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ON LIBERTY
(with apologies to J. S. Mill)

~~W. Rostett~~
Braster

I have followed with considerable interest the tortuous path that the Brady Bill has traveled over the last ten years or so on its way to passage. American attitudes about gun control have much to say about our views of personal freedom and order in society. Obviously the public has an interest in regulating the use of a dangerous device so the issue which really divides us is the question of how much personal liberty are we willing to surrender in the interest of public peace.

Supporters of gun control often cite Great Britain as an example of a society in which peaceful, law-abiding people do not own guns. Not even policemen carry them it is said. Actually British agreement on gun control is fairly recent. It is the purpose of this paper to argue that American ideas of individual liberty, of which gun control is only one, can be traced to four highly different views of liberty and social order which our British ancestors brought with them to this country. While Britain may have become more homogeneous in the intervening years, the United States still reflects these four different views.

Colonization from Britain took place in four great migrations. The first, from 1620 to 1645 saw the Puritans establish themselves in New England. The second wave began in the 1640's and lasted to 1675. This was the settlement of the Chesapeake Bay area of Virginia and Maryland. These settlers for the most part were the losers in the English Civil War. The third movement from around 1675 to 1725 saw the Quakers come to Pennsylvania, New Jersey, and Delaware. The last movement began around 1717 and continued until 1775 when the Revolution started. It

was made up of English and Scottish borderers and their kinsmen from Northern Ireland.

Each of these four groups brought with them their characteristic attitudes about life, their speech, accents, grammar, family and religious views, food preferences, work ways, and especially their attitudes to freedom, order, and power. These disparate groups combined to win a Revolution in the name of freedom without even agreeing on what the word meant.

Gunnar Myrdal once described the United States as a very conservative society in its holding on to fundamental principles but found "that the principles conserved are liberal and some indeed are radical." Despite Myrdal's reputation, historians don't agree on these fundamental principles. Early American historians held what someone cleverly called the Teutonic "germ theory" which tried to trace our concepts of freedom and government to some original Anglo-Saxon source carried to England and then to this country. Since these men were Anglo-Saxon in origin, Atlantic Seaboard in outlook, and trained in German Universities this should not be too surprising. The germ theory was derided by Middle-Westerners who preferred the frontier hypothesis of Frederic Jackson Turner. More recent historians have turned to the processes of immigration and ethnic plurality to explain American values. This approach is appealing to scholars who are not Anglo-Saxon but who may have Central European, Jewish, or urban backgrounds. This is the politically correct view today when we are supposed to embrace diversity and to consider all values and cultures to have equal merit. I do not agree with any of these views. To me the hypothesis that our values are derived from the antithesis and synthesis of the four original British cultures is sufficient.

The Puritans had views of liberty, order, and public life which were unique to them. In the Puritan colonies the emphasis was on order first and liberty definitely second. In fact, to the Puritans liberty was not an individual right but a corporate one. Puritans spoke of the "liberty of the town," the "liberty of Boston," and Samuel Adams wrote about the "liberty of America;" but we do not find anything about the liberty of the individual. This idea of public liberty was compatible with close restraints upon individuals. Settlers could enter Massachusetts only with the permission of the General Court. There were numerous cases of individuals being deported to England for expressing "divers dangerous views," or just because the court found them to be "persons unmeet to inhabit here."

Obviously, most New Englanders willingly accepted these restraints, provided that they were set out in some sort of writing - a compact, statute or legal document which set out just what had been agreed to.

The individual liberty respected by the Puritans was something which they called "soul liberty," or "Christian liberty." It was the freedom to order one's acts in a "Godly" way and in no other. Many Puritans had moved to the New World primarily in order to obtain it. This was not religious freedom as we understand it; it was not even religious toleration. It was the freedom to worship the true faith in the proper way. Soul liberty was consistent with whatever the "Godly" community said about keeping the Sabbath, punishing dissenters, or enforcing church attendance. John Winthrop in 1645 stated the classic case for Puritan liberty: "It is a liberty to that only which is good, just, and honest...This liberty is maintained and exercised in a way of subjection to authority; it is the same kind of liberty wherewith Christ has made us free."

Over the years these Puritan views were considerably modified by Unitarians, transcendentalists, abolitionists, and other reformers, but the bedrock view that their ways are right, "Godly," and ought to be imposed on everyone is still a New England characteristic.

The Puritans came from that part of England known as East Anglia, the counties of Norfolk, Suffolk, Cambridgeshire and others which produced Oliver Cromwell and the Roundheads, proving that Puritans could be formidable foes when aroused.

Puritan influence in this country moved west over time into New York, Ohio, Michigan, parts of Wisconsin, Indiana and Illinois as emigration from New England tended to follow the Erie Canal into the upper mid-west. Quincy, Illinois, was settled by immigrants from Quincy, Massachusetts. Nearby they started a settlement named Marblehead.

