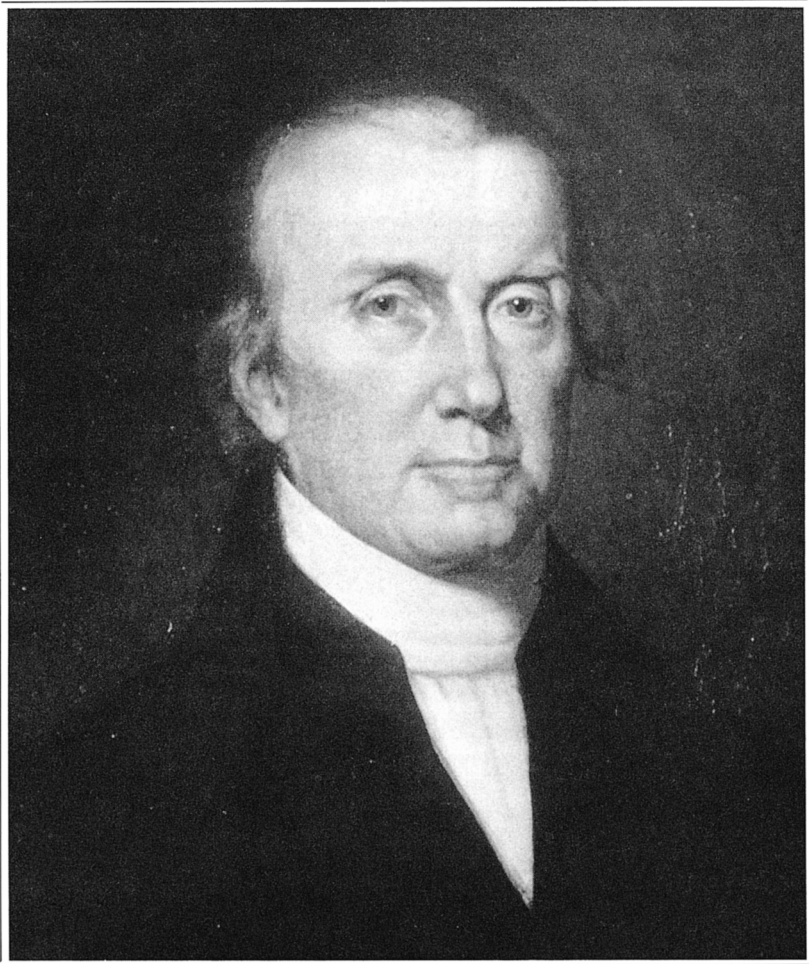


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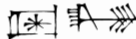


*John Taylor of Caroline*

# ARATOR

*Being a Series of  
Agricultural Essays, Practical and Political:  
In Sixty-Four Numbers  
by John Taylor*

*Edited and with an  
Introduction by M. E. Bradford*



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A VIRGINIA CATO:  
JOHN TAYLOR OF CAROLINE  
AND THE AGRARIAN REPUBLIC  
By M. E. Bradford

Though the people of these United States have lived under the same Constitution and with the same basic organs of government for almost two centuries, it is unlikely that many of the contemporary inheritors of that continuous experience would recognize the original form and function of their country as the federal union which their fathers made. The means by which the model has been altered are, of course, quite clear: circumstantial adaptation, statutory and constitutional amendment or accretion, and (worst of all) ingenious legal "construction." This much is understood by the ordinary citizen every time his life is disrupted by some egregious court decision or bureaucratic directive. During the two hundred years something foreign has been injected into the American political bloodstream: something private, ideological, and abstract, deriving its power from authorities outside the historic American context. But how this corruption occurred, and by what particular stages, he can-



not say: how it came to be so complete that we live now in almost total contradiction of the political precedent of our Revolution. One justification for reconsidering the career of John Taylor of Caroline, Virginia's strictest republican, is that he foresaw most of the changes that have come to pass, understood their causes, and fought them with all the energy and intellect at his command.

