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A DISCOURSE

ON THE

DANGERS THAT THREATEN THE FREE INSTITUTIONS
OF THE UNITED STATES,

BEING

AN ADDRESS

TO THE LITERARY SOCIETIES OF

HAMPDEN SIDNEY COLLEGE, VIRGINIA,

Read on the 22d of September, 1841,

At the request of the Philanthropic Society of that College.

BY

with initials
N. BEVERLY TUCKER,
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A. 11

Professor of Law and the Philosophy of Government

IN THE

UNIVERSITY OF WILLIAM AND MARY,
VIRGINIA.

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1841.



CORRESPONDENCE.

Hampden Sidney College, September 23d, 1841.

TO JUDGE N. B. TUCKER:

Dear Sir—At a meeting held by the Philanthropic Society this morning, it was unanimously

“*Resolved*, That a committee be appointed to tender to Judge Tucker the thanks of the Association for his very able services, and request him to furnish a copy of his eloquent address for publication.”

Allow us, sir, in communicating the above resolution, to add the expression of our earnest hope that you will comply with the request of the Association. The matter it treats of is so important, and the doctrines it contains so ably enforced, that we would deem it an act of injustice to ourselves and the public not to deposit it in our archives, and lay it before them.

Yours respectfully,

J. J. DILLARD,
J. S. JONES,
A. W. McINTOSH, } *Committee.*

Hampden Sidney College, September 23d, 1841.

Gentlemen—It gives me pleasure to comply with the flattering request conveyed by your obliging note. If I can be at all instrumental to the awakening of your minds and the minds of the youth of Virginia to the importance of the subject which I have ventured to touch upon, I shall be more than compensated for the time devoted to it.

I beg you, gentlemen, to make my acknowledgements to your Society for the honor they have done me, and to accept for yourselves my thanks for the flattering terms in which you have been pleased to convey their wishes.

I am, gentlemen, your obedient servant,

N. B. TUCKER,

TO MESSRS. JONES, DILLARD and McINTOSH, *Committee, etc.*

ADDRESS.

GENTLEMEN: The name of your Association naturally suggested to me, that in preparing to discharge the task to which you have been pleased to call me, it would become me to select some topic connected with the HAPPINESS OF MANKIND. The field, indeed, is broad: for what duty that man owes to his Maker, to the human race, to his country, to society, or to himself, can I inculcate, without exhorting to that which makes for his happiness?

But, fortunately for you, gentlemen, on most of these subjects I am forestalled. On the most important among them, on the claims of Religion and the duties of Morality, you are daily instructed by those who address you in the name and by the authority of God himself. And were not this so, and were it not a profanation that I should take that holiest of names on unclean lips, I should still be restrained by the reminiscences connected with this spot. Who, standing here, would presume to touch on topics which cannot even be alluded to without awakening disparaging recollections of the learned, the wise, the devout, the holy men by whose lips they have been here expounded—by whose lives they were here illustrated? Who can speak of man as he should, above all things, desire to be, “wise as angels, with the simplicity of a child”—happy in the midst of privation—“rejoicing in tribulation”—meek, yet bold in the cause of truth—humble, yet above the world, and despising it, without recalling to the minds of many here, the venerable Hoge, whose praise is in the Church, whose spirit is in the bosom of his God? Who can speak of the happiness which attends on him who spends his days and nights in the blissful task of striving to know Him, whom to know is life eternal—to whom all labors of love are labors of delight—who toils for improvement that he may improve others—who garners up the treasures of knowledge, that, having freely received, he may freely impart—learned, without pedantry—devout, without fanaticism—steadfast in doctrine and duty, without bigotry or austerity—gentle, but unyielding—kind, yet indulgent to no vice—who can speak of such a one, and not summon, almost in bodily presence, before this assembly, the form of him

whose memory must live in the hearts of grateful thousands so long as the voice of prayer and praise to the God he served, shall rise from the hallowed walls here reared and consecrated by him? (a.)

These it was my happiness to know; and if, in the recollection of such men, all human pride did not stand rebuked, I might add that it is my pride to remember that I enjoyed their friendship.

To speak here of duties inculcated by such men, and not by them alone, but by others not unworthy to succeed them, but whom it was not my fortune to know, would indeed be "wasteful and ridiculous excess." I will only avail myself of their authority in saying, that, as there is no happiness but in the fulfilment of duty, so the study of duty is the true and only proper study of that which makes for the happiness of man.

