

Fellow citizens;—

Then announced quite recently at Frankfurt a convention of delegates from various portions of the State for the purpose of organizing a new party, upon a new platform. It is right fellow citizens under a system of government like ours which rests upon the intelligence of the people and throws upon them all the responsibility of legislation, that candidates for offices of public trust or emolument should distinctly and without concealment or <sup>reserve</sup> evasion lay before them the principles <sup>of which they are the</sup> they advocated and the policy <sup>of which are in some degree the result</sup> they mean to carry out. And on the other hand while it is the sovereign right it is no less the duty of a free & intelligent people in the midst of threatening political crisis to take counsel of each other, earnestly, deliberately, calmly, to discover if possible some



Remedy for existing evil or some safe-  
guard against impending peril and  
disaster or failing that ~~some means~~  
of successful resistance

Now fellow citizens <sup>has it fallen to the lot</sup> ~~in the hands of any~~  
people <sup>to be called upon</sup> to discharge this imposing duty  
under more solemn or more alarming  
circumstances.



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It is right, fellow citizens, under a system of government like ours, which rests upon the intelligence of the people and throws upon them all the responsibility of legislation, that candidates for positions of public trust or employment should lay before them distinctly without evasion or reserve the program of political principles by which they profess to be guided and of which, they are in some degree, the chosen representatives.

On the other hand, fellow citizens, while it is the sovereign right, it is no less the imperative duty of a free and intelligent people under all circumstances and at all times, more especially in the midst of events, which for us are full of present and prospective danger, to take council of each other earnestly sincerely and calmly, to discover if possible some remedy for existing evils



or some safeguard against impending  
 peril.

Now, fellow citizens, has it fallen to  
 the lot of any people to be called upon  
 to discharge this imposing duty under  
 more solemn or more alarming cir-  
 cumstances. We owe it to ourselves we  
 owe it to our past history, we owe it  
 to our posterity to direct ourselves, in  
 the presence of the great danger which  
 surrounds us, of all partisan animosities,  
 party bickerings and party bitterness.  
 We need all the light which God has  
 given us unobscured by any such  
 unworthy and untimely motives, to enable  
 us to rise to a just realisation of our  
 position. But the victory, fellow citizens  
 will be already half won, if we  
 know how to measure the danger and  
 meet it like men.

Look around you, fellow citizens, contrast  
 our condition with what it was one  
 year ago. Then we were a united, happy &



prosperous people. Thirty millions of freemen  
fervent in the race for wealth, power  
civilization, with a boundless continent  
stretching out before them upon which  
they were to write out

Now is it to-day. The bond of ancient  
association is broken, traditional memories  
have ceased to kindle the enthusiasm  
of a common patriotism; The voices of  
the dead past appeal in vain to the  
passionate excitements and morbid impulses  
of the living present and everywhere we  
heard the sullen utterances of Revolution  
Elbow States rising up as one man  
against the authority of the Federal  
Government. Armies actually in the  
field and eyes face full of apprehension  
lest the next news may be of a conflict  
in its savage fierceness unparalleled in  
the history of the world. As men fellow-



citizens who can not be altogether uninterested spectators and especially as citizens of a State still preserving its allegiance to the Federal Government and yet largely sympathizing with the seceded States, who may, by the irresistible force of circumstances possibly be compelled to take part on the one side or the other in the conflict. I say it is of the highest importance that we should understand the true cause of the difficulty in order properly to appreciate the positions of the contending parties.—

We are accustomed, fellow citizens, to look upon the great Author of our Declaration of Independence with a sort of reverence which is not less creditable to ourselves than it is due to their great wisdom and heroic valor. We do this, not because, recognizing the great diversity, if not conflict of interests



of the different States they abandoned all idea of a centralised government and hit upon the plan of a Confederal Republic as a remedy for difficulties that could in the nature of things neither be deemed, nor surmounted. The idea was as old as government itself scarcely a people in ancient or modern times that had not tried the experiment with more or less success.

Now yet was it became in the government they were about to create they adopted as the only possible basis those principles of public and domestic liberty which were their birthright as British subjects. They claimed to be and were already freemen before they conceived their independence. They did not take up arms to secure trial by jury, the habeas corpus act, the great privileges of Magna Charta, and the Petition of Right. These rights had never been brought in question or denied by any party or any administration in



in England. All these great franchises were freely granted to the American colonists as the free subjects of the British Crown and are to-day signed by the British subject as well as the American citizens.

No, fellow citizens they took up arms in defense of a principle greater than all these a principle running through the whole of their great Declaration no where else to be found, certainly no where else recognized as a legitimate principle of Government. You will find it in the Declaration itself; the inherent and inalienable right of every people to alter or abolish their system of government peaceably; not the right of rebellion, not the right of revolution for their simple resistance and conflict in acknowledged superior on the one hand & an acknowledged inferior on the other the great American right, the first principle of American liberty, the right of the people peaceably to abandon the government when it ceases in their



judgement to answer the purposes for which the government was established.

In the organization of the government they were about to frame they abolished forever the idea of force and laid its foundations in the intelligence, the virtue and good sense of the people. The bayonet, the bullet, the last argument of kings was discarded and the ballot was to be the sole arbiter by which every question was to be finally and authoritatively settled.

