offended his sensibilities as a classically trained military officer. Hull's sentiments recall European war convention and the belief that honor in war was preserved by straightforward and open confrontation. Hale's alleged response to Hull was that duty called the Patriots to sacrifice convention in the name of a greater good. Hull recounts:

[Hale] replied, 'I am fully sensible of the consequences of discovery and capture in such a situation. But for a year I have been attached to the army, and have not rendered any material service, while receiving a compensation, for which I make no return. Yet,' he continued, 'I am not influenced by the expectation of promotion or pecuniary reward; I wish to be useful, and every kind of service, necessary to the public good, becomes honourable by being necessary. If the

¹⁸ Kaplan, 130. Kaplan has identified the Loyalists, Oliver De Lancy, and William Tryon, as the most influential spymasters in the British Army. My research with the collections at the Clements Library indicates that the Patriots and Loyalists waged similar espionage campaigns, whereas British officials favored traditional forms of reconnaissance. This divergence is explored in depth later in this paper.

¹⁹ Excerpt from "Revolutionary Services and Civil Life of General William Hull; prepared from his Manuscripts, by his daughter, Mrs. Maria Campbell, together with the History of the Campaign of 1812, and Surrender of the Post of Detroit, by his grandson, James Freeman Clarke," (New York, 1848), 33-38, as reproduced in George Dudley Seymour, *The Documentary Life of Nathan Hale* (New Haven: The Tuttle, Morehouse & Taylor Company, 1941), 308-309.

exigencies of my country demand a peculiar service, its claims to perform that service are imperious.²⁰

Hale disavows any fiscal or material interest and alludes to the republican *dis-interest*, or a lack of self-interest, which many Americans believed could not coexist with espionage. By incorporating terms such as “the public good” into his appeal, Hale uses the rhetoric of republicanism to render espionage an honorable pursuit, directed towards the preservation of the common welfare. The Patriots perceived that the common welfare was threatened by Britain and its corrupt Parliament. In Hale’s mind, and the minds of other Patriot spies, his country’s claim on him surpassed the demands of honor and integrity within the sphere of gentlemanly war. The end justified the means.

Hale’s justification is indicative of the changing civil and moral ethos of the war, and ultimately signals a concrete divergence from European convention. While support for espionage would never achieve unanimous or universal sanction at the time of the Revolution, Americans were consistently more willing than their British counterparts to be selective in their respect for the customs of war and, more generally, of society. British warfare was governed by convention, whereas Americans were more flexible in their approach. By justifying this flexibility with the republican notion of a greater good, many Americans (if not all) acted in a fashion consistent with an emerging American identity, one which prioritized services necessary for a greater good over the letter of European convention.

Contemporary commentators who were influenced by the practice of war in the American Revolution were already acknowledging that espionage had a relevant role in warfare. It became increasingly common, if not more acceptable, for officials to employ spies in the Revolutionary War. Military correspondence points to an irrefutable burgeoning of spies and a heightened reliance on espionage.²¹ Washington’s Revolutionary War correspondence is riddled with intelligence reports. General Henry Clinton’s war papers likewise overflow with intelligence reports that increase in number and interest after the appointment of Loyalist Oliver De Lancey to the position of spymaster. The growing tension between ideology and the practice of espionage in warfare came to a breaking point in the American Revolutionary War.

Espionage in the Public Imagination

Espionage, in addition to being objectionable at the level of European aristocratic military convention, was objectionable to the British at a social level. The same codes of honor, openness, and gentlemanly conduct that applied to war were also at work in British society. British society was constructed around fixed identities in an aristocratic, hierarchical class structure. Pretension to an identity not one’s own was criminalized in England in the form of the Sumptuary Laws, first issued by Queen Elizabeth I in 1574. The laws began:

²⁰Excerpt from “Revolutionary Services and Civil Life of General William Hull...,” 33-38, as reproduced in Seymour, 309.

²¹I was granted the opportunity to research the Clinton Papers at the Clements Library. An extensive review of the Papers, which included intelligence correspondence, Washington’s war correspondence, and the Culper spy letters, informs my claim that espionage was a phenomenon orchestrated primarily by Americans.

The excess of apparel and the superfluity of unnecessary foreign wares thereto belonging now of late years is grown by sufferance to such an extremity that the manifest decay of the whole realm generally is like to follow (by bringing into the realm such superfluities of silks, cloths of gold, silver, and other most vain devices of so great cost for the quantity thereof as of necessity the moneys and treasure of the realm is and must be yearly conveyed out of the same to answer the said excess) but also particularly the wasting and undoing of a great number of young gentlemen, otherwise serviceable, and others seeking by show of apparel to be esteemed as gentlemen, who, allured by the vain show of those things, do not only consume themselves, their goods, and lands which their parents left unto them, but also run into such debts and shifts as they cannot live out of danger of laws without attempting unlawful acts, whereby they are not any ways serviceable to their country as otherwise they might be.²²

The function of the Sumptuary Laws was to maintain strict boundaries between social classes and cement the inflexibility of class lines. By regulating dress, one could readily distinguish royalty, nobility, merchants, farmers, and the poor from one another. The laws prevented upward social mobility even at the level of personal possessions. One could not improve one's status by possessing luxuries that did not befit one's station, even if one had the means to afford it.

While several of the American colonies enacted sumptuary laws of their own, the colonies never harbored a class system comparable to England's. In the absence of a fixed aristocratic social structure, one's identity in the colonies was influenced more by the sum of one's actions than one's lineage. While upward social mobility was by no means guaranteed, it was certainly possible. Benjamin Franklin, the quintessence of the American Dream, represents this possibility. Thus, while espionage's crime of dissembling was actually criminal from the perspective of those living in England, it was both legally and socially acceptable to alter one's identity through dress in America.

Espionage was offensive to the Americans at the level of more immediate concerns. In a precarious revolution with high civil and moral stakes, espionage intensified the American public's fear and anxiety. Newspaper articles, especially those published at the time of the British spy Major John André's capture and execution, express both a deeply entrenched fear and general mistrust of spies. On the occasion of André's capture and the exposure of his involvement in Benedict Arnold's betrayal, a Philadelphia paper stated that "the Publick curiosity and anxiety must naturally be raised to a high pitch [,]"²³ thereby indicating the hold that espionage had over the American public's imagination. Spies were perceived as the undetected enemies from within, and the discovery of spies excited suspicion and doubt. Washington

²² Merry E. Wiesner-Hanks, *Early Modern Europe, 1450-1789: Primary Sources*. (Cambridge University Press, 2006), under "3. Sumptuary Laws, England 1574,"

http://www.cambridge.org/resources/0521808944/3114_WiesnerHanks%20ch8%20Primary%20sources.pdf (accessed April 26, 2009).

