

## From Traitors to Heros: Examining the Motivations and Consequences of the American Revolution

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The American Revolution stands as a pivotal moment in history, marking the birth of a new nation that dared to challenge the established order of the British Empire. Within this transformative period, the concept of treason and loyalty emerged as a divisive and complex issue, sometimes turning fathers and sons into bitter enemies, as individuals were labeled traitors based on their allegiance to the British crown or their subsequent betrayal of the rebel cause. The fluidity of loyalty and the subjective nature of treason during the American Revolution raises fundamental questions about how traitors are defined and categorized. By examining the American Revolution through the lens of treason, the motivations, actions, and consequences of those deemed traitors by history during this turbulent era can be scrutinized. In a letter from John Adams to Nathaneal Greene on March 9, 1777, Adams quotes Count La Tour “The Lot is cast. If We prove victorious, We shall be a just and free Sovereign People; if We are conquered, We shall be Traitors, perjured Persons, and Rebels.”<sup>1</sup>

This research endeavors to provide a comprehensive understanding of the individuals deemed traitors during the American Revolution and how both sides perceived each action. Their backgrounds will be scrutinized, their decisions examined, and the impact of their actions evaluated in relation to the course of the Revolution. By doing so, we aim to unravel the intricate web of loyalties and allegiances that existed, shedding light on the subjective judgments and shifting alliances that blurred the boundaries between loyalty and treason. Moreover, this study will offer insights into the broader implications of defining treason within the context of a revolutionary struggle and how that view has softened with time. The motivations and justifications presented by both the British and American sides will be explored, investigating how individuals and institutions labeled their adversaries as traitors to undermine their cause. Through this examination, we will gain a deeper appreciation for the complexities inherent in defining treason, challenging simplistic notions, and illuminating the ethical, legal, and political considerations at play.

In order to understand the American Revolution and the subsequent tensions between Britain and the American colonies, it is essential to explore the factors that led up to this transformative period in history. The road to revolution was marked by a series of events, policies, and ideological shifts that gradually eroded the relationship between Britain

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<sup>1</sup> “Founders Online: From John Adams to Nathanael Greene, 9 March 1777,” *National Archives and Records Administration*, n.d., <https://founders.archives.gov/documents/Adams/06-05-02-0058>.

and its American colonies. One crucial aspect was the colonial relationship with Britain, which was rooted in mercantilism. Under mercantilist policies, the colonies were seen primarily as a source of raw materials and a market for British manufactured goods, instead of their fellow countrymen entitled to representation. Trade regulations, such as the Navigation Acts, were implemented to ensure that most colonial goods were sold exclusively to Britain and transported on British ships. These policies restricted the colonies' economic autonomy and led to growing resentment as colonial merchants and entrepreneurs sought greater economic opportunities.

The Seven Years' War from 1756-1763, also known as the French and Indian War, played a significant role in intensifying tensions between Britain and the colonies. Certainly, George Washington's animosity towards the British grew from his denial of a royal officer's commission in the British Army despite his excellent service during the war.<sup>2</sup> The war fought primarily between Britain and France, resulted in a British victory but left the British Empire heavily indebted. In an effort to recover the war debt, Britain began to assert greater control over the colonies and implemented a series of new taxes and regulations.

One of the most notable acts that added to the growing discontent was the Sugar Act of 1764. It aimed to raise revenue from the colonies by imposing duties on sugar and other imported goods. The following year, the Stamp Act of 1765 imposed a direct tax on various legal documents, newspapers, and other printed materials. These acts marked a significant departure from previous trade regulations and were perceived by the colonists as a violation of their rights as British subjects, as they were being taxed without their consent. The imposition of these taxes without colonial representation in the British Parliament sparked widespread protests and resistance throughout the colonies. Colonists organized boycotts of British goods, formed non-importation agreements, and established groups such as the Sons of Liberty to resist British authority. The rallying cry of "No taxation without representation" encapsulated the colonists' growing sense of injustice and desire for greater political rights.

The tensions escalated further with the Townshend Acts of 1767, which imposed duties on various imported goods, including tea, glass, and paper. In response, colonists again organized boycotts and protests, leading to increased clashes with British authorities. The Boston Massacre of 1770, where British soldiers fired on a crowd of protesting colonists, further fueled anti-British sentiment and served as a powerful symbol of colonial grievances.<sup>3</sup>

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<sup>2</sup> Nathaniel Philbrick, *Valiant Ambition: George Washington, Benedict Arnold, and the Fate of the American Revolution* (S.l.: Penguin Books, 2022).