Fellow citizens, these states, embracing a free population of eight millions of people, disaffected with the government under which they were living, convinced that it was being and would continue to be administered not only with the view of injuring their interests and infringing upon their rights, but with the avowed purpose and only purpose of absolutely destroying that system of labor upon which their prosperity and very existence depends - I demand every fellow citizen



I do not think they are right; I do not ~~think~~  
 take to pronounce upon that question ~~at all~~.  
 But I hold that if we still stand  
 by the Declaration of Independence  
 One millions of people with a unanimity  
 unparalleled in the history of revolutions, through  
 all the recognized channels of political action  
 have asserted that great right guaranteed  
 to them by the Declaration of Independence  
 to withdraw ~~freely~~ from a government  
 they could no longer endure, to sever their  
 connection with a people who had violated  
 all faith, all compacts and every moral  
 and political obligation imposed by the  
 Constitution of their country. They claimed the  
 right to do this peaceably. They not only did  
 not draw war, they protested in the face  
 of the world that they would not take  
 up arms in defence of their <sup>own</sup> soil. Nor did  
 they believe that war would be necessary. They  
 believed that the government of the United  
 States acted in the interest of Christianity  
 and civilization and recognized the ~~same~~



possibility of the two hostile sections being  
brought under the same government with  
force as the only tie between them would  
have acknowledged their independence, true  
to time and the sober second thought  
of the people to restore harmony & unity  
to the government. In accordance with  
this conviction, not a single movement on  
the part of the Confederate government was made  
that looked to the possibility of war, not  
a fortification attacked, not a dollar of  
Federal money taken until Major Anderson  
in violation of the commands, <sup>but</sup> with the  
subsequent approval of the administration a-  
bandoned Ft Moultrie and seized upon  
the stronghold of Ft Sumpter.

Here fellow citizens was a virtual decla-  
ration of war. It indicated a purpose  
on the part of the Federal government to  
resist the revolutionary movement by force of  
arms and if no actual declaration  
of war was made it was because they  
refused to recognize the Confederate govern-



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as any government state, but simply  
an organized rebellion against which  
no declaration of war could be made.  
In the presence, fellow citizens, of the  
threatening attitude of the Federal Government  
my consideration of safety, security  
of life itself, required that the Confederate  
States should possess themselves of any  
fort or fortification within their boundaries.  
They declared no war of aggression. They  
proposed to themselves no vast conquests  
no subject provinces subjugated by  
the sword and by the sword maintained  
they offered to pay for every dollar  
of Federal property in their possession.  
They offered to share their portion of  
the Federal debt. They desired peace and not  
war. Peace with them was not only politic  
it was necessary. They had a new government  
to organize, the vast and complicated  
machinery of which would require great  
property to arrange. They had a revenue  
to create, they were dependant upon  
agriculture when my handmaid is peace



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driving the fortunes of a sinking  
 administration. They refused to evacuate  
 Fort Sumpter upon a quibble. You re-  
 collect when Major Anderson was  
 called upon to surrender he said he  
 would be starved out in two or three  
 days. The Confederate government pro-  
 posed that he should continue to hold  
 the fort until his provisions were exhausted  
 provided he would not turn his guns  
 upon them. You all know that he  
 declined to accede to the proposition.  
 And yet in the face of this historical  
 fact you are told that South Carolina  
 precipitated the conflict at Fort Sumpter  
 in order to drag the Border States  
 into their Confederacy!

I said fellow citizens the whole scheme  
 was preconcerted. The fleet was in the  
 offing. The bombardment had begun  
 and the reduction of Sumpter accomplished  
 and yet not a word of cheer or  
 assistance from the fleet. Why? That



The flag of the <sup>14</sup> United States might  
be deliberately dishonored in order  
that the North might be united  
in rallying to its defence. The country  
was sacrificed in order that the Black  
Republican party might be consolidated  
and perpetuated in power. It is needless  
fellow citizens to go over the events which  
have followed. The first act in the  
great drama has closed and we stand  
upon the threshold of a gigantic conflict  
in which one section stands arrayed  
against the other and out of which  
we shall be fortunate if we preserve  
even the semblance of Republican  
government.

Fellow citizens one of the wisest and  
best men this or any other country ever  
produced - I mean George Mason, <sup>declared</sup> among  
other requisites for the perpetuity of free  
institutions not the least to be a frequent  
recourse to fundamental principles. Let  
us look then a little deeper into the  
question to discover if possible some rational



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solution of the great popular movement  
in both sections of the country.

No one, fellow citizens, who has <sup>given a thought</sup> studied  
the political history of our country  
for the last forty years can fail to  
detect a deep seated and growing  
alienation between the North and the South  
which has at length culminated in  
the separation of the two sections. To say  
that it has been accomplished through  
the devices of politicians honor ambitious  
or honor unscrupulous is either a confession  
of extraordinary ignorance or wilful  
misconception. A great nation like ours  
springing from a source so noble  
and so beneficent and following  
over a career of prosperity so unexampled  
could never have been brought to the  
point of dissolution unless there were  
causes of divergence and disagreement  
deeply seated, active and dangerous  
in the very bosom of the society of which  
it is composed.

Fellow citizens, The American Revolution



founds two systems of civilization existing  
 together side by side - uniting but  
 never mingling, meeting but never coalescing  
 cooperating but never sympathizing -  
 separate, distinct, antagonistic. To reconcile  
 these two peoples, to identify their social  
 systems to harmonize their conflicting  
 views, interests and institutions was the  
 first and most difficult labor  
 of American Statesmanship. It was  
 effected by a spirit of conciliation  
 and compromise and the Constitution  
 was the result of their transcendent  
 wisdom. The last morning of Washington  
 to the American people, foreseeing the  
 difficulty which has actually ensued  
 was against the creation of parties or-  
 ganized upon a sectional basis and divi-  
 ded by a sectional line. As yet the  
 slavery question was in abeyance. The  
 States were all identified with the  
 institution of slavery, with but a soli-  
 tary exception, through the policy of the



North was to throw off, while the policy of the South was to preserve and perpetuate the system. The question had never assumed a political aspect. The Anti-slavery sentiment was religious and not political. The South though largely in the majority made no effort to extend the institution through the agency of the general government, while Virginia voluntarily surrendered a great Empire which was forever consecrated to free labor.

With the gradual abolition and disappearance of Slavery in the Northern States began the development of an anti-slavery sentiment and soon after the organization of a political anti-slavery party. Without favor without the sympathy of the Northern people it existed at variance with the spirit of the Constitution and the friendly comity due the Southern section it contented itself with persistently agitating the question, in the pulpit, in



The school room and finally in the councils of the Nation. It was not the offspring of fanaticism, no momentary madness that was to run its course and then disappear forever. Its growth was regular, logical and progressive. It professed a clear & well defined purpose, and moved forward silently and unobtrusively, then boldly and defiantly towards its accomplishment under the guidance of bold, learned and sagacious leaders. Now our, fellow citizens, has that purpose been abandoned.