Anticipated as I am on all topics which relate to our highest duty and our highest happiness, what remains for me but to fall back upon one to which they never permitted their elevated minds to descend. The duty we owe to Government, *considered as a part of man's social duty to his fellows*, they did indeed inculcate. But viewed in a political light, as a means of promoting temporal prosperity, of upholding political institutions, and of transmitting to remote generations the blessings inherited from our fathers, it occupied no place in their thoughts. Their Master had taught them to be obedient to the powers ordained of Him, and to render unto Cæsar the things that are Cæsar's. This they did, resisting no authority but such as might conflict with His. All other they received as lawful, neither enquiring its source, nor investigating the means of securing it from decay, or restraining it from abuse.

These matters they left to men of this world. With these, gentlemen, you are aware it has been my duty to be conversant; and of these, your selection of me to represent you on this occasion, leads me to suppose that you expect and wish me to speak.

Gentlemen, the attention I have bestowed on studies connected with the science of Government, has impressed my mind alike with a sense of the blessings we owe to our very peculiar institutions, and a conviction of the difficulty of preserving them. The means of perpetuating them present

(a.) The allusion here is to the Rev. John H. Rice, D. D., to whose labors the world are indebted for the establishment of the "Union Theological Seminary" at Hampden Sidney College.

the most important subject of enquiry that can be placed before the mind of a citizen of Virginia, considered as such.

Would we estimate their value, we have but to look back little more than half a century to see these States escaping from colonial vassalage, through all the horrors of a disastrous war with the most formidable nation upon earth, and straightway springing forward in a career of prosperity which has no parallel in history. Would we estimate the danger that threatens them, we have but to look around us and within us. To what quarter of the political horizon can we turn our eyes that portents "prodigious, unexampled, unexplained," do not present themselves? On what page of our history, for the last twenty years, can the eye of the patriot rest with complacency? Who can fail to perceive that causes of destruction are at work—that the seeds of death are germinating? What are they? What is their nature? How planted? How nurtured? How shall we arrest their growth? How shall we eradicate them?

Gentlemen, the answer to these questions is to be obtained, in part, like the answer to other enquiries of more importance. Would you know whether you are under the law of God or under the law of sin, whether subjects of His Kingdom, or subjects of the Powers of Darkness—behold! "The Kingdom of God is *within* you." You must look into your own hearts. There, too, we must first look to know whether we are fated to continue in the enjoyment of Constitutional Liberty, or to give the world a new instance of those who, being free, yield themselves up to the dominion of passions which load them with fetters, and hand them over to the bondage of a master.

Wise and good men have often been engaged in the attempt to devise such form of civil polity as might best secure the freedom and happiness of their respective countries. To themselves and to others, they have often seemed to succeed. But what is the history of the nations of the earth but a history of the failure of all these schemes? Our own experience—what is it? That of an experiment in its first trial. That of an infant Government, promising indeed, and hopeful, but of which the destiny, like all that have gone before it, awaits the arbitrament of Time. That the result may fulfil our hopes, is an object that well deserves our best exertions. He is wanting in his duty to himself and his country who fails to improve every opportunity of laboring in such a cause. That we may all act well our parts for the accomplishment of this great end, I now speak, and invite you to hear me calmly and candidly. You are now about to enter

on the world which I must soon prepare to leave. Happy if youth could appropriate to itself the experience of age, and avoid the errors of those whose last hours are embittered by the consciousness that their own hands have helped to sow the seeds of death, of the fruit of which their children must eat.

In seeking an explanation of the remarkable fact that all the researches of political philosophy have heretofore ended in practical disappointment, we can hardly fail to observe that all theorists have proposed to themselves the same ends, to be accomplished (with a single exception) by the same means. These means have been tried, and these ends have been *seemingly* accomplished; and the triumph of successful experiment has been repeatedly proclaimed. Yet in every instance this triumph has been followed by results which leave the condition of man every where a subject of wildering perplexity to the mere theorist, and of sad and solemn reflection to the political philosopher. Has the end proposed been undesirable? Assuredly not. Have the means been unwisely chosen? Who shall presume thus to judge of the work of men whose wisdom all ages have acknowledged?— Yet who can believe that the means thus universally chosen, and which have thus universally failed, were indeed the best, without renouncing forever all hope of established freedom, and enduring happiness for man.

What, then, is the difficulty? Mainly this, as it appears to me: that while it is true, as we affirm, that “for a people to be free, it is sufficient that they will it,” no law-giver has ever addressed himself to the task of preserving, in the hearts of the people, the same paramount love of freedom by which the triumphs of Freedom are always first achieved. For, trust me, gentlemen, in this same prevailing *love of freedom* which, in comparison with it, accounts of ease and luxury and splendor, and even of life itself, “but as the small dust of the balance,” is its only safeguard.