<sup>3</sup> "Boston Massacre," *ushistory.org*, n.d., <https://www.ushistory.org/declaration/related/massacre.html#:~:text=The%20Boston%20Massacre%20was%20a%20signal%20event%20leading%20to%20the,armed%20rebellion%20throughout%20the%20colonies>

However, it was the Tea Act of 1773 that triggered a dramatic turn of events and set the stage for open rebellion. The Tea Act granted the financially troubled British East India Company a monopoly on tea sales in the colonies. This not only angered colonial merchants and tea smugglers who faced economic losses but also raised concerns about the British government's ability to impose its will upon the colonies. In protest against the Tea Act, the Sons of Liberty staged the Boston Tea Party in December 1773. Disguised as Native Americans, they boarded British tea ships in Boston Harbor and dumped the tea cargo into the water.<sup>4</sup> This act of defiance further strained relations between Britain and the colonies and led to the enactment of harsh measures by the British government, known as the Coercive Acts or Intolerable Acts, in an attempt to suppress dissent in Massachusetts. The Coercive Acts included the closure of Boston Harbor, the imposition of martial law, and the strengthening of British military presence in the colonies. These acts not only affected Massachusetts but also galvanized support and sympathy for the American cause throughout the other colonies. Colonial leaders convened the First Continental Congress in 1774, where they denounced British policies and called for unified action to address the grievances. The mounting tensions and a deepening sense of alienation from Britain ultimately led to the outbreak of armed conflict. The battles of Lexington and Concord in April 1775 marked the beginning of the American Revolutionary War, where American colonists took up arms against British forces. The desire for self-governance, the defense of colonial rights, and the quest for independence became the driving forces behind the rebellion, fueled by years of frustration and perceived injustices.

Prior to the 1770s, Benjamin Franklin was considered a loyal servant of the British government, a sentiment he passed on to his son William Franklin but when Benjamin Franklin turned towards revolution, his son remained loyal to the crown. The paradoxically radical father and conservative son highlight the complexities of family loyalty during a revolution. The Franklin split underscores the ambiguity of loyalty as both men were intelligent Oxford degree holders who loved their English heritage as well as King George, but they still found themselves on opposite sides of the conflict.<sup>5</sup> Benjamin Franklin did not believe parliament had the right to levy new laws and taxes as the colonies were without representation and believed in it so strongly that for nearly eight years the two didn't write or meet until after the war was over. It wasn't until 1784 that Benjamin Franklin responded to his son William who had attempted reconciliation. Benjamin responded warmly but not as understanding as his son might have hoped, "I received your Letter of the 22d past, and am glad to find that

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<sup>4</sup> "Boston Tea Party," *Encyclopedia Britannica*, June 8, 2023, <https://www.britannica.com/event/Boston-Tea-Party>.

<sup>5</sup> Matthew C. Simpson, "Benjamin Franklin and His Son, Divided by Independence," *The New Republic*, July 3, 2017, <https://newrepublic.com/article/143683/benjamin-franklin-son-divided-independence>.

you desire to revive the affectionate Intercourse that formerly existed between us. It will be very agreeable to me. Indeed, nothing has ever hurt me so much and affected me with such keen Sensations, as to find myself deserted in my old Age by my only Son; and not only deserted, but to find him taking up Arms against me, in a Cause wherein my good Fame, Fortune and Life were all at Stake. You conceived, you say, that your Duty to your King & Regard for your Country requir'd this. I ought not to blame you for differing in Sentiments with me in Public Affairs. We are Men, all subject to Errors."<sup>6</sup> Despite his son's attempts, Benjamin did not find his son's apologies adequate and would leave him out of his will, aside from some worthless land in Nova Scotia, remarking "The part he acted against me in the late war, which is of public notoriety, will account for my leaving him no more of an estate he endeavored to deprive me of."<sup>7</sup>

William Franklin had a promising career and was appointed Royal Governor of New Jersey in 1763, but this appointment created a sense of loyalty that superseded the implicit loyalty to family and father first. He refused attempts by his father to join the patriot cause and instead gave speeches before the New Jersey Legislature imploring them to side with England, which the legislature promptly ignored in support of the rebels in Boston. Unwilling to follow public opinion and private counsel, William decided to betray his fellow colonists by secretly reporting patriot activities back to the authorities in London.<sup>8</sup> His letters were found and when he was questioned, "Mr. Franklin refused to answer the questions put to him, denying the authority of this body, which he alleged had usurped the King's Government in this Province."<sup>9</sup> Although his sentence was light and he was trusted with house arrest, it was found that William had continued to try and help the loyalist cause and violated the terms of his house arrest. William was jailed and placed in solitary confinement. Surprised by the harsh treatment he was now facing, he wrote to the Governor of Connecticut, Johnathan Trumbull. Not realizing the Governor was a close friend of General Washington and had no sympathies for William's discomfort, "I suffer so much in being buried alive, having no one to speak

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<sup>6</sup> Benjamin Franklin, "Founders Online: From Benjamin Franklin to William Franklin, 16 August 1784," *National Archives and Records Administration*, n.d., <https://founders.archives.gov/documents/Franklin/01-43-02-0004>.