In 1820 it made its first political demonstration. It refused Missouri admission into the Union because her constitution tolerated slavery and for that reason only, perverting the position of the Federal government which from having been neutral <sup>& passive</sup> was to be transformed into an active and hostile agent in their hands against four thousand millions of property. Though finally defeated it did not abandon



the content. It withdrew for the purpose  
 of gathering up its scattered forces  
 for another and a greater content.  
 Looking upon the Constitution as a Covenant  
 with hell and an Agreement with devils  
 it agreed in compromise in order to  
 gain time. The Missouri Compromise adopted  
 it began its conquering and devastating  
 march through the length and breadth  
 of the Northern States. It invaded the  
 sacred precincts of the Church and re-  
 ligious life became subservient to their  
 purposes. It corrupted and poisoned  
 public sentiment and through its  
 press, its pulpit and speakers took  
 possession of every avenue of thought.  
 The seed were carefully and skillfully  
 sown, the harvest was soon to be gotten  
 with the conclusion of the Mexican War  
 our vast Territories were to be divided  
 and organized. They were mostly un-  
 inhabited and consequently without laws  
 or institutions. Again the Antislavery party



prepared itself for the conflict. Defeated  
 but not crushed, it acquiesced in a Com-  
 promise again to gain time. Hitherto  
 it had confined itself to the legislative  
 department of the government but with  
 the increase and increasing patronage  
 of the executive departments, the Presidency  
 became the object of their wicked ambition.  
 And now fellow citizens what new  
 the purposes proposed to itself for forty  
 years by the Antislavery party and  
 which were in process of accomplishment  
 until arrested by the withdrawal of the  
 Southern States.

You need go no further than the platform  
 adopted at Chicago, upon which Mr.  
 Lincoln was elected and by which he  
 still professes to be guided. Let me  
 call your attention fellow citizens to one  
 or two propositions embraced in that  
 document.



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For forty years <sup>22</sup> fellow citizens, the anti-slavery party has clung with unyielding pertinacity to these principles. They have asserted again and again that they were warranted the power to apply them. Adopting the Northern theory of the Government which recognizes the absolute rule of the majority, which snuffs away at one blow all those admirable checks interposed for the protection of minorities, it looked forward eagerly and confidently to the time when the numerical preponderance of the North would render the accomplishment of their scheme both certain and complete.

But fellow citizens at the very moment, when the glittering prize was within their grasp, when the sole object of forty years of untiring labor was about to be accomplished, the Southern States in obedience to their own convictions and on their own responsibility solemnly severed their connection with the government. It may have been impolitic, it may have been unconstitutional, but



in my judgement they could not  
 have done otherwise. There is but one  
 condition, fellow citizens, in which our  
 people can be safe under the dominion  
 of another and that is when their in-  
 terests are entirely identical. Then the domi-  
 nant can not oppress the subject <sup>people</sup> without  
 oppressing themselves. The identity of interest  
 between them is a guarantee of just govern-  
 ment. But here is a difference of climate  
 and production throughout a territory  
 stretching along the whole belt of the  
 temperate zone affecting the pursuits and  
 character of the people who inhabit it.  
 But the great difference, the greatest  
 difference which can distinguish two people  
 is the institution of slavery. This system alone  
 sets apart the Southern States as a peculiar  
 people with whom independence as to  
 their internal policy is the condition of their  
 existence. They must rule themselves or perish.  
 Every colony in the world where African  
 slavery existed has been destroyed by the



interference of the mother government. Could the South escape under the restless dominion of the North. They do not even recognize the inferiority of the African to the Caucasian race. They do not realize because the circumstances of their condition do not compel them to realize, the impossibility of amalgamation between the races. The dogma upon which they profess to build their system of free government the absolute rule of the majority leaves no barrier against their unlimited control of the Federal government. Religion too false or real feeds their enthusiasm against an institution which many of its professors believe to be inconsistent with its principles and its precepts. To have expected forbearance from such a people under such circumstances toward the institution of slavery would have been manifestly vain.

But the hands of the North were tied



Congress was against them if the South  
 had remained in the Union. If they  
 had had to deal with a loyal and  
 law abiding people there would have  
 been force in the argument. But here  
 was a party embracing a large ma-  
 jority of the Northern people, who openly  
 spit upon the Constitution and laughed  
 at its provisions; here we see the Free  
 States with but a solitary exception I  
 believe, in defiance of Congress and the  
 Constitution making it a penal offence  
 to obey the Constitution within their limits.  
 Here was a party that openly boasted of  
 its contempt for the Supreme Court of  
 the United States by refusing to recognize  
 the authority of its judgments, while  
 it assented its people to disorganize that  
 tribunal to suit its own wicked &  
 unconstitutional desires. Bound by no compact  
 or compromise what faith could be put  
 in their obligations or their promises. But  
 even this they refused. Again and again



Mr. Cullender entreated, implor'd them  
 to listen to the voice of reason and patri-  
 oticism. The South was willing to accept  
 his proposition for adjustment. Mr. Davis  
 himself declared that it would be ac-  
 cepted if the North would support it  
 in good faith. They refused even to un-  
 dertake the proposition. Conquerors, victors  
 in the contest, they would listen to nothing  
 less than unconditional surrender, albeit  
 submission. <sup>Every</sup> The war in and faithful  
 guarantees of the Peace Conference are  
 too much to secure peace and hang  
 to the country.

