

## The State Soldier III, Virginia *Independent Chronicle*, 12 March 1788

To the GOOD PEOPLE of Virginia, on the new FÆDERAL CONSTITUTION, by an old STATE SOLDIER, respecting the influence of great names.


When I first entered the list among the patriotic advocates for the new constitution, which I look up to now as the salvation of America, I had nothing else in view than just to expose the folly of those who made use of the names and characters of private men to support the insignificance of their own arguments.

But alarmed at the thoughts of a dissolution of the UNION, which I consider the greatest curse that could befall America, I determined to suspend my answer to those authors, to which my first address was only an introduction, until I cautioned you against laying the foundation of your own destruction by electing men for the approaching convention, who, under a pretence of amending and perfecting this new work, mean to dissolve the confederation.

And having in the fullest manner, I trust, proved to you in my last the impossibility of amending this new plan of government, at this time, without disuniting the states, I shall now return to my first design.

The adversaries to the constitution have not only held up the *chief heroes* of their party as the infallible guides on this occasion, but have spoken of some of its friends with such asperity and disingenuousness as would induce those who were unacquainted with the dispute, to suppose, that it was nothing more than a private *quarrel* among some leading individuals, under whose standards all the rest of America had servilely enlisted as their vassals.

If in answering those *ingenuous, polite, and liberal* authors, I should bring to view some truths which have not yet appeared, by using their own method of arguing as the only means to refute their folly, I trust I shall be excused, as they have not only taught the useful lesson, but absolutely driven those who attempt to answer them into the necessity.

But notwithstanding all that has been said about the liberty of the [484 ] press being destroyed by the new constitution, I scarcely expect to find a sufficient remnant of that great blessing even in our present system to bring this paper to your view.

For to those very causes which some attribute the destruction of the liberty of the press, I look up for its becoming more unbounded—since clear it is, there are great restraints of that sort already, nor can any thing else be expected in a government as popular as this is.

The liberty of the press is not always one of the most lovely traits of the freest governments:—for as the most popular kinds have generally been thought the most free, it follows that the most free will not be the most favorable to that spirit which is necessary to constitute the liberty of the press.

It is in popular governments that men obtain that very superiority over others, by consent, which is held in other governments by hereditary right; with this only difference, that as the one is always the attainment of superior abilities, and the other

too often the right of fools, the just sense we have of the one's being capable of doing us more real good or harm than the other, renders the influence of merit much greater than that of birth.

Whence it follows that men in popular repute over-awe the actions of others much more than those who are only the favorites of fortune. For in kingly governments where men are statesmen by birth, and perhaps only revered for their empty titles, dignity remains protected no longer than it is unattacked—which in general is not long—for superior merit ever anxious to float uppermost in the stream of life, those who possess it necessarily strive to sink others who have only risen above them by the partial hand of fortune. When instantly, that same superiority of talents which adheres to the side of government in the one instance, shifts its influence to the side of liberty in the other. And thus the press becomes influenced, not by the absolute interference of any government, but by the mere complexion of it—and is nothing more at last than an adherence to the popular side.

In those governments whose heads are the free choice of the people, it is ever to be found on the side of the state, as the same voice which promotes will protect its favorite; and where the success of an author depends on the breath of those who have thus promoted the man at whose character he aims, it would be deemed madness to make the attempt, and nothing less than treason to aid him in it.

When on the other hand, in those governments whose heads are the establishment of birth, and the detestation of the majority, the assistance of the press is to be found on the side of the people. And this it is that is called the liberty of the press.

In England where government has always had some of the ablest men for its opponents, with the popular voice of the people on their side, the liberty of the press is such that even the dignity of the crown does not protect men from ridicule and abuse.

But in America where the dignity of an individual depends on the voice of the people at large, the very reverse has already been seen.

In the course of the late war many attempts were made by General Lee to publish different pieces in abuse of General Washington, only one of which ever made its appearance, and for publishing that, the printer was severely handled, not by government, but by the populace. Which we cannot now but consider as improper:—for sacred as the character of any individual may be, yet the voice of another should be fairly heard—since ridicule, when unconnected with truth, not only ceases to be severe, but degenerating into scurrility, renders the author, and not the person pointed at, the object of contempt.

Under this consideration no good man could object to seeing his character fully stated to the world—and much less would HE whose merits like the purest gold could only become the brighter by being the more frequently handled;—and whose character when held up to public view would only serve to dazzle the eye of envy itself.