<sup>7</sup> "Philadelphia Reflections," *Philadelphia Reflections: A Grievance Carried to the Grave*, July 21, 2010, <https://www.philadelphia-reflections.com/blog/1970.htm>.

<sup>8</sup> Kathryn Braun, "Divided Loyalties: Benjamin and William Franklin," *Monticello*, March 21, 2021, <https://www.monticello.org/research-education/blog/divided-loyalties-benjamin-and-william-franklin/>.

<sup>9</sup> "Letter from the New-Jersey Convention to the President of Congress, with Their Proceed-Lugs on the Arrest of Governour Franklin," *Northern Illinois University Digital Library*, n.d., <https://digital.lib.niu.edu/islandora/object/niu-amarch%3A103174>.



to day or night...that I should deem it a favor to be immediately taken out and shot.”<sup>10</sup> William petitioned Washington himself to see his dying wife but was denied again and was only released to British-controlled New York in part of a prisoner exchange once his health started to fail. He continued to work in support of the loyalists, but William would later leave for London, always under the belief that the British would eventually win the war. For all his troubles, lost possessions and property, he was compensated by the British government £1,800 from the Commissioners of Loyalist Claims as well as a half-pay for a brigadier, totaling £800 a year.<sup>11</sup> His career had been in America and his lineage as a child born out of wedlock was more prominent in England, effectively meaning he lost his family, fortune, and career for remaining loyal to an institution that saw no further use for him.

Loyalists to the Crown who had fled were not welcomed back after the war and Benjamin Franklin helped make sure of it. Benjamin voted to deny compensation or amnesty to anyone who supported the Crown and had left the colonies. William saw his father deny him a chance to return to his home and the country of his birth and deny his requests for reconciliation. His wife died alone while he was in jail and his son sided with his grandfather, leaving their relationship strained. The last time William ever saw his father, Benjamin, was a cold and formal affair where William signed over property and financial records which had been trusted to him but were now trusted to his son instead. The revolution cost William Franklin everything, even so, he didn't regret his part but for ignoring the "Natural Duties" owed by a son to his father. In the end, he would die alone, buried in a forgotten grave.<sup>12</sup>

In certain circles in British society, there was an understanding and empathy for the loyalists' plight. They were seen as fellow subjects who had endured losses and were in need of support. Loyalists who sought refuge in England often received some base assistance and resources from sympathetic individuals. Not all British citizens were so supportive of loyalist refugees who some saw as a reminder of British failure and loss of authority in American colonies. Others saw them as an unnecessary burden to support, and loyalists who sought financial assistance or support from the government were sometimes met with resentment and criticism. The government itself understood and appreciated the sacrifices made by the loyalists but the influx of refugees added another debit to the already

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<sup>10</sup> Kathryn Braun, "Divided Loyalties: Benjamin and William Franklin," *Monticello*, March 21, 2021, <https://www.monticello.org/research-education/blog/divided-loyalties-benjamin-and-william-franklin/>.

<sup>11</sup> Willard Sterne Randall, "Franklin, William (1731-1813), Loyalist Leader and Last Royal Governor of New Jersey," *American National Biography Online*, 2000, <https://doi.org/10.1093/anb/9780198606697.article.0100300>.

<sup>12</sup> Sheila L. Skemp, "Benjamin Franklin, Patriot, and William Franklin, Loyalist - JSTOR," *JSTOR*, 1998, <https://www.jstor.org/stable/27774078>.

strained resources. The opinions of loyalists were varied but they were not met with the universal acceptance or support they might have expected before they arrived.

Arguably the most famous traitor in American history whose name has become synonymous with the act of treason is Major General Benedict Arnold. While his legacy as a traitor will likely stand the test of time, his bravery and talent on the battlefield could have made him an American hero. In a telling insight into the motivations and mindset of traitors, Arnold could, and did, argue that his action was in service to his country. In order to bring a more swift and reasonable end to the conflict, he was willing to sell out his country and those he had fought with. It wasn't just the act of switching sides that made Arnold a traitor, but his willingness to act maliciously using the trust of his friends and comrades in hopes of bettering his station no matter how it might impact his country and fellow colonists.