“*For a people to be free, it is sufficient that they will it.*” Yes—and it is equally true that no people can be free who do not, *in the strongest sense of the word*, WILL to be so. In this, as in that alone, which is of more importance than freedom, the WILL is the master of DESTINY. To that strength of will which would “take the Kingdom of Heaven by violence,” the gates of Heaven itself spontaneously open. But what will? The will that does but prefer eternal happiness to eternal misery? or that which unhesitatingly renounces sin and all its alluring blandishments, and looks on death itself as nothing but the dark portal that opens on the realms

of light? What *will* is that which wins freedom, or secures the prize when won? The will that decides in a matter of taste, the color of a garment, or the choice of an amusement? Can it be to such slight and frivolous acts of volition that our maxim means to ascribe an energy which shall burst the fetters of the tyrant, and topple down the strong-holds of his power? No, gentlemen. It is to be understood in a sense like that in which it has been said that he who vows the destruction of another, regardless of his own life, holds the life of his enemy at his mercy. He to whom this world and all its joys and all its honors are but dross, in comparison with that holiness "without which no man shall see the Lord," is already holy. He who chose wisdom in preference to beauty, and strength, and wealth, and grandeur, and power, was already wise; and the people to whom the allurements of ease and luxury and splendor are without temptation, and death itself without terror, when encountered in the cause of freedom—*that people is ALREADY FREE.*

In this sense, freedom is an affair of the WILL, and Government is a matter of choice. But that choice of freedom which does not prompt to the sacrifices that freedom may demand, prevails no more than the desire of wealth in the sluggard, who shrinks from the toil necessary to earn his daily bread, or the vain wish of the voluptuary for a Heaven of his own imagining, where he proposes to prolong, throughout eternity, the sinful pleasures of this life. To such lazy preference nothing is promised in this world, or the next.

In this sense, freedom is not a matter of choice. The singleness of purpose, the strength of will, on which the *acquisition* depends, are hardly less necessary to its *preservation*. When these have spent their force, and ambition and avarice and the love of pleasure and the love of display have gained the mastery of the heart, freedom no longer exists, except by sufferance. *While her forms can be made instrumental to the purposes of tyranny, the forms may be retained, but the substance of freedom is already gone.*

The great and fundamental cause of so much disappointment to the hopes of freedom in all ages and countries, is to be found here. We overlook the difference between the will that won the prize, and the will which does *but only not reject* the inheritance: between the enterprising father, who heaps up treasures for his son, and the spendthrift heir, who values but to waste them.

Thus understood, it may be truly said that "the seat of

freedom is in the mind." It is true in a political as well as in a moral sense. Not only may we say with the poet—

"Stone walls do not a prison make,
Nor iron bars a cage;"

but it may be confidently affirmed, that where the love of freedom is the master feeling of the heart and the main-spring of action *in the great body of any people*, freedom is ever found. Where this has given place to baser passions, or to inglorious sloth, no form of government that the wit of man can devise, can tempt her to remain.

If these thoughts be just, how vain *their* reliance who rest their hopes for the preservation of liberty on mere constitutional forms! What power is there in forms to preserve, in the breasts of the people, the same love of freedom that first made them free? This is the living Spirit that gives to the mere clay covering all its glow, all its healthful action, all its grace, all its beauty. Let this depart, and we have before us but a clod of the valley—the more appalling from symmetry left to decay, and hues whose brightness has faded forever. Trust me, gentlemen, Government is not an affair of mere speculative choice. It is the creature of circumstances; and it is only so far as man is the *author of his own character* and of the *circumstances that surround him*, that it depends on him to decide whether he will live under the regulated discipline of self-government, or fall under subjection to the arbitrary dictates of another's will. Let him be thoroughly imbued with the spirit of Freedom, and Despotism itself will truckle to it. Let him be sunk in sloth, enervated by luxury, devoted to pleasure, infatuated by a taste for splendor and display, or given up to the dominion of licentious passions, and all the *forms* of free Government become but the instruments by which he renders an active compliance with the behests of Power. The prevailing character of a people has been likened to the kernel of a nut, which the shell does but protect from external influences, while ready to yield at once to the expansive growth of the germ within. It may be better likened to the shell-fish, whose soft and yielding substance gives form to the harsh and impracticable material that clothes him, ready to be thrown off as soon as he outgrows it.