²³ "Philadelphia September 30," *The Pennsylvania Evening Post*, Vol. VI, No. 698, September 30, 1780. In the Early American Newspapers, Series 1: Evans 1690-1876, http://infoweb.newsbank.com/iw-search/we/HistArchive?p_action=doc&p_product=EANX&p_theme=ahnp&p_queryname=93&p_nbid=R70G5AE_VMTI0MDc3NDI4OS41MDU0MDY6MT0xND0xNjkuMjl5LjMyLjEzOA&p_docid=109C5FA1E3DE5F80&p_dnum=1&d_article_id=109C5FA1E3DE5F80&d_issue_id=109C5FA1DA08E6D8&d_release=release_0050&d_db=EAN-LIVE&toc=true&p_docref=v2:109C466E6AFD7A58@EANX-109C5FA1DA08E6D8@2371465-109C5FA1F5302278@1, p122.

summed up the popular sentiment regarding spies in a letter to Alexander Hamilton when he wrote, “Whom can we trust now?”²⁴

The American public’s support for the Revolution was at no point unanimous. Events such as the exposure of spies and traitors (who were often one and the same) drove home this reality. In a conflict of extremely divided loyalties, the added threat that loyalties could be assumed or feigned greatly heightened the stakes of avowing any loyalty, and amplified the public’s general anxiety. The anxiety was justified. One American spy, Enoch Crosby, was assigned the task of assuming Loyalist sentiments in order to extract the confessions of closeted Loyalists.²⁵ Fear of spies compelled many Americans to mask their true sentiments. In James Fenimore Cooper’s novel, *The Spy*, the character Mr. Harper takes care to conceal his own loyalties behind a façade of neutrality, in order to circumvent any hostile encounter with individuals or armies of opposing loyalties.²⁶ The general sense of fear and insecurity that persisted during the Revolutionary era was exacerbated by the heavily publicized exposure of spies, who seemed to pose an innate threat to the success of the republican experiment.

For those living in America, the conflict was of an acutely civil nature, and treachery like Benedict Arnold’s incited deep-seated and widespread fear; espionage was therefore reprehensible on the basis of its association with predatory and immoral profiteers. Arnold earned himself the infamous title of “The Traitor” when he attempted to hand over the Patriots’ fort at West Point to the British Army in exchange for a pecuniary reward and military commission. He arranged the exchange with the British spymaster, Major John André. The plot was foiled when André was intercepted carrying incriminating papers. Arnold was once one of Washington’s favorite and most trusted officers, and consequently his treachery had horrific ramifications for the Patriots who regarded Arnold’s offense as the worst kind of betrayal.²⁷ The association of espionage with *self-interest*, which arose from the stigmatization of spies as profiteers and the association of espionage with self-interested traitors like Arnold, rendered espionage contrary to the concept of republican civic virtue that underpinned the political principles of the American Revolution. In the words of historians James P. Elliott and Gordon S. Wood:

The classical concept of civic virtue filtered through the Italian Renaissance and British thought of the late seventeenth and early eighteenth centuries to the generation of the Founders. According to the historian Gordon S. Wood, it meant ‘a willingness of the individual to sacrifice his private interests for the good of the community’ ... Thus exclusive *self-interest* could only have ‘disastrous results for the community’²⁸ [both emphases my own.]

Dis-interest meant a lack of *self-interest*; the success of republican government was predicated on its citizens’ ability to forego their own interests in favor of the interest of the common

²⁴Bruce A. Rosenberg, *The Neutral Ground: The André Affair and the Background of Cooper’s The Spy*. (Westport: Greenwood Press, 1994), 47. Written after the exposure of Arnold’s treason and André’s capture.

²⁵H.L. Barnum, *The Spy Unmasked; or, Memoirs of Enoch Crosby, Alias Harvey Birch, the Hero of Mr. Cooper’s Tale of the Neutral Ground* (Cincinnati: A.B. Roff, 1831), 48.

²⁶Cooper, 26-34.

²⁷James Thomas Flexner, *The Traitor and the Spy: Benedict Arnold and John André* (Syracuse, NY: Syracuse University Press, 1991), 339-341.

²⁸James P. Elliott, historical introduction to *The Spy: A Tale of the Neutral Ground*, by James Fenimore Cooper (New York: AMS Press, Inc., 2002), xviii.

welfare. Espionage, as it was conceptualized in the American public's imagination, threatened the Revolution's ideological foundations.

Contemporary ephemera affirm the public's unequivocal association of espionage with self-interest. One political cartoon (see figure 1) caricatures Arnold as a "two-face" hidden behind a mask. The devil shadows him, implying that evil motives compelled acts of treason, and by proxy, crimes of espionage. The caption on the hangman's box reads "Major Genl Benedict Arnold for Treason." The two nooses on the hangman's box recall André's execution and the unfulfilled expectation that Arnold would be captured and executed as well. Arnold's treason was motivated by avarice and personal gain and the role of espionage in the transaction connected espionage with the "blackest treason."²⁹ Spies were in this manner likened to traitors of the republican cause.

Integrity and *dis-interest* were integral to one's civic respectability, which carried great weight in an increasingly republican society. The exposure of spies exacerbated the already deeply entrenched sense of fear by introducing even greater uncertainty with regard to the presence of veiled traitors and profiteers. What did it mean, then, that espionage was consistently incorporated into military strategy at the insistence of the Americans? Their hypocrisy is manifest in the infamous André affair.



Figure 1. A representation of the traitor paraded through the streets of Philadelphia. Reproduced from Flexner cover image.

The Trial and Execution of Major John André

The most widely publicized and recognized spy, both during and since the Revolution, was Major John André. The son of a Swiss merchant living in England, André served as Adjutant-General under the British General Sir Henry Clinton.³⁰ One of André's particular duties was the organization of intelligence; it was André who coordinated the negotiations between Clinton and Benedict Arnold for the betrayal of West Point.³¹ André was captured in disguise under the alias John Anderson with incriminating papers on his person. He was taken within neutral ground by three bounty hunters who purportedly exclaimed upon his capture the damning statement, "This is a spy!"³² When Arnold was informed of André's capture, he quickly made his escape to

²⁹ Letter dated September 25, 1780 from General Nathaniel Greene to Samuel Huntington as reproduced in Rosenberg, 16.

³⁰ Robert McConnell Hatch, *Major John André: A Gallant in Spy's Clothing*. (Boston: Houghton Mifflin Company, 1986), 12-13.

³¹ Flexner, 339-341.

³² Rosenberg, 41-43. The three American profiteers to capture André were Isaac Van Wart, David Williams, and John Paulding.

British lines before he could be linked to his compatriot. André, however, was tried, convicted, and executed as a spy for his facilitation of Arnold's treachery.

The case of Major John André was an opportunity for both the British and American public to articulate their views on espionage. Two publications were released at the time of the affair. The first was the published proceedings of the Board of General Officers that convicted and sentenced André. The second was the British response to the proceedings of the case. The definition of spies settled upon in the British publication stipulated that:

Spies are persons who insinuate themselves among an enemy, pry into their designs, and view their army, camp, or fortification. The character of spies necessarily implies, and the nature of their business requires that they should act clandestinely, without the knowledge privity of the enemy... and they are generally allured to undertake this service by pecuniary awards.³³

In the eyes of the British then, André was no spy. Although the Patriots argued that André had been in disguise, the British defended him by claiming that he "could not resign his rank, or give up his character... This he said to avoid the offer made to him by Capt S, of a plain coat for the concealment of his person."³⁴ The British concluded that André was "*forced to assume*" a disguise, but resented it because he did not wish "the imputation of a spy"³⁵ [emphasis my own.] The British pamphlet implies that André's agency had been compromised, and that his "disguise" was part of an American ploy to frame him as a spy; if André's behavior had resembled that of a spy's, it was due to the chicanery of the Americans.