They tell us, fellow citizens, that it is ne-  
 cessary to demonstrate the strength of the  
 Government, to show that we have a bona  
 fide government and not a league of  
 sovereign states. Have you considered the cost  
 of this experiment? Have you considered  
 the difficulty, the danger, nay the absolute  
 impossibility of the enterprise. Are we to  
 pay a thousand millions of money, and



me to sacrifice ~~to~~<sup>27</sup> hundred thousand  
lives, devastate and lay waste the Con-  
tinent from one end to the other, sub-  
vert the Constitution and establish  
over us a practical military despo-  
tism for the purpose of proving to the  
satisfaction of the world what you  
and I and the whole world know  
that the South can never be subjugated  
or driven back into the Union? But sup-  
pose you succeed in maintaining the Gov-  
ernment suppose your flag runs triumphant  
from the Chesapeake to the Rio Grande  
What then? can you compel the election  
of Senators and Representatives, can you  
force men to be judges and marshals  
and post masters? Does any sane man  
really suppose that the Union of these  
States can be maintained with a  
victorious and dominant section on  
the one hand and subject but re-  
bellious provinces on the other? Was it  
such a Union as Washington and Madison  
and Jefferson founded. But if this



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be not the object what do you propose  
to accomplish by the war? To defend the  
Capital? and the defence of Washington  
require the invasion of Virginia, the sub-  
jugation of Maryland and Missouri?  
Did the proclamation of the President  
assert that the object of the war was  
the defence of the Capital? Read it  
for yourselves. It solemnly declares the  
purpose of the war to be, to recover  
the National property, assert the Federal  
jurisdiction and enforce the Federal  
laws in the rebellious States. by force of  
arms. It commands eleven millions of  
people under a regularly organized  
government to disperse, with the  
promise of peace if they comply and  
the threat of subjugation if they resist.  
To carry on this abolition crusade, no  
infamy so great, no outrage so flagrant  
that they have not eagerly perpetrated it.  
Whole regiments of criminals, cut throats  
and assassins have been armed by the  
Christian government of the United



In considering

Speech delivered in the "Hellenic Society" Yale College, in a contest for the "Fiskean prizes" (1st & 2nd) before Prof Hadley, Mr Donagoe of New Haven and Mr Wills of South Carolina acting as judges, May 26<sup>th</sup> 1852, by Hart Gibson  
Dedication.

Should representatives be bound by the will of their constituents?

As the government of the U. S. presents the only example of one purely representative in character, it will be necessary in order to consider the subject in its practical application, to confine ourselves exclusively to the American system of representation. I propose in the consideration of the subject to raise the question of constitutional right and to endeavor to establish the power of the people to instruct their representatives on the ground of natural rights and expediency. I am induced to pursue this course, first, because the constitution is not sufficiently explicit in defining the nature and character of representation, and secondly, it is not my intention to enter upon a disquisition of political abstractions.

The principle that the people are the only legitimate source of power, comprehended in its broadest signification, lies at the very foundation of our political system and constitutes in fact the most important feature of dissimilarity between a Monarchical and Republican form of government. This principle evidently involves an acknowledgment of the right of primary exercise of power by the people.



for the legitimate possession of power necessarily implies that its exercise must of the Constitution. So much for the right & capacity of  
 is subject to will of its possessor only. But it has been a matter of the people to legislate primarily.  
 some uncertainty and violent controversy whether the people are  
 capable of directly conducting with foresight and discrimination is so abundantly adequate, their knowledge of political science  
 the complex machinery of Gov. of intellectual improvement and so thorough and extensive, if their wisdom, virtue and intelligence  
 superiority in the sciences & arts as well as in general information are equal to any political emergency which may arise what  
 need political knowledge, be a fair index of a nation's actual use of representation? The representative feature is integral in our  
 condition & mental resources, the capacity of <sup>the people</sup> is am- political system through necessity, a necessity arising not from  
 inally adequate to the conduct and management of all the any want of intelligence on the part of the people, but from  
 departments of Gov. Perhaps there is no country whose proficiency the impracticability of direct popular action. It is impossible  
 in this respect has been so rapid or is so extensive as our own. Among with a population so numerous as ours extending over so vast  
 the causes which bear an eminence to the accomplishment of our aim for the people as in democratic Athens, to legislate  
 this desirable end - the education & amelioration of the constitutionally. If the mass could spontaneously assemble together and  
 of the low class of society in them, the existence of a system of directly perform all acts necessary for the purposes of Gov. stem  
 few schools among us, as yet univalued with but one exception there would be no security for representation. But as primary  
 (Prussia) in the world, in which thousands are being slowly civilized, as we have seen, is altogether impracticable,  
 created at the public expense, profess & proclerals, than which it is necessary that its services should be delegated and hence  
 there are no means of concentrating discriminating intelligence, more than representative, which is designed to reflect the  
 practicable or rapid, circulate throughout every portion of unintelligence of the people, to embody the will of those who  
 vast domain; and lastly the facilities afforded for intercommunication unite with political power. It is the concentration of the  
 an abundant & rapid in the system. Evidence of the intelligence of popular voice, and he is more truly entitled to the appellation  
 the people is to be seen in the national prosperity, in the independence of representatives who more clearly reflect the image of his con-  
 number of uneducated portions of the community who compare with them and more faithfully execute their will as expressed  
 their nations and in the good sense & judgment with which they hathrough himself. This great cardinal principle then should  
 invariably conducted themselves as a nation since the establishment be kept in mind, that representation in republican Gov



is a concession to necessity and here stops whenever carried beyond the point of necessity its practice departs from its theory & to that extent is a direct attack upon the capacity of the people for self-government since then the inherent right of legislating for themselves lies with the people & its actual exercise has been voluntarily for the sake of expediency surrendered into the hands of a few the inquiry which naturally suggests itself is, by what should the representative acting in his official capacity be guided?

I hold that he should in all cases act and vote as his constituents would if personally discharging their functions of Gov. This is the basis of the doctrine of instruction in the representative system we conceive was originated for the purpose of obviating the difficulty attending primary legislation by the people; but that it might serve as little as possible of a monarchical tendency the country was divided into a large number of districts each having the right to be represented in the National Congress. Now, if the object of those who established the Gov. was not that each representative should consult & obey what his constituents had declared their interest and will for what purpose did they thus district the country? What our earlier statesmen acknowledged the right and duty behind in the expediency of the people's instructing their representatives may be also inferred from the very fact, that for the purpose of settling harmoniously the elements of conversation with democracy

a distinct department of the Gov. was established entirely independent of the direct control of the people. Senators and the representatives of sovereign States & it would be well to demand that each State in the Confederacy should retain the right of instructing its senators. This at least is indicative of the sense of the American people on this subject. But to the question which I have proposed, it may be answered that it was the purpose of the popular assembly; but if the will of each constituent district in the country is to exert its influence in their councils, if the administration of that part of the Gov. which comes within their proper sphere is to be left entirely to their discretion and judgment, then, it is popular only in name & fifty could transact the national business with far greater facility than the present number of members. It is evident therefore that our ancestors entertained no doubt of the practicability of the doctrine of instruction.