It is into our own bosoms, then, gentlemen, that we must first look for the auguries of our coming destiny. We must commune with our own hearts—we must examine the springs of action in our own minds—we must try to institute a candid comparison between ourselves and that devoted genera-

tion who poured out their blood like water in the cause of Freedom, and left, in the institutions handed down to us, the noblest monument of their virtue and wisdom.

No test can be more acceptable than this to this self-applauding age—an age whose standing boast it is, that “had we lived in the days of our fathers, we would not have been partakers of their sins.” With what eyes God beholds those whose self-complacency boasts itself of their superiority over those whom he has commanded them to honor, it is not my province to decide. It is only in a temporal, and, to speak more precisely, a political point of view, that I propose to consider the subject.

We certainly know much that our fathers knew not; and we have corrected some of the faults that are apt to accompany plain manners and simplicity and manliness of character. We possess much that they wanted, and much more that they neither had nor coveted. But it may be seriously doubted whether, in the important science of Government, we have made any advances beyond that sound practical wisdom which made their first acts of legislation the admiration of the world. Whether we have improved in political virtue, is a question susceptible of a simple and decisive test. This is to be found in the qualities we desiderate in our public servants. If we are more careful than they were to select for places of honor and confidence none but men distinguished by probity and virtue in private life—if we, even more than they, cannot endure to see the honor of the Republic represented, at home or abroad, by “such as have said to Corruption, ‘thou art my Father, and to Infamy ‘thou art my mother and my sister’”—if it has become more and more difficult for men stigmatized with foul and atrocious crime to win the favor of the people by flattery, address and talent—and if we are less and less disposed, in consideration of these or of past services, to overlook derelictions of duty, and to pardon him who would sacrifice the public weal to the purposes of his own ambition, then are we *more worthy* and *more capable* of the solemn and awful duty of self-government than they were. If the reverse of all this be true, we shall be driven to the opposite conclusion. Should this test lead to a decision against us, then there will be too much reason to fear that all recent fundamental changes in our institutions have been the result of those struggles between conflicting interests in the State, which never commence until the problem of free Government has become difficult, and its success precarious, and which never terminate but in the prostration of one or the other, or the subju-

gation of all alike to arbitrary domination. If we have lost any thing of the simplicity and plainness of our ancient manners—if the objects of ambition are becoming more numerous and more alluring—if the appetite for gain is more eager and engrossing, we may assure ourselves that we are passing under the dominion of passions which will govern us to our destruction, and hand us over the willing slaves of any master who will pamper them. If these things be so, we cannot too soon free our minds from the pleasing delusion that the political institutions established by our fathers are of the number of things that must remain imperfect until they have received the last finishing touch of excellence from our hands. We may reconcile this to our duty to their memories by the adage, “that a dwarf, on the shoulders of a giant, can see farther than the giant himself.” But, that we may have the benefit of that adage, we must be careful to maintain that advantageous position, lest, leaving their shoulders, we descend from the high moral elevation on which they stood, and, in the depths of sloth and self-indulgence, and in the mire of profligacy and corruption, permit ourselves to think lightly of the wisdom and virtue that shame our follies and rebuke our vices. We have already changed much; and the spirit of innovation, far from wearying of its task, has but warmed itself to its work. We talk of the “march of mind,” and the advance of society, and to this we would have Government accommodate itself. There is no fear, gentlemen, that Government will not, as it always *must*, adapt itself to the changes of society. I leave it to you to look into your own minds—to look on all that is passing around you—to apply the test that I have proposed, and then to decide for yourselves whether such change in this instance would be for the better or for the worse.

But can it be that the love of freedom has lost any thing of its energy in the minds of a people so sensitive, so vigilant, so alert, so eager to mix in the affairs of Government, so ever ready to wrest the sceptre of authority from the very hands in which they themselves have placed it? What more can be desired when a name, a symbol, is enough to shake the Continent as with a moral earthquake, and to introduce scenes that remind the beholder, of all Romancers tell us, of the mustering of banners, the gathering of clans, and all the awful signs that forespeak the coming tempest of revolution?

Gentlemen, when the love of liberty decays, the disease is far less apt to show itself in indifference to our own rights than in disregarding the rights of others. It is not manifested in supineness and patience under authority, lawful or un-

lawful; but in fierce strifes, in which the struggle for Power takes the name of a struggle for Liberty. Of these, indeed, we have enough. A name is spoken, a symbol is shown, and instantly

“From winding glen, from upland brown,
 Soon pours each hardy tenant down.
 Each valley—each sequestered glen
 Musters its little horde of men,
 That met as torrents from the height
 In highland dales their streams unite,
 Still gathering, as they pour along,
 A voice more loud, a tide more strong.”

