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Mr. GRAY'S ORATION.

AN
ORATION,
DELIVERED JULY 5, 1790.
AT THE
REQUEST OF THE INHABITANTS
OF THE
TOWN OF BOSTON,
IN
CELEBRATION
OF THE
ANNIVERSARY
OF
AMERICAN INDEPENDENCE.



By EDWARD GRAY, Esq.

An vero ullam usquam esse oram tam desertam putatis, quò non
illius diei fama pervaserit ?

Cicero pro lege Manilia, Sect. 15.

B O S T O N :

Printed and sold by SAMUEL HALL, at No. 55, Cornhill.

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AT a MEETING of the FREEHOLDERS and other INHABITANTS of the Town of BOSTON, duly qualified, and legally warned, in publick Town-Meeting assembled, at FANEUIL-HALL, on Monday the 5th day of July, A. D. 1790, 9 o'Clock, A. M.

VOTED, That the SELECTMEN be, and hereby are, appointed a Committee to wait on EDWARD GRAY, Esq. and, in the name of the Town, to thank him for the spirited and elegant ORATION, this day delivered by him, at the request of the Town, upon the ANNIVERSARY of the INDEPENDENCE of the UNITED STATES of AMERICA; in which, according to the Institution of the Town, he considered the feelings, manners, and principles, which led to that GREAT NATIONAL EVENT:—And to request of him a copy thereof for the Press.

Attest.

WILLIAM COOPER, Town-Clerk.

Boston, July 7, 1790.

GENTLEMEN,

UNDER the kind patronage of my Fellow-Townsmen, I consent to give for the Press, a copy of the ORATION I delivered on the 5th instant, at their request.

I am, GENTLEMEN,

With great respect and esteem,

Your humble servant,

EDWARD GRAY.



A N

O R A T I O N.



FRIENDS *and* COUNTRYMEN,

THE great deeds of this people in pursuit of liberty, the magnanimity which achieved them, which did not cease its exertions, until their freedom and independence were established, dignify the character of Americans, and adorn the history of man.

But for what purpose are we assembled? As subjects, to rejoice that a king has granted us some paltry privilege? That he has banished an unjust minister? That Nero's minion is displaced while Nero reigns? No. Such humiliating inducements to festivity belong to other countries. As freemen, our object is to commemorate the day which emancipated our country: It is to celebrate that great day, which beheld three millions of people break from their chains, and assume their native * dignity.

The circumstances which led to this great event naturally

* All men are born free and equal. *Massa. Declar. of Rights.*

naturally command our attention. The origin of an empire established on the basis of liberty, is not only interesting to Americans, who enjoy its blessings, it is of importance to every one, who has a proper sense of the rights of man.

The views of mankind in submitting to government were, to obtain "through its protection and care, the happiness to which they naturally aspire." What form is best to attain this object, has divided the opinions of many.

Some writers have been so mean and servile as to become the advocates of despotism. They have deduced the rights of man from the courtesy of kings, and taught that the happiness which government affords, can only be procured by the ignoble means of servitude and submission.†

Society is certainly necessary to the felicity of man; and to enjoy it, government must be established. But are the blessings derived from it, only to be obtained by enabling one to make millions unhappy, without redress? By subjecting their rights to the caprice of a fellow-mortal, who, by nature, has the same frailties as they, and whose elevated station increases them?

Such writers have only debased themselves. No man was ever reasoned into slavery. Whole nations have been convinced that to be happy, they must be free. Extreme ignorance of the people, and the artifice of rulers, have been the only successful advocates of this degraded state. There

† Vid. the confutation of these writers in 2 Burlemaqui, 131, &c. in Vattel, b. i. c. 4. p. 23, 24.

There can be no doubt a free government is best suited to the nature of man. It gives him a proper sense of his own importance. Indeed, when the opportunity has presented, he has uniformly established it. In such a government, men are distinguished not for the services of their ancestors, but for their own. Great talents and virtues are the badges of office; and the little distinctions of rank, created by the pride of kings, give place to the noble rank of freedom, to which all the people are entitled.