That however justly General Lee might have merited our hatred on that occasion, we cannot but lament the consequences of such a disposition. For as no one can judge of the merits of another before he hears them fairly investigated, it would be wrong to shut our eyes against an attack on any one until we were convinced thereby of his purity. The impropriety of which however will be still more clearly seen in a much more

recent affair—The recital of which will bring me to the principal object of this paper, from which I have already too long digressed.

As late as in the contest now subsisting about the constitution under consideration, a printer in this state for some time refused to publish a piece because it contained some reflections on one Richard Henry Lee—when, had he measured the dignity of that name by the merits of the letter to which we have lately seen it annexed, he would have had no such scruples perhaps.

But it is not at all surprising that folly should come off with impunity where even vice itself meets with protection.

Fortunately however for this country, we are now likely to profit from both. This gentleman at length, led by his vanity to give us a true attested copy of the powers of his genius, has relieved us from any fear we might have had of being deluded by his abilities; and being long convinced how far we might rely on his integrity, we feel ourselves more and more at ease under any political opinions he may advance. From the commencement of his political career until the publication of his letter, we have been in doubt about the one; but from the *stamp-act* until the present day, we have been clear in the other.

But whatever could have induced the opponents to the constitution, and Mr. Lee above all, to hint at the designs of its friends, I cannot conceive. Did they expect that the mere name of Lee or Mason would be sufficient protection to such barefaced impudence and folly? Did they expect that no enquiry would be made, and no return given to such uncharitable methods?—Or did they expect their characters, abilities, or designs would bear a stricter scrutiny than those aimed at on the other side?—Nothing but the vain manner in which one of those gentlemen ushered his pamphlet forth, could make us suspect either of them of such ill-grounded hopes.

It is not at all surprising however that Mr. Lee should be opposed to a government, which will probably begin with a man at its head, to procure whose disgrace he has once before convinced us he would cheerfully have sacrificed all America. This is a circumstance too fresh in the minds of all to be forgotten, though it might not have been mentioned at this time, had not this gentleman's own imprudence forced it from me.

Had those two *great statesmen* but sent forth their objections to the new constitution through the verbal medium of their friends; or, had they, like another author of the same stamp, but sent them forth in the more *important* form of *parables* for others to comment upon, they would have had much more weight, I suspect, than even the objections of a Lycurgus or a Solon, supported by the printed arguments of a Lee or a Mason.

But how far the dignity of names may go towards making up for a deficiency of argument, I am incapable of ascertaining—Or how far the name of Lee may be considered as such, I only shall appeal to his own pamphlet to determine—where, whenever it shall be seen deprived of every other ornament but the genius of the man, the mighty name of—Lee—in weight, as well as size, will only be found to be the *picture* of *greatness* in *miniature* at best.

Mr. Lee begins his objections to the constitution by observing that “to say (as many do) that a bad government must be established for fear of anarchy, is really saying that we must kill ourselves for fear of dying.”—From which, as simplicity of thought generally denotes a goodness of heart, I should suppose this gentleman to be one of the best creatures in nature, and if considered as similar only to what he meant should follow after, was as just as it is inelegant and inapplicable if intended to answer any other end. For how does he prove this to be a bad government?—Is it by comparing it with the perfection of his own scheme, for I observe he has been graciously pleased to offer us his amendments to the constitution?

It is a pity this gentleman had not given a sample of what he could do before the appointment to the grand convention was made, that he might have offered his *amendments* in a more seasonable place. For had he convinced the world that he was superior to either of the nine, who were in the course of the business appointed by this state, I have no doubt but he would have been in that honorable Assembly, where he might have shewn that superiority, of which he thinks himself possessed over the thirty nine who signed the constitution, without exposing his name at this time to the ridicule of the world.

In respect to the tyranny those gentlemen paint in such horrid colours, it appears to me, but little need be said; for it is not only true, that those who are the loudest about liberty, have always been the greatest tyrants themselves when they have had it in their power; but it is also clear that while in the very act of the one, they are even then exercising the very worst kind of the other. For it being a fixed point that human nature cannot exist without the assistance of government, and there being no power to which mankind are incident, more terrible than fear, it follows, that to keep men under a perpetual alarm about what they cannot, agreeable to their own natures, get rid of, is to worry them out with one oppression and thereby fit them for every other. And this too being generally done by the most insignificant members of the community, renders the tyranny of popular alarm much worse than the fixed oppressions of the most formidable government—and in *the present* instance far more degrading, as it would be much more honorable to be devoured alive by a LION, than frightened to death by a *monkey*.

