

## NEW JERSEY IN THE AMERICAN REVOLUTION

rejected Saul for disobeying his commandment. 1 Sam. 11-15.

6. The prophet Samuel, who anointed Saul as king and to whom Saul related his disobedience of God's instruction at Amalek. 1 Sam. 15.

7. Cooper's candor did not diminish his popularity in Gloucester County, for he was elected to the Legislative Council in October 1780. True to his convictions, he requested permission on December 30 to introduce a bill entitled "An Act to abolish Slavery throughout this State." Permission was denied by a vote of 6-4. The councilors were no more ready to discuss the volatile issue than were the members of the lower house (see Doc. 10, note 5). *Journal of the Proceedings of the Legislative Council of the State of New Jersey, October 24, 1780-January 9, 1781* (Trenton, 1781), p. 57.

8. An essay challenging Cooper's view appeared in the *Gazette* two weeks later and touched off a lengthy pro- and antiabolition debate in the press. See Doc. 8.

### 7 "A Freeman" on the Electoral Process as a Safeguard of Liberty

[*New-Jersey Gazette*, October 4, 1780.]

The electoral process was the dynamic element in the operation of republican government. It was through popular elections that the people made their will known and either sustained or removed their representatives. In recognition of this cardinal principle, the state constitution of 1776 (see Sec. VII, Doc. 6) provided for both maximum opportunity for the citizenry to participate in the political process and maximum accountability on the part of elected officials. Annual elections were deemed central to the working of the new political order and were included with trial by jury and freedom of religion as the three rights which could never be denied by the government. Important offices that had been appointive during the colonial period (most notably councilmen, sheriffs, and coroners) were now made elective; even though most government officers were chosen in joint session of the council and assembly (the most important of which were the governor, judges of the supreme court and court of common pleas, attorney general, secretary of state, state treasurer, and justices of the peace), the people had indirect control over those posts in that they elected the legislators. Suffrage was widespread, being granted to anyone who had attained the legal age of twenty-one, had resided in a county for at least one year, and possessed personal property worth a minimum of £ 50 proclamation (a modest sum rendered almost meaningless by inflation). Since there were no franchise restrictions based on sex or race, women and blacks voted in New Jersey until prohibited by law in 1807. The right to vote and

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stand for election carried considerable responsibilities, because only men of virtue could be entrusted with the power of governance in a republic. And because there were neither political parties nor elaborate campaigns—both being considered antithetical to the republican ideal—elections turned on the character of the individual candidate. The essay that follows illustrates how carefully citizens scrutinized the activities of their elected representatives and how seriously they regarded annual elections as the best means of preserving their liberties.

[October 4, 1780]

To the FREEMEN of the State of New Jersey,

Human wisdom perhaps cannot form a constitution of government *more perfect* than that which we are so happy as to enjoy. The will of the *governed* is the *will of themselves*, expressed by their representatives, annually and freely chosen. In this consists the very *essence* of LIBERTY.

But it is in vain to hope for the enjoyment of this constitution *longer* than the pulse of freedom beats in the *commonalty* of the *people*. The moment *they* sink into luxury and sloth, venality and corruption, that moment the goodly fabrick of FREEDOM which they erected, falls; and perhaps buries every particle of *liberty* in its *ruins*. . . .

The excellence of the British constitution hath been celebrated, not only by Britons, but by foreigners. And it must be confessed it hath much intrinsic value, and as a *monarchical* government, it is allowed to be equal, if not superior, to any in the world. We, however, feel *no* emotions of *envy* towards it; we wish *not* a *kingly* government, though in its most *perfect form*. Such an humiliating system may be well adapted to the genius, prejudices, and characters of *Englishmen*, but would be very opposite to that noble pride, and amiable simplicity, which distinguishes *Americans*. . . .

Our constitution guards the life, liberty, and property of the subject, by the *trial* of a *jury* of his *peers*.

It is said that at the last session of the legislature an attempt was made to pass a bill, constituting a body of five members, to sit during the recess of the assembly; and this board was to be invested with power, merely on the *suspicion* of disaffection to government, to banish any, and by consequence, every freeman of the state to the enemy, with whom he was to continue, or not return without legal permission on pain of death.

It is scarce credible that any of the guardians of our liberty could so soon have mistaken or forgotten its principles, and been unmindful of their trust. And for their honour, as well as that of the state, I hope I am misinformed in this particular; but I am apprehensive there is too much reason to believe it is founded on fact. The minutes of the assembly, however, will testify in this case, and, if as it is represented, I am charitably inclined to attribute the conduct of the abettors of the bill rather to *inattention* than *evil design*; that they have been governed in this instance by ignorance, mistaken zeal, or influenced by the sophistical reasoning of some wicked individual. The plea of NECESSITY has in it a *quality* extremely *pleasing* to TYRANTS, and when uttered by the tongue of *apparent patriotism*, a sound which charms the ear of many men of integrity.

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But no cry of *necessity* can justify an act of treason or guilt; no fear of danger can excuse the commission of evil; no exigency of a state can acquit a subversion of its LIBERTIES by those who have sworn to maintain them. Should the plea of necessity be admitted, there would be an end to freedom, and no potentate, however tyrannical or unconstitutional his acts, could be deposed, or arraigned at the bar of justice.

For the *preservation* of liberty, it is necessary that those delegated to protect it should not only be acquainted with its *principles*, and be possessed or *probity*, but also of *strength* to repel the attacks of its *foes*, of *wisdom* to discard and confute the arguments of *subtlety* or *error*, when employed for its destruction.

It would afford an unhappy patient, in the agonies of death, no consolation to inform him that the fatal potion which occasioned his dissolution was ministered by inattention or ignorance, and not by wickedness. The effect to him would be the same; and it must add to his unhappiness to reflect that he hath lost his life by *thoughtlessly* entrusting it with a person of negligence or unskillfulness in his profession.

That the *life* and *vigor* of our *body politick* may be *preserved*, it concerns us to be extremely *attentive* to *whose care* we *entrust* it.

The preceding observations will tend to assist us in our judgment, at the ensuing election, of the ability of those who shall offer themselves for this trust.

*Yearly*, at least, wisdom calls upon us to *advert* to the *original state* of *floridity* and *health* of *this body*, and to *compare* it with its *present appearance*, and if we perceive its constitution *impaired*, as its malady can only be attributed to a defect of conduct in those to whose management it was committed, we should *immediately* employ that most *sovereign remedy* within our power, — *a change of our servants*.

A FREEMAN.

### 8 “A Whig” Opposes the Manumission of Slaves

[*New-Jersey Gazette*, October 4, 1780.]

As opponents of slavery stepped up their campaign to eradicate the evils of human bondage, they encountered increased resistance from those who feared the possible negative repercussions of abolition on society. Admitting the ideological and moral arguments against slavery, most of those who opposed antislavery activities based their opposition on pragmatic considerations. Abolition (destruction of the institution of slavery) or manumission (liberation of individual slaves) would create dissension and unrest at a time when unity was required to achieve independence. The servile labor force on the home front had to be continued while freemen were off doing battle with the British. Slaves were property and could not be taken from their owners without compensation.