Again whatever choice may exist a diversity of opinion may exist on this question, the practice of representatives has been strikingly uniform in conformity with the doctrine of instruction. When a specific tariff for example was proposed to the consideration of Congress, it was happily opposed by members from the extreme South, as brought within



change and an absolute ruin to their own interests, though evidently demanded by a majority of the people. They said only in their unyielding opposition, that the welfare of their immediate constituents was at stake, & every nerve was strained all their energies called forth to defeat the object and will of the majority. Such has been the conduct of representatives, as steadily as the needle to the pole, as we will find if we consult the history of legislation in this country.

It is also evident that the right control of the people and instead of a Republic we should be still exercised by the people. By the exercise of power their intelligence is promoted and by instructing their representatives how to act in cases of emergency, responsibility is thrown directly upon themselves, an interest in the government is excited, a desire for improvement and an eagerness for inquiring an sound, vigorous and healthy opinions are infused into their minds, their feelings elevated and improved. The chief constitutional use of Congress and elections is to afford occasions and instruments for the exercise and display of these qualities. No, where patriotism, intelligence, moral principles and an unalloyed love of Union and Liberty prevail to such an extent as in the U.S. is any thing to be apprehended from previous or external prejudices on the part of the people. The argument usually adduced against the expediency of the doctrine of instructions is that the members of Congress are the representatives of the whole people and being such should not be controlled by any particular section.

That the national are paramount to sectional interests and therefore, acting in their corporate capacity, it is their bounden duty to sacrifice the latter if by so doing the former be promoted for this there is much plausibility and was calculated to produce pernicious results. Had, if each representative be independent of his immediate constituents, then Congress is equally beyond the control of the people and instead of a Republic we should have a despotism of the most execrable character. But let us see, whether, if the first principle above stated, be practically carried into effect, the object for which all were intended should be advanced. A representative may be thoroughly conversant with the peculiar interests of Connecticut and utterly ignorant of the most vital interests of Louisiana, and still more so of the greater number of states. It is impossible that so small a number of individuals should be acquainted with the interests, varied and dissimilar as they naturally are, of each portion of the Confederacy. It will often happen therefore, that in pursuing the interests of a particular section for the purpose of vainly attempting to look at nothing but the general good the interests of both, the former by actual direction the latter through ignorance will be neglected. I do not hesitate therefore to affirm that the national welfare will be far more effectually



promoted if each representative consult much less what his constituents have declared their interests and will, than if each one actuated as is often the case, by selfish motives or ambitious strive to advance that of which in many instances he is utterly ignorant. Men unfit to regulate their own abilities and magnify their own importance. Each representative imagines that the fate of the nation rests upon his action and big with the idea of his importance and responsibilities, is apt to play false to his own constituents and boldly rally under the banner of patriotism forgetting that each pursues the same course with himself, they would be advocating what actually does not exist; for National interests are a compound of the various & different interests of each section.

Again it is necessary for the maintenance of their supremacy that the people exercise the right of instruction. That the tendency of power has ever been found the many to the few the local interests of the world has been established. All governments have a tendency to become centralized and all legislative assemblies have a propensity to become arbitrary. The passion for power has as intense in the hearts of designing men at the present day as ever in the most corrupt period of the Roman Empire, but the tendency of his corrupt nature will and must and more especially is this the case where the highest office is in the government or open to the competition of all. However true but it is power, money and distinction; and when the nature is not so exalted that in our view the temptation

thus held out for the gratification of selfish ambition and the result will be infallibly, a monopoly of power by a grasping few, the establishment of an aristocracy of power & the utter subversion of free institutions. These are the legitimate results consequent upon an unconstitutional arrangement and obvious want of sympathy between the people and their rulers. Experience has taught us that the people alone must be the keepers of their freedom. The only check to the encroachments of power and the oppressions of uncapitulated tyranny, is the spirit, the vigilance & the activity of the people. As in the physical so in the political world, inaction is the parent of weakness; the arm which muscles swell with strength if kept in a state of inaction shrivels away and becomes a thing of weakness. The liberties of a free people have seldom been lost by the sword of a foreign foe. It is to encroachments of power by individuals in office that we must look for the subversion of Republican institutions. As it is probable that a man invested with political power - the most tempting of earthly things - will not untractably govern for ever. The principles will restrain him if he be unambitious. Office is indeed a name for duty and implied in the name is the obligation of all. However true but it is power, money and distinction; and when the representative feels himself independent of his constituents



what are we to expect? What does history, observation, philosophy teach us to expect? Man's integrity just when he is pressed by opportunities, indeed his judgment is apt to be warped under the temptation & he often commits wrong without conscious guilt. And when we see this faculty displayed by men in humble circumstances, unintentionally scheming or wickedly ambitious, it is fearful to think of its possible development in circumstances where success would be rewarded. It has been well observed, that there is a great and prevailing principle that tends to place the delegated in opposition to the delegating - the created to the creating power - extending far above man and his works, up to the universal source of all power. The earliest pages of Sacred History record the rebellion of the angels against the high authority of Heaven itself, and ancient mythology, the war of the Titans against supreme Jove. This all-prevailing principle is at work in our system - the created crawling against the creating - & unless the Gov and its officers be held and chained down with links of adamant by the hands of the people who created them, the creature will usurp the place of its creator & universal political idolatry encompass the land. If what avail is a constitution, when an ambitious man with a cunning legislature at his feet, seeks to obtain absolute power. This Napoleon triumphed over the free constitution of France without the least hesitation and is there no grand lesson to be drawn in his sight & near the foundations of our political fabric?

