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UNITED STATES

May 25, 1961

Phil Conley, "America's Debt
to Greece" - 1961

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1956, Hailos-Iovailos

On the request of Phil Conley,
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your courtesy submit to
of the fact that you
Dr. Harold Wilson, who will report back

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and is carefully. This memory please suggest that it should
contribute to further understanding of Greece if it is possible
to have done.

Very cordial regards.

Secretary of State
Minister to the Prime Minister
Athens, Greece

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USIS

May 26, 1956

Dear Mr. Minister:

At the request of Phil Conley I am sending you the manuscript of the first part of his book "America's Debt to Greece". I am sure your schedule allows little time for extra-curricular reading, and if you feel that you cannot glance over it, please return it to Dr. Duncan Enrich, who will report back to Mr. Conley.

I have looked over it very hastily, and wish I had time to read it carefully. This cursory glance suggests that it should contribute to American understanding of Greece if it is published in book form.

With cordial regards,

Sincerely yours,

Theodore B. Olson
Theodore B. Olson
Public Affairs Officer

His Excellency
Constantine Tsatsos
Minister to the Prime Minister
Athens, Greece

Εν αναμονή Εδίν
for a signature
conveyed to Tsatsos
20/5/56

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May 26, 1956

Dear Mr. Minister:

At the request of Phil Conley I am sending you the manuscript of the first part of his book "America's Debt to Greece". I am sure your schedule allows little time for extra-curricular reading, and if you feel that you cannot glance over it, please return it to Mr. Duncan Smith, who will report back to Mr. Conley.

I have looked over it very hastily, and wish I had time to read it carefully. This cursory glance suggests that it should contribute to American understanding of Greece if it is published in book form.

With cordial regards,

Sincerely yours,

Theodore L. Olson
 Public Affairs Officer

Mrs. Excellency
 Constantine Tsakalof
 Minister to the Prime Minister
 Athens, Greece

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June 7, 1956

Mr. Constantine Tsatsos
c/o The Prime Minister
Athens, Greece

Dear Mr. Tsatsos:

Recently I wrote you that I was sending a few chapters of my book, AMERICA'S DEBT TO GREECE, to Ted Olsen and requesting him to pass them on to you. I have just received a letter from Mr. Olsen in which he gave me the good news that you have recently been appointed Minister to the Prime Minister, and that consequently you were a very busy man.

I want to offer my sincere congratulations to you and to the Greek government for securing the services of such an able man to fill such an important position during these unsettled times.

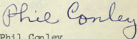
I hasten to inform you that if your duties are so arduous, I will not hold you to your offer to read and criticize my manuscript. I know that with the multitudinous problems with which you are confronted every day, even a small interruption would be difficult to meet.

I wrote you that four of my very good friends, headed by Robert Kelly, one of West Virginia's top-ranking attorneys, would be in Athens in July. I saw Mr. Kelly today and told him that you have this new appointment, but that I was sure you would be willing to meet him and extend to him a welcome to Greece.

I hope it will be possible for me to have our book published within the next few months. It is now in the hands of Dr. Allan Nevins of Columbia University, who is going to write a Foreword for it, and I sincerely hope it will serve in a small way at least to bind the United States and Greece in a little closer relationship. I am sure there is nothing in this book that would cause any Greek to regret that it had been written.

Please convey my kindest regards to your very charming wife.

Cordially yours,



Phil Conley

PC:fsk

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PHIL CONLEY
P. O. BOX 1187
CHARLESTON 24, W. VA.

July 12, 1960

Mr. Constantine Tsatsos
Kydathineon 9 Street
Athens, Greece

Dear Constantine:

Thank you for your cordial letter concerning the work of the Education Foundation.

The manuscript of America's Debt to Greece is now in the office of your Consul in New York. A friend of mine has asked him to read it critically. I hope he will approve.

My Alcibiades story is slowly taking shape. I hope to have it completed within the next few months.