For what is all this waste of time, this waste of substance, and, worst of all, this waste of excitement, which, once spent, leaves the mind unfit for action? For what is it but to dance around a *hickory pole*, or to celebrate the orgies of a *log cabin*, or to rally to some symbol, no matter what, of a man like themselves, the idol of the moment, identified with no interest, pledged to no right, consecrated to no principle?

I repeat, gentlemen, the love of freedom manifests itself more unequivocally in respect for the rights of others than in jealousy of our own rights—that mere instinct of self-love. It shows itself, not in restiveness under restraint, but in a patient, law-abiding submission to all restraints that may be necessary to the protection of *all* the rights of *all* men, in every condition. In this protection is the value of freedom—and he who is insensible to this, no longer wears in his heart the image of the Deity he professes to worship.

Is this the liberty *we* cultivate and cherish? or is it a liberty whose aim is to sacrifice the rights of the few to the interests, the passions, the caprices of the many? Is it the liberty that guarantees to every man the fruit of his labor, whatever that may be—or that which denies to industry, talent, enterprise and adventure their rich rewards, and acknowledges no right of property but that of the slothful and dissolute to the subsistence he *does not earn*? I am much deceived if among those who boast themselves the most zealous votaries of Freedom, there may not be found men who teach that all acquired rights, and especially the rights of property, are an outrage on the original and inherent rights of persons. Yet, so far as these may come in conflict, I affirm that it is impossible to invade the former without depriving the latter of all their value.

This remark, of course, does not apply to personal freedom of action and personal security. These are inappreciable, and with these the claims of property do not interfere.—

But *beyond these*, liberty itself is only valuable as it permits the pursuit and secures the enjoyment of property. Property thus becomes the measure of the value of liberty, so far as it can be estimated by any standard; and few would value it at a higher price than the immense wealth often accumulated in a single life time by men who have but been left to pursue their fortunes, each in his own way. How many Esaus might have been tempted to sell their birth-right for sums which Stephen Girard would not have missed from wealth accumulated in a land of strangers, where he enjoyed no franchises, and for which he was indebted entirely to the free exercise of his own personal faculties? To those who are accustomed to speak of liberty as an abstraction, or as a sort of imaginary divinity, to be rather worshipped than enjoyed, these ideas may savour of paradox. Yet their truth is susceptible of the most rigid demonstration.

If the question be asked, "what is freedom?" and the case to be supposed is that of a single insulated individual, alone and disconnected from all his species, the answer is simple enough. It is nothing short of unqualified license to do whatsoever may seem good in his own eyes. But give him a single companion, and the case is changed. The most perfect liberty to both of which both are capable, implies, of necessity, some restraint on both. Each may presently set his heart on doing something which may conflict with the equal right of the other to do as *he* pleases. Which shall give way? Equality says "both, or neither." But one must, and therefore both must. Here, then, is at once a limitation on *Freedom imposed by Equality*.

Equality having thus decreed that both must submit to some curtailment of liberty, it remains for Equality to draw the line of demarcation between them. In many supposable cases, it is easy to do this. But will the boundary remain unchangeably the same? Fortune or Convention may make a difference in their acquisitions; and the enjoyment of these makes it indispensable that some things shall be lawful to one and not lawful to the other. While the deer runs at large, each is equally free to appropriate him. When one has caught it, the right of the other to meddle with it is gone. To decide otherwise, is to give one a property in the other's labor. But this surely Equality will not allow.

At first, each pursues his prey, and kills and feasts on it.—As long as both are diligent and both successful, all is well. But to-day I am fortunate, and my companion fails from sloth, disease, or ill luck. I share with him on the faith of a promise that he will remunerate me when he is more successful.

To-morrow I hunt for myself alone, while he hunts for me as well as himself. What has now become of the equality of our rights? Has it perished in the using? Has the very practice of the *principle of equality* destroyed it?

A succession of unequal fortune may increase my advantage 'till it becomes onerous to him. But, on the principle of Equality, he cannot shake off the burthen. If he refuses to fulfil his promise to remunerate me, that refusal has relation back to the relief afforded him, and turns the receipt of a benefit into an act of robbery. It is the same as if, when our rights were equal, he had invaded mine, and taken from me by force that which he obtained by a promise he now refuses to perform. We must acquiesce, therefore, in this consequential inequality, or the equality with which we set out will prove illusory and of no value.