Benedict Arnold was born in Connecticut in 1741 to a respectable colonial family. His mother was the daughter of a wealthy family while his father, once a successful businessman, became an alcoholic after the death of two of Arnold's siblings. Before Arnold was fourteen, his father had squandered his family fortune, but his mother was able to use her family connection to get him an apprenticeship which he eventually turned into his own trading business. When his trading business was endangered by the revolution, Arnold joined the growing American army in Boston. Arnold would act bravely while in service but it's important to note that his motivations to fight came from threats to his business. John Brown seemed to have realized Arnold's true character because, during the winter of 1776, he printed and distributed a handbill attempting to warn the populace of their supposed "hero's" character stating "Money is this man's God, and to get enough of it he would sacrifice his country."<sup>13</sup> Brown's warning fell on largely deaf ears as Arnold distinguished himself by helping capture Fort Ticonderog, but felt the acclaim he received wasn't enough and that some of his fellow officers were taking credit for his achievements.

Arnold was wounded in the left leg for a second time, which took him off of the front line. Arnold fought bravely if not a little recklessly, and for his efforts, his leg would lose two inches and he would forever walk with a limp.<sup>14</sup> Giving him time to heal, General Washington assigned Arnold to the position of acting military governor of Philadelphia. As military governor of a city that had recently been under occupation by the British and was thought to be largely loyalist, Arnold would be convicted of malfeasance for using his power and resources and ensuring he gained a

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<sup>13</sup> Nathaniel Philbrick, *Valiant Ambition: George Washington, Benedict Arnold, and the Fate of the American Revolution* (S.I.: Penguin Books, 2022).

<sup>14</sup> "9 Things You May Not Know about Benedict Arnold," *History.com*, January 13, 2016, <https://www.history.com/news/9-things-you-may-not-know-about-benedict-arnold>.

profit from any business deals going on in the city.<sup>15</sup> It's possible the stress from his impending court-martial pushed Arnold to seek better conditions working for the British. The icing on his financial problems came when 37-year-old Arnold met 18-year-old Margaret "Peggy" Shippen, daughter of a prominent loyalist. Shortly after meeting and once Arnold had taken out several loans to prove his financial status to her family, on April 8, 1779, at the age of nineteen Peggy was wed to Arnold. Although there is no definite proof to link Arnold's turn toward treason to his new wife, within a month of their marriage Arnold sent a letter to British General Henry Clinton offering his loyalty and service to the Crown. When Arnold raged at home to his wife about his mistreatment and ongoing court-martial, instead of calming or reassuring her husband, there is every indication that Peggy stoked his frustration which might have pushed him towards treason.<sup>16</sup> Saying to a loyalist friend, Peggy stated "She was hardly tired of the theatrics she was exhibiting, that through great and unceasing perseverance she had ultimately brought the General to an arrangement to surrender West Point."<sup>17</sup> Peggy not only took credit for her husband's actions but assisted in the treason itself, holding letters and passing messages on behalf of her husband. In order to maintain the lavish lifestyle, he and his wife expected, he began a correspondence with British Major John André, a close friend of his wife. While all the information around Peggy's involvement cannot create direct ties to her being the catalyst for Arnold's betrayal and are largely circumstantial, in 1782, Peggy was granted by King George III a total annual pension of £500 for "...her services, which were very meritorious."<sup>18</sup>

Before Arnold received any compensation from the British, he was already selling out his country. While he was hammering out the terms of his services Arnold provided the British with American troop locations and movements as well as the placement of supply depots. Unable to get a field command due to his leg, Arnold had himself promoted to a command position at West Point in order to have something worth selling. British General Henry Clinton authorized the payment of £20,000 as well as a high position in the British army if Arnold could weaken the fort in preparation

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<sup>15</sup> "Benedict Arnold Is Court-Martialed," *History.com*, November 13, 2009, <https://www.history.com/this-day-in-history/benedict-arnold-is-court-martialed>.

<sup>16</sup> Nathaniel Philbrick, *Valiant Ambition: George Washington, Benedict Arnold, and the Fate of the American Revolution* (S.I.: Penguin Books, 2022).

<sup>17</sup> Nathaniel Philbrick, *Valiant Ambition: George Washington, Benedict Arnold, and the Fate of the American Revolution* (S.I.: Penguin Books, 2022).

