

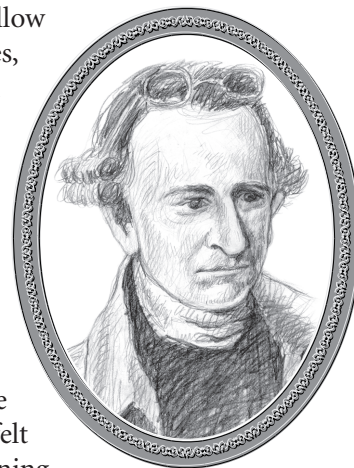
PATRICK HENRY (1736–1799)

I know not what course others may take; but as for me, give me liberty or give me death.

—Patrick Henry, 1775



Patrick Henry's imposing figure and confident voice commanded his fellow delegates' attention. Standing six feet tall and possessing flashing blue eyes, the fifty-two-year-old, self-taught lawyer had already earned a reputation in the state as a powerful speaker. As Virginia's leaders gathered in 1788 to consider ratification of the Constitution, Henry's opposition echoed through the hall. He warned that approval of the document would create a too-powerful central government that would eventually degenerate into a tyranny. "Away with your president!" Henry thundered. "We shall have a king: the army will salute him monarch; your militia will leave you, and assist in making him king, and fight against you: and what have you to oppose this force? What will then become of you and your rights? Will not absolute despotism ensue?" Henry's words were passionate and powerful, so much so that one delegate confessed that he felt imaginary iron shackles close around his hands as Henry spoke his warning.



Background

By all accounts, Patrick Henry was not a hard worker. Thomas Jefferson once called him "the laziest man in reading I ever knew." Born in 1736 in Hanover County, Virginia, he was schooled mostly by his father, who expected him to be a farmer. Henry had little interest in either academics or farming. He was spellbound, however, by the revivalist Christian preachers who came to his town during the 1740s and 1750s. Their fiery oratory had a lasting effect on the young Henry.

When he was twenty-one years old, Henry and his brother became the owners of a general store that their father had established for them. But the brothers were poor businessmen. Within a year, the store had gone bankrupt. Henry married and tried his hand at farming and, for a second time, at storekeeping. Neither venture was successful. He then decided to teach himself the law. After studying for only a few weeks, Henry was admitted to the Virginia bar in 1760 at the age of twenty-three.

The Parson's Cause

Three years later, Henry argued a case that became known as the "Parson's Cause." In 1758, the Virginia House of Burgesses had passed the Two-Penny Act. This law had the effect of lowering drastically the salaries of the Virginia clergy, which were paid by wealthy Virginia planters. When the parsons protested to the king, the British government repealed the Two-Penny Act.

Several clergymen filed lawsuits to collect the money they had lost since the passage of the Two-Penny Act. They won their cases. In the Parson's Cause of 1763, Henry was hired by a group of planters to argue their side when a jury was deciding the amount of money owed to a parson. Henry took advantage of the opportunity to make an hour-long speech denouncing the king's repeal of the Two-Penny Act as "an instance of misrule" and perhaps tyranny. The king, he declared, should not interfere with Virginia's right to make its own laws.

Henry's bold speech caused some in the courtroom to whisper that the lawyer's words were treasonous. But Henry's words persuaded the jury, who awarded the parson a mere penny in damages. After court was adjourned, most observers, who resented the king's interference in Virginia's affairs, cheered Henry. Several men hoisted Henry onto their shoulders and carried him to a local tavern, where they celebrated the victory for American liberty with vast amounts of liquor. In the course of an hour, Henry had made a name for himself in Virginia.

Tyranny and Revolution

In 1765, Henry was elected to the Virginia House of Burgesses. There he added to his fame by opposing the Stamp Act of 1765. Passed by the British Parliament, this law in effect placed a tax on legal documents, newspapers, and playing cards produced in the colonies. Henry introduced a series of resolutions to the House, one of which asserted that "the General Assembly of this Colony have the only and sole exclusive Right & Power to lay . . . taxes upon the Inhabitants of this Colony." Again, Henry was not afraid of being labeled a traitor. "If this be treason," he thundered, "make the most of it!"

By the 1770s, Henry had emerged as one of the most radical leaders of the opposition to British tyranny. In 1774, he represented Virginia at the First Continental Congress. The following year, Henry attended the second Virginia Convention. At St. John's Church in Richmond, he urgently advised his fellow Virginians to take arms against the British. "Gentlemen may cry 'Peace! Peace!' but there is no peace," Henry intoned. "The war is actually begun!" He closed his speech with the now legendary words: "I know not what course others may take; but as for me, give me liberty or give me death."