If we look into history, we shall find that freedom has generally originated from oppression. Absolute kings, who have conducted with moderation, have lived and died peaceably on the throne. Men being attached to that government, under which their ancestors lived, and themselves were born and educated, have commonly suffered, before they resisted. But those who seemed disposed not to rule, but to ruin; not to govern with prudence, but to enslave, have awakened the spirit of liberty; which has not commonly been soothed until the rights of the people have been secured, as they supposed, from future infringement.

From this source originated the freedom of the Grecian states, which were at first absolute monarchies; until the tyranny of their kings made it necessary that the people should assume the government. † And in our own country, we behold the same cause produce the same effect.

It

† Montague's Ancient Republicks, 15. Dion Halicarn, 248.

It is not necessary I should recount your sufferings, which led to the late war. The claim of right in a British Parliament to bind you in all cases whatever, the trial by jury in many cases abolished, Judges appointed to hold their offices during pleasure, standing armies kept among you, without the consent of your Legislatures, and your charters violated, are too recent to need a particular recital.

As you proceeded in that contest, it became evident that the downfall of a minister, and the redress of a few grievances, were principles too limited to govern an enlightened people, in their conduct towards their oppressors. The right of sovereignty in the people of America was as sacred as any right they had ever enjoyed. It was not founded on any institutions of man; such foundations were too narrow: It was founded on the eternal laws of nature:—It grew out of those laws:—It was cherished by the spirit of your fathers; and under the valour and wisdom of their sons, that sovereignty originated, and has since attained to its full strength and vigour.

Never did a nation appear with such lustre as did America, in the day we celebrate. Party had no share in it. The declaration of Independence spoke the united sentiments of the people. It was not made in the career of victory, when the mind, flushed with success, overlooks all dangers in the wildest enterprizes; your fortune had been adverse: Yet on that day you shut the door against reconciliation; on that day was exhibited the august spectacle of America, alone, and
without

§ The Declaration of Independence.

without ally, fearless of British power and pride, asserting the rights of herself and man. That day placed you in the station, for which God designed you. It was an uncommon cause in which you were engaged. It was not the cause of America only; it was the cause of human nature. The late war commenced on your part, not from wantonness and pride; but, for freedom's sake. You persevered in it, not with a view to violate the privileges of others, but to defend your own: Not to add new triumphs to America, but to preserve those unalienable rights, which belonged to man in all ages; which are his inherent birthright in all countries; though overwhelmed in many by fraud or violence.

It would be an unpardonable omission, should I not observe, that the unpaid army which was peaceably disbanded, and the other patriots who exerted themselves for you, either in the cabinet or the field, will ever be entitled to your gratitude: particularly the Commander of that army, whose fame cannot be exalted by applause. Illustrious Man! in the record of thine actions, shall the historian secure his own immortality; and though thy grateful country can afford thee no adequate recompence; yet, if its prayers are heard, thy full rewards are in Heaven.

During the late war, our minds being fully and eagerly engaged in the great object of Independence, we imagined, when that object should be obtained, our liberty must be safe. Having severely suffered under a King and Parliament, whose constitutional powers were formidable, and having frequently experienced the fatal effects of those powers, when abused,

we suspected that all rule naturally tended to oppression : That an authority in a government to check the licentiousness of man, involved in it a power to enslave him ; that such must be its effect, and therefore that rulers, invested with that authority, were dangerous. Not reflecting that many powers were absolutely necessary to establish that freedom, so dear to us all ; to procure our happiness as a people, and support our dignity as a nation : And from a preposterous jealousy of our friends and fellow-citizens, we would not arm them in our defence, lest they should turn against us. We forgot the honest lessons of history, which have taught, that a government without sufficient authority to protect those who live under it ; which has not within itself the means of its own defence ; which can exist only when faction slumbers ; which cannot control it, but is controlled by it ; which pursues the happiness of the people, and yet is destitute of sufficient energy to enforce obedience, must inevitably fall : and that from its ruins will arise another, despotic as that, you opposed with such || spirit, and resisted with such || firmness ; which can be checked in its desolating course, not by the constitutional barriers, provided by the people ; but by the caprice of a tyrant, or the arbitrary mandate of a minister.

