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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 *logomachics*. 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

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circumstances of his high office from giving free vent to his thoughts on the issues and events of the day. Besides, he was a compulsive polemicist, having authored among other things the strident *Independent Reflector* essays during the King's College (now Columbia University) controversy in New York in the 1750s. Consequently, he took up the pen almost as soon as the state's first newspaper, founded largely because of his backing (see Doc. 1), commenced publication. From December 1777 to October 1778 Livingston published some ten essays and one poem in the *New-Jersey Gazette* under the pseudonym "Hortentius." The attempt at anonymity was unsuccessful (he took few pains to conceal his identity effectively), and it soon became common knowledge that the governor himself was the author of the popular satirical pieces. Despite the apparent success of the productions as political propaganda and instruction, some of the more staid members of the government disapproved of his writing what they considered to be undignified and crude polemics. That opposition was voiced openly during his contested reelection in October 1778; not coincidentally, "Hortentius" thereafter retired. The essay that follows is Livingston at his best: the use of hyperbole and humor to convey a serious message — in this case, fundamental differences between the British system of government and the new republican regime.

[September 9, 1778]

Sir,

Several essays have been published in your Gazette, and in other news-papers, calculated to prove the superior excellence of our independence to that of our subordination to Great-Britain. But as the lion told the man, who shewed him the statute of a human figure with that of a lion at his feet, "that men were the only statuaries; and that if *lions* understood the art of carving images, they would represent the man prostrate before the lion." So I may venture to say that all those essays are the compositions of warm *whigs*, who are intoxicated with the imaginary charms of democracy; and that were the *friends of government* to handle the subject, they could easily shew its superiority to all our present republican and levelling¹ systems. This talk I have undertaken in a firm reliance of being allowed that freedom of sentiment to which, according to our professed ideas of liberty, every man seems to be clearly entitled. I shall, therefore, without any apprehensions of exposing myself to a legal prosecution, and with the greatest decorum and impartiality, proceed to particularize some eminent advantages peculiar to the old government, of which we are most lamentably deprived by our independency and republicanism. . . .

Again, the Congress, notwithstanding our present exalted opinion of that respectable body, may in process of time, betray their trust, and sacrifice our liberties. But in this perfidious manner the House of Commons cannot serve their constituents, because the people selling their voices to the members on their election, the latter undoubtedly may, without the imputation of corruption, dispose of theirs to the ministry, to re-imburse themselves the expenditure; and the matter being thus understood by both parties, bribery in the representative cannot be considered as a violation of his duty. And as to their sacrificing the liberties of the people, it is manifest from the electors repeatedly chusing the most obsequious instruments of administration, that they really *intend* them to be thus obsequious; and that, saving

to themselves the precious privilege of calling their king a fool, and his mother a w--re,² (a privilege peculiar to Englishmen) the parliament may justly dispose of the remainder of their rights and liberties as they please. And indeed I cannot see how any people can have greater liberty than that of freely resigning all liberty whatsoever. It is therefore evident that the people of England can never be betrayed by parliament, nor wrongfully abridged of their liberty, except only by an express statute against libelling his majesty and his mother, (which, in consideration of the resignation aforesaid) is not like to be ever passed. We, on the contrary, shall have reason to complain of a breach of trust, whenever our delegates in congress act in derogation of our rights, or deviate how minutely soever from the path of rectitude and integrity; which, from the imperfections incident to human nature, are undoubtedly possible events.

That the vulgar³ should be flattered by our muggletonian, tatterdemalion governments, is not to be wondered at, considering into what importance those whimsical raggamuffin constitutions have elevated the heretofore despicable and insignificant mobility.⁴ But I am astonished that men of fashion and spirit should prefer our hotchpotch, oliverian,⁵ oligargical anarchies, to the beautiful, the *constitutional*, the *jure divino*,⁶ and the heaven-descended monarchy of Britain. For pray how are the *better sort* amidst our universal *levelism*, to get into offices? During the halcyon days of *royalty* and *loyalty*, if a gentleman was only blessed with a handsome wife or daughter, or would take the trouble of informing the ministry of the disaffection of the colonies, suggesting at the same time the most proper measures for reducing them to parliamentary submission, (the inexhaustible source of all peace and felicity) he was instantly rewarded with some lucrative appointment, his own disqualifications and the maledictions of the rabble notwithstanding.⁷ But how is a gentleman of family, who is always entitled to a fortune, to be promoted to a post of profit, or station of eminence in these times of *unsubordination* and *fifth-monarchynism*?⁸ Why, he must deport himself like a man of virtue and honor, (which abridges him of a thousand innocent liberties) and devote as much time to the discharge of his office as would in almost any other employment yield him ten times the amount of his emoluments. He must moreover pretend to be a patriot, and to love his country, when we know there are no such things in nature; and he must consequently be a hypocrite, and act under perpetual restraint, or he is detected and discarded with infamy. Besides, it is not only the smallness of our salaries, and the necessity of having an adequate degree of merit to get into office, (a condition never exacted by the generosity of monarchs) but the comparative scarcity of offices themselves, that must make every man of laudable ambition eternally regret our revolt from the *mother country*: For the present governments being manufactured by the populace, who have worked themselves into a persuasion of I know not what, of public weal and public virtue, and the interest of one's country, it has been ridiculously imagined that there ought to be no more offices in a state than are absolutely requisite for what these *deluded creatures* call the benefit of the commonwealth. Under the old constitution, on the contrary, whenever the crown was graciously disposed to oblige a gentleman, (and the royal coffers at the happy juncture of princely munificence happened to shew rather too much of their bottoms) and office was instantly *invented* for the purpose; and both land and water, earth and sea should be ransacked, but his majesty would create a *Surveyor of Woods* and a *Sounder of Coasts*. Thus every humble suitor who had a proper introduction