André himself was surprised at his defamatory branding as a spy. In a letter to Washington, André revealed his identity as Major John André, Adjutant-General to Sir Henry Clinton, and made his appeal:

No alteration in the temper of my mind, or apprehension for my safety, induces me to take the step of addressing you, but that it is to secure myself from an *imputation* of having assumed a mean character for treacherous purposes or self-interest. A conduct *incompatible with the principles that actuated me*, as well as with my *condition of life*. It is to *vindicate my fame* that I speak³⁶ [all emphases my own.]

This statement confirms the British association of espionage with dishonorable and demeaned behavior. His letter, written from one gentleman to another, and his preoccupation with public fame, does not evince an expectation of soft treatment; rather, it indicates a genuine attempt at vindication for the sake of his honor. André exposed his identity not in fear of repercussions for his transgressions as a spy (for indeed, André could not envision himself a spy on the basis of his honor and identity as a gentleman and officer in the British Army,) but out concern for his reputation.

³³ Inglis, 16.

³⁴ Ibid, 7-8.

³⁵ Ibid.

³⁶ John André, "Proceedings of a board of general officers held by order of His Excellency Gen. Washington, commander in chief of the Army of the United States of America, respecting Major John André, adjutant-general of the British Army. September 29, 1780," (Fish-kill, New York: Printed by Samuel Loudon., MDCCLXXX [1780]), Early American Imprints, Series 1, Evans 1639-1800, Document Number 43903, 6-7.

The British response to André's fate was bewilderment. There was a sense of expectation communicated in letters between British officers that André would be returned through an exchange of prisoners. This expectation was founded on the anticipated application of European military convention regarding the capture of officers and on the genuine belief that André *could not* be taken for a spy. A General Robertson wrote in a letter to Clinton that "I am persuaded the Board of Officers ... cannot have been rightly informed of all the circumstances on which a judgment ought to be formed."³⁷ In yet another letter to Clinton, Robertson described his sense of astonishment during a conversation with one of Washington's envoys:

He said there was no treating about spies. I said no military casuit in Europe would call André a spy, and would suffer death myself if Monsieur Rochambeau or Gen. Knyphausen would call him by that name ... [he] told me that the army must be satisfied by seeing spies executed [but] I am persuaded that André will not be hurt.³⁸

To the British, André's condemnation as a spy was farcical. André was an officer and "[h]is station placed him above such service."³⁹ Robertson falls back on European standards in order to make his point to the rebels; however, the standards he presents were no longer logical or applicable in the minds of the Americans.

The Board justified its conviction of André on the following points. In refutation of the British argument that André had been under the protection of an American general (the Traitor, Benedict Arnold), and therefore under the sanction of a flag, Washington wrote in a letter to Clinton that André had been "employed in the execution of measures very foreign to the objects of flags of truce... it was impossible for him to suppose he came on shore under the sanction of a flag."⁴⁰ Furthermore, André had been "taken within our lines, in a disguised habit, with a pass under a feigned name, and with the enclosed papers concealed upon him."⁴¹ These damnable accusations were in perfect agreement with the definition of a spy, if taken out of the context of their occurrence. The conclusion of the Board: "The Board having maturely considered these facts, DO ALSO REPORT to His Excellency Gen. Washington, that Major André, Adjutant-General to the British army, ought to be considered as a spy from the enemy, and that agreeable to the law and usage of nations, it is their opinion, he ought to suffer death."⁴²

The mode of death, let alone the conviction of guilt, was an affront to British sensibilities of genteel and honorable war. This affront was predicated partially on the British conviction that André was by no means a spy and partially on the established custom of executing officers by more honorable modes. Washington's response, in disregard of this custom, was that "[t]he practice and usage of war were against his request [for a more honorable mode of execution,] and made the indulgence he solicited, circumstanced as he was, inadmissible."⁴³

³⁷ Inglis, 10.

³⁸ Ibid, 11. General Rochambeau was a French General who came to America during the Revolutionary War to assist the Patriots. General Knyphausen was a Hessian General who fought alongside the British during the Revolutionary War.

³⁹ Ibid, 16.

⁴⁰ Ibid, 10.

⁴¹ André, 6.

⁴² Ibid, 14.

⁴³ Inglis, 23.

The trial and execution of Major John André underscores the Americans' contradictory actions concerning espionage. Foremost, André's crime was not necessarily within the conventional definition of spy; while his actions were construed as espionage, it was Arnold who had actually committed the crimes of espionage and conspiracy. In light of André's actions, the Americans rendered him a great disservice. This would even be acknowledged by several Patriots, including Major Benjamin Tallmadge, Washington's own spymaster, who expressed great sorrow at the event:

I can remember no instance where my affections were so fully absorbed in any man. When I saw him swinging under the gibbet, it seemed for a time as if I could not support it. All the spectators seemed to be overwhelmed by the affecting spectacle, and many were suffused in tears. There did not appear to be one hardened or indifferent spectator in all of the multitude.⁴⁴

The unsympathetic hard line that the Americans took against André was particularly unreasonable given their own reliance upon spies. One of Washington's most strategically important spies, Robert Townsend, alias Samuel Culper Junior, conveyed to the American spymaster Major Tallmadge in a letter, "I never felt more sensibly for the death of a person whom I knew only by sight, and had heard converse, than I did for Major André."⁴⁵ The British had a degree of justification in their disbelief and condemnation of the Americans' actions. Everyone involved felt that the wrong man had been led to the gibbet.

The validation of André's conviction and execution was based on the desperate need to sustain the Patriot's cause, which suffered greatly by Arnold's betrayal. Arnold's treachery, one of the single most detrimental events to the morale of the revolutionary cause, needed to result in catharsis. "Arnold or he must have been the victim," wrote Alexander Hamilton in a letter to Washington, "the former was out of our power."⁴⁶ The Americans were engaged in an acutely moral and civil cause which, from Washington's perspective, justified André's execution and the contradictions under which it was carried out. From the perspective of the British, the event "fixed an indelible stain on Gen. Washington's character."⁴⁷ To the sure incredulity and disappointment of the British, however, Washington's character remained unscathed in America and abroad, for reasons which will now be critically explored.

The Evolution of the American System of Espionage

⁴⁴ Benjamin Tallmadge, *Memoir of Colonel Benjamin Tallmadge*, Ed. Henry Phelps Johnston, A.M. (New York: Printed at the Gilliss Press, MCMIV), 57.

⁴⁵ Letter dated October 20, 1780 from Robert Townsend to Major Benjamin Tallmadge as reproduced in Morton Pennypacker, *General Washington's Spies: On Long Island and in New York* (Brooklyn, New York: Long Island Historical Society, 1939), 186. Townsend added, "I believe General Washington must have felt sincerely for him, and would have saved him if it could have been done with propriety."

⁴⁶ Flexner, 390. The Americans were willing to make an exchange of André for Arnold. The British were unwilling to give up Arnold as a matter of honor and principle. The universal opinion was that the wrong man was put to death.

⁴⁷ Inglis, 24.

The Patriots' approach to espionage was more innovative and aggressive than that of the British. This was due in large part to the fact that "General Washington believed more could be accomplished by strategy than by bullets."⁴⁸ The American Revolutionary War leadership recognized the need to move beyond reconnaissance in order to obtain the intelligence necessary to win the war, in spite of espionage's variance with republican values.