<sup>18</sup> William R. Griffith IV William, "10 Facts: Benedict Arnold and Peggy Shippen," *American Battlefield Trust*, August 24, 2021, <https://www.battlefields.org/learn/articles/10-facts-benedict-arnold-and-peggy-shippen>.

for surrender. The plot was uncovered when John André was caught carrying the correspondence, but Arnold was able to flee on a ship before he could be captured.

General George Washington expressed willingness to trade John André to General Clinton in exchange for the return of Arnold but was refused. André had been discovered by three local militiamen whose actions Washington commented had “prevented in all probability our suffering one of the severest strokes that could have been mediated against us.”<sup>19</sup> Unlike Arnold, André would face punishment for his actions as a spy but for his sacrifice, also unlike Arnold, he would be mourned and remembered by his countrymen. In 1782, a monument would be erected in his honor at Westminster Abbey and a century after his hanging, another monument would be established at the site of his execution in America.

Washington reportedly authorized kidnapping operations charging The Marquis de Lafayette to bring him back for execution if unable to kill him on the spot.<sup>20</sup> Despite being America’s most famous traitor, he never faced punishment. Arnold would serve as a Brigadier General in the British army fighting against the very same men he had just commanded. Arnold’s fortune soon turned, and when General Clinton was replaced, so was Arnold. At the end of the war, Arnold was able to flee to England but never achieved the success or fortune he aimed at.

Benedict Arnold was never able to work his way into lucrative contracts with British trading companies nor continue his military career in the British military. He was widely criticized in the American press and portrayed as a traitor and symbol of treachery. This negative perception followed him to England, where he was met with hostility and social isolation. Many people in British society considered him a pariah and avoided associating with him. His military career was essentially killed the moment he switched sides as there was always a fear he might switch again, and he was treated with contempt by the people around him. One instance was so serious, the people of Saint John burned an effigy of Arnold on his lawn, in front of his family.<sup>21</sup> Arnold never received the full £20,000 either, in a letter seized by American agents he stated he only received £5,000.<sup>22</sup>

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<sup>19</sup> “John André: Officer, Gentleman...and Spymaster,” *Intel.gov*, n.d., <https://www.intelligence.gov/evolution-of-espionage/revolutionary-war/british-espionage/john-andre>.

<sup>20</sup> Mike Duncan, *Hero of Two Worlds: The Marquis de Lafayette in the Age of Revolution* (US: Perseus, 2023).

<sup>21</sup> “That Greatest of All Possible Villains: Benedict Arnold and the first slander case in New Brunswick, Part 1,” *The Loyalist Collection*, April 18, 2018, <https://loyalist.lib.unb.ca/atlantic-loyalist-connections/%E2%80%99C-greatest-all-possible-villains%E2%80%99D-benedict-arnold-and-first-slander>.

<sup>22</sup> Leslie Landrigan, “Benedict Arnold’s Treason Unmasked to Washington-in Arnold’s Own House,” *New England Historical Society*, April 1, 2023,

Overall, life in England for Benedict Arnold after the American Revolution was characterized by a complex mix of sympathy, suspicion, and isolation. While he received some support from the British government, his reputation as a traitor and the public animosity towards him made it difficult for him to fully reintegrate into British society. In 1781, Benjamin Franklin wrote to Lafayette about Arnold as “a miserable bargain especially when one considers the quantity of infamy he has acquired to himself and entailed in his family.”<sup>23</sup>

Not unlike Arnold, recent history shows that men in places of authority can still fall victim to the influences of strong women in their lives. FBI agent Richard Miller would commit treason and pass on top secret documents to his handler and lover Svetlana Ogorodnikova, who denied involvement with the KGB. When Arnold turned traitor, his fate was sealed and had he been caught, he would have been hung or shot depending on the condition of his capture. When Miller was caught and convicted as the first FBI agent to commit espionage against the United States, he would ultimately only serve twenty years in Federal prison before being released on May 6th, 1994.<sup>24</sup> In contrast to the lenient punishment Miller received, on November 4th, 1778, Abraham Carlisle and John Roberts were hanged on the common of Philadelphia for providing assistance to the British forces.<sup>25</sup> In correspondence to Nathaniel Green, Joseph Reed would defend the execution of convicted traitors writing “Unless an example is made of these men, the cause of American freedom was sure to suffer... Treason, disaffection to the interests of America, and even assistance to the British interest are called openly only errors of judgment.”<sup>26</sup> What is remarkable about Reed’s statement is that in late December 1776, fearing for the state of the war thinking the British were poised to win it, Reed decided to spend the night at a home in Hessian occupied New Jersey. Ready to defect to the British if Washington’s assault on Trenton ended in an American defeat, Reed was now explaining why others should be tried but he should not.<sup>27</sup>

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<https://newenglandhistoricalsociety.com/benedict-arnolds-treason-unmasked-to-washington-in-arnolds-own-house/>.