John Taylor was born into a distinguished Virginia family, the son of James and Anne (Pollard) Taylor of Caroline County, and great-grandson of the first of his line to settle in the colony.<sup>1</sup> Three years after his birth (December 1753), Taylor's father died. The responsibility for his upbringing devolved upon his uncle, Edmund Pendleton, who himself played a large role in our nation's history. Taylor was educated in Donald Robertson's academy (where James Madison was at the same time enrolled), at the College of William and Mary, and in Pendleton's law offices. He had inherited a small property, and in 1774 he received a license to practice his uncle's profession. But before he could begin to become well established as a lawyer, events in the larger world drew him away from Virginia's familiar scene and into the Continental Army, in which he served in several states, rising to the rank of major before, in a period of false economy, he resigned in disgust with the inefficiency of the national government and returned home for service in the Virginia House of Delegates. Later, in 1781, he was

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<sup>1</sup> The only biography is Henry H. Simms' *Life of John Taylor: The Story of a Brilliant Leader in the Early Virginia State Rights School* (Richmond: William Byrd Press, 1932).

appointed lieutenant-colonel of the state militia and saw his last fighting under the command of Lafayette against Hessian mercenaries who were a part of that fateful invasion which had its quietus at Yorktown.

In the years following the Revolution, Taylor emerged rapidly as one of the principal citizens of the Old Dominion. Though he had sold his patrimony in 1776 and had suffered from the depreciation of state and continental paper currency, he received an ample grant of Western lands for his service under arms. He made a fortune at law and became, in his courtroom oratory and pleadings before the bench, the peer of any Virginia attorney—all of this during the “golden age” of the Virginia bar. His fees ran sometimes to \$10,000 a year; and almost all of this income he invested in the land of his native county. Furthermore, in 1783 he made a fine marriage to his cousin Lucy Penn, the daughter of the wealthy attorney and planter, John Penn of North Carolina, a signer of the Declaration of Independence. With his own substance and what this union brought, during the following year he became an active planter himself. And until the day of his death (August 21, 1824) he continued one of the most successful farmers in the upper South—achieving his fame as a cultivator in an era of agricultural depression, often upon depleted soils.

Taylor came finally to own several plantations, thousands of undeveloped acres in western Kentucky, and over one hundred fifty slaves. But his showplace and home was at Hazlewood on the Rappahannock, where he greeted visitors with simplicity and taste, generous hospitality, and serious conversation—particularly on the

subjects of political philosophy and agricultural reform. A guest thus described him and his estate as they appeared in 1814: "I found an old grey-headed gentleman in an old-fashioned dress, plain in his manners, full of politics and conversational debate. He lives about three miles from . . . Port Royal, Virginia, on the finest farm I have ever seen."<sup>2</sup> A rich man, Taylor the planter soon retired almost completely from his legal practice. Furthermore, even before he had achieved such independence, he was (as early as 1793) the acknowledged spokesman for his county and much of the surrounding territory.<sup>3</sup> And so well was he regarded by other Virginians who had observed him in the courts, in the development of the agricultural societies (in which he played a major role), in the councils of the Episcopal church (of which he was a faithful communicant), or in the legislature (where he served from 1779 to 1781, 1783 to 1785, and 1796 to 1800), that his neighbors sent him three times (1793-94, 1803, and 1822-24) to complete unexpired terms in the United States Senate. They would have sent him for longer stays had he been willing.

Yet though a man of mark, especially as a political philosopher—a man whose "disinterested principles" were, according to John Randolph of Roanoke, "the only bond of union among Republicans"<sup>4</sup>—Taylor preferred

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<sup>2</sup> A letter from John to David Campbell, quoted in Manning Dauer and Hans Hammond, "John Taylor: Democrat or Aristocrat?" *Journal of Politics* 6 (November 1944): 386; see also 381-403.

<sup>3</sup> Simms, *op. cit.*, p. 58.

<sup>4</sup> Quoted in Benjamin F. Wright, "The Philosopher of Jeffersonian Democracy," *American Political Science Review* 22 (November 1928): 870.

on principle to tend his own cultivated garden and leave the rewards of office and the national arena to men driven by grander ambitions and larger images of themselves.<sup>5</sup> Only when his duty required was he drawn away from his primary vocation as agriculturalist. But on that role, and the politics which made possible the patriarchal planter, his pen was never still, never cut off from the larger world. Indeed, writing from this positive privacy, from the platform and persona which establishment at Hazlewood afforded him, he could speak with more authority than it was possible for a professional politician to achieve. For John Taylor of Caroline, during his maturity, became the classic figure of "old republican" theory: the exemplar of an almost Roman *virtus*, the Virginia Cato, who soldiers, enforces the law, writes in its defense and of the life it secures, and serves the state well when called to office because he has something better to do—because there are lands and people of whose good he is a faithful steward. Like his ancient prototype, he shaped the pattern of his life into an illustration of what he taught. Even in his writing and in the occasional public service.