It gives us pleasure to receive your complimentary statements about President Eisenhower. I am glad he made such a good impression upon you and other people whom he met in Athens. The Reader's Digest recently had an article by our ambassador relative to his visit. I am sorry we cannot re-elect President Eisenhower because I think world conditions demand a man of his calibre and stature to assist in working out many of the problems we now face.

Personally, I hope Mr. Nixon will be his successor. I am a delegate to the Republican Convention which meets in Chicago on July 25, and I will not only vote for him but do everything I can to promote his election.

Mr. George Allen, former ambassador to Greece, spoke at the Charleston Rotary Club last Friday. I had a nice visit with him. He told me that he knew you and that he admired you a great deal. I found him to be a very able and dedicated man. He is in charge of our Voice of America and Information Division of our government.

I am still counting on returning to Greece sometime but my plans are indefinite. I would like to visit you and your friends in your great country.

With best personal regards, I am

Cordially yours,



PC/mk

1961

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AMERICA'S DEBT TO GREECE



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PHIL CONLEY

AMERICA'S DEBT

AMERICA'S DEBT TO GREECE

Light the West Virginia Coal and Manpower
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(with Lloyd E. Smith)

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West Virginia: A Brief History of the Mountain State

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AMERICA'S DEBT
TO GREECE

By

PHIL CONLEY

1961

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Charleston, West Virginia

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The Greatest Country in History: Monograph

America's Debt to Greece

Philos

High School Textbook

General Reader

1961

1961, published by Education Foundation, Inc.

Printed in the United States

Without what we call our debt to Greece
we should have DEDICATION

philosophy and our science and our literature
our art and our music. We

To my good friend

Paul G. Benedum

May the late Dean W. R. Inge of St. Paul's
Cathedral in London—The Legacy of Greece,
edited by R. W. Livingston, Oxford University
Press, 1961.

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CONSTANTINE TSATSOS

Mr. Tsatsos is Minister to the Prime Minister of Greece. Following a period as Professor of Law at the University of Athens, he was elected to Parliament and became Minister of Education in the Greek government. At one time he served as president of the National Society of Authors and Writers. Mr. Tsatsos has traveled extensively in the United States and has written many learned articles about this country. For many years he has been one of the outstanding leaders in Greek thought and government.

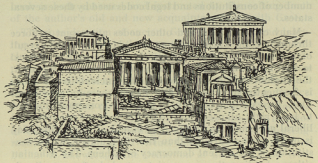
ALLAN NEVINS

Dr. Nevins is recognized as the foremost historian in the United States. After receiving his Master's degree at the University of Illinois, he engaged in editorial work on some of the largest newspapers in New York. Dr. Nevins taught American History at Columbia University from 1931 to 1958. Upon retirement, he became senior research scholar of the Huntington Library, San Marino, California. Dr. Nevins is the author of hundreds of magazine articles and of many learned books. At the present time he is completing an eight-volume history of the Civil War.



MICHAEL A. MUSMANNO

Justice Musmanno is a member of the Supreme Court of Pennsylvania. He is the author of a number of scholarly books, one of which was made into a movie by Warner Brothers. He served in the United States Army in World War I and in the Navy in World War II, at present holding a reserve commission of Rear Admiral. While in service he was twice wounded and was awarded the Legion of Merit, Bronze Star for Valor, Purple Heart with Cluster. The President of the United States appointed him as one of the judges to serve at the Nuremberg trials, named the "Biggest Murder Trial in History."



RESTORATION OF THE ACROPOLIS AT ATHENS

Athens, Greece

The value of an ancient civilization is generally estimated in two ways. Scientists who specialize in such matters judge, on the one hand, by the study of material derived from archaeological excavations and of subjects that interest the professional archaeologist and, on the other hand, by the study of written sources referring to the ancient world, its creation, and its transmission of spiritual and material values.

From the analysis of these emerge the component parts of each ancient culture, whether (1) having developed during the life of that civilization, the distinguishing features have remained static, limited by the boundaries of their age or (2) having dynamically survived the ancient culture to which they belonged, they have been incorporated in our contemporary forms. At all events, if the final evaluation of an ancient way of life is made in terms of its power of survival, then the civilization of ancient Greece is without a rival.