It is objected by the opponents of the doctrine of instructions that Congress is a deliberative assembly; that its members assemble for the purpose of deliberation before action and if they enter the halls of legislation with their instructions in their pockets, it is impossible for them to act in their proper capacity. How rarely if ever change their opinions when they have passed the mission of life upon the important questions which constitute the platform of the two great political parties each individual has long since formed his opinion. They have been before the country almost since its birth, have been argued and deliberated upon by all the conventions which have resulted of their expediency or inexpediency are fixed & unalterable. Upon these subjects there can be no need of deliberation. Now the people do not demand that every trifling question of legislation be referred to their consideration before being acted upon; they have employed public servants for the very purpose of settling them of their necessities and pay them accordingly. Here there is room for deliberation. It is only when events arise such as touching great & novel schemes in connection perhaps with the mercantile agricultural or other important interests, that it is necessary for the sense of the nation to be ascertained. They are the persons most concerned, if injurious consequences result from their adoption or rejection of such projects each section of the Union bears a part of the burden; and while representatives are expending the public's treasury or wasting time in debate, the country



may sustain such injuries as will require years to eradicate.

I have thus endeavored to establish that of right the people possess the power of legislating for themselves, that its exercise has been voluntarily vested in a few, that our ancestors were advocates of the doctrine of instructions, that representatives have, with but few exceptions, acted in conformity with that doctrine and finally, that it is not only expedient but essential to the security of free institutions that the doctrine be still enforced by the people. <sup>in fact,</sup> Where patriotism, intelligence, moral principle and unity of civilization exist to such a degree as in this country nothing is to be apprehended from passion or sectional prejudice on the part of the people. These are the pillars of the temple of American concord. They have stood firm under the weight of three quarters of a century, and our political fabric is the admiration of the world. Stand -

Like some tall cliff that lifts its awful form  
 Swells from the vale and midway leaves the storm  
 Tho' round its breast the rolling clouds are spread  
 Eternal sunshine settles on its head

Goldsmith



Third Ann Sophomore Year  
May 28<sup>th</sup> 1853

Universities of men -

It can not fail to be observed by the careful observer of this period, that wherever the Reformation extended or retained its influence was directly or indirectly felt, a corresponding modification in the social institutions universally followed. The doctrine of the new creed encouraged equality of conditions in society, and though governments were not changed wherever it was introduced, their more odious features were moderated and more respect paid to the people. This feeling has been constantly strengthening until absolute tyranny seen as an anomaly, even among tyrants.

But notwithstanding the enlightened spirit which has since pervaded the world and the numerous benefits received as the undoubted result of the Reformation, we believe that our present position in its origin and would have occurred before and with the same result, had it occurred in a later period when its success might have been complete. Europe as we before observed was just emerging, was scattered darkness and the masses were not sufficiently intelligent in their opinions of its cardinal principles. They began to stir and to rise and rebels rose with their schemes of ambition, its power had a ray of light, glimmered on their path, then they began to play the part of rebels. These philosophers should be the best & greatest of the uneducated men the apex of his intellectual achievements. Then in its influence to the thousand teachers was the spirit of skepticism which so many of the Reformation encouraged by their extensive innovations in the manners of the age. All long old usages which should have been retained with time was abolished. The customs which the world cherished, which exist at the day of our of independent life was further beyond its proper limits. The influence of tyranny is evident in our present position of Europe and thus is identified with the mind.

The Reformation -

Great revolutions in the moral sentiments of mankind are upon the world like vast seas of the ocean. As an object floating upon its surface is rolled higher and higher by each successive wave, so these revolutions in the moral and social world seem to bring it nearer and nearer to perfection. However paradoxical it may appear to some minds, we regard it as inevitably true, that was the French revolution with all its bloody horrors, was of incalculable advantage to mankind. It taught them that liberty, equality, fraternity, are but words and that the social theories of political philosophers are as empty as the stuff that dreams are made of. Revolutions are therefore salutary points in history, where each civilization receives its impulse and chief characteristics are created, which the successive improvement of the world is necessary. No one of these surpassed that in boldness prominent than the German Religious Reformation of the 16<sup>th</sup> Century. We order to comprehend a consideration of the subject as our limits will permit, but we briefly investigate some of the causes which conspired to bring about this great event.

The Roman Catholic Church ~~was~~ <sup>was</sup> at this period one of the most remarkable institutions and presented one of the most wonderful spectacles the world has ever witnessed. A spiritual despotism <sup>terrible</sup> more complete can not be conceived. Any word it detected every manifestation of free inquiry and tyrannous-armed it crushed every effort at revolt. Built upon the unshaken confidence of the world and relying for its permanency on that inherent profanity of the human mind to superstition, its sole object was naturally to develop to the utmost the base and to paralyze the noble faculties. True, it taught more from their profanity to live in terms of reverence; but it was the manner of sacred manners



marvellous legends, pictorial images and brilliant spectacles - not the direct reverence of the true God. The injuries which were thus inflicted upon those who acknowledged its sway extended not only to their spiritual but political privileges, and were one of the chief causes of the final and successful overthrow of the papal supremacy.

The revival of the study of the classics likewise contributed silently though not less powerfully to this result. Previous to the Reformation complete intellectual darkness had prevailed, so far at least as regarded the people for philosophy and learning were confined to cloistered cells or were employed in building up and strengthening the political and ecclesiastical power of the Roman Church. Now however the case was reversed. The new creed which was at first promulgated by a few obscure ~~single~~ individuals, was rapidly espoused by the most learned men of the age. Something of the spirit which animates the pages of the great gem of antiquity, was communicated to the people by Melancthon and Erasmus. Their eyes were opened to the errors, habits, prejudices by those whom they were accustomed to regard as saints, incapable of error. The talisman of professed infallibility was speedily broken.

Lastly we notice as one agent in effecting the Reformation that inherent love of liberty which is common to all men. Men move as if by a spring because they are men. With them change is a passion for progress. Such restless spirits are always found in the van of revolutions and reforms, and when distinct & tangible forms are given to their designs see very useful purposes. The ~~Catholic~~ Church was old and full of the corruptions common to every human institution. The new subject of most of the Reformation was to reform it, which it was not to be done by other means but to introduce and create, to build at the same time that they destroy it.

