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“Loyalty and Sedition”

" But we oftentimes perceive such significations assumed by those who find the wrong use of the words conducive to the increase of power or gain, that it is difficult to tell whether loyalty is really commendable or sedition blameworthy. True loyalty in the sense just now explained is the beauty and perfection of a well-constituted state. It cannot indeed subsist in an arbitrary government, because it is founded in the love and possession of liberty. It includes in it a thorough knowledge of our Constitution, its conveniences and defects as well as its real advantages; a becoming jealousy of our immunities, and a steadfast resolution to maintain them. It delights in the quiet and thankful enjoyment of a good administration, and it is the scourge of the griping oppressor and haughty invader of our liberties.

" But sedition is founded on the depraved and inordinate passions of the mind : it is a weak, feverish, sickly thing, a boisterous and unnatural vigor, which cannot support itself long, and oftentimes destroys the unhappy patient. It proceeds from gross mistake or great wickedness, from lust of power or gain, in the first promoters of it, and from untamable obstinacy and a vitiated palate that cannot relish the happiness of a free state in the creatures of their designs.

" It is a very great mistake to imagine that the object of loyalty is the authority and interest of one individual man, however dignified by the applause or enriched by the success of popular actions. This has led millions into such a degree of dependence and submission, that they have at length found themselves to homage the instruments of their ruin at the very time they were at work to effect it. The true object of loyalty is a good legal constitution, which, as it condemns every instance of oppression and lawless power, derives a certain remedy to the sufferer by allowing him to remonstrate his grievances, and pointing out methods of relief when the gentle arts; of persuasion have lost their efficacy. Whoever, therefore, insinuates notions of government contrary to the constitution, or in any degree winks at any measures to suppress or even to weaken it, is not a loyal man. Whoever acquaints us that we have no right to examine

into the conduct of those who, though they derive their power from us to serve the common interests, make use of it to impoverish and ruin us, is in a degree a rebel – to the undoubted rights and liberties of the people. He that despises his neighbor's happiness because he wears a worsted cap or leathern apron, he that struts immeasurably above the lower size of people, and pretends to adjust the rights of men by the distinctions of fortune, is not over loyal. He that aggravates beyond measure the well-meant failings of a warm zeal for liberty, he that leaves no stone unturned to defend and propagate the schemes of illegal power, cannot be esteemed a loyal man. Indeed, the reverse use of these words may possibly find authorities in some parts of the world where language and sense are deluged in the torrent of arbitrary power."

REGARDING "LIBERTY" Article written about 1748 in the publication: Advertiser

"*Libertate modice utantur. Temperatam earn salubrem et singulis et civitatibus esse: nimiam et aliis gravem, et ipsis qui habeant effrenatam et praecipitem esse Alienis armis partam, externa fide redditam libertatem sua cura custodirent servarentque, ut populus Romanus dignis datam libertatem ac munus suum bene positum sciret.' – Orat T. Quint, ad Grsec Civit apud Liv. XXXrV. 49.

Latin translation: "On their Freedom. Individual cases, and the cities of it, and be effectively and to be governed by moderation: Excessive and burdensome, and the arms of others and for the others who may have to be secured over the reckless and hasty nation, should keep and guard it, was the freedom of his own faith, seeing that no external, if worthy of the liberty of the Roman people, that their gift had been well bestowed, as he knew that was given to.

" There is no one thing which mankind are more passionately fond of, which they fight with more zeal for, which they possess with more anxious jealousy and fear of losing, than liberty. But it has fared with this, as with many other things, that the true notion and just definition of it has been but little understood, at the same time that zeal for it and disputes about it have produced endless altercations.

There is, there certainly is such a thing as liberty, which distinguishes man from the beasts, and a society of wise and reasonable creatures from the brutal herd, where the strongest horns are the strongest laws. And though the notions of men were ten times more confused and unsettled, and their opinions more various about this matter than they are, there yet remains an internal and essential distinction between this same

liberty and slavery.

"In a former paper, the true notion of loyalty has been considered; I shall now offer to the public some general thoughts upon liberty, in order rightly to apprehend which subject we must consider man in two different states, namely, those of Nature and of Society."

In the state of nature, every man has a right to think and act according to the dictates of his own mind, which, in that state, are subject to no other control and can be commanded by no other power than the laws and ordinances of the great Creator of all things. The perfection of liberty therefore, in a state of nature, is for every man to be free from any external force, and to perform such actions as in his own mind and conscience he judges to be Tightest; which liberty no man can truly possess whose mind is enthralled by irregular and inordinate passions ; since it is no great privilege to be free from external violence if the dictates of the mind are controlled by a force within, which exerts itself above reason.

" This is liberty in a state of nature, which, as no man ought to be abridged of, so no man has a right to give up, or even part with any portion of it, but in order to secure the rest and place it upon a more solid foundation; it being equally with our lives the gift of the same bounteous Author of all things.*¹ As, therefore, no man's life is his own in such a sense as that he may wantonly destroy it at his own pleasure, or submit it to the wanton pleasure of another, so neither is his liberty. And had mankind continued in that innocent and happy state in which the sacred writings represent them as first created, it is possible that this liberty would have been enjoyed in such perfection as to have rendered the embodying into civil society and the security of human laws altogether needless.