Initially under the direction of Colonel Scott Knowlton, Washington's secret service was at its outset concerned with military intelligence via reconnaissance.⁴⁹ As the war came to New York, following defeat in the Battle of Long Island, Washington steered the service in the direction of espionage behind enemy lines.⁵⁰ Washington needed to know where the British would settle, for how long, and with what provisions and local support.⁵¹ Chosen by Knowlton and approved by Washington, Nathan Hale became the unfortunate test subject in this transition toward a more sophisticated system of espionage.⁵² Knowlton lacked intuition or talent for espionage, which was soon made apparent by his choice of Hale for this operation. Hale's capture was largely due to his overzealousness and naiveté which rendered him tragically unqualified for the task. He was almost immediately identified as a spy, and was executed without trial on September 22, 1776.⁵³ Washington would not give up on his intent to implant a stable chain of informants within New York City, however. His plans would not be realized until he selected Major Benjamin Tallmadge to replace Knowlton.

Tallmadge was able to realize Washington's hopes for a coordinated espionage effort. Unlike his predecessor, Knowlton, Tallmadge had a stronger, more intuitive grasp of the requirements of espionage and was more willing to break with military and social convention for the sake of accurate and consistent information from behind enemy lines. Tallmadge was well-connected in the New York and Long Island region.⁵⁴ His brainchild, the Culper Spy Ring, epitomized espionage in perhaps its truest and fullest sense. The Culpers were able to establish an operative that provided detailed insider information from behind enemy lines without being exposed or even suspected. The ring consisted of Abraham Woodhull (alias Samuel Culper Senior), a farmer on Long Island; Robert Townsend (alias Samuel Culper Junior), a merchant in New York City; James Rivington, known as the King's Printer; Caleb Brewster, a whaleboat captain; Austin Roe, a courier from Setauket, and several others who likewise served in the position of courier.⁵⁵

⁴⁸ Pennypacker *General Washington's Spies*, 212.

⁴⁹ Rose, 16-17.

⁵⁰ *Ibid.*, 42-43.

⁵¹ Letter of instruction dated March 21, 1779 from George Washington to the Culper Spy Ring as reproduced in Pennypacker, *General Washington's Spies*, 49-50.

⁵² Morton Pennypacker, *The Two Spies: Nathan Hale and Robert Townsend* (Boston and New York: Houghton Mifflin Company, 1930), 7.

⁵³ *Ibid.*, 20.

⁵⁴ Rose, 47.

⁵⁵ *Ibid.*, 73-79. Rivington's role in the ring has been a topic of controversial debate. Pennypacker acknowledged that he played a critical role in the accessibility of information through his joint ownership of the Coffee Room with Robert Townsend but that his role was an unwitting one. "That James Rivington ever imagined Robert Townsend to be in the service of General Washington there is no evidence to show. In fact it is very unlikely. Rivington was not the type of man that Townsend would trust with that secret" (Pennypacker, 13.) This logic does not provide Townsend an outward motive for his involvement with Rivington. Katherine Snell Crary has continued this argument. In her article "The Tory and the Spy" published in *The William and Mary Quarterly* in 1959, Crary asserted that Rivington was a knowing member of the operation. Crary relates George Washington Custis' claims that "the King's printer would never have been suspected" and that "certain disquieting facts support the possibility

The Culpers were incredibly well-connected and had regular access to privy information. They operated quite literally under the noses of the British. Townsend collected his information directly from the mouths of the British officers who socialized at his Coffee Room in the middle of New York's Wall Street.⁵⁶ The irony of General Clinton and Major André's intense search for Washington's spies is that it was the loose lips of their British officers that provided the bulk of the Culpers' intelligence.⁵⁷ With the assistance of couriers, Townsend's intelligence was passed on to Woodhull, who passed it along to Tallmadge. The relative stability and systematic operation of the Culper Spy Ring were both monumental accomplishments by the standards of the day. In fact, the Culper Spy Ring is still the only known ring of its size and duration from the entire Revolutionary War.

The Culpers were not only unusual for their stability and longevity as a ring, but also for their driving motivation as individuals. The ring was composed of genuinely altruistic Patriots who received no compensation for services rendered; this partially contributed to their acceptability as spies. Their energies were wholly concerned with serving the republican cause. A letter from Robert Townsend, alias Samuel Culper Junior, reveals the altruism and patriotic fervor of these Patriot spies:

Whenever I sit down I always feel and know my Inability to write a good Letter. As my calling in life never required it – Nor led to consider how necessary a qualification it was for a man – and much less did I think it would ever fall to my lot to serve in such publick and important business as this, and my letters perused by one of the worthiest men on earth. But I trust he will overlook any imperfections he may discover in the dress of my words, and rest assured that I indeavour to collect and convey the most accurate and explicit intelligence that I possibly can; and hope it may be of some service toward alleviating the misery of our distressed Country, nothing but that could have induced me to undertake it, for you must readily think it is a life of anxiety to be within (on such business) the lines of a cruel and mistrustful Enemy and that I most ardently wish and impatiently wait for their departure.⁵⁸

This excerpt from one of the Culper letters indicates the very personal and moral nature of the cause which they took upon themselves to fight. They were all civilians, which placed them well beyond the jurisdiction of a purely military war. They did not receive pay and did not always receive compensation for their expenses.⁵⁹ Whereas the British relied primarily on paid

that Rivington had been employed in Washington's secret service." Among these was Rivington's protection by American troops and his permitted stay in New York after the resolution of the War. According to Crary, Rivington "used his role as King's printer and arch-Tory as a consummate cover-up for significant espionage." (Crary, 63, 66.)

⁵⁶ Pennypacker, *General Washington's Spies*, 12.

⁵⁷ André would ask Arnold for the names of Washington's spies; Arnold, however, was not privy to the information and the identity of the Culpers remained secure.

⁵⁸ Letter dated April 10, 1779 from Robert Townsend to Major Benjamin Tallmadge as reproduced in Pennypacker, *General Washington's Spies*, 39. The Culpers suffered from great apprehensions as regarded their service. Abraham Woodhull (Culper Senior) suffered a particular fright when his two nieces decided to play a trick on him by sneaking up on him in his private rooms while he happened to be writing a letter of intelligence in stain. They gave him such a fright he jumped out of his seat, knocking over and wasting the entire vial of precious stain. See: Letter dated April 21, 1779 from Tallmadge to Washington as reproduced in Pennypacker, *General Washington's Spies*, 42.

⁵⁹ Rose, 96.

informants, the Continental Congress had extremely limited financial resources to the point that soldiers did not always receive their promised pensions. Although some Patriot spies received fiscal compensation, the Patriots were never in the position to finance a system of highly or consistently paid informants. In contrast, the British Army relied almost entirely upon paid informants, many of which were deserters from the American Army. Thus, spies for the British Army were more likely to fit the negative stereotype of the spy as a conniving and selfish manipulator. Patriot spies, who were unlikely to receive fiscal compensation, were more likely to be motivated by their deep conviction in a cause.

