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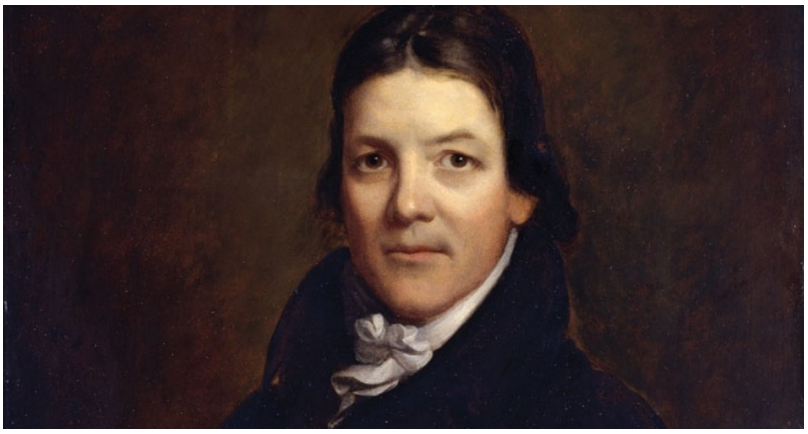
John Randolph of Roanoke



There was a time in the political history of the United States when men stood for principle, even when it meant breaking from their pals and their party. One of the men once most recognized for his steadfast refusal to retreat from republican values today has been all but forgotten. His name was John Randolph of Roanoke.

So staunchly conservative was Randolph that he has been described as an enemy of both Thomas Jefferson — of whom he was once the most ardent ally — and John Adams. This was the essence of John Randolph: He was possessed of a fierce Southern spirit that would brook no centralization of power that would encroach upon his plantation. In defiance of the stereotype, however, he was a cosmopolitan bon vivant who displayed in his writings and his speeches an unparalleled fluency in the language of prose and poesy.

Randolph was born in 1773 in Virginia, and as such is too young to be counted among the generation grouped together as Founding Fathers. He knew many of those luminaries and regularly ran in the same circles, but he was not one of them. He was a man whose adult life and contributions fell between two eras: the era of the War for Independence and the era of the Civil War. Randolph grew up under the Constitution of the late 1780s and died during the constitutional crisis of the late 1830s. As such, his words and deeds are of extraordinary interest to Americans anxious to understand how we got to a place in our contemporary history where the country seems once again to be straining at the seams.

According to Russell Kirk's biographical sketch of John Randolph, he was the scion of a prominent Virginia family and was stricken in his late teens with a disease that left him impotent for the rest of his days. Kirk, quoting an unpublished thesis written by William E. Stokes, Jr., reckons that it was probably scarlet fever.

Regardless of whether or not it was, it apparently affected not only Randolph's body but also his personality, one already "proud, acutely sensitive, and animated by a darting passion," leaving the young man given to gaps in his reason that lasted months. As Kirk points out, though, even during these periods of irrationality, Randolph retained "not only his eloquence, but a sardonic political realism." It is this political tenacity that alternately enraged and enthralled all who rotated in Randolph's personal and political orbit.

After Randolph died, one of his relatives wrote a poignant summary of his elder cousin's inscrutable nature:

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The truth and beauty of the eastern allegory, of the man endowed with two souls, was never more forcibly exemplified than in his case. In his dark days, when the evil genius predominated, the austere vindictiveness of his feelings toward those that a distempered fancy pictured as enemies, or as delinquent in truth or honor, was horribly severe and remorseless.

Under such circumstances of mental alienation, I sincerely believe (if it may not appear irreverent) that had our blessed Savior, accompanied by his Holy Mother, condescended to become again incarnate, revisited the earth, and been domiciled with him one week, he would have imagined the former a rogue, and the latter no better than she should be.

On the contrary, when the benevolent genius had the ascendant, no one ever knew better how to feel and express the tenderest kindness, or to evince, in countenance and manner, gentler benevolence of heart.

Fortunately for his contemporary countrymen, John Randolph of Roanoke lived in a time before the development of the excuse factory. He was genuinely plagued with physical and mental impediments, but he achieved a level of political success and won for himself an enviable reputation in open defiance of his disabilities.

Political Person

Consider Kirk's recitation of John "Jack" Randolph's impressive political curriculum vitae:

In 1799 he [Randolph] debated the aged Patrick Henry; and his brilliance of mind and his mordant tongue carried him into Congress. At the age of twenty-six, he was a hard hater of the Federalists, a partisan of revolutionary France. He smote the administration of John Adams hip and thigh.