People whose views of freedom and order are founded in the Puritan tradition of ordered liberty have no difficulty accepting the restrictions on personal freedom required by gun control. Indeed such a person would find it difficult to understand why anyone would object.

In the 1640's, just as immigration of the Puritans was slowing down, the second great migration began. A wave of English settlers mostly from the south and west of England came to the Chesapeake Bay and settled tidewater Virginia and Maryland. They were mostly indentured servants, impoverished tenants, and distressed cavaliers who had been on the losing side in the Civil War. The largest number came from Wiltshire, Warwickshire, and the area around Bath and Bristol. They tried to get as far away from Puritan New England as possible. By the way, Puritans who now ruled the roost in England were no longer interested in migration.

It is interesting to note that Wiltshire and Warwickshire were always the most royalist parts of England. In the struggle between the barons and King John which resulted in Magna Carta, these counties supported the king. Their loyalty carried over to the Tudors and the Stuarts.

When these exiles reached Virginia, they tried to recreate the royalist version of English society which they had lost. They had an unwritten constitution in the traditional British sense in complete contrast to the Puritan insistence on putting everything in writing. One early settler wrote, "Our continual usage and practice since the first settlement, hath been according to the laws and customs of England."

Cavalier liberty has been called "hegemonic liberty" because freedom "was conceived mainly as the power to rule, and not to be overruled by others." Thus the opposite of freedom was slavery which was the condition of those who had lost their power to rule. Dr. Johnson, speaking of the Revolution, put it this way: "How is it that we hear the loudest yelps for liberty among the drivers of negroes?" It truly never occurred to these Virginians that liberty might belong to everyone. Their views were reinforced by the presence of so many negro slaves. Liberty was "rule or be ruled" and the Virginian was constantly reminded of what happened when one lost the right and power to rule.

To the modern mind hegemonic liberty is a contradiction in terms because we no longer understand society as a hierarchy. We no longer think that we must rule others if we are to be free ourselves.

John Randolph summed up hegemonic liberty in one sentence: "I am an aristocrat. I love liberty. I hate equality."

What, then, would Randolph say about gun control? I think it would be something like this: "Guns are dangerous in the wrong hands. By all means keep them out of the wrong hands; but don't restrict people

like me who can be trusted to do what is right." The saving grace of hegemonic liberty was the fact that at its heart lay the idea of self government and the duty to use liberty wisely. It was this sense of duty which prevented abuses. The cavaliers were not opposed to government. Government was necessary; but it should be limited to solving problems on an ad hoc basis as a last resort. Otherwise it would threaten the liberty of the individual. It is apparent that many of our ideas of limited government come from this tradition.

This tidewater culture spread to the southern colonies and then west to Kentucky and Tennessee. From there it moved into Texas and the southwest and it became the ideal of the newer southern states of Alabama and Mississippi.

If any group found this idea of hegemonic liberty totally unacceptable it was the Quakers who began to arrive in Pennsylvania from the English Midlands in 1675. They were at odds with both Puritans and Cavaliers; or, it might be fairer to say, everybody was at odds with the Quakers. The Quakers were probably the nicest people ever to emigrate to America. They espoused a view of liberty that was completely different from the Puritan conception of ordered liberty for God's chosen people and from the cavalier notion of liberty as hierarchy. The Quakers thought of liberty as a reciprocal process. In religion Quakers went beyond the Puritan liberty to "do what was right" to tolerance of ideas they actually believed were wrong. All acts and ideas were allowed so long as they did not infringe on the acts and ideas of others; so long, that is, that each person granted reciprocal freedom to all other persons.

Most libertarians have hedged their principles when power came into their hands, but the Quakers-to their credit-have remained true to their principle of reciprocal liberty. Their pacifist, nonviolent ways made them

poor competitors compared with their more aggressive neighbors and eventually control of Pennsylvania itself passed out of their hands. It might be said of them as A. E. Housman said of someone, "He's observed the Golden Rule till he's become the golden fool." Nevertheless, Quaker ideas have been a kind of leavening for the whole lump of American politics. Nevertheless, it is easy to know where those in the Quaker tradition stand on gun control.

The last group, the English, Scottish and Irish borderers brought with them a fourth very special way of looking at liberty. One early traveler, writing about these people who at the time lived in the backcountry of Pennsylvania said: "They shun everything which appears to demand of them law and order and anything that preaches constraint. They hate the name of a justice, and yet they are not transgressors. Their object is merely wild. Altogether, natural freedom...is what pleases them."

The people so described came from the north of England and the Scottish lowlands and from the northern counties of Ireland. We have lumped them together under the name Scots-Irish although they were mainly English and the Irish were Protestant and nothing like the southern Irish emigrants of the next century. Their migration began in the early 1700's and was the result of political turmoil, defeat in battle and dislike of the Union of England and Scotland.