" But though in the present corrupt and degenerate times no such state of nature can with any regularity exist, it will not, however, be difficult from the description we have given of liberty in that state to form the true notion and settle the just bounds of it in a state of society and civic government. But here, too, we must distinguish and consider liberty as it respects the whole body and as it respects each individual. As it respects the whole body, it is then enjoyed when neither legislative nor executive powers (by which I mean those men with whom are intrusted the power of making laws and of executing them) are disturbed by any internal passion or hindered by any external force from

¹ Compare the Rights of the Colonists, November, 1772 ; and the Declaration of Rights in the Congress of 1774.

making the wisest laws and executing them in the best manner; when the safety, the security, and the happiness of all is the real care and steady pursuit of those whose business it is to care for and pursue it ; in one short word, where no laws are carried through humor or prejudice, nor controlled in their proper execution by lust of power in the great, nor wanton licentiousness in the vulgar."

As it respects individuals, a man is then free when he freely enjoys the security of the laws and the rights to which he is born when he is hindered by no violence from claiming those rights and enjoying that security, but may at any time demand the protection of the laws under which he lives, and be sure when demanded to enjoy it. This is what I take to be liberty; and considered in this light, all the fine things said of it by ancient and modern do justly belong to it. O Libertas ! Dea certe ! — it is the choicest gift that Heaven has "lent to man ; an emanation from the Father of Lights ; an image and representation of the government of the Supreme Director of all things, which, though it can never be controlled by any superior force, is yet ever guided by the laws of infinite wisdom.

" But alas! in this exalted sense, liberty is rather admired in the world than truly enjoyed. What multitudes of persons are there who have not so much as the shadow of it ! who hold their property and even their lives by no other tenure than the sovereign will of a tyrant, and he often the worst and most detestable of men, who, to gratify the least humor or passion in his nature, does not scruple to massacre them by thousands ! Sure it is true what orthodox divines tell us, that men are apostate from God, since in his righteous providence he subjects so many of them to such miserable fate!

"But there are other states and civil societies in the world, the model of whose government seems to promise the sure enjoyment of this blessing; which yet, if we attentively examine, we shall find to be really destitute of it. We shall often find, that where the forms of it are observed, the substance of it is wanting; for, as that man is truly a slave, who, though impelled by no external violence, is yet carried away by the impetuosity of his passions to do those things which are abhorrent from his nature and his reason, so neither can the people be called free, who, though they make their own laws, are yet blinded by prejudice and diverted by undue influence from uniformly pursuing their own interest.

" It has been a question much controverted in the world what form of government is best, and in what system this liberty is best consulted and preserved. I cannot say that I am wholly free from that prejudice which generally possesses men in favor of their own country, and the manners they have been used to from their infancy. But I must declare,

for my own part, that there is no form of civil government, which I have ever heard of, appears to me so well calculated to preserve this blessing, or to secure to its subjects all the most valuable advantages of civil society, as the English. For in none that I have ever met with is the power of the governors and the rights of the governed more nicely adjusted, or the power which is necessary in the very nature of government to be intrusted in the hands of some, by wiser checks prevented from growing exorbitant. This Constitution has indeed passed through various amendations, but the principal parts of it are of very ancient standing, and have continued through the several successions of kings to this day ; having never been in any great degree attacked by any, but they have lost their lives or their crowns in the attempt.

"The two main provisions by which a certain share in the government is secured to the people are their Parliaments and their juries; by the former of which no laws can be made without their consent, and by the latter none can be executed without their judgment. By this means the subject can never be oppressed by bad laws, nor lose the security of good ones, but by his own fault; and though I am not such an extravagant admirer of my own country as to suppose that Parliament never made unwise laws, or that jurors never put false constructions on wise ones, yet I will venture to assert that every man's security and happiness is much safer in such hands than under an arbitrary or aristocratical form of government. Especially since, by the wise provisions of our ancestors, both these powers are of short continuance; for power intrusted for a short time is not so likely to be perverted as that which is perpetual.

"From this happy Constitution of our mother country, ours in this is copied, or rather improved upon. Our invaluable charter secures to us all the English liberties, besides which we have some additional privileges which the common people there have not. Our fathers had so severely felt the effects of tyranny and the weight of the bishop's yoke, that they underwent the greatest difficulties and toils to secure to themselves and transmit to their posterity those invaluable blessings; and we, their posterity, are this day reaping the fruits of their toils. Happy beyond expression! – in the form of our government, in the liberty we enjoy, – if we know our own happiness and how to improve it. But neither the wisest constitution nor the wisest laws will secure the liberty and happiness of a people whose manners are universally corrupt. He therefore is the truest friend to the liberty of his country who tries most to promote its virtue, and who, so far as his power and influence extend, will not suffer a man to be chosen into any office of power and trust who is not a wise and virtuous man. We must not conclude merely upon a man's haranguing upon liberty, and using the charming sound, that he is

fit to be trusted with the liberties of his country. It is not unfrequent to hear men declaim loudly upon liberty, who, if we may judge by the whole tenor of their actions, mean nothing else by it but their own liberty[^] — to oppress without control or the restraint of laws all who are poorer or weaker than themselves. It is not, I say, unfrequent to see such instances, though at the same time I esteem it a justice due to my country to say that it is not without shining examples of the contrary kind ; — examples of men of a distinguished attachment to this same Liberty I have been describing whom no hopes could draw, no terrors could drive, from steadily pursuing, in their sphere, the true interests of their country ; whose fidelity has been tried in the nicest and tenderest manner, and has been ever firm and unshaken.

“The sum of all is, if we would most truly enjoy this gift of Heaven, let us become a virtuous people: then shall we both deserve and enjoy it. While, on the other hand, if we are universally vicious and debauched in our manners, though the form of our Constitution carries the face of the most exalted freedom, we shall in reality be the most abject slaves.”