Among the most glorious achievements of that civilization may be reckoned the variety of city-states which Aristotle called sound, in contrast to those which departed from sound principles. Corresponding to this variety was the

number of constitutions and legal codes used by these several states.

Many constitutional and other codes at present in force throughout the world seem at first glance to be the result of modern development of political ideas and in general to be the achievement of contemporary society. However, the student of the legislation of the ancient Greek states is frequently surprised to find there the same provisions. Thus, for example, freedom of speech is commonly thought to be a right allowed only to the citizens of modern and liberal governments. In fact, the extent of this right today is much more restricted than that formulated in the constitution of the ancient democracy of Athens. The Athenian citizen, holding the appropriate symbol, the suppliant's bough called the *iketeria*, had a right to come before the highest authority, the Assembly, and to speak freely upon any subject, public or private.

The results of the investigation into the advanced thought in ancient Greece and into her heritage appearing in dynamic form in societies today, provide matter for a whole series of special sciences. For this reason one who has wished to gain a general but comprehensive idea of old Greek learning and practice has had to read a number of books, the bulk of which varies with each specific subject. This is an insuperable difficulty in the way of readers who neither are specialists on subjects of civilization nor have sufficient time at their disposal. AMERICA'S DEBT TO GREECE obviates this burden.

Mr. Phil Conley had undoubtedly this problem in mind. Moreover, knowing that the authors of the Constitution of the United States of America had included in it provisions which came from the wealth of Greek political ideas, he aimed particularly at the definition of certain forceful elements of ancient Greek accomplishment. The one thing that Mr. Conley did not yet know was the land of Greece itself, with the superb monuments of her past, her physical beauties, and her people. This lack, however, was most beneficial, for traveling in Greece and composing his book AMERICA'S DEBT TO GREECE, he recorded the impressions obtained on his journeys and blended his former knowledge with new discoveries. Thus the reader of his

book is both charmed and instructed by the setting forth of the author's old and new acquaintanceship with Greece.

The consideration of ancient Greek legislation and learning especially attracts the attention of the author. His conclusions and the specific quoted references to the ideals and practices of ancient Greece made by prominent Americans in the Republic's beginning aim to show, from a constitutional point of view, what is the debt of America to Greece.

The definition of the cases in which debt exists reveals positive research and enriches our knowledge. The mention of debt implies a preceding benefit, and the acknowledgment of debt is an act of virtue. Genuine research, a contribution to knowledge, the definition of benefit drawn from ancient Greek civilization, and the virtue of acknowledging the debt shine in this book.

CONSTANTINE TSAOSOS
MINISTER TO THE PRIME MINISTER OF GREECE

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Lovers of classical learning are not alone in regretting the days when John Adams illuminated the discussion of current affairs with principles drawn from Solon and Pericles; when James Wilson and George Mason gave saltiness to their treatment of passing controversies by references to Pisistratus, Cleon, and Alcibiades, and when even the comparatively unlettered found in Plutarch's *Parallel Lives* an arsenal of illustrations and ideas. All who believe in a thoughtful and informed approach to governmental and moral problems may also regret that the study of politics in its broadest sense—Aristotle's sense when he used the word—lost much in depth, as the study of letters and general culture lost a vast deal in richness and grace, when Americans divorced themselves from the antique world. To the Revolutionary generation, dealing with institutions which seemed plastic and controllable as never before, and ushering in an age bright with new hopes, it was natural to turn back to an era when mankind seemed to live in a fresh and brilliant atmosphere. The feudal ages had put men in chains; the Greek city-states and the early centuries of the Roman republic seemed to show what might be done to make men free. They offered illustrations of the achievements possible under leaders who combined inspired thought, careful planning, and a passion for liberty, as well as warnings of the fate always besetting weakness, irresolution, and a materialistic preference for wealth over freedom. Down to the time of John C. Calhoun, with his reverence for Greek culture, this sensitive cultivation of ancient themes and ideals persisted, exerting a happy influence upon the development of the early nation.