The altruism and genuine patriotism of the majority of spies in Washington's service is one factor that lessened the sin of the Patriots' contradictory participation in espionage. Spies such as the Culpers did not engage in espionage for their own self-interest, but for the interest of the whole of America. As can be concluded from the above passage and their voluntarism, the Culpers took this task upon themselves somewhat hesitantly and with extreme reservations due to the risk they ran of exposure to a "cruel and mistrustful Enemy," but they assumed this burden nonetheless. The Culpers' strong personal motivations and ties of loyalty to one another which derived from a common shared experience, friendship, and even family ties, went a long way for their ultimate success.⁶⁰ Contrary to the contemporary beliefs that spies could not be trusted except to further their own interests, the Culpers were never motivated by personal gain and, ironically, their success was dependent upon an implicit trust in each other, thereby refuting the commonly held belief that espionage necessarily went against republican ideals.

Washington is another interesting contradiction. Throughout the conflict, Washington employed a vast network of spies yet still maintained his reputation as a man of honor and commanded the respect of the British commanders that fought against him (with the noted exception of his dealings with André.)⁶¹ His reputation and renown was such that many Americans wanted to crown him king of America after the Revolution. He became the first president of the United States and is known today as the nation's "Father." However, Washington was a contradictory individual; his reputation for honesty is ironic because he was an excellent liar. He was the mastermind behind the tactics of communication between Tallmadge and his spies and was responsible for the procurement of the invisible ink known as "stain" with which the Culper letters were written.⁶² Washington was not defamed for his vile participation in espionage foremost because a limited number of individuals knew of it, all of which were sworn to secrecy.⁶³ Moreover, Washington and the Patriots operated with the benefit of a moral cause, which in part excused the transgression. The Patriots viewed the American Revolution as a conflict with high moral stakes; they were fighting to defend their liberty and republican ideals. Because the majority of intelligence was gathered by spies who offered their services in order to aide a moral cause, the informant was less likely to be bought out by the opposing side. Washington was able to realize the advantage to be gained over the British

⁶⁰ Rose, 80.

⁶¹ One legend of the Revolution that paints Washington as the epitome of gentlemanly behavior and respectability insists that when the British General Howe's dog was found behind American lines, Washington returned the dog to Howe with his compliments.

⁶² Pennypacker, *General Washington's Spies*, 49-52. The invisible ink known as "stain" was invented by James Jay, brother of John Jay. The brothers had used the stain to write political letters to each other between England and the colonies. Its chemical composition was well guarded and only Washington and Alexander Hamilton had access to the decoder fluid. The Culpers would use the stain to write intelligence reports literally in-between-the-lines of ordinary correspondence.

⁶³ *Ibid*, 3.

through coordinated intelligence. His contradictory engagement in espionage, which went against his republican ideals and his reputation as a gentleman, confirms a fundamental divorce from British social and military prerogatives.

The Culpers' selflessness excused their dissembling, but each member took the secret of his or her participation to the grave, which indicates that espionage was never entirely palatable to American notions of republican dignity at the time of services rendered. The Culpers' contribution was justified as a *means to a moral end*. Their ingenuity points to a changing worldview in the colonies that was reflected in the social, ideological, and military aspects of the Revolution. The Americans were able to overcome the stigmas of European military convention and social tradition, which were still deeply entrenched in Britain, in defense of their political and moral convictions. This changing identity and worldview was a phenomenon that applied as much to the Patriots as to the Loyalists. This is evident in the Loyalists' similar perspective on espionage and its proper implementation in the Revolutionary War.

Loyalists and the Generation of a British System of Espionage

Innovations in British espionage were almost entirely due to the input of Loyalists. A review of the British practice of espionage indicates an extreme reluctance to break with military convention. It was only at the insistence and direction of Loyalists such as Oliver De Lancey and William Tryon that the British Army progressed from basic reconnaissance to concerted espionage.⁶⁴ The narrow focus of the British on standard military procedures of scouting is indicative of their inability to grasp that an accomplishment of a civil as well as military objective was necessary to win the war. More significantly, the insistence of the Loyalists to engage in espionage against the judgment of their British commanders delineates a developing mindset that diverged from that of the British and points to a budding identity analogous to that of the Patriots.'

Under Commander-in-Chief, General Thomas Gage, the British military command was privy to fairly consistent insider information of a militarily, as well as politically strategic nature. Dr. Benjamin Church, an agent in the thick of the rebellion, was a critical informant.⁶⁵ Church was a delegate from Pennsylvania to the Continental Congress. He is a complex figure concerning his motives and loyalties; his personal letters and intelligence reports confer the impression of deep-seated moral conflict. Upon his imprisonment, Church wrote to James Warren:

The vicissitudes of human life frequently require the most painful Sacrifices while He who tempers the sword to the shorn lamb never deserts the guiltless Sufferer with a decent Pride Sir, I Sit with a selfapproving consciousness of having never violated that duty I owe my Country...I love my Country. I have struggled, I have suffer'd in her Service... I have been grossly misconstrued, that I have been undeservedly vilified, that my friends perhaps too suseptibel of Jealousy have flung my poor exertions into oblivion and have industriously Insert'd one well meant act of Indiscretion on the seal of my Infamy... The Welfare of the

⁶⁴ Kaplan, 130.

⁶⁵ Allen French, *General Gage's Informers* (Ann Arbor: The University of Michigan Press, 1932), 5-6.

Community on large, and of my afflicted Countrymen more particularly have been the object... for which I now stand reprobated.⁶⁶

Church's personal letters reveal that his participation and betrayal seemed to be geared toward the expedient conclusion of the conflict, and that he was motivated by a desire to minimize distress on both sides.⁶⁷ However, this loyalty is complicated by his repeated mention of payment in his intelligence reports.⁶⁸ Thus, while Church's internal conflict at times seems genuine, it was not free from more material concerns. As a high-profile, well-trusted, and well-connected individual, Church was able to pass along critical information about mobilization and the state of the rebellion to the British. It was Church's information on the provisioning of magazines in Connecticut that led to the battles of Lexington and Concord that commenced the outbreak of open hostilities.⁶⁹ Once he was released from prison, Church would have to leave the colonies to protect his life from the infuriated Patriots; his ship mysteriously disappeared en route to the West Indies and he was never heard of again.⁷⁰

Gage had the supreme advantage of understanding the changing mentality of the colonists and an emerging *American* identity; he recognized the political and civil aspect of the Revolution and recognized the necessity of informants like Church in order to effectively conclude the conflict. As the rebellion transitioned from a political to a military conflict, the British saw no place for spies. The political nature of the colonies' discontent in the early months of 1776 allowed for Gage's use of spies; however, once the discontent developed into war, the political objectives of 1776 receded into the background of the British military mind as did espionage.

Commander-in-Chief, General Henry Clinton, although often the least remembered British Commander-in-Chief of the Revolutionary War, held that office from 1778 to 1782, the longest term any general would serve throughout the conflict. Espionage under the leadership of Clinton was an area of contention between the Loyalists and the British.⁷¹ Clinton was extremely reluctant to engage in a complex espionage scheme and failed to systematize his intelligence efforts. Under spymaster André, British intelligence expanded but lacked any systematic organization to render it accessible and useful. André's intelligence book, an awkwardly compiled field book with random reports of intelligence sealed onto the pages with wax, shows the rude beginnings of organization.⁷² The reports were organized according to when they were received without attention to the order of occurrence or thematic import. The intelligence reports addressed to André are primarily reports of reconnaissance from deserters of the American Army that detail the numbers and locations of American troops and supplies.⁷³

⁶⁶ Letter dated October 3, 1775 from Dr. Benjamin Church to James Warren, Miscellaneous Manuscript Collection, William L. Clements Library, The University of Michigan.