But I should not deal thus in trifles were it not for two reasons: The first is, having set out solely with a view of exposing in this paper the meanness and folly of being led away by the mere sound of names, I could not pass by this self-sufficient politician in silence—and the other is, that were we determined to pay no attention to trifles, Mr. Lee’s whole letter would go unnoticed—which would be rather mortifying, after the hints he dropped to get it printed;—notwithstanding which, however, it had nearly died in manuscript. For unfortunately that gentleman’s correspondent was either too good a judge of literary performances to suppose, as he did, that the mere name of Richard Henry Lee would stamp it with the title of perfection; or else, he had not clearly determined, at that time, on taking his side of the question, as he has since *prudently* taken *both*:—and that being the case, I shall say nothing to caution you against relying on his opposition to the constitution; as there are few I presume willing to rely much on the command of a general who will not openly head his own army for fear of offending the enemy.

As for Mr. Mason, poor old man, he appears to have worn his judgment entirely threadbare and ragged in the service of his country. But however faint his present endeavors may be to render public good, his past services can never be forgot while his *great zeal* in the Indiana cause remains so lasting a monument of his *righteous* endeavors, and *happy effects* of his land-office scheme have shewn themselves so clearly—at least in favor of his own fortune.

To a man thus *zealous*, the want of authority to pass ex post facto laws may be a great objection to the new constitution indeed, as they might be rendered highly useful to, and a great improvement on, the *art of speculation*. But in all other cases they have ever been considered a great curse, since they can only be productive of a halter to the innocent and ignorant.

Whatever this gentleman might have intended when he said that this government would “vibrate for some time between aristocracy and monarchy,” and then that “it will settle at last between the one and the other,” I will not undertake to say, as I would not presume to dive into the meanings of so profound a man. But if its *vibrating between* the two—and then *settling between* the two, proves any thing, it must be that it will not end in either—and *this is what we wish*.

But what do you suppose are the real motives of such gentlemen for advocating the cause of liberty so strenuously at this time?—Is it that Mr. Mason, who is a man of immense fortune, and Mr. Lee, who possesses as much pride and ambition as he does fortune, are really anxious to see all men raised up to an equality with themselves?—Or is it not rather from a fear that they themselves shall be reduced below the level of some others?

Two things appear to me to operate most powerfully against the adoption of this constitution. The one is dignity—the other debt. And to both of those causes I attribute the opposition of a *man* whose designs and ingenuity are much more to be dreaded than any I have yet mentioned. The constant propensity he has ever shewn to soar upwards on the breath of popular applause, justifies my surmising the one; and his uniform opposition to the payment of certain debts,<sup>9</sup> in which the majority of this country are little interested, and the establishment of this government will certainly bring about, warrants me in asserting the other.

For he who was willing but a few years ago to vest Congress with the power of raising taxes by the absolute assistance of (c) armies, could have little objection to a plan at this time, which only proposes to raise them by moderate means, was there not something of secret consequence involved in it.

But as this gentleman has been too wise to trust his objections to the new constitution to the eyes of the public, I shall not mention his name; though I should have little scruple in exposing to view the name of a man, who after all his patriotic canting and whining has been among the first to speculate on the unfortunate credit of his country, and that too when he enjoyed one of the first posts in government. And should a proper opening ever offer, I shall let loose such a train of hypocrisy and deceit upon you, as will astonish you to behold.

But admitting all the enemies to the constitution to be equally honest in their opposition, that in itself is the strongest proof of the necessity there is of adopting it

before we attempt to amend it. For if their different designs cannot be offered as an excuse for their differing so widely as they do about the faults of the constitution, nothing I am sure but an acknowledgement that some of them are wrong can account for it; and since we know not on which to rely, nothing but experience can teach us which is right.

Thus having remarked on the designs of some of the principal enemies to the constitution with that freedom which becomes the spirit of an independent man, to which none of those gentlemen themselves can with propriety object, since they are all such *great friends to the Liberty of the press*, I shall return again to the more pleasing subject of the constitution, and endeavor in my next to answer, in as plain a manner as I can, such objections to it as I think worthy of notice.

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