Dr. Philip Conley, out of many years of devoted interest in ancient Greece, its ideas and achievements, and almost as many years of understanding acquaintance with the people and institutions of modern Greece, has performed in this volume a double service. In its earlier chapters he eloquently sketches the immeasurable heritage that ancient Greece left to the modern world, in laws and constitutions, in poetry and art, in philosophy and political thought, and in examples of unselfish devotion to the common good. His

enthusiasm is never uncritical, but it is so deeply felt that it is certain to kindle the careful reader. In his later chapters he describes the work of the authors of the American Constitution; men who stood sturdily upon their own feet, but who numbered well-read leaders deeply imbued with Greek thought, and keenly aware of the value of ancient ideas in their application to modern needs. A majority of the makers of the Constitution were conversant with the history of the ancient world; a number of the ablest members of the Convention of 1787 were so well versed in Greek political thought that it seemed immediate, not academic and distant, to them. Here again Dr. Conley writes with kindling enthusiasm, while he gives color to his story by recounting his journey among the scenes, from Mount Vernon to Philadelphia, where the ideas of the Constitution took shape.

Both Americans and modern Greeks can read this book with pleasure and instruction. It will remind both peoples of the strong and enduring links between them, links whose importance becomes greater and happier the more they are studied.

ALLAN NEVINS

HUNTINGTON LIBRARY,
SAN MARINO, CALIFORNIA

Many are those who would like to know more about ancient Greece and the influence of her rich civilization upon our own. But few have the time or the force of will to apply themselves to the broad original study that would enlighten them.

Some, through reading and research, were once familiar with the glory that was Greece but have lost that familiarity over the years in concentration upon earning a livelihood in fields completely divorced from Greek culture. Yet these who in younger days were initiated into the spell of ancient Greece must yearn to return to that fascinating world of classical learning. If only there were time to seek out and acquaint themselves with the variety of books on the numerous phases of the subject!

Others, the true Grecophiles, have retained and nourished their vivid knowledge of life as pursued by the old Greek poets, philosophers, statesmen, artists, scientists, and warriors. Yet perhaps even some scholars, as they go about discharging their mundane responsibilities day after day, fail to see originally Greek ideas as real and living in our own society.

The book *AMERICA'S DEBT TO GREECE* fulfills anyone's wish to understand more of the Greek sources of Western culture. Fulfilling this desire, Mr. Phil Conley has done the collecting and selecting in the vast and luxuriant subject. Within the covers of this one book are depicted the wonders of the era of Socrates, Pericles, Solon, Plato, Aristotle, Pythagoras. In this volume unfold a phenomenal advancement among a people, a flowering of ideas, a wealth of achievement. The power, the inquiring mind that drove and controlled men in this brief early time, in a small country, have urged men on in our own land and taught them control through law.

The reader comes to understand the greatest of the Greeks and their accomplishments, to appreciate their bequest to the Western World. In this latter, the appreciation of the legacy from ancient Greek knowledge and culture revealed in the lives of human beings today, lies the reward of this book.

The author writes the accounts of his travels in the first person, taking the reader with him through the Greece of today and into the remembered marvels of the Hellas of thousands of years ago. Every personal encounter, every journey, every adventure is interesting and significant. Intermingling in the telling of these experiences is the play of events and forces of the former time as disclosed in visit and research. Understanding the early Greek lawgivers, the reader observes Benjamin Franklin and Thomas Jefferson in a new light, and also the early years of our United States. In a thoroughly enthralling fashion the reader achieves a sense of oneness with the distant past. Perhaps without being aware, the mind is informed, thinking elevated, and respect deepened for two great eras which contributed much to the freeing of the human spirit.

Mr. Conley's literary style is that lively use of language which makes a reader an inseparable partner with the writer, enjoying constantly the author's moods and emotions, which are always pleasant and enthusiastic. Mr. Conley writes with such scholarship and love of his subject that the pages vibrate with the stimulating impetus of his fresh and invigorating thought.