With the inauguration of Jefferson, picturesque Jack Randolph became the majority leader of the House of Representatives: in the mediocre House of Jefferson's two terms he had no near rivals in talent.

Although Randolph was a countryman with Thomas Jefferson and James Madison and he shared their devotion to decentralized republicanism, Randolph parted company with these titans of American statecraft rather than abandon his advocacy of agrarianism. This rupture ripped wide open during the so-called Yazoo land scandal.

Here are the broad strokes of the episode: After the end of the War for Independence, officials in the state of Georgia wanted to protect their claim to land running west to the Mississippi River. The tract included territory that is today within the boundaries of the states of Alabama and Mississippi. The state legislature and governor of Georgia enacted a bill establishing their state's claim over millions of acres and quickly sold that land to various companies formed for the explicit purpose of purchasing the land being sold by the government of Georgia.

Early attempts to establish claim to this land and to profit from its parceling were quashed by the federal government, which pointed out that most of the land being sold had a clouded title as it was still under the control of Spain and that a large swath was considered the country of the Chickasaw and Choctaw Indian tribes.

In defiance of the federal thwarting of the sale attempted in 1788, the governor of Georgia sold 40 million acres to four companies for $500,000. The state law that authorized this transaction is known in history as the Yazoo Act.

As lawmakers in Washington, D.C., ramped up an effort to investigate the sale to the speculators, it was discovered that key stockholders in the companies that benefited by the transfer had bribed Georgia state legislators. When details of the deal were exposed to the general public, citizens of Georgia elected new representatives and a new governor, and the Yazoo Act was quickly repealed.

The investors who considered themselves robbed by the repeal recurred to the federal government, asking it to intervene on their behalf and to find a way to assure a refund of the money they believed was owed them, as they insisted they were innocent of any bribery scheme.

Thomas Jefferson and James Madison came out in support of a compromise that would see the Yazoo investors reimbursed at least some percentage of the money they spent on speculation. President Jefferson and Secretary of State Madison went so far as to propose that the reimbursement be drawn from the federal treasury. John Randolph was enraged.

Randolph could not accept the fact that his fellow Virginians and his fellow republicans would obstruct the obvious will of the people of the sovereign state of Georgia. Georgians had manifest their will via the ballot box and had rid the ranks of state legislators and the executive mansion of all those who thought they could act above the law and profit from the sale of the Yazoo land.

To add insult to injury, around the time that the Yazoo controversy was playing out, Randolph learned that Jefferson and Madison were trying to buy land in Florida using money — $2 million — secretly appropriated for that purpose.

Taken together, these two frolics from the straight and narrow path of enumerated powers cemented Randolph's sense of betrayal, and he permanently parted ways with Jefferson and Madison, considering the Great Collaborators to be conspirators and defectors from the ranks of republicanism.

Throughout his tenure in political office, Randolph regularly crossed party lines, not because he was committed to holding on to his place, but because he was committed to holding fast to his principles. When others, his erstwhile allies, pursued policies he considered contrary to individual liberty and decentralization of power, Randolph was not afraid to find himself the lone voice of pure republicanism crying in the swirling winds of the wilderness of profiting from power.

Randolph's reasons for his excoriation of Jefferson and Madison's meddling in matters constitutionally retained by the states were proclaimed in an address delivered during debate on the issue on January 29, 1805:

> If no other reason can be adduced but a regard to our own fame, if it were only to rescue ourselves from this foul imputation, this weak and dishonorable compromise ought to receive a prompt and decisive rejection. Is the voice of patriotism lulled to rest? That we no longer hear the cry against an overbearing majority, determined to put down the Constitution, and deaf to every proposition of compromise?

And, he continued: "What is the spirit against we now struggle? Which we have vainly endeavored to stifle? A monster generated by fraud, nursed in corruption, that in grim silence awaits his prey."

Randolph continued his denunciation in words that sound eerily applicable to our own political climate:

> That spirit which considers the many, as made only for a few, which sees in government nothing but a job, which is never so true to itself as when false to the nation. When I see a certain party supporting and clinging to such a measure, almost to a man, I see men faithful only to their own

> principles; pursuing with step and untried zeal, the uniform tenor of their political life. But when I see associated with them in firm compact, others who once rallied under the standard of opposite principles, I am filled with apprehension and concern. Of what consequence is it that a man smiles in your face, holds out his hand, and declares himself the advocate of those political principles to which you also are attached, when you see him acting with your adversaries upon other principles?