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was always sure of being genteelly provided for, without either consulting a mob, or losing any time about the wild chimera of public utility.

The article of religion is another thing in which the British constitution has manifestly the advantage of ours. For notwithstanding our boasted generosity on that momentous subject, and all our pompous declarations of leaving every one at his option to chuse his own religion, our gentlemen of distinction are now obliged, in order to co-incide with the popular prejudice, to give some presumptive evidence of their being neither atheists nor deists. Whereas, in England, and indeed in America, before our unhappy defection, the belief in christianity as a qualification for any office was entirely out of the question; nor did any public personage, or gentleman of fashion, think himself under the least obligation to give any proof, even of his faith in the existence of a Deity, except only that of profanely swearing by his name. Nay, amidst all our parade of catholicism, it is well known that not a lady in the land, let her be as whiggish as the Congress itself, can now enjoy the liberty of conscience of wearing an innocent head-dress of three feet in altitude, without falling under the suspicion of being disaffected to independency, and perhaps exciting surmises still more indelicate and uncharitable. Nor can it be denied, that many *truly conscientious* persons have been roughly handled for only conveying intelligence to the British troops, and others for supplying them with a trifle of provisions, (according to scriptural precept of *feeding our enemies*) tho' they made the most solemn professions of their peaceable *neutrality*, and even of their friendly disposition to the United States, which is beyond all question downright *persecution* for conscience sake.⁹

We have irretrievably lost, by our fatal revolt, another important advantage, I mean the late useful and uninterrupted influx of the English gallantry, and all the politeness of the Court of London. While we received our governors and other principal officers immediately from the fountain-head of high life and polish'd manners, it was impossible for us to degenerate into our primitive clownishness and rusticity. But these being now unfortunately excluded, we shall gradually reimmerge into plain hospitality, and downright honest sincerity; than which nothing can be more insipid to a man of breeding and *politesse*. Alas, how often shall we recal to mind those jovial and delicious hours, when our bucks experienced the inimitable *conviviality*, and our belles the not-to-be-told-of endearments of a *Dunmore*¹⁰ and a *Sparks!*¹¹ And with respect to that unnecessary and *rebellious* innovation in the ancient and *constitutional* colour of the British military uniform, which Congress have wantonly transformed into all the multifarious discolorations of *Joseph's* coat;¹² I *pertest*, were I a woman, I should instantly turn *tory* in revenge of the dismal prospect of our not having, by next Christmas, a single *red-coat* on the continent.

Our printers, I am confident, will universally join me in my lamentation over our unfortunate secession. These gentlemen, in conformity to the principles of our civil establishments, (probably indeed coincident with their own, but that renders foreign restraints not the less arbitrary or irksome) are cruelly restricted to plain truth and decency; while their brother-craftsmen in the enemy's lines, with the whole typographical fraternity on the *constitutional* island,¹³ are generously permitted to range uncontrolled thro' the boundless fields of imagination, and to exert all the powers of inventive genius in embellishing their publications with the *marvellous*; which has ever been deemed a capital beauty in composition, and affects the mind in

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the most agreeable manner, by its unexpected surprize and novelty.

Thus have I endeavoured to point out the most essential defects of our republican government, and have, in my humble opinion, offered sufficient reasons to induce every dispassionate American to wish for a speedy reconciliation with the *parent state, consistent with that union of force, on which the safety of our common religion and liberty depends.*

I ought, however, candidly to acknowledge that many gentlemen are of opinion that we have gained one very material advantage over Great-Britain by our separation from her, I mean that no persons employed by the States are mistrusted for imitating her example in speculation, and defrauding their country in any the departments committed to their management, and that all continental property is husbanded with the greatest oeconomy; but this, without any predilection for Old England, I shrewdly suspect wants confirmation.