On the national stage Taylor was remarkably consistent with the posture he assumed within Virginia. And he identified with that point of view throughout his career. All that he attempted follows from what he perceived the Revolution to have been about: from his view of mercantilism and of earlier English history; and from

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<sup>5</sup> See Loren Baritz, *City on a Hill: A History of Ideas and Myths in America* (New York: Wiley & Sons, 1964), pp. 201–2. The book contains a full chapter on Taylor's pastoral vision.

his understanding of republican political theory, in both its modern and its ancient varieties.<sup>6</sup> We had cast off oppressive, centralized control of the colonies by an exploitative British authority. To put in its place a new authority with the power to threaten either our station or our liberties, an “energetic” government bound to be controlled by faction, seemed to him ridiculous in the extreme. Hence his horror at the official subdivision of American society into classes or interests, his lifetime devotion to the sovereignty of the states (guaranteed, in his view, by the language of the Declaration), and his uneasiness about the new Constitution of 1787–88.<sup>7</sup>

Taylor approved of the Union—a union facing outward, toward the “candid world.” It was necessary to preserve the liberties of the people in their natural communities by making possible the coexistence of the thirteen separate commonwealths which had, in concert, won freedom from the hegemony of King George and his feckless Parliament. But his career in national politics began with opposition to ratification of the Philadelphia instrument—effective opposition. His objections in this case foreshadow his subsequent role in the conversation of American politics. The Constitution lacked a bill of rights, particularly a specific statement on the body of powers not surrendered by the states. The preamble contained language contradicting the procedures of adoption, amendment, and national elections. The states act in these

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<sup>6</sup> Simms, *op. cit.*, p. 211. He stresses the impact of the Revolution on Taylor’s politics.

<sup>7</sup> See Taylor’s *Tyranny Unmasked* (Washington City, D.C.: Davis and Force, 1822), p. 8, for remarks on the Declaration as creating states.

matters, the people through them. The power of direct taxation granted the federal government also gave Taylor pause. Yet, with the Bill of Rights, Virginia's instrument of ratification (which interpreted what precisely they had agreed upon), and Mr. Jefferson's politically successful insistence upon an "inactive," unconsolidated, nonenergetic reading of the original text, Taylor put his trust in the written national bond, strictly construed. And gave to it his continuing, vocal devotion.

The federal Constitution, in Taylor's conception, was political law—as opposed to local, civil, and other law, which is designed to restrain the citizen in his own community.<sup>8</sup> For the Constitution was basically a law to restrict the conduct of legislators and other public servants—a *law to limit law*—and therefore a means of preventing, within the new nation, a recurrence of those abuses that had brought Americans to revolution in the first place. This emphasis on what the branches and subdivisions of government *could not do* was what Taylor spoke of as "principle" in American politics. It looks to what he perceived as the weakness of the eighteenth-century British system, and of relatively free societies, ancient and modern. In these cultures the liberty of elected or legitimate representatives to reflect the national will to a sovereign had converted into a susceptibility to factious combination, resentment, and schism; into an instrument for the transfer of power and wealth, with some theoret-

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<sup>8</sup> See Eugene Ten Broeck Mudge, *The Social Philosophy of John Taylor of Caroline* (New York: Columbia University Press, 1939), pp. 111–16, for the distinction between civil and political law.

ical and extrinsic imperative definitive of the common good brought in as an excuse for innovation. Artificial aristocracy is the inevitable consequence—consolidation, monopoly, special privilege, jobbery, patronage, and theft by taxation. In its hands government becomes a “cannibal.” Federalism was the American name for politics according to this model. For Taylor, it was a negation of all that he had fought for, from the Revolution on.<sup>9</sup>