The port of entry for most of these Scots-Irish was Philadelphia and the culture shock which these wild borderers produced in the Quakers can hardly be imagined. The borderers were poor, proud, clannish, violent, used to bearing arms, intolerant, and believers in the blood feud to right their own wrongs. The Quakers hustled them out of eastern Pennsylvania and into the backcountry as fast as they could.

This backcountry view of freedom and order might be called natural liberty. It was not the product of the frontier but an attitude brought from north Britain. An English borderer from the county of Westmorland named Thomas Brockbank wrote his parents in 1692, "every animate creature does naturally desire (liberty) yes, and even vegetables themselves." In the very hour that this idea of natural liberty was being extinguished in Scotland as the British government asserted its rule, and at the same time, gained control over its own border, the idea was being carried to America.

While these backcountry settlers resisted the impositions of government, they respected, even demanded strong leadership. They were egalitarian and required their leaders to observe proper egalitarian forms but in a pinch they would always ignore the forms and follow the leader. The classic examples of aristocratic backcountry leaders were John C. Calhoun and Andrew Jackson. Jackson appeared to be democratic to Easterners but in his own culture he was recognized as an aristocrat and idolized as a leader. Jackson never championed the rights of the people. He invited the people to champion him. It never occurred to Jackson that his own views were not exactly those of the people. He was probably right.

The career of Patrick Henry encapsulates the idea of natural liberty. Henry was not a tidewater cavalier. He was the descendant of British borderers who had settled in the Virginia backcountry county of Hanover. As a lawyer, his first important case became known as the Parson's Cause and he upset Tidewater gentlemen by arguing that the king, in vetoing some act of the legislature had "degenerated into a tyrant" and had forfeited "all rights to his subject's obedience." This scandalized the gentry but it delighted Henry's backcountry jury. The fame that Henry

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won in this case got him elected to the House of Burgesses where he steadfastly argued that Virginians had too much government. He went on to become a member of the Continental Congress where he argued that because of the Intolerable Acts all government in the colonies was dissolved and the people therefore in a state of nature.

True to form, he objected to the Constitution in 1788 on the grounds that strong government was hostile to liberty. He said, "Our glorious forefathers of Great Britain made liberty the foundation of everything... but now Sirs, the American spirit, assisted by the ropes and chains of consolidation, is about to covert this country into a powerful empire."

Borderers had little interest in the common good, at least as it was understood by the Puritans or Quakers. Natural liberty was not reciprocal. It did not recognize the right of dissent unless the dissenter could make good his dissent by his own power. Deviance from cultural norms was little tolerated and was suppressed by force if necessary. One of Jackson's biographers expressed the opinion that "it was more difficult for an Irishman than for other men to allow for honest differences of opinion in an opponent, so that he is apt to regard the terms opponent and enemy and synonymous."

The backcountry settlers planted natural liberty first in the mountains of North and South Carolina, then in Kentucky and Tennessee, the deep south and the southwest where it forms the basis of political philosophy today. The chief opposition to the Brady Bill is found in these areas.

Why have these cultural differences persisted for three hundred years in a society which over this time has seen economic forces, communications, mass production and many other influences tending to impose uniformity? Cultures persist as they do because they are subtly

taught by family, community, and institutions. Cultures are so complex that they can be changed only if many things are changed simultaneously. This is no easy task as many a reformer has learned to his disappointment. Some people believe, also, that cultures are dominated by elites which control access to power and influence and so reject anything which threatens their control.

There is, however, a certain amount of bargaining in every society which gives many people a stake and this is probably more effective in the persistence of culture than control by an elite. New England town meetings emphasized the corporate idea but they also permitted each citizen to speak and gave him an interest in preserving the system. Quakers were less successful because their open-mindedness left them with very little that was worth defending. If all views have equal value, it is hardly worthwhile to insist on a particular one.

In the south in the mingling of cavalier and backcountry cultures, the bargaining has been complex. It has taken the form of transactions between gentry, between gentry and yeomen, gentry, yeomen and poor whites, and all of these groups with the negroes, first as slaves and then as freemen. Think of the lengths to which it has been necessary to go to reconcile the ideas of hegemonic liberty-the right to rule others-with natural liberty-the right to have no ruler.

The persistence of these views of liberty is of more than academic interest. These regional differences have created a dynamic tension in our society. These ideas are genuine folk views; they are not theoretical, as Marxism or political science. They are not the product of some system. They have innate contradictions which are usually unnoticed. Puritan-ordered liberty became self-righteous and preachy at best and savagely repressive at worst. Hegemonic liberty justified

slavery at worst and became a noble sense of duty at best. Quaker tolerance became the politically correct attitude that all values have equal merit, except those currently out of fashion. Natural liberty equated dissent with treason and contains the dangers of repression as bad as the Puritans.

These ideas of liberty, while persistent, are not static. The tension among them has made us every mindful of liberty even if we don't agree on what it is. It is not a bad thing that a Brady Bill takes years to pass. It is an infringement on personal liberty and should not be taken lightly. Americans have more freedom than any other peoples because we constantly disagree on what freedom means.

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