<sup>23</sup> Mike Duncan, *Hero of Two Worlds: The Marquis de Lafayette in the Age of Revolution* (US: Perseus, 2023).

<sup>24</sup> “Richard Miller,” *HistoryofSpies.com - Your Resource for Espionage on the Web*, December 13, 2019, <https://historyofspies.com/richard-miller/>.

<sup>25</sup> Peter C. Messer, “A species of treason & not the least dangerous kind,” *JSTOR*, October 1999, <https://www.jstor.org/stable/20093317>.

<sup>26</sup> Nathaniel Philbrick, *Valiant Ambition: George Washington, Benedict Arnold, and the Fate of the American Revolution* (S.I.: Penguin Books, 2022).

<sup>27</sup> Nathaniel Philbrick, *Valiant Ambition: George Washington, Benedict Arnold, and the Fate of the American Revolution* (S.I.: Penguin Books, 2022).



The confusing fluidity of loyalty during this time is personified in Major General Charles Lee. Born in Cheshire, England on January 26, 1731, Lee served as a Lieutenant in the British army during the French and Indian War. His father was General John Lee, and his mother Isabella was the daughter of Sir Henry Bunbury.<sup>28</sup> In 1763, after purchasing a commission as Captain, Lee's unit was disbanded, and he was reduced to half pay. He continued to serve in different theaters and in 1772, he was promoted to Lieutenant Colonel, the highest rank he would obtain while in British service and still at half pay. During the course of the revolution, officers from all over Europe would emigrate to America and demand commissions in the American Army in exchange for their knowledge and services. To Lee's benefit, he was already in America when the revolution started and received the office of the Second Major General. Instead of taking his promotion with grace, Lee threw a tantrum and circulated a series of pamphlets casting contempt upon his seniors General Ward and General Washington. Lee was a well-educated man from a respectable family, an outspoken critic of some of the monarchy's policies, and had every reason to follow the enlightenment ideas of his fellow comrades. Instead, Lee is better described as a soldier of fortune who thought the revolution was a chance to increase his fame and fortune.

General Lee always thought he knew best and despite the warnings of General Washington, Lee made his headquarters four miles from his army. He was conveniently captured by British dragoons and although it was reported he put up a fight, Lee surrendered into British custody and was taken to British-controlled New York.<sup>29</sup> During his imprisonment, Lee was given a suite to stay in and a servant to take care of him. Instead of remaining faithful to his country, Lee would provide the British army with a plan to take back the colonies. During the onset of the revolution, there is no doubt that Lee provided moral support to his troops as well as genuine military skill which he displayed during his defense of Charleston in 1776. Lee may have been vain and self-centered but up until his capture of the British, there is every indication to believe he was truly committed to the revolution. Once in captivity, it seems Lee's opinion on American success changed and although his actions were not found out while he was alive, he was a traitor to the revolution. Articles of war that applied to Lee, Arnold, and even Peggy as the wife of an officer, clearly defined their actions as treason, subject to death upon conviction. Article 19 section 13 for the Articles of War 1776 states "Whosoever shall be convicted of holding correspondence with, or giving intelligence to the enemy, either directly or

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<sup>28</sup> J. H. Brunner, "Gen. Charles Lee: The Arch Traitor of the revolution," *JSTOR*, January 1897, <https://www.jstor.org/stable/45340190>.

<sup>29</sup> J. H. Brunner, "Gen. Charles Lee: The Arch Traitor of the revolution," *JSTOR*, January 1897, <https://www.jstor.org/stable/45340190>.

indirectly, shall suffer death, or such other punishment as by a court-martial shall be indicted.”<sup>30</sup>