There were, of course, many kinds of Federalists: some out of trust for the leaders of the Revolution, some out of fear of anarchy, some from dreams of national glory, and some in hopes of wealth. These plus the occasional Federalists who were simply determined to have a national government capable of defending itself against attack were all (except for perhaps this last group) expressions of one side of the deep division always present in republican political theory. Taylor bespeaks the opposing tradition. In simple terms, the former doctrine associates with city-state republics—cosmopolitan, commercial, secular, and atomistic. Venice is such a republic, and Carthage; also most of the Greek cities of antiquity, at some stage in their development. Early Switzerland and Rome before the *Principate* belong to the opposing stream of influence. They are closed, rural, religious, and corporate societies: places where the achievement of honor by one citizen is, through the social identity, a gift to all.

Though familiar to the generation that won our independence, “small” and “extended” were only counters,

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<sup>9</sup> See Taylor’s *New Views of the Constitution of the United States* (Washington City, D.C.: Way and Gideon, 1823) on the lesson of 1776.

convenient terms for the conversion of this dispute into a simple modern idiom. *Convenient but misleading counters.* Yet, by 1787, they were conventional and have since confused our relation to republican theory. A large republic, Publius forgets, may be homogenous, agrarian, unimperial, defended by a citizen army, and xenophobic. A small "free society" may, on the other hand, be polyglot, externally aggressive, impious, served by mercenaries, and united only by a common mendacity: a nest of asocial individualism. But in the corporate society of the agrarian republic, liberty and unity consort well enough.<sup>10</sup> The envious hatreds of party and class can be held to a minimum. And a considerable inequality of status and function can be justified to all because of the anterior identity dependent on these natural roles, binding levels and orders into a tribal whole: a voluntary bond which is supportive of their respective private selves, within which their personal dignity must be achieved, if it is to be achieved at all.

Thus the thought of John Taylor comes of honorable and ancient origins. He speaks for what Michael Oakeshott calls the "civil-association"—as opposed to the "enterprise-association"—theory of the state: the "mode of association . . . in terms of non-instrumental rules of conduct, called 'the law.'"<sup>11</sup> Unlike the Federalists, he

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<sup>10</sup> On Taylor's full political theory, and on the special qualities of his republicanism, I am much indebted to Andrew Nelson Lytle's "John Taylor and the Political Economy of Agriculture," *American Review* 3 (September 1934): 432-47, 3 (October 1934): 630-43, 4 (November 1934): 94-99.

<sup>11</sup> Michael Oakeshott, "Talking Politics," *National Review*, December 5, 1975, p. 1426.



understands law and government as protecting what is, not as creating what is yet to be—as “nomocratic,” not “teleocratic.”<sup>12</sup> Failure to offer such protection was the fatal error of Bute and Townshend, Lords North and (George) Germaine. America, after the Revolution, had achieved a government which corrected central failings of the British system: had protected an already *known* security of property and personal liberty in already self-governing communities. By achieving, through a political law to limit government and a strictly federal separation of powers, a stability never experienced in Britain or in the Rome of Cato the Censor (the closest approximation in human history to Taylor’s ideal republic), the United States had become something original in the “science of politics.”<sup>13</sup> Our “new secular order” (as opposed to new theology) forestalled the instability inherent in the “balance-of-power” regimes praised in commercial republican theory: in regimes where the guarantees of order are converted by natural declension into the engines of ex-

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<sup>12</sup> Oakeshott develops this distinction between the *societas* and *universitas* in his *On Human Conduct* (Oxford: Clarendon Press, 1975), pp. 199–206. The character of the latter type of society is that it holds together only because of a common project affirmed by its members, not because of some sanction attached to its simple existence.