Such a nerveless government, as I have described, was the late Confederation. It vested in Congress a right to recommend, that is, to give the States advice, which they might reject. Our rulers had a right to request, and we might comply, if we thought proper. What protection could that government afford, whose
orders

|| As would have been immortalized, even if this people had not succeeded in their contest with Britain.

orders could be executed only by entreaty ; whose only resources were in prayers and supplications ?

Those persons are mistaken, who suppose the late articles of Confederation were annulled by the present happy Constitution of the United States. To every effectual purpose, they expired with the late war ; during which, many States obeyed the requisitions of Congress. But it was a time of enthusiasm. For what American heart could be so callous, as to be lukewarm in such a war ? Their desires met a ready compliance ; not because Congress required it, but the cause ; not because their powers were regarded, but because an enemy was in the bowels of our country, carrying ruin in its train.

Indeed had we given that form of government sufficient authority to execute its own powers, which is necessary for every government, we must have placed the legislative, judicial and executive powers in a single body of men. Those three departments of power, vested in one man, is tyranny ;* placed in one body of men, must become an oligarchy.* Surely the spirit of Americans would not suffer them to adopt a form of government, which, invested with those means, that in another would preserve their liberty, in this, must pervert those means to its destruction.

After the late war, it manifestly appeared to every impartial observer, that America had not a government to any national purposes. She, who, united in her late struggles, appeared with such splendor on the theatre of nations, being afterwards divided, was falling into insignificance and contempt. To expect enlarged views, and a liberal and national policy, from thirteen un-

* Spirit of Laws, b. 11, c. 6, p. 188. Federalist, v. 2, p. 93.

unconnected, † independent States, towards themselves and other nations, was to disregard all former examples. History would tell us, rather to expect a renewal of those scenes, which ruined and dishonoured Greece, where we behold no views, but those of State importance ; no interests regarded, but those which were local : not the patriot bleeding for his country, but the partizan in his cause. If the Grecian States sometimes joined in one cause, it was not because the Amphictionic Council § ordered it, nor because the common good required it. By accident there was an union of State interests, and that genius, which should have been employed in framing such a constitution, and such laws, as would make the people happy, and Greece respectable, was exhausted in mutual injury, and mutual slaughter.

It seems agreed by political writers, that a people are without liberty, when the legislative, executive and judicial powers are wholly vested in one man, or in one body of men ; || and if example is to be our instructor, we must be convinced that a people are equally destitute of freedom, whose rulers do not possess those powers to a certain extent, and have not sufficient authority to execute them.

A people subject to little or no constitutional rule, do not govern themselves. They are deceived, if they suppose they do. Faction rules them, and assumes to itself their honourable name ; it calls itself the people.
Were

† By an efficient government.

§ The Amphictionic Council consisted of Deputies from the several States of Greece : Every State had an equal vote in that Council ; and it operated like the late Confederation, not upon individuals, but upon States. The Federalist, No. 18, has accurately described it.

|| 1 Spirit of Laws, b. 11, c. 6, p. 188. 2 Pub. 93.

Were the Athenians free, when they unjustly banished Aristides, Cimon, and others, their greatest and best men? Were the Romans free, when Marius, despising even the forms of law, deliberately murdered all those, whom he suspected were in the interest of his rival, Sylla? Were they free, when Sylla revenged himself on the adherents of Marius, with equal contempt of authority, and with equal cruelty? or when the Triumvirate* were in office? No. Athens and Rome, when in their most democratic state, were constantly the seats of faction.† Yesterday one party was in power, and governed with unbridled despotism, as well the people, as its enemies. To-day, another is uppermost, and, smarting under its former sufferings, plays the tyrant in its turn. To be neuter, or the friend of real liberty, was dangerous. The spirit of patriotism sunk into the spirit of party. The partizans of the bold and factious demagogue, not the friends of their country, were invested with its honours: And we behold in both, when at the height of their imagined freedom, the citizen a slave and a tyrant by turns.

If those governments had possessed sufficient authority to check licentiousness, control the factious, and protect the peaceable citizen, history would not have told us of the cruelties of thirty tyrants; nor would the posterity of the manly Romans have degenerated into slaves.

It is manifest, that for a time, a local, not a national policy, regulated the conduct of many States; that the

* The Triumvirate alluded to, were Pompey, Cæsar and Crassus. Vid. 2 Vertot's revolutions in the Roman republick, 255, &c.

