

XIII THE SPIRIT OF '76

Considering, therefore, the unspeakable importance of a liberal education to civil society, the impossibility of obtaining it under its present embarrassments, and how highly it becomes the legislative body of a free people to encourage the liberal arts, (which naturally inspire the most exalted love of our country) and by that means nurture for the succeeding age, a race of sages and patriots to carry to full perfection, that illustrious fabric of liberty, the foundation of which has been laid by the present. — Considering these things, I say, I flatter myself that our superiors will not, for the comparatively trifling service which the Collegians are capable of rendering the public in the capacity of soldiers, continue the present embargo upon the seat of the muses; nor compel the arts and sciences, against which none ought to wage war, to war against any.¹ And should I be disappointed in my expectations, the disappointment will be greatly alleviated by the pleasing reflection of having discharged my duty, in endeavoring to encourage the advancement of learning; which, next to religion, deserves the most serious attention of the guardians of the people.

CATO²

1. On March 17, 1778, the Reverends John Witherspoon and Jacob Rutson Hardenbergh, presidents of the College of New Jersey and Queen's College, sent separate appeals to the legislature requesting that college students and grammar school pupils be exempted from military service. The request was denied later that same day. *Votes and Proceedings, October 28, 1777-October 8, 1778* (Trenton, 1779), p. 82. But on December 10, 1778, a law was passed which exempted teachers and students from militia duty. "An Act for the Encouragement of Education," *Acts of the General Assembly of the State of New Jersey, November 20-December 12, 1778* (Trenton, 1779), Chap. XII.

2. Is "Cato" John Witherspoon? The writer was obviously intimately involved with the College of New Jersey and apparently acquainted with European universities (Witherspoon came to Princeton from the University of Edinburgh); moreover, Witherspoon did make a formal appeal to the legislature for student exemptions as noted above. Whoever the author might have been, it is uncertain whether he was seeking to identify himself with Marcus Porcius Cato (the Elder, 234-149 B. C.), Roman statesman and champion of republican ideals, or his great-grandson, Marcus Porcius Cato (the Younger, 95-46 B. C.), Roman Stoic philosopher and patriot whose deeds inspired later republicans.

4 "An Elector" Compares the British and American Systems of Government

[*New-Jersey Gazette*, March 4, 1778.]

NEW JERSEY IN THE AMERICAN REVOLUTION

Like virtually all English colonists, New Jersey residents prior to 1776 were firm believers in the principle of mixed government. They regarded the three basic forms of government—monarchy, aristocracy, and democracy—to be anathema in their pure states and favored a polity that incorporated the positive but not the negative attributes of each. It was felt that Great Britain had developed an ideal expression of mixed government by balancing the crown (monarchy) with the House of Lords (aristocracy) and the House of Commons (democracy). But the Revolution created a new model of government for Americans, a system of governance that required an entirely new way of thinking about the relationship between the people and their rulers. The operative principle of republicanism is popular sovereignty—the concept that all political authority derives ultimately from the populace at large and that all government officials, regardless of their method of election or appointment, are representatives of the people. As “An Elector” notes below, therein was the fundamental difference between the British and American systems of government.

[March 4, 1778]

Friendly HINTS to those in Authority.

As it is the honour, the highest honour, that can be conferred upon mortals, to be the legislative Representatives of a free people, so it is the happiness and unalienable privilege of every constituent, to suggest to their consideration such things as tend to promote the interest of his country. Hints from the unskilful have often been improved by those of more enlarged understandings for the subserviency of the most important purposes. The desires of all in authority, whether legislative or executive, must be so perfectly interested in the public weal, that every suggestion to secure and advance the same, and to prevent or correct whatever may be detrimental hereto, will be received by them with the highest pleasure. My pen shall ever be guarded with propriety, decency and a proper respect to all in authority. But if any of my hints at any time seem unwise or unseasonable, let them be treated with that neglect which they deserve; if otherwise, I have the fullest confidence in the integrity, wisdom and zeal of those in authority, that they will apply and improve them for the public good.

As the highly respected Legislature of this State is now sitting, I shall address myself at present to you. . . .

Be entreated not to spend your important time in disputing the distinct privileges, or determining with mathematical exactness, the peculiar rights of each house. Altho' one house is called the Council and the other the General Assembly, yet it is not as formerly, the one appointed by the crown and the other by the people. We are no longer under the *British* constitution, which is neither *monarchy*, *aristocracy*, nor *democracy*, but an absurd collection of contradictory and jarring qualities from all three. In it the crown is ever endeavouring to make inroads on the rights of the people, and the people choose once in seven years, six or seven hundred men to limit its power and keep the prerogative within some bounds. So that the *British* constitution is founded in an eternal struggle or war between the rights of humanity, and the proud ambitious claims of a creature called a *king*. Perhaps this

influenced Mr. *Hobbes*,¹ a shrewd philosopher, an admirer of this strange constitution, and a great friend to *prerogative*, to fancy that "moral obligation was founded in contest or war." And the *English* now act in conformity to his philosophy and their own constitution, fully demonstrating by their sanguinary measures, that *right* is only to be determined by *might*. Nothing ever maintained peace in the *British* empire but foreign wars. If they were at peace with their neighbouring nations, they were always sure to be embroiled in a civil war at home. I defy any person to point out from the *English* history, their enjoying a peace with other nations of any considerable continuance, that was not interrupted with domestic discord, and the shedding of blood among themselves. Why should the *English* be more incident to quarrels than any other nation? The matter is easily accounted for. It arises from the very constitution of their government. It is founded in contention, and contention, war and bloodshed, have always proceeded from it, as streams from a fountain, and always will proceed from it as long as it exists. Therefore I congratulate you, O happy Americans, on your deliverance from so irrational, so ridiculous and so bloody a form of government! Our Legislators I hope will ever remember, that both houses are creatures of the people, and cannot possibly, virtue and honour being preserved, have jarring or different interests; wherefore all disputes between you about privilege and prerogative are mere *logomachies*. And I have too high an opinion of your honesty and understanding to indulge the disagreeable idea that you will at all waste your time about matters absolutely nugatory.

AN ELECTOR.

1. The famous English philosopher Thomas Hobbes (1588-1679), whose disgust at the disorder and violence that accompanied the Civil War and Commonwealth (1640s-1650s) led him to doubt man's capacity for self-government. His *Leviathan* (1651) established him as the premier advocate of governmental absolutism and the unlimited sovereignty of the state. It was he who penned the famous maxim that life in a state of nature—that is, without government—was "solitary, poor, nasty, brutish and short."

5 "Hortentius" [William Livingston] Satirizes the British Political System

[*New-Jersey Gazette*, September 9, 1778.]

In word and deed Governor William Livingston was the foremost republican in New Jersey during the revolutionary war. His official conduct and pronouncements personified the republican ideal, yet he felt restrained by the