<sup>13</sup> References to Roman history are everywhere in Taylor’s works. See, for instance, p. 3 of *Tyranny Unmasked* (Augustus as a vile consolidator) and p. 28 of *Construction Construed, and Constitutions Vindicated* (Richmond: Shepherd and Pollard, 1820), an allusion to Sallust on Jugurtha. But the best illustration of Taylor’s use of Roman history is his *An Inquiry into the Principles and Policy of the Government of the United States* (1814). I cite the edition of Loren Baritz (Indianapolis: Bobbs-Merrill Co., 1969), pp. 17, 25, 31, 61, 66, 122, 137, 140, 152, 158, 169, 171, 200, 208, 234, 247–48, 251, 287, 343, 355, 361, 364, 444, 472, 478, 503, 526, 531.

ploitation. But its newness rested finally on an argument from history, on crystallized depositions from what Patrick Henry called "the lamp of experience," and not on private speculation.<sup>14</sup> Even though Taylor criticized John Adams for ignoring what was innovative and an improvement upon European precedent in American politics, no political thinker of importance in the first two generations of our national existence was less *a priori*, less concerned with being abstractly inventive. Taylor had no doubt of what a republic should be. He had seen the answer—in Virginia.

Taylor's struggles in the arena of national politics with the friends of concentrated power, the aristocracy of "paper and patronage," seem on the surface to be extremely various. But the issues dividing him from the champions of unlimited federal sovereignty are always the same. As he writes in *Construction Construed, and Constitutions Vindicated*, "To define the nature of government truly, I would say that a power of distributing property, able to gratify avarice and monopoly, designated a bad one; and that the absence of every such power designated a good one."<sup>15</sup> Alexander Hamilton's financial plan for supporting the new government was the original of all such Federalist mischief. From the moment

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<sup>14</sup> On this species of political reasoning, see H. Trevor Colbourn, *The Lamp of Experience: Whig History and the Intellectual Origins of the American Revolution* (Chapel Hill: University of North Carolina Press, 1965); see also my essay, "A Teaching for Republicans: Roman History and the Nation's First Identity," *Intercollegiate Review* 11 (Winter-Spring 1976): 67–81.

<sup>15</sup> *Construction Construed*, p. 15.

of their proposal (and especially as senator, in 1793 and '94), Taylor fought the idea of a national bank and the assumption of state debts by the central government. He found no constitutional sanction for federal charters for private businesses or sponsorship of schemes for internal improvement. For one thing, all such proposals seemed to operate at the expense of the South. Land and labor would have to pay the debts the government made by borrowing from this federally protected enterprise. Taxes would pay for credit—but not taxes on banks. Furthermore, a few eminent Federalists seemed to own most of the banknotes or stock and to enjoy most of the benefits of credit. The entire plan smacked of mercantilist protectionism. Like the “country” or “old Whigs” in England, Taylor saw it a “conspiracy” against the landed interest. And that interest was basic to his version of a healthy American republic.

Taylor also deplored the Federalist attempt to raise a “new model” army. Militia should be the shield of a free society. A large standing army was a threat to self-government, a patronage system, the basis for an artificial aristocracy (i.e., without roots), and contrary to the best republican precedent.<sup>16</sup> Especially after the friends of President Adams passed, early in 1798, their great “gag rule,” the Alien and Sedition Acts. In December of that year, Taylor carried his fight against such usurpations

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<sup>16</sup> On the Federalists’ “army plot,” see Richard Kohn, *Eagle and Sword: The Beginnings of the Military Establishment in America* (New York: Free Press, 1975).

into the Virginia Assembly, where he had secured a seat in order to bring forward and ensure the passage of the Virginia version of what we now know as the Virginia and Kentucky Resolutions. Jefferson was probably the source of this remonstrance, and a great many of his supporters had a part in the official assertion of the states' reserved powers to restrict infringements upon the national compact by the national government. Similarly they (Madison included) had had a part in planning violent resistance, if violence proved their only answer. But Taylor had been in the field, in his section of Virginia, before Jefferson had formulated either his plans of battle or his language of protest. Taylor won victory for the Jeffersonians in debate. And, upon recognition that disunion and civil war were the only alternative courses open to his friends if the political process collapsed any further, he had, after carrying the Resolution of '98, taken a major role in completing the "interposition of 1800," the election of Thomas Jefferson as President. In Taylor's view, all of this labor was loyalty to the bond of national identity, an attempt to preserve the always fragile balance between the contradictory impulses toward concentration and fragmentation which went into the making of our peculiar system of "one and many."<sup>17</sup> Yet, as he had preferred conflict to subservience in 1776, and rebellion to usurpation in 1798, so he persisted when dark days came again: persisted in warning that the

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<sup>17</sup> See Thomas Ritchie, "To the Reader," in *Construction Construed*, p. ii.