Henry's call to arms succeeded in drowning out the voices of those reluctant to go to war. Governor Lord Dunmore so feared the discontented colonists that he ordered the removal of the gunpowder from the Williamsburg Magazine and had it loaded onto a British ship. In response, Henry threatened to use the Virginia militia to reclaim Virginia's property. In the end, the governor paid the colony for the powder.

In 1776, Virginia and the other colonies declared their independence from Great Britain. Henry served as the first governor of Virginia from 1776 to 1779. He then served in the Virginia House of Delegates from 1780 to 1784. As a member of the legislature, he championed a bill that would have required a tax for the general support of the Christian religion. But James Madison, also a member of the legislature, succeeded in defeating the proposal and winning passage of the Statute for Religious Freedom. This act provided for the separation of church and state in Virginia. In 1784, Henry was elected again to the governorship for a two-year term.

The Virginia Convention

In 1787, Henry received an invitation to participate in a convention whose purpose was to revise the Articles of Confederation. Saying he "smelled a rat," Henry refused to attend what became the Constitutional Convention. He feared that the meeting was a plot by the powerful to construct a strong central government of which they would be the masters.

When the new Constitution was sent to Virginia for ratification in 1788, Henry was one of its most outspoken critics. Deeming liberty the "direct end and foundation" of government, Henry warned that the new Constitution would create a "consolidated" government in which power would be concentrated in the hands of a few. The document did not provide for adequate checks and balances and therefore did not protect the people against evil rulers. Henry was concerned that the Constitution also gave the central government the power of direct taxation. It also created a standing army, which Henry feared a power-hungry president could use to awe the people into submission.

Henry wondered aloud why the Constitution did not include a bill of rights. “Is it because it will consume too much paper?” he asked sarcastically. Henry believed that the absence of a bill of rights was part of the attempt by the few to amass power. The arguments of Henry and other Anti-Federalists compelled Madison, the leader of the Virginia Federalists (supporters of adoption of the Constitution), to promise the addition of a bill of rights to the Constitution once the document was approved. But Henry warned his Anti-Federalist allies that Madison’s promise was an empty one. Henry’s passionate appeals, however, failed to sway the convention. After twenty-five days of heated debate, on June 26, 1788, Virginia became the tenth state to ratify the Constitution.

A Respected Statesman

Henry refused to serve in the new government. “Some of its leading principles,” he told a friend, “are subversive of those to which I am forever attached.” But Henry did not give up the fight for liberty. He continued to call for a bill of rights, and his efforts forced Madison, who was a candidate for a congressional seat, to promise voters that he would work to add a bill of rights to the Constitution.

In 1789, the first Congress of the United States sent a list of twelve amendments to the states. Henry believed that these amendments did not adequately safeguard the rights of the people and the states. He therefore did not support them, instead calling for a new convention to revise the Constitution. Nevertheless, Virginia approved all twelve amendments, and ten of these were ratified by the required number of states and added to the Constitution in 1791. These ten amendments became known as the Bill of Rights.

Thwarted in his efforts to put together a second Constitutional convention, Henry returned to his plantation at Red Hill, Virginia. There he resumed his law practice. Unlike most former Anti-Federalists, Henry did not join the Republican Party formed by Thomas Jefferson and James Madison in the 1790s. He disliked both men and, as a devout Christian, was disgusted by the enthusiasm of many Republicans for the atheistic French Revolution.

Nor did Henry immediately ally himself with the new Federalist Party, which included most members of the Washington administration. In 1795 and 1796, Henry turned down offers from George Washington first to serve as secretary of state and then chief justice of the supreme court. President Washington, however, did persuade Henry to run for election for a seat in the Virginia legislature in 1799. Henry won the election but died before the legislature formally convened.



Reading Comprehension Questions

1. Why did Henry refuse to attend the Constitutional Convention in 1787?
2. What were Henry’s objections to the Constitution?
3. Why did Henry, unlike most former Anti-Federalists, refuse to join the Republican Party?

Critical Thinking Questions

4. In what way are the arguments made by Henry in the Parson’s Cause and in his resolutions against the Stamp Act similar?
5. Some have referred to Henry’s “Give Me Liberty or Give Me Death” speech of 1775 as “the first shot” of the Revolutionary War. Why?