HORTENTIUS¹⁴

1. A reference to the Levelers, a radical group in Oliver Cromwell's army led by John Lilburne, who demanded the establishment of a democratic republic in England after the Civil War (1642-1646). In 1647 they issued an Agreement of the People which called for such liberal political reforms as universal manhood suffrage, representation by population (one man, one vote), biennial elections of parliament, absolute freedom of religion and conscience, equality before the law for all citizens, and exemption from involuntary military service. (Since they made no mention of the crown or the House of Lords, it was assumed those institutions were to be abolished and powers of governance vested exclusively in what was then known as the House of Commons.) In short, the Levelers advocated a written constitution that would embody the fundamental principle of popular sovereignty. Their proposals were rejected as too visionary in calling for a sharp break in the political traditions of the past and a "levelling" of English society.

2. An allusion to the unfounded rumors of an illicit relationship between George III's mother and his chief minister and confidant, John Stuart, the Earl of Bute.

3. The "vulgar" or "common" people.

4. A play on "mob" as nobility.

5. Oliver Cromwell, leader of the republican Commonwealth (1649-1660) established after the English Civil War (1642-1646); he later became a virtual military dictator as Lord Protector (1653-1658).

6. The divine right theory of kingship, advanced in the Old Testament and championed by James I of England (1603-1625), held that since God placed monarchs on their thrones they were answerable only to Him. In other words, the king was above earthly jurisdiction and could not be controlled by the courts, Parliament, or the people. However, in practice the theory had little impact on the development of the institution of monarchy or the authority of the crown in England.

7. A slap at the patronage practices prevalent in eighteenth-century

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Britain, which rewarded individuals with political positions for reasons other than ability.

8. A reference to the Fifth Monarchy Men, a fanatic sect in England which, during the Commonwealth (1649-1660), claimed that the time of the "fifth monarchy"—when Christ would return to earth and reign for 1,000 years—was at hand and urged the people to help establish it by force.

9. A gibe at Quakers. See Sec. XI, Docs. 10 and 11.

10. John Murray, Earl of Dunmore, the last royal governor of Virginia, who in November 1775 offered freedom to slaves who joined the British in suppressing the rebellion. He is identified by Livingston in a footnote only as "Last royal Governor of Virginia."

11. At this point either the newspaper publisher or Livingston has made an error. The following is appended to the letter as a footnote: "A most accomplished royal governor in the West-Indies, who, by his peculiar tenderness for every thing in petticoats, whether *feme sole* or *feme covert*, occasioned a most *unnatural* conspiracy of a number of husbands and fathers, who rushed into his room and *traiterously* slew him upon the spot. An indignity to the regal appointment, which Great-Britain from her paternal *affection* for the *colonies, plantations and provinces*, was too indulgent to punish as a rebellion against the *supremacy of parliament*." No one by the name of Sparks ever served as governor in the British Empire in North America. The person in question is surely Daniel Parke, a native Virginian who was rewarded for service as colonel in the British army with the governorship of the Leeward Islands (Antigua, Montserrat, Nevis, and St. Christopher) in 1706. Although his morals were none too strict and he did seduce the wives and daughters of several prominent planters, Parke's great unpopularity stemmed from political and economic rather than sexual factors. After numerous attempts the islanders finally succeeded in having him recalled, but the stubborn magistrate refused to leave. When he used the army to break up a meeting of the Antigua assembly, the outraged legislators organized an armed insurrection. In December 1710 some 300 rebels stormed Parke's home in St. John, killing the governor and forty-four of his seventy guards. The angry rebels dragged the dying man from the house and brutally beat him in one of the most lurid murders in American colonial history. (The printer may have misread Livingston's terrible handwriting in printing "Sparks" instead of "Parke". The New Jersey executive's concise account of the sensational incident is apocryphal.)

12. The eleventh of Jacob's twelve sons. His multicolored cloak symbolized his favored status with his father. His jealous brothers sold him into Egypt, where he eventually became the redeemer of the Israelites. Gen. 37-50.

13. Manhattan Island, occupied by the British army from September 1776 to the end of the war.

14. Livingston may have had in mind Quintus Hortensius, who became a plebian dictator in 287 B. C., but more likely he was attempting to invoke the memory of Quintus Hortensius Hortalus (114-50 B. C.), an eminent orator who employed the then new florid and theatrical "Asian" rhetorical style.