Another example of his exceptional fidelity to federalism was displayed during the run up to the War of 1812. In 1806, Randolph refused to support a bill that would have hampered trade with Great Britain. Randolph found himself siding with the Federalists, not because he agreed with them, but because they agreed with him!

So wide was the rift between Jefferson and Randolph that the latter became one of the founders of the third party known as the Tertium Quids.

Randolph teamed up with John Taylor of Caroline and the pair became the leading lights of the Tertium Quid cohort. They believed, as explained by F. Thornton Miller in his foreword to the Liberty Fund edition of Taylor's *Tyranny Unmasked*, that "those who were attracted to power — 'majority men' tended always to become corrupt and to abuse the trust and betray the best interests of the people. For this tendency, they had to be watched by 'minority men.'"

Single-minded Men

Randolph and Taylor were men of unswerving and single-minded pursuit of the principles of agrarian republicanism, popular sovereignty, consent of the governed, and the indispensability of virtue, valor, and vigilance on the part of the people.

Randolph believed that there was no such thing as "the American people," as the Constitution did not create a nation, rather it was a compact among equal sovereigns whose intent was to unite them in a confederacy cooperating in the creation of a federal government endowed with a few and defined powers, with the residual authority remaining in the states and the people.

For his part, Taylor advanced the cause of state sovereignty as a method of checking the inevitable attempt by those possessed of federal authority to consolidate power into their own hands.

In fact, the closer the government was to the governed, the better administered that government would be and the abler the people would be to keep a close, watchful eye on their elected representatives.

Together with John Taylor, John Randolph was a member of the Virginia gentry who dutifully served his fellow citizens of the Old Dominion. And with Taylor, he believed that the Articles of Confederation could have been repaired and thus opposed the ratification of the Constitution, the document that replaced that prior pact.

As an unrivaled proponent of popular sovereignty, in Congress, Randolph eloquently orated in support of the agrarian tradition that he held as the only hope of protecting and perpetuating the form of government that would remain small, limited, and under the close, ever-watchful eye of the governed.

During his service in the House of Representatives, Randolph often reminded his colleagues and his constituents that a true republican — that is, representative — government could only be maintained in a small geographical area. He considered the Madisonian vision of a large, commercial republic to be chimerical and to be the setting of an inevitable slouch toward social sycophancy, moral degeneracy, and political despotism.

As the leader of the Tertium Quids (once they had coalesced into something of a functioning faction), Randolph declared the group's philosophy in a speech he gave in opposition to the War of 1812:

> Love of Peace, hatred of offensive war, jealousy of the state governments to the general government, a dread of standing armies, a loathing of public debt, taxes, and excises, tenderness for the liberty of the citizen; jealousy, Argus-eyed jealousy, of the patronage of the President.

He further articulated this ideology during a speech he made as a member of Congress in a debate on apportionment in 1822:

> Government, to be safe and to be free, must consist of representatives having a common interest and a common feeling with the represented.... No government extending from the Atlantic to the Pacific can be fit to govern me or those whom I represent. There is death in the pot, compound it how you will. No such government can exist, because it must want the common feeling and the common interest with the governed, which is indispensable to its existence.

Randolph's rejection of Republicans in favor of republicanism was consistent. As a final submission of evidence produced to prove Randolph's resolute adherence to the dogma of personal liberty and state sovereignty, consider this paragraph from Forrest McDonald's *States' Rights and the Union*, recounting the growth in government proposed by President James Madison and the capitulation of Republicans, with the noticeable exception of John Randolph of Roanoke:

> [James] Madison also called for sweeping nationalistic economic legislation. Specifically, he asked Congress to charter a Second Bank of the United States, designed closely on the model of Hamilton's original but having three and a half times the capital; asked for the enactment of protective tariffs to support fledgling manufacturers, especially of textiles and iron products; and suggested a comprehensive program of internal improvements. Madison's proposal regarding protective tariffs went beyond what Hamilton had called for in his 1791 Report on Manufactures, which would have relied more on bounties than on tariffs. In regard to internal improvements, Madison, like Hamilton, thought that a constitutional amendment would probably be required to justify them.
>
> The response to these recommendations was mixed. Most Republicans went along with the proposals, though John Randolph of Roanoke and other purists were bitterly opposed.