⁶⁷ Letter dated October 3, 1775 from Dr. Benjamin Church to James Warren, Miscellaneous Manuscript Collection, William L. Clements Library, The University of Michigan.

⁶⁸ Benjamin Church Intelligence Reports dated February 21, to September 20, 1775, Thomas Gage Papers, William L. Clements Library, the University of Michigan.

⁶⁹ French, 6.

⁷⁰ *Ibid*, 201.

⁷¹ William B. Wilcox, editor's introduction to *The American Rebellion*, by Sir Henry Clinton (New Haven: Yale University Press, 1954), ix. Although British espionage reached its height under Clinton's tenure as Commander-in-Chief, it would receive no great mention in his apologetic personal account of the American Revolution.

⁷² "André's Intelligence Book," Henry Clinton Papers, William L. Clements Library, The University of Michigan.

⁷³ Deserter information is of a particularly skeptical nature: it can only be trusted insofar as the deserter can be trusted, which is in all probability very little. A deserter would be likely to tell a British officer what he wanted to hear for the sake of a few guineas. André, who believed spies were no better than they ought to be, did not

André's memoranda and correspondence reveal that he did not take espionage as seriously as did his American counterparts. His priorities were elsewhere; he was foremost a British military officer, only secondly an intelligence coordinator.

Loyalists were the only individuals fighting alongside the British who were able to fully recognize the civil and revolutionary nature of the conflict. Unlike the British Army, which was deployed from across the Atlantic to fight a group of insurgent colonists, the Loyalists were waged in a civil war. Neighbors and families were split by conflicting loyalties. This perspective greatly impacted the Loyalists' contributions to British espionage. British espionage was most influenced by the contributions of the Loyalist officers William Tryon and Oliver De Lancey.⁷⁴ In a letter addressing the problems of the British system of espionage, New York Colonial Governor William Tryon wrote to Clinton:

Dear Sir, It being Evident that the Complicated nature and Extent of the Powers of the Commander in Chief must in such a War as the present, call his attention to innumerable Objects, *as well of Political as Military Consideration*, and as Information concerning the State Condition, Transactions, Temper and Design of the Revolted Colonies flow to this Place from all Quarters; - and in order that such information may be rendered useful to Government, by Collecting and Digesting the material Points of intelligence, the following Project is submitted to your Excellency as a measure of general and great Utility⁷⁵ [emphasis my own.]

Tryon understood that his British commanders failed to either recognize or properly estimate the political nature of the conflict. His letter cites the inefficacy of the existing espionage system given the nature of the conflict; he goes on to recommend the establishment of an "Office of Enquiry" that would organize, coordinate, and prioritize incoming intelligence which could then be expediently communicated to officers.⁷⁶ In this letter he cites two crucial failings of the British Command: the inability to recognize that the Americans were fighting a civil, moral fight and the failure to direct intelligence efforts toward a course of involved political and civil espionage in order to gain the advantage. Tryon's insights were rejected.

André's replacement, Loyalist Oliver De Lancey, who likewise sought to restructure British espionage, had better success than his fellow Tryon.⁷⁷ The flow and character of intelligence following De Lancey's appointment as British spymaster dramatically changed. Intelligence became systematized, more consistent, and developed an interest in political affairs and the state of civilian discontent.⁷⁸ Like Washington, De Lancey developed a system of delegation based on the careful coordination of agents and officers. While many of these reports were reports of reconnaissance, attention to the civil aspect of the war is dramatically apparent in contrast to André's reports. An intelligence report from Sir George Beckwith, a British officer stationed in Philadelphia who collected intelligence at the particular direction of De Lancey, concerns itself with the Americans' political weakness. Beckwith reports what one of his spies

appreciate the benefit of relying on spies whose character was known and trusted by their spymaster, as was the case with the Culpers.

⁷⁴ Kaplan, 130.

⁷⁵ Letter dated July 26, 1779 from Governor William Tryon to Sir Henry Clinton, Henry Clinton Papers, William L. Clements Library, The University of Michigan.

⁷⁶ Ibid.

⁷⁷ Kaplan, 130.

⁷⁸ Ibid.

in Philadelphia had discovered: “As to the Private Plans of Congress; they are at present so distracted in their Councils; so confused in their Plans and so disappointed in their operations, that I think it may be truly said; they now have no Plan at all.”⁷⁹ The nature and intent of this intelligence is a stark contrast to the information sought by André, whose intelligence book primarily consisted of enrollment numbers. Like Tryon, De Lancey realized that in order to win the war, a political, as well as military, war had to be waged. From the Loyalists’ perspective, the advantage of an aggressive and involved espionage campaign was necessary for victory. This perspective was one that was shared by the Patriots and, like the Patriots, the Loyalists were able to overlook the condemnation of espionage by European military and social convention in order to win the day. The similarity of the Patriots’ and the Loyalists’ approach to espionage confirms a general American divergence away from a European identity governed by strict convention.

Peter Grant’s intelligence report of December 16, 1780 to De Lancey further indicates the character of the changes British espionage underwent at the direction of Loyalists. Grant writes, “I had it from a Magistrate in the Town where I live, who has a son a Rebel Officer who wrote home a letter that he intended to quit the service the winter as he had not received any pay these eight months past he could no longer stand it.”⁸⁰ Grant further reports on “An Act for Collecting and storing a quantity of Provisions, for the use of the Continental Army, and the tax raised for the Defense of this state” and the discontent that ensued its announcement.⁸¹ As Grant’s report indicates, Loyalists led espionage in the direction of discerning civil and political discontent. De Lancey saw the ultimate goal of espionage as determining the Patriots’ areas of moral and civil weaknesses.

While General Gage had great success through his agent Dr. Benjamin Church in the early months of and leading up to the conflict, this early advantage was quickly lost as the conflict became primarily military from a British perspective. The continued dependence on reconnaissance as the foremost mode of intelligence points to the failure of British Generals to recognize the *civil* and *political* nature of the conflict. However, vastly more significant was the unwitting participation of the Loyalists in a colonies-wide revolution in identity and mentality. The ideas promulgated by the Loyalists for the inclusion and sophistication of espionage paralleled those of the Patriots. Like their counterparts, the Loyalists were included in this process of an emerging American identity and ethos that enabled them to look beyond social and military sanctions against espionage in order to accomplish their ends, thereby participating in a contradiction that the British never could have condoned.

Espionage and Memory in the National Period

⁷⁹ Intelligence report of Sir George Beckwith, March 24, 1781, Henry Clinton Papers, William L. Clements Library, The University of Michigan.

⁸⁰ Intelligence report of Peter Grant, December 16, 1780, Henry Clinton Papers, William L. Clements Library, The University of Michigan.