For the next several months, Lee would enjoy his captivity until he was finally released in 1778 when he was exchanged for General Richard Prescott.<sup>31</sup> Lee had enjoyed catered dinners with up to 5 friends each night, “all the liquors he wanted” and all furnished at expense of the British. It’s not surprising once released he began working against colonial efforts and had likely completely abandoned the American cause in his heart. When General Clinton was in the process of abandoning and retreating from Philadelphia, Washington ordered Lee to pursue and engage. Lee initially declined the command but when the young General Lafayette was posed to take the position, Lee decided his pride and honor demanded he led. With just a little hesitation, Washington agreed. Lee would later argue there was no direct order to attack but instead to advance and keep within striking distance of the enemy should they attempt to resume their march.<sup>32</sup> Lee’s force eventually engaged Clinton’s rear-guard but when Clinton’s main force wheeled around to assist, Lee’s forces began to scatter. Washington had ridden ahead of his forces when he heard musket fire where he saw his men retreating. When Washington asked a soldier who ordered their actions and the militia man reported it was General Lee, it was reported Washington responded with “Damn him.”<sup>33</sup> There has been much made of the interaction between Lee and Washington during the confusion of battle but according to Captain Jon Mercer, who was Lee’s aide and confirmed present at the event, Washington simply “passed him by” instead choosing to worry about commanding his troops instead of scolding Lee.<sup>34</sup> There was likely no screaming or swearing at Lee by the normally reserved Washington, but Lee was quietly relieved of command, replaced later that

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<sup>30</sup> “Articles of War; September 20, 1776,” *Avalon Project - Journals of the Continental Congress*, September 20, 1776, n.d., [https://avalon.law.yale.edu/18th\\_century/contcong\\_09-20-76.asp](https://avalon.law.yale.edu/18th_century/contcong_09-20-76.asp).

<sup>31</sup> Dan Bubis and Jax Bubis, “On This Day in History - December 13, 1776,” *Revolutionary War and Beyond*, n.d., <https://www.revolutionary-war-and-beyond.com/general-charles-lee-is-captured-at-basking-ridge.html>.

<sup>32</sup> William R. Griffith IV, “Major General Charles Lee and the Battle of Monmouth,” *American Battlefield Trust*, April 13, 2021, <https://www.battlefields.org/learn/articles/major-general-charles-lee-and-battle-monmouth>.

<sup>33</sup> Nathaniel Philbrick, *Valiant Ambition: George Washington, Benedict Arnold, and the Fate of the American Revolution* (S.I.: Penguin Books, 2022).

<sup>34</sup> William R. Griffith IV, “Major General Charles Lee and the Battle of Monmouth,” *American Battlefield Trust*, April 13, 2021, <https://www.battlefields.org/learn/articles/major-general-charles-lee-and-battle-monmouth>.

day, and never again given a command on the battlefield. Lee was later court-martialed and would never be known as a traitor in his lifetime. It wasn't until Lee's plans for defeating Washington were found in Howe's possessions in 1857 that his true treason was revealed. Lee wasn't reviled in his lifetime, nor did he face death by noose, but he died from a fever reported to be with only his dogs.<sup>35</sup>

The American Revolution brought about a profound evolution in the definitions and perceptions of treason. The revolutionary struggle against British rule challenged the traditional understanding of loyalty and treason, forcing colonists to reevaluate their allegiances and consider the broader implications of their actions. When Washington revealed the news of Arnold's betrayal, he was reported to have stated "Arnold has betrayed us" and asked sadly to Lafayette "Whom can we trust now?"<sup>36</sup> The American revolutionaries no doubt felt the sword of Damocles hanging nearby, as a failure on the battlefield would mean death to them and their new country. During this period, there was a need to set an example in order to deter others from selling out the new country but once the immediate threat from Britain subsided, the need to find and punish traitors diminished too. The lax feeling didn't arise from a lessening of espionage or feelings of unity among the colonies but likely from an understanding that such acts do not threaten the growing nation. Revolutionary Brigadier General James Wilkinson, who was reported to have hidden in a chimney when the British captured Lee, would later become the highest-ranked traitor of the United States.<sup>37</sup> When his senior commander died while investigating Wilkinson's treasons, not only did he escape any sort of conviction and punishment, but "Agent 13" would be promoted to commander of the United States Army while serving as a spy for the Spanish. When asked by Hamilton what his thoughts were on promoting Wilkinson, McHenry responded with "Of this however be assured that until the commercial pursuits of this gentlemen with and expectations from Spain are annihilated he will not deserve the confidence of government. Further, I would recommend it to you most earnestly to avoid saying anything to him which would induce him to imagine government had in view any hostile project however remote or dependent on events, against any of the

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<sup>35</sup> Christian M. McBurney, *George Washington's Nemesis: The Outrageous Treason and Unfair Court-Martial of Major General Charles Lee during the Revolutionary War* (El Dorado Hills, CA: Savas Beatie, 2020).

<sup>36</sup> Willard Mosher Wallace, *Traitorous Hero: The Life and Fortunes of Benedict Arnold* (New York, NY: Books for Libraries Press, 1970).