Let us now turn to observe some of the influence of the Reformation. Its influence upon the doctrinal and moral sentiments of Christendom was immediate and great. Men began to look at least at religion with more serious views, and to throw aside licensed indulgences. The yoke of Catholicism was everywhere borne with impatience. Submission no longer conduced to any advantage of the Pope. On every day observation shows and the heart has been moralized and man fitted to live with the proper dignity of his nature. Our reflections are cheered by the glad consciousness that the lot of our brief existence has been cast upon an enlightened age - a time when enlightened feelings and exalted morals dawned in the mind and we look back with gratitude upon those great pioneers in the Reformation as in fact the authors of these blessings.

But the chief advantage resulting from the Reformation was the great influence it had in invigorating and expanding the human intellect. It added new and such vigorous and distinguishing impulses as it did at that period. Its energies had been called to sleep, its capabilities were dormant but its fetters were now broken, its shackles were falling off. Once loose never did the giant arm of a Reformation spring up with more vigorous strength. Battering the first faint gleamings of light which have shed around it mazy mists were gradually thrown off and deprived of their potency. Men began to measure by intellect. Observation and experiment - these by words of every great language - became common forms and were frequently applied. Inquiry no longer walked with fearful step, but went abroad in the land unaccompanied by men and showing, untrammelled spirit to no disadvantage. The controversial abilities of the scholastics were hushed, were minute questions as those of general interest. Scholastic departed from the regions of mysticism and asceticism to the



Is Catholicism likely to increase in this Country

The influence which the Roman Catholic Church for fifteen centuries has exerted on the moral intellectual and political development of man exceeds in magnitude and importance that of any civil or religious organization of modern times with which History has made us acquainted

Since ~~the~~ <sup>its organization as a system</sup> ~~birth of Christianity~~ it has largely and conspicuously participated in all those great political and religious revolutions from which modern civilization has derived its origin and distinctive features.

While all those institutions which sprang out of the chaos and darkness of the middle ages have been swallowed up by ~~state~~ successive popular convulsions, the Catholic Church has not only survived but is as arrogant in its pretensions and as unyielding in its demands as when the standards of the Vatican resounded on the hills of Great Britain and were echoed in the halls of the Monticellos.

But the pertinacity with which the Church has



change to existence and the vast resistive energy which <sup>2</sup>  
in each of many cases it has never failed to exhibit  
are not more wonderful than the facility with  
which it has adapted itself to the most diverse cir-  
cumstances, to every form of society, whose existence from  
from the very nature of its organization was not absolutely  
incompatible with its own.

It would apparently be a legitimate deduction  
from the history of the Catholic Church in view  
of the rapidity and facility with which it has surmounted  
difficulties, hitherto deemed insurmountable and  
in view also of the universality with which its doctrines  
have and continue to prevail, that the United States  
where no obstructions - so far as the action of Government  
is concerned - but those of a purely moral nature  
interpose, would offer a broad and favorable  
field for its expansion and development.

But that such a conclusion is only apparently legit-  
imate, a critical examination of the doctrines and structure  
of the Catholic Church and a careful survey of its  
history, will prove to the satisfaction of every candid  
inquirer.

We observe in the first place that Roman Catholicism  
is radically antagonistic to those principles of religion and



3  
civil liberty which prevail in the American mind and  
are embodied in the American Constitution.

In confirmation of this proposition we shall briefly  
consider first -

1<sup>st</sup> The nature of the doctrines of Roman Catholicism.  
By doctrines we mean do not mean tenets of re-  
ligious belief strictly so called, which are essentially  
the same in Catholicism and Protestantism -

The existence of a supreme Being, the necessity of  
worshipping him, strict observance of his ~~commandments~~ will  
as indicated by inspiration or revelation, the im-  
mortality of the soul, future rewards and pun-  
ishments, these are the fundamental truths of  
the Catholic as in the Protestant creed.

Our reference is to those doctrines which distinguish  
it from Protestantism - which by prescription or gen-  
eral consent have become a part of and are  
inseparable from Catholicism.

In any complicated institution a few essential  
and leading facts determine the char-  
acter, influences and tendencies of the entire system.  
This is especially true of Roman Catholicism.



Chief among <sup>such prominent elements in its system</sup> these is the doctrine of the infallibility of the Church and its ecclesiastical authorities.

Now 'infallibility' is absolute exemption from error or change. Hence, if infallible the Church has never nor can ever undergo any essential modifications. It is the same at all times and in all circumstances in all countries. The argument therefore that Anglican and Roman Catholicism are radically different is invalid. They are one and the same and can never be otherwise.

Again, infallibility is irresponsibility - so far as human authority is concerned. Or rather irresponsibility is the necessary result of infallibility. That which is outside of and independent of all laws - both those which regulate the material universe and those which determine the social relations of mankind - can not possibly be subject to law. Immutability owes not allegiance to the law of change, infallibility to laws which are essentially imperfect, full of errors. What are the necessary consequences of such doctrines when embodied in an active, energetic, organized system. They will be found to be trifling. —



First - The suppression of free inquiry or the exercise of <sup>3-</sup> individual judgment and -

Secondly - The assumption of the right of persecution -  
If these supposed rights do not result from the very nature of infallibility - a point which we shall not here discuss - They have nevertheless been claimed and acted upon as the very basis of Roman Catholicism.

The history of the Church is the history of organised intolerance, an uncompromising, persevering spirit of persecution whenever persecution has been practicable.

Previous to the Reformation its power was absolute - Argus-eyed it detected every manifestation of free inquiry and Brasars-armed it crushed every effort at revolt. After that great event it systematically <sup>employed</sup> the most fiendish inventions which cruelty could suggest and resorted to the most unbarbarous means for the accomplishment of its one grand object - the suppression of free inquiry. It inverted the injunction, it invaded the sanctity of the family relation by making the wife the betrayer of the husband, the child of the parent. It introduced civil discord and dissensions into the bosom of communities where peace and concord <sup>had hitherto</sup> alone prevailed.



Through its instrumentality the marble monument marks the resting place of many a hero on spots where the drum beat should never have been heard, where the trophies of war should never have been heard.