Where, one wonders, have all the rock-ribbed Republicans gone? Has the spirit of Randolph been exorcised from the body politic? The Republican Party promotes itself as the party of small government and lower taxes, and many of the candidates recently elected ran on a promise to repeal ObamaCare. It's not necessary to remind Republicans that government continues to grow and that Republicans have repeatedly failed to toss ObamaCare onto the scrap heap of history.

While it is certain and sad that John Randolph of Roanoke was ravaged by a terrible disease, the one illness from which he never suffered was the one I call Potomac Fever.

Once seated, something wafting into the offices through the vents of the Capitol infects the senators with Potomac Fever, and they devote their time to pleasing special-interest groups and PACs rather than the constituents who elected them in the first place.

The first symptom, it seems, of Potomac Fever is constitutional amnesia, causing the congressman to forget the Constitution that was once all the candidate could talk about.

Another aspect of small "r" republicanism that is anathema to today's capital "r" Republicans is opposition to preemptive war. Beginning during the Republican administration of George H.W. Bush, continuing through the Democratic administration of Bill Clinton, and then gaining real steam during the two terms of George W. Bush, Republicans have rarely rejected an opportunity to send boots or bombs into one country after another.

As one would expect, John Randolph of Roanoke ran up against Republicans in his own time tripping over themselves to commit the United States to unnecessary armed conflicts.

> I declare in the face of day, that this government was not instituted for the purpose of offensive war. No — it was framed (to use its own language) for the common defense and the general welfare, which are inconsistent with offensive war. I call that offensive war which goes out of our jurisdiction and limits for the attainment or protection of objects not within those limits and that jurisdiction. As in 1798 I was opposed to this species of warfare, because I believed it would raze the constitution to its very foundation, so in 1806 am I opposed to it on the same grounds.
>
> No sooner do you put the Constitution to this use, to a test which it is by no means calculated to endure, than its incompetency to such purposes becomes manifest and apparent to all. I fear if you go into a foreign war for a circuitous, unfair foreign trade, you will come out without your Constitution.

In the end, Randolph's refusal to go along with Madison's policies cost him the leadership of the House of Representatives and left the body under the command of hawkish lawmakers for decades afterward.

War with Great Britain came, and though he tried to reason with his colleagues in Congress, John Randolph of Roanoke found himself keeping his own company, shunned by those who once sought his wisdom and way with words, but who now considered association with him to be a political liability.

Although Randolph's constituents back home in Virginia would reelect him to Congress in 1815, Russell Kirk writes, he retired to his homestead, "there meditating on Christian doctrine, lamenting the evils of the times, and losing himself in his library."

Randolph died in 1833, having served off and on as a member of the House of Representatives (he was so popular in his home district that he ran unopposed five times) and briefly as the ambassador to Russia during the administration of President Andrew Jackson. He never married, and his mental and physical health, which were thorns in his side from his youth, never left him alone.

Randolph knew something of slavery. His plantation measured more than 6,000 acres and was worked by hundreds of slaves. Upon his death in 1833, three wills were discovered, two of which instructed that his slaves be emancipated. In his will of 1819, Randolph declared, "I give and bequeath to all my slaves their freedom, heartily regretting that I have ever been the owner of one." In a separate directive, Randolph's will allotted $8,000 to pay for the relocation of his slaves in another part of the country. Per Randolph's request, each slave over 40 would be given no fewer than 10 acres of property in this new territory.

Although family members would challenge the validity of the wills, a Virginia court declared them valid and ordered Randolph's wishes carried out, including the manumission of the slaves held on his estate.

Accordingly, William Leigh, Randolph's cousin and executor, purchased land in western Ohio and made arrangement for the slaves to be transported in a wagon train from Virginia to their new settlement in

the west. On June 10, 1846, 383 former slaves set out with all their worldly possessions loaded onto sixteen wagons headed for a new home and a new life of liberty.

Undaunted and unburdened of the guilt of owning slaves, though, he never betrayed his commitment to constitutional principles of state sovereignty and limited government, even when he could have profited politically by taking a less immovable position.

This story closes with a statement made by Randolph in 1826 during a speech he made decrying the patronage of the president, a statement that could reasonably be repeated today were there yet men of his caliber in Congress and were the spirit of John Randolph of Roanoke still inspiring Republicans to resist imperialism and materialism: “It is my duty to leave nothing undone that I may lawfully do, to pull down this administration [of John Quincy Adams]. They who, from indifference, or with their eyes open, persist in hugging the traitor to their bosom, deserve to be insulted … deserve to be slaves, with no other music to soothe them but the clank of the chains which they have put on themselves and given to their offspring.”

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