⁸¹ *Ibid.*

The subject of espionage during the American Revolution did not resurface until 1821 with the publication of James Fenimore Cooper's *The Spy*.⁸² The National Period offered an opportunity to review and edit the public's memory of the Revolutionary spy; "In the 1820s and 1830s, the American Revolution entered what historian C. Vann Woodward has in another context called a 'twilight zone' that lies between living memory and written history...one of the favorite breeding places of mythology."⁸³ The temporal remove from the immediacy of the conflict allowed for a resolution of the contradictions and fears surrounding espionage such that espionage became an acceptable component of the memory of the American Revolution.

While Cooper's novel was published years after the Revolution, it offers crucial insight into the Americans' justification of espionage. Cooper's personification of the revolutionary spy in the form of the character Harvey Birch is a refutation of the concerns surrounding espionage that were expressed at the time of the Revolution. An important theme explored in *The Spy* is the classical ideal of republican civic virtue, an ideological precursor for a republican government. Birch, a seemingly shiftless and opportunistic peddler, is ultimately revealed as Washington's spy, and becomes the novel's unsung hero. In one of the novel's famous passages involving Birch and Washington, Cooper makes his case for the compatibility of republican civic virtue with the occupation of spy:

The peddler raised his eyes to the countenance of the speaker but as the other held forth the money, he moved back, as if refusing the bag.

'It is not much for your services and risks, I acknowledge,' continued the General, 'but it is all that I have to offer; at the end of the campaign, it may be in my power it increase it.'

'Does your Excellency think, that I have exposed my life and blasted my character, for money?'

'If not for money, what then?'

'What has brought your Excellency into the field? For what do you daily and hourly expose your precious life to battle and the halter? What is there about me to mourn, when such men as you risk their all for our country? No-no-no-not a dollar of your gold will I touch; poor America has need of it all!'⁸⁴

This passage confronts the fear that spies could be bought. The fear that spies would serve their own interest rather than the general interest was a great concern for the Patriots because it would render espionage inherently contradictory to the ideal of republican civic virtue. Birch, however, is repelled by the offer of money; he presents the possibility that espionage was a service a Patriot could altruistically offer to forward a moral cause. The figure of Birch, who Cooper acknowledges in the preface to the novel was inspired by an actual spy in the Revolution, goes a long way to smooth over the seeming contradiction that espionage posed to the ideals of

⁸² Cooper's *The Spy* was inspired by an anecdote that John Jay related to Cooper's father when Cooper was a boy. John Jay was responsible for providing the invisible ink that Washington's Culper Ring used to relay written messages. Although it has been argued that the prototype for the fictitious spy, Harvey Birch, was Enoch Crosby, it is this historian's opinion that the Culper Spy Ring, which Jay would have been intimately acquainted with, was the inspiration for the figure of Harvey Birch. See 1854 letter from William Jay to Susan Fenimore Cooper, reproduced in Cooper, xvii-xviii.

⁸³ Alfred Young, *The Shoemaker and the Tea Party: Memory and the American Revolution* (Boston: Beacon Press, 1999), 88.

⁸⁴ Cooper, 415.

republicanism. Moreover, Cooper suggests through Birch that a spy could not only be acceptable, but heroic.

A major theme Cooper explores is sacrifice and its connection to heroism. Patriot spies arguably had more at stake than Loyalist spies; by engaging in espionage, Patriot spies went directly against the public opinion in the colonies that espionage was inherently contrary to republican civic virtue. For this reason, Patriot spies in particular concealed their participation. Pennypacker has stated that “It is remarkable that although their lives were at every moment in danger so carefully were their secrets guarded that not only to the end of the war but for a hundred and fifty years thereafter, in spite of frequent efforts to discover their identity the real men were never suspected.”⁸⁵ Washington went so far as to require an oath of his spies that they would never reveal their identities even after the conflict had ceased.⁸⁶ In spite of the secrecy necessitated by negative public opinion, spies rendered a great service to their respective causes making them the unsung heroes of their day.

Cooper reveals the isolation that that secrecy necessitated through Birch. Birch bears the burden of living out his life with the infamy and dishonor from the pretenses he assumed in his service as spy to Washington. “As years rolled by, it became a subject of pride, among the different actors in the war, and their descendants, to boast of their efforts in the cause which had confessedly heaped so many blessings upon their country; but the name of Harvey Birch died away among the multitude of agents, who were thought to have laboured in secret, against the rights of their countrymen.”⁸⁷ Espionage demanded a great sacrifice from its spies. As Captain Hull insisted to his friend Nathan Hale, “In the progress of war, there will be ample opportunity to give your talents and your life, should it be ordered, to the sacred cause to which we are pledged’... I urged him, for the love of country, for the love of kindred, to abandon an enterprise which would only end in the sacrifice of the dearest interests of both.”⁸⁸ Spies risked not only their lives but their public character. Even after the resolution of the conflict, spies were bound by secrecy. The Patriot spy’s tale was therefore a kind of tragedy that doomed him or her to ignominy in silence and isolation. Like Birch, the Culpers and other Patriot spies were, through their sacrifices, the unrecognized heroes of the Revolution.

Literary historians, including James Pickering and Bruce Rosenberg, have made the claim that Birch, although the embodiment of selfless republican virtue, could not have been perceived as the hero of the novel at the time of its first publication.⁸⁹ Instead literary historians cite the romantic hero, Major Dunwoodie, as the novel’s protagonist. While this assertion would have been most certainly true at the time of the Revolution, the temporal remove from the uncertainty of the Revolution would have made Birch a highly acceptable protagonist to audiences in the 1820s. Espionage was primarily objectionable to Americans on the basis of its contrariness to republican ideals and because it amplified the sense of insecurity felt at the time of the Revolution. Time would have erased this insecurity and the success of the republican experiment was established and assured. Cooper rendered espionage compatible with republican civic virtue and consequently rendered Birch (and by proxy, other American spies) an acceptable hero of the American Revolution.

⁸⁵ Pennypacker, *General Washington’s Spies*, 2.

⁸⁶ *Ibid*, 3.

⁸⁷ Cooper, 417.

⁸⁸ Excerpt from “Revolutionary Services and Civil Life of General William Hull; prepared from his Manuscripts, by his daughter, Mrs. Maria Campbell, together with the History of the Campaign of 1812, and Surrender of the Post of Detroit, by his grandson, James Freeman Clarke,” (New York, 1848), 33-38, as reproduced in Seymour, 309.

⁸⁹ Rosenberg, 79-80.

The National Period, with its chronological remove from the immediacy of the conflict, allowed for a more popular and sympathetic memory of espionage and its role in the Revolution. Issues which had had a sense of urgency at the time, like the endangerment of the Republican Experiment and the preservation of republican civic virtue, were no longer salient. America had emerged from the War of 1812 with an affirmation of its identity and stability as an independent nation. While American spies could not have been conceived heroes at the time of services rendered, Cooper's novel, and other popular accounts of Revolutionary War espionage (such as Enoch Crosby's memoir) that followed the publication of *The Spy*, would have altered perspectives on patriotism, sacrifice, and heroism, thereby allowing Revolutionary spies to emerge as genuine heroes of the cause.⁹⁰ As America progressed, a temporal distancing from the actual events prepared Americans for the resolution of the contradictory aspects of espionage through the process of generating a collective memory of the American Revolution.