By and by, this inequality advances to a point at which I have no need to hunt. I have something in store, and my companion is pledged to furnish an additional supply. I find time for other occupations. I build a shelter from the weather. Am I bound to share this with him? Equality, again denying him any right to my labor, decides this point against him. He must purchase it; and he agrees to pay me for the use of it, as a place of security and comfort, by farther supplies of food. Thus our primitive equality, *acting out its principles*, seats me at my ease under a dry roof, while he, through all the inclemencies of a wintry sky, is seeking food for both of us.

Now here are two aspects of equality; and he who is zealous for it in the beginning, should be equally zealous for the ultimate result, which is its appropriate fruit. The excess of my acquired rights is the measure of what the principle of equality has been worth to me. To deprive me of these is retro-actively to deprive me of that: to admit my right to the tree, but deny me the fruit. Hence it follows that a respect for the principle of equality demands that the inequalities that grow out of it must be respected and defended.

It is quite superfluous to speculate on the probability of such results as I have supposed, or the extent to which inequalities of property may be carried by the natural course of events. Compare the condition of J. J. Astor with that of thousands who began life with advantages equal to his, and you will have before you a much more striking example of the inequalities which, in a single life, may grow out of an undeviating regard to the principle of equality. The history of the world is full of proof that there is no limit to them but that which necessity imposes—necessity which predomi-

nates over all conventions, general and particular. When a man is already bound to all that he can perform, his liabilities can be carried no farther. This is the only limit that bounds the legitimate rights that *perfect liberty* and *perfect equality* may, and do, in the end, give to one over the property and services of another.

If the ideas I have suggested were not thus vindicated by the experience and the practice of all the world, they might be denounced as specious sophisms. It might be deemed enough to answer them by repeating the very fallacies they are meant to expose. But all history and experience sanction them. Did the time permit, it would not be difficult to show, that, in proportion as Government faithfully accomplishes its proper end in the protection of *all* the rights of *all* men, in *all* conditions, just in that proportion is the advance toward this state of inequality more sure, more uninterrupted, and more rapid.

But of what avail are Reason and Experience pleading for the rights of those whom men, calling themselves the votaries of Freedom, denounce as an insolent "Aristocracy of Wealth?"

Gentlemen, I have already spoken of one source of danger to the cause of liberty—a source springing up in our own hearts. You may find another in a fatal mistake at which I have just hinted. I mean the mistake of exercising all our vigilance to guard against an impossible mischief, leaving the point of real danger open and unguarded.

Where do we read in history, ancient or modern, of the rise of aristocracy springing up among a free people? I put this question to those whose reading is fresh about them, and whose studies make them familiar with historical facts. I shall not waste your time in discussing it. I will only say that I am not aware of any such case, and writers of the most extensive research declare that none such can be found. My aim is to show that, in reason and in the nature of the thing, it cannot be—and that, to dream of the possibility of an aristocracy of any kind springing up as a spontaneous shoot from institutions rooted in democracy, is to imagine an effect without a cause, and in opposition to all known causes.

"I do not think," says De Tocqueville, a zealous champion of Democracy, "that a single people can be quoted, since human society began to exist, which has, *by its own free will*, created an aristocracy within its own bosom. All the aristocracies of the middle ages were founded by military conquest. The conqueror was the noble—the vanquished became the serf. Inequality was imposed by force, and, after being introduced into the manners of the country, it main-

tained its own authority, and was sanctioned by legislation. Communities have existed which were aristocratic from their earliest origin, *owing to circumstances ANTERIOR to that event*, and which became more democratic in every succeeding age. Such was the destiny of the Romans, and of the barbarians after them. But a people *having taken its rise in CIVILIZATION and DEMOCRACY*, which should establish inequality of conditions, until it should arrive at inviolable privileges and exclusive castes, would be a novelty in the world, and nothing intimates that America is like to furnish so singular an example."

An aristocracy, gentlemen, is an order of men invested by law with political power, and privileges peculiar and exclusive. We have examples of this in the Senate of Rome, in that of Venice, and in the English Peerage. These illustrate the meaning of the word which corresponds with its etymology. It is a *power in the State*, wielded by a *privileged class*.