<sup>37</sup> Howard W. Cox, *American Traitor: General James Wilkinson's Betrayal of the Republic and Escape from Justice* (Washington, DC: Georgetown University Press, 2023).

possessions of Spain.”<sup>38</sup> Where previously Wilkinson would have been investigated and hung by his neck for selling his country out during the American Revolution, now it was looked at as rumor and instead limited actions Wilkson could take. This is not generations later but a man commanded by General Washington before and after the revolution and whose handlers at one point released the information of Wilkinson's treason directly to the United States military officers was still not prosecuted. What makes treasons and traitors more dangerous and when do their actions call for the ultimate punishment?

The American Revolution stands as a complex and transformative period in history, where loyalty and treason were redefined amidst the birth of a new nation. The examination of various figures, such as Benedict Arnold, William Franklin, and Major General Charles Lee, reveals the intricate web of loyalties, motivations, and consequences that shaped the course of the Revolution. No man set out to betray his country and each would likely have argued their actions were in service of their country. The fluidity of loyalty during this era challenged simplistic notions of allegiance, as individuals made difficult choices based on personal circumstances, ambitions, and conflicting loyalties.

Betrayals against friends, family, fellow soldiers, and country don't always fall under easily definable cases of treason. To be convicted as a spy or traitor comes with strict qualifications that make obvious cases of treason turn into acts of judgment against criminality, seemingly lessening the actions and punishment.<sup>39</sup> In the modern era, spies who sold secrets to countries who were friendly to countries we were at war with escaped harsh punishment and served less time than some drug dealers. Before selling out one's country meant possibly facing them on the battlefield such as in the case with Arnold, but now it means giving enemy countries advance intelligence, new technologies or simply giving them first-strike nuclear winning capabilities.<sup>40</sup>

The cases of Arnold and Franklin illustrate the profound impact that familial ties and personal relationships could have on individuals' decisions to stand with or against the revolutionary cause. These examples serve as a reminder of the complexities inherent in defining treason, where actions could be seen as both acts of betrayal and attempts to serve what one perceived as their country's best interest. Franklin, despite having every reason to follow his father's lead, did his duty to the Crown as Royal Governor of New Jersey and Arnold was likely swayed to act against his

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<sup>38</sup> Howard W. Cox, *American Traitor: General James Wilkinson's Betrayal of the Republic and Escape from Justice* (Washington, DC: Georgetown University Press, 2023).

<sup>39</sup> "Robert Hanssen," *FBI.gov*, May 18, 2016, <https://www.fbi.gov/history/famous-cases/robert-hanssen>.

<sup>40</sup> "Traitors Within - Spies Who Sold Out America," *YouTube*, May 14, 2018, [https://www.youtube.com/watch?v=FS6rFAxgt7g&ab\\_channel=TVJunkie](https://www.youtube.com/watch?v=FS6rFAxgt7g&ab_channel=TVJunkie).

country by his new wife. Each highlight how families can or sometimes can't change the opinion and actions of others.

The American Revolution also brought about a shift in perceptions of traitors. During the war, decisive measures were taken against those considered treasonous to deter potential acts of betrayal. However, in the post-revolutionary period, leniency seemed to prevail as the young nation sought to consolidate its identity and foster unity. This shift raises significant questions about the appropriate response to acts of treason and how societies weigh the dangers posed by traitors in different contexts. Moreover, this examination of the American Revolution underscores the subjectivity and malleability of loyalty and treason throughout history. The motivations and justifications presented by both the British and American sides reveal the ways in which individuals and institutions labeled their adversaries as traitors to undermine their opponents' cause. There was an understanding that colonists who supported the Crown acted publicly or kept their opinions quiet and did nothing to hamper their fellow colonists, but traitors like Arnold betrayed this practice. His honor didn't prevent him from working for the British in secret and then later charging into battle against the men he used to lead.

As we delved into the complexities of treason during the American Revolution, we gain a deeper appreciation for the ethical, legal, and political considerations that influence how societies perceive and respond to acts of betrayal. It becomes evident that the definitions of loyalty and treason are shaped by the prevailing societal norms, circumstances, and power dynamics. In light of the American Revolution's lessons, it is essential for contemporary societies to grapple with these complexities when confronting cases of disloyalty and treason in our own time. The evolution of perspectives on treason throughout history highlights the need for nuanced and thoughtful responses, considering the context and motivations behind such actions. The examination of treason and loyalty during the American Revolution offers us a valuable opportunity to reflect on the multifaceted nature of human allegiances and the complexities of defining treason in different historical and social contexts. By critically analyzing these historical episodes, we can gain valuable insights into the intricacies of human loyalties and the lasting impact of such actions on individuals, families, and societies as a whole.