But it may be asked has not Protestantism been guilty of the same enormities? We readily admit that to a considerable it has. But Protestantism does not claim infallibility does not arrogate to itself absolute exemption from error does not profess immutability.

Such are some of the doctrines, and some of the consequences to which have led - of Roman Catholicism.

Now ~~it is~~ the very essence of religious liberty that man is free to worship God according to the dictates of nature, revelation or individual conscience. This is a right common to all men, inherent and indefeasible and can not therefore be legitimately annulled by the exercise of force by religious or civil organizations.

In so far therefore as the doctrines of Catholicism violate this right, they are despotic. That they are incompatible with its enjoyment to the fullest extent



What are those characteristics - 1<sup>st</sup>

We observe that it is essentially despotic - both in its nature and Church organization.

Let it be understood that when we say the nature of Roman Catholicism is despotic we have no reference to its religious doctrines strictly so called. We confess our inability to discover an marked difference between Catholicism & Protestantism in this respect. The existence of a Supreme Creator of the Universe, the necessity of worshipping him, the strict observance of his commands as indicated by revelation, future rewards and punishments - These are the fundamental truths in the Catholic as in the Protestant creed.

But ~~rather~~ doctrines to which we particularly refer are those which by prescription and general consent have become a part of and distinguish Catholicism from Protestantism. Chief among these and that to which we shall confine our attention is the <sup>doctrine</sup> infallibility of the Church or doctrine promulgated by the fathers of the Roman Church, always insisted upon and without which Catholicism would not be Catholicism.



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we think has been abundantly proved.  
The ~~grievous~~ <sup>grievous</sup> ~~law~~ <sup>law</sup> is a body of high treason against the rights & con-  
~~science~~ <sup>science</sup> ~~of mankind~~ <sup>of mankind</sup> ~~and~~ <sup>and</sup> ~~now~~ <sup>now</sup> ~~examine~~ <sup>examine</sup> ~~briefly~~ <sup>briefly</sup> the structure of the  
Catholic Church government.

Catholic jurisprudence ascribes  
to the Pope or the Pope in conjunction with the councils  
or chief Tribunals - absolute spiritual and temporal  
supremacy. The ends at which it aims and the  
means or agents it employs for the accomplishment of  
its purposes are both spiritual and temporal.

It may be fitly characterised therefore as a grand  
consolidated Theocracy, claiming for itself at the  
same time universal temporal dominion, exemption  
from responsibility to all human authority.

Now every such government, from the very nature  
of the case - must be a despotism and that  
of the most conceivable character, for it not  
only annuls all civil rights but reduces the intellect  
to the most degrading servitude.

What is despotism - obviously the centralization of  
all power or authority in a single agent, be that  
agent an individual or body corporate.

On the other hand it is the essence of liberty that



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power be distributed and under such conditions as to produce as nearly as possible a perfect equilibrium of all the forces which operate in society - and that it be exercised in so far only as it is necessary to the security and stability of the entire body politic.

But the union of absolute <sup>ecclesiastical</sup> spiritual and temporal power centralization to the fullest extent. Accordingly we shall find that wherever governments have been constructed on this principle despotism has been the inevitable result.

Examine the history of the Papal dominions, of Prussia of Spain before the full development of modern civilization. Can power ~~more~~ absolute or more rigorously exercised can despotism more complete and hopeless than that which has existed in each of these empires - be conceived!

The government of Great Britain deserves a ~~place~~ in passing ~~as~~ it is often mistaken as illustrative of the liberalising influence of the union of ecclesiastical & civil authority. A moment's reflection will convince us that there is no real union of Church and State - to use a popular phrase - in the Constitution of that government.

No where is a wider latitude of religious belief tolerated than in England. The established Church claims not more



than any other involuntary submission to its authority. Its influence is little if any on the political legislation of Parliament.

It can not therefore be termed with propriety an absolute Theocracy or an essential part of the civil government.

Such then is the structure of the government of the Church of Rome, a government based upon principles and the embodiment of doctrines which are inseparable from despotism.

We shall find still further that its active sympathies have always been with absolutism and against political liberty - Says Guizot. The church has often no doubt set up and defended the rights of the people against the bad governments of their rulers, often has she approved and excited insurrections; often has she maintained the rights and interests of the people in the presence of their rulers. But when the question of political securities came into debate between power and liberty when any step was taken to establish a system of permanent institutions which might effectually protect liberty from the invasions of power in general, the Church always ranged herself on



the side of despotism." It is not necessary to pursue <sup>10</sup>  
this topic any farther.

If what we have said in the  
preceding pages be true, we have a religious system  
whose doctrines are despotic whose government is  
a theocratic monarchy of absolute power, whose sym-  
bols have always been for despotism against po-  
litical liberty.

Can such a system - so full of contradictions or adaptations  
which have reference to a civil establishment and which  
by its canons or jurisprudence comes in contact with  
and affects to control all the social relations ~~can~~  
~~ever~~ be fitted to our own institutions so as to work har-  
moniously with them? It is impossible. Despotism and  
liberty can not obviously exist in the same body  
politic. One or the other must obtain supremacy.

Now if we examine the history of the Church, in its re-  
lations with the progress of political civilization if  
we may use the expression - we shall find that  
whenever popular revolutions have secured a permanent  
increase of civil liberty, a corresponding diminution  
of spiritual despotism has ensued. In other words when-  
ever civil liberty and papal supremacy have come in  
conflict the former has come off victorious -



Such was the case in England. The revolution of the seventeenth century besides regenerating the political condition of England released them forever from subjection to <sup>the</sup> Church of Rome. Catholicism as a system has no existence in Great Britain.

Such was the result also in France under a Constitutional government.

The same fact appears with equal clearness and force in the Feudal system. This institution undoubtedly approximated more closely nearly to a Republic than absolute monarchy. It was by no means democratic indeed but still it was founded on the principle of the distribution of power in contra-distinction to centralization.

If any degree of conclusiveness therefore may be attached to analogical reasoning, if any reliance may be placed on the experience of mankind, it is not only improbable but impossible that Roman Catholicism should extend its influence in the United States.



First Term.

Senior Year