What is there among us that looks like this? Every where in the world there are diversities of natural and acquired endowments of strength, courage, intelligence and prudence, of industry, steadiness and sobriety, and these make differences in acquisitions, and in the estimation of mankind. Under any form of Government which affords security to all rights, these acquisitions will occasionally accumulate in the hands of some to an amount which may make them objects of envy. The domestic habits of wealth and poverty are so essentially different, that social intercourse between the two will afford little pleasure to either party. So the wise man can take no delight in the company of the fool, and can afford him but little. *Society* thus, without the agency of *Government*, divides *itself* into classes; and these are distinguished by circumstances which may well engender contempt on the one hand—envy and hatred on the other.

But this distinction does not constitute an aristocracy. It implies no exclusive privilege in the higher classes, no political authority in either wealth or wisdom—but leaves the possessor of both to stand as a unit in the general estimate of the common will. He may, indeed, possess an influence over the political action of others; but this will only be because the blind submit to be led by those who can see, and the poor are sometimes base enough to sell their voices to the rich. But this, so far from being the result of any conventional distinction in favor of the higher classes, does, in fact, proceed directly from the democratic principle which places

power in the hands of men subject to such influences, and disposed to court them.

As yet, then, we have no aristocracy among us; and if any of the evils of aristocracy appear, they are directly traceable to the excess and abuse of the democratic principle. The great manufacturer who marches an hundred operatives to the polls to vote as he votes, exercises an undue share of power. But the only change in the Constitution which can prevent this, is one which *shall deprive his followers of their votes*. Propose this. Will they agree to it? No. Will he? No. Neither class will consent, and all will join to raise the cry of "*Aristocracy*" against the *only corrective* of that which they *condemn as aristocratic*.

Where, then, are the causes that can give birth to an aristocracy in a country like this? No people ever voluntarily and knowingly gave up their liberties. They may be robbed of them by force; they may be cheated of them by artifice. Nothing is more common than an infatuated admiration of the powers of some one man, and an accompanying reliance on his wisdom and virtue, leading others to intrust him informally with the exercise of powers which he abuses to the permanent establishment of despotism. In every country, the first successful aspirant to supreme power has always been a favorite and flatterer of the people. He can never hope to put himself in condition to proclaim his contempt of the multitude but by first affecting the most unbounded deference to its will. But, from the nature of the thing, *one man at a time* must be the object of this delusion. We never become infatuated with man or woman 'till we can persuade ourselves that there is none other like them. Talents which are common to many, dazzle nobody. Services which may be matched by the equal services of others, command but little gratitude. Wealth, shared by numbers, excites to rivalry in ostentation among its possessors, leaving nothing to purchase the mercenary favor of the poor. Flattery, spoken by an hundred mouths, loses the charm of flattery, and is soon regarded as a just but inadequate tribute to real merit. There is no one of the arts of the demagogue which the higher classes can practice successfully and *on joint account*. From the most prevailing of all, that of inveighing against aristocracy, they are debarred by the fact, that if there be an aristocracy, they themselves constitute it.

But men, in truth, do never practice the arts of the demagogue for any but themselves. He who seeks to cheat the people, means also to cheat his associates. We hear, not unfrequently, from members of the higher classes, indignant

declamations against the insolence of wealth, and a profusion of cant about the sympathy and respect due to virtuous poverty. Do these favor the views of the supposed aristocracy *as a body*? Are they not rather proofs that he who utters them, intends his own advantage at the expense of his equals? Yes, gentlemen, it is not alone the generous spirit of liberty, but envy and jealousy, and all the *base* and *malignant* passions of man, combining with the *ambition* of individuals, that oppose the aggrandizement of any favored class. He who is actuated by a purpose so sinister as the establishment of *any* power on the ruins of liberty, will not be so magnanimous as to prefer the interest of his order before his own. He will use all his influence and exert all his art to disparage the imputed *insolence* and *ostentation* and *injustice* and *oppression* of *his equals*, in comparison with *his own courtesy* and *humility* and *fairness* and *liberality*.

Are these ideas unpalatable? To many, doubtless, they are so—for *they offend the prejudice they expose*, which betrays itself by its impatience of the truth. What but prejudice can dispose the mind to resist conclusions drawn by logical inference from unquestioned fact? There is a jealousy of this imaginary aristocracy which men hug to their bosoms as a faith necessary to their political salvation.—Make them doubt the existence of the danger, and they are alarmed at the very subsiding of their fears. But above all, gentlemen, the ideas I have advanced are offensive to a certain envious and malignant spirit, that chafes at the sight of other men's advantages, and justifies the grudge by imputing to them designs of which there is no proof, and a power that has no existence. We hear little of these things here in Virginia. But in those quarters from whence this clamor proceeds, what indications can be discovered of political power associated with wealth? None. On the contrary, we see wealth operating as a sort of political disfranchisement. We see the artisan and mechanic preferred to public employment before the man of light and learned leisure, merely because the latter is rich. They talk of aristocracy 'till they bring themselves to believe in its existence, just as children grow up in a belief of ghosts and witches, without ever having received one word of proof on the subject. Trust me, gentlemen, these superstitions are not more absurd, nor more dangerous to the healthy condition of the mind, than the belief in the actual or possible existence among ourselves of any thing like aristocracy.