The Place of Espionage in the Revolutionary Narrative

The subject of espionage during the American Revolution has received relatively little attention from historians in the two centuries since the Revolution. Patriot spy rings, such as the Culpers have captured historians' interest, but the role of the Loyalists is largely unacknowledged and under-investigated within the literature. The correlative Loyalist engagement in espionage is the missing facet of the literature that has prevented a dialogue from arising between historians as concerns the social and ideological consequences of espionage and its place in Revolutionary history. The parallels that arise between the Loyalists and the Patriots are crucial to an understanding of the greater relevance of espionage to the *shared* revolutionary experience of all Americans.

A primary concern regarding the extant literature is the extremist and revisionist taint. Much of the history reads like a cloak and dagger drama rather than an introspective review of historical events. Historians such as Carl Van Doren, in his *Secret History of the American Revolution*, appear to be more interested in vilifying traitors and scandalizing readers than in ascertaining an accurate historical narrative. The language of the literature mystifies the history. Its popular and revisionary nature has materially damaged its chances for incorporation into the general historiography. While the research of these historians is relevant to conveying the depth and breadth of espionage, the subject has required greater analysis.

The history of espionage has a definite place in the Revolutionary narrative. The evolution and implementation of espionage was an American phenomenon that was acted out by Patriots and Loyalists and only grudgingly accepted by the British. Too often the advantage of historical hindsight encourages a sense of determinism; a study of espionage reveals the shakiness of loyalties, the uncertainty of the outcome, throws into sharp relief the inability of the British to understand the civil and political nature of the war the Patriots were fighting, and most significantly, points to the emergence of an American worldview distinct from that of the British. Espionage's prevalence in the Revolutionary War, in spite of its contradictory relation to American political and social ideas, confirms the truly revolutionary nature of the conflict.

⁹⁰ Enoch Crosby's memoir, *The Spy Unmasked; or, Memoirs of Enoch Crosby, Alias Harvey Birch, the Hero of Mr. Cooper's Tale of the Neutral Ground*, capitalized off of the success of *The Spy* by claiming that its subject, Crosby, was in fact the prototype for Harvey Birch.

Conclusion: Espionage and American Identity

The appropriateness of the label “revolution” has been questioned by a number of historians in the years since the American Revolution. Indeed, Gordon S. Wood, who defends the revolutionary nature of the war, concedes, “We Americans like to think of our revolution as not being radical; indeed, most of the time we consider it downright conservative. It certainly does not appear to resemble the revolutions of other nations in which people were killed, property was destroyed, and everything was turned upside down.”⁹¹ However, the social and ideological developments that led up to the American declaration of independence indicate that the American Revolution was “as radical and social as any revolution in history.”⁹² The “radicalism of the American Revolution” enabled both Patriots and Loyalists to engage in espionage, an act so morally offensive to the culture, politics, and society of both Britain and America, and to do so to the extent that it played an integral role in the outcome of the Revolutionary War.

Espionage was never as odious to the Americans as it was to the British. In order for the Revolution to occur, the colonies had to develop a budding sense of themselves as an entity apart from Britain; the evolution of espionage and its critical and ubiquitous presence in the Revolutionary War supports a case for America’s development of a social and political outlook revolutionarily distinct from Britain. From their inception the colonies were predisposed to develop into a market society based on democratic individualism. The colonies never experienced the deeply embedded aristocratic class structures that informed British society and politics. Identity was malleable in America and was defined by action over birth. Whereas assuming a false identity was criminalized in England in the form of the Sumptuary Laws, and individuals were restricted to the class in which they were born, upwards mobility was a hope shared by many colonists. The deception and pretension that rendered espionage so distasteful to the British was offensive to America for peculiarly different reasons. Espionage was objectionable due to its perceived inherent contradiction with the value of a selfless republican civic virtue and the honesty and openness required of republican government.

Espionage was justified by American military officials, both Patriots and Loyalists, as a means to a moral end. Nevertheless, the Patriots ran an incredible risk that should not be underestimated. The belief that the end justified the means obliged men of integrity to go against the good opinion of society, politics, and military convention. These moral convictions led Patriot spies to risk their reputation by serving the Revolutionary cause in a way that was generally viewed as contrary, even hostile, to the core values of republicanism. The fact that spies went against the tide of society, politics, and military convention in a world that had not yet fully divorced itself from European notions of honor and gentlemanly behavior, in spite of a rapidly changing outlook and an emerging identity as Americans, compelled a self-censorship even years after the conclusion of the conflict. Additionally, the Revolutionary War pitted families and friends against each other. As Richard B. Morris points out, “The American Revolution was a bitter civil war, as well as a war for liberation of a colonial people, spies chose to conceal their espionage roles even long after the war was over and the bitterness had subsided.”⁹³ Although spies were vilified by the public, spies like the Culpers were ironically

⁹¹ Gordon S. Wood, *The Radicalism of the American Revolution* (New York: Vintage, 1991), 3.

⁹² Wood, 5.

⁹³ Richard B. Morris, introduction to *A Peculiar Service*, by Corey Ford (Boston: Little, Brown and Company, 1965),

the epitome, rather than the antithesis, of republican selflessness. The stigmatization of espionage persisted during their lifetimes, and spies consequently took the facts of their Revolutionary involvement to their graves.

The National Period's temporal and ideological remove from the Revolutionary War enabled the topic of espionage during the Revolution to favorably resurface with the publication of Cooper's *The Spy*. The republican experiment survived through the Revolutionary War and America as a nation held its own against Britain a second time in the War of 1812. America had fully grown into its own identity and outlook which were fully divorced from the conventions and honor codes of Britain. This remove, with its benefit of hindsight, allowed for a realignment of memory that favored espionage and its participants with a less critical and markedly more sympathetic point of view.

The transition to Jacksonian America, the era that would pave the way for Melville's "Confidence Man," marked an observable shift to a market society and diminished the mystique of espionage in the Revolution, allowing Revolutionary spies to retreat from historic consciousness. Popular interest in espionage was not revived until the twentieth century. Cold War espionage renewed the public's interest and fear. Spies like Robert Hanssen, the FBI agent who traded in American secrets with the Soviet Union (later Russia) for twenty two years, are granted as much popular interest as they are fear or revulsion.⁹⁴ The modern spy is a highly-specialized and highly-trained government agent. Today, everyone has a favorite "Bond." The popular image of the spy is vested with self-interest; part of Bond's appeal is his conspicuous consumption. In a market society in which consumerism is linked to identity and identity is highly malleable, the spy is no longer repulsive.

The glorification of spies in popular culture reflects how far America has evolved since the eighteenth century, from British subjects who would not deign to engage in military spying, to Patriots and Loyalists amenable to espionage in pursuit of a higher moral cause. The history of espionage in the Revolutionary War substantiates the interpretation of the American Revolution as a truly radical break from Britain. The inclination of Americans, both Patriot and Loyalist, to venture into the field of espionage, despite its unsavory associations, points to an ideological break from Britain which was accelerated by the civil ramifications of the conflict. The willingness to overlook those principles that were in tension with espionage confirms a truly revolutionary break from Britain in which all Americans participated, regardless of their loyalty to the Crown or to the revolutionary cause.

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⁹⁴"Ex-FBI spy Hanssen sentenced to life, apologizes," *CNN.com/Law Center*, May 14, 2002, <http://archives.cnn.com/2002/LAW/05/10/hanssen.sentenced/index.html> (accessed April 29, 2009.)

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