† Vid. Montague's Ancient Republicks, 83, 84, 85 and 86.—262, 3, 4 and 333.

the prosperity of a single State, and not of all, was the object of its citizens : and the mind, being accustomed to such narrow views, was bewildered when it contemplated the interests of a great nation. To diminish the distinct authority of each, † and thereby render all more respectable ; to transfer new powers to our rulers, and thereby increase our liberty ; § to create a government for a people, whose interests were discordant, || which should temper, regulate and control those interests, in such a manner, as would conduce to the benefit of all, appeared impracticable to those, who had been tutored in the little politics of a State ; who perhaps did not attentively investigate, and, therefore, did not comprehend our national interests. But an event took place, which, in its consequences, was so alarming as to awaken in them a sense of our danger ; which unveiled the weakness of our government to the view of all ; which demonstrated to the people, that they must immediately make an efficient, firm and national government for themselves ; and, that if they should delay to improve the opportunity for that purpose, which they had long possessed, it would be lost forever. It is almost unnecessary I should tell you, the event to which I allude, was the late insurrection ; which inspired the friends of their country with fear, lest America should add to the triumphs

† State.

§ If faction rules in a weak government, as I have before observed is the case, it is easy to conceive, that, by adding to the powers of rulers, the liberty of the people may be increased. Indeed, unless such additions are made, it is difficult to conceive that they have any liberty at all.

|| Our Representative, Mr. Ames, in a very sensible speech, delivered in Congress on the 5th of May, 1789, asserts, that few of the interests of the several States clash with each other ; and that although their interests are various, they are not opposite.

umphs of the advocates of arbitrary rule, and thereby exhibit another * instance of the degeneracy of man. This event revived in the people those general and extensive views, for which, during the late war, they were eminently distinguished : And being determined to unite upon liberal principles, having a just sense of real liberty, and being resolute to preserve it, a national government for our country was soon framed and adopted, the blessings of which we have experienced, and still enjoy.

“ Civil liberty (says a great Judge) consists, not in a right to every man, to do just what he pleases ; but it consists in equal right, to all the citizens, to have, enjoy, and to do, in peace, security, and without molestation, whatever the equal and constitutional laws of the country admit to be consistent with the public good.” This is the liberty for which Americans fought ; and it is a prize worthy of the contest, and of them. They have proved how much they regard it, by adopting a Constitution, which must be its firm protection and support : A government, not forced upon, but voluntarily adopted by them ; not framed by others, but by themselves : A government, whose powers are divided into three departments, † independent of each other, and, therefore, checks itself ; checked by thirteen legislatures, which derive their powers from the proper source of all legitimate authority, viz. the people ; checked by the people themselves, who, at stated times and periods, can displace their rulers, and appoint others in their stead ; controlled by the enlightened state of the human mind, at
the

* In addition to Rome and many other countries.

† Legislative, Executive and Judicial.

the present day; controled by that manly spirit which brought our forefathers to this country; which, with a noble firmness, has uniformly resisted tyranny in its advances, and has crowned our country with independence and with glory.

But your Constitution, excellent as it is, will not preserve your freedom, unless you are virtuous. Be assured, that without virtue, no people ever continued, for a long time, either respectable, happy, or free.

Other ‡ happy effects of Independence, we daily experience. Our commerce is extending; our manufactures are increasing; and our Country has become, and will continue, an asylum for the oppressed of others.

Let me congratulate you, that the spirit of liberty is not confined to America. You have awakened it in other countries, § particularly in one, || where, with an irresistible force, it has borne down arbitrary power, has liberated the victims * of despotic rule, and “led a King in triumph.” Learning, which is diffusing itself, must strengthen it in its course:—And let us rejoice, my countrymen, that we have sufficient grounds to anticipate the glorious day, although it may not belong to our times, when this our earth, the greater part of which is in bondage, will become a world of freemen—when, perhaps, a day like that we celebrate, will be the common jubilee of mankind!

‡ (i. e.) Besides our excellent Federal Constitution.

§ In France, and in the Austrian Netherlands. || France.

* The people of France liberated those who were confined in the Bastille, and destroyed it.

F I N I S.