Regard then, I beseech you, this phantom of aristocracy, of which, like other phantoms, all have heard, but which no

man has seen, as the creature of a distempered imagination, not less unreal than the images of a sick man's dreams. To those who, calling away your attention from dangers of another sort, would alarm you into a jealousy of this, I pray you to turn a deaf ear. They either *have not thought* on this subject, or they are *incapable of thinking wisely*, or their *thoughts are evil*. Beware of them. The very *materials* for an aristocracy have no existence among us. Who are they that, even in the flattering judgment of self-love, have any claim to be so distinguished? Where is that Fabian race? Where is that constellation of statesmen, of warriors, of the wise, the brave, the eloquent, the rich—all *united like a band of brothers* for the advancement of their common claims? And if they be found, where is the single individual disposed to support their pretensions?

There is, indeed, a danger in the *name* of aristocracy, but none in the *thing* itself. It is the wizard's word to conjure with. It is the demagogue's bugbear to frighten the people into his toils. Beware of *him*--not of *it*. From the aspiring ambition of a single man, from his specious qualities, from his popularity, from sloth, and cowardice, and wantonness, and malice, and envy, and rapacity and corruption in the people, there may be danger. In the thoughtful wisdom of those who have leisure to think wisely, and no inducement to think wrong--in the prudent vigilance of those who have more to lose by convulsion or misgovernment than prince or people can make good--in these is your best defence. The demagogue knows this too, and therefore he stigmatizes these as "the aristocracy of talent and wealth."

To you, *young* gentlemen, many of the ideas I have presented are new and strange, and by some they will probably be rejected. But there are others present whose heads, like mine, have been touched with the frost of time, who will recognize in them but the echo of thoughts made familiar to their ears by a voice they shall hear no more. It was their privilege to receive the teachings of political truth from the lips of one, of whose words none ever fell to the ground--one whose memory imparts a hallowing interest to these scenes of his earthly pilgrimage. (b.) Of him, in this spot, before this assembly, even I (c.) may be permitted to speak. But of him, what can I say that would not be anticipated by your thoughts at the bare mention of a name which once struck on the hearts of all that heard it like the voice of a trumpet?

(b.) Hampden Sidney College is in the heart of the Congressional District so long represented by John Randolph of Roanoke.

(c.) Mr. R. was half-brother to the speaker.

With you, his old constituents, he identified himself. He was *your sword* and you *his shield*, his *strong tower* of defence. To the last, even when smitten of God, and afflicted with the most awful visitation of His Providence, he stood among you, a thunder-stricken ruin, hallowed by the consecrating flash that blasted it—a monument, like the tables of stone delivered to Moses, speaking the oracles of inspiration, burnt in by the finger of God himself.

Could he again take his place among us—

(*O! Lux Dardaniæ, O spes et fidissima Teucrum—*)

could that eye be unsealed, to which the future seemed to stand palpable as the present, what would he behold but the fulfilment of all his most fearful vaticinations? And he would tell us, gentlemen, that all these things have their rise in an universal but preposterous dread of that unreal danger, that *phantom of an imaginary aristocracy*. This it is that tempts men to push the principle of democracy so far, that it results in that worst of tyrannies—the tyranny of numbers. From this, oppressed and fixed minorities seek refuge under the strong arm of Executive power, which they eagerly desire to render yet stronger, that it may more securely protect them. This in turn becomes insufferable, and again we fly to the empire of numbers. Thus the two principles reciprocally act and re-act on each other, each pushing its antagonist into farther and farther extremes. At last comes the wild, convulsive struggle of anarchy, and straightway all is still in that slumber of the dead, the waveless calm of Despotism.

All this, except the last scene, we have lived to witness.—Happy *he* who was not condemned to behold it, except in prophetic vision!

“After life’s fitful fever, he sleeps well!”

There let him sleep, where the trees of his own primæva forest sigh above his grave, with nothing to mark the spot but one rude stone, fit emblem of him whose stern and impracticable nature refused to be chiseled into any form but that impressed by the hand of God himself.

Williamsburg, September 6, 1841.





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