This is a book for the eager artisan, the tired businessman, the busy lawyer, jurist, legislator, and general practitioner. It tells the story of the founding of the American Republic as it discusses the fertile Greek mind and free Greek will, or portrays the beauty of the Parthenon, or praises Greek cooking. It informs and inspires and relaxes. It is a book for the general pleasure and profit of adults and for required reading by every high school and college student. With this work widely and earnestly considered, perhaps the next generation and the succeeding generations may really know and happily acknowledge America's debt to Greece.

MICHAEL A. MUSMANNO
JUSTICE OF THE SUPREME COURT OF PENNSYLVANIA

CHAPTER I

THE GREEKS HAD A WORD FOR IT

A shining, four-motored "Constellation" winged me across the Atlantic to Shannon, to Geneva, to Rome, to Athens.

In the early August evening the man-made bird hovered over the ancient Hellenic city, the acknowledged cradle of civilization. Here in the fifth century B.C. lived intellectual giants who have never been equaled at any other like period or in any other nation in recorded history of mankind.

I looked down from five thousand feet. My breath stopped, and my heart made a few extra beats when I saw, bathed in mellow light, the incomparable Parthenon. Time stood still while mental pictures of "the glory that was Greece" flooded the recesses of my mind. There in indescribable splendor stood the world-renowned temple of Athena on the Acropolis, an oblong rock, in the center of a great city.

Someone has likened the Parthenon to frozen moonlight. It is the quintessence of architectural perfection, of harmony in marble, of beauty that transcends all man's other efforts in symmetry of design.

My "book learning" had acquainted me with the fact that the world is indebted to Greece for invaluable contributions in every field of intellectual endeavor. I knew that the framers of our Constitution drew heavily upon Greek political ideas. They spoke often of Greek leagues and confederacies when they met in 1787 in Philadelphia, where they formulated a philosophy of government and wrote the basic law of the United States.

My insatiable desire for information on the history of this little country, Greece, impelled me to attempt to learn at firsthand more of the background of the universal influence Greece has exerted in world affairs, especially in the field of government.

When I arrived in Athens, I was a foreigner in a foreign land, but I felt a kinship there because I was an heir to the rich thoughts of Greek sages, to a heritage that has been wafted down the centuries. Immediately, even before I had acquired my "Attican legs," I started roaming the streets, asking questions like Socrates of old, except that I wore shoes, a hat, and more than a one-piece garment.

My purpose was to get acquainted with Greece, which is about the size of Alabama and has a population about equal to that of New York City. I knew that Greece had, in the fifth century B.C., produced supermen in every field of thought—history, mathematics, medicine, other sciences, literature, oratory, statesmanship, government, philosophy, sculpture, architecture, other arts, and religion.

II

Soon after my arrival in Athens, I was awakened one Sunday morning about eight o'clock by the lively music of a military band coming up University Street. From my balcony I watched the musical contingent, followed by a company of quick-stepping soldiers, go to the front of the Parliament Building for the weekly ceremony of changing the guard.

The guard is composed of a military unit known as Evzones, all more than six feet tall, who wear ancient Greek uniforms and who are stationed in front of government buildings, including the king's palace. They execute their movements with split-second precision.

The uniform of the Evzone has little resemblance to the clothes which one associates with a soldier. He wears a white blouse with large sleeves and close-fitting collar; a full white skirt, held by a wide blue belt, hangs halfway to the knees; and white stockings come up to his hips. Black garters are worn below the knees. His shoes have upturned toes, surmounted by pompons. A short blue jacket is fastened in front by large buttons. A red skullcap tops the Evzone's head jauntily, and from the cap a long tassel falls over his left shoulder.

The band music continued during the changing of the guard. Then the Greek flag of navy blue, quartered with a

white cross, was raised over the front of the Parliament Building while the band played the national anthem. As the first strains of music were heard, every person on the streets halted and snapped to attention; all automobiles, bicycles, buses, and streetcars stopped immediately.

III

After breakfast I walked around the corner to Constitution Square, a modern agora or gathering place where men meet in the evenings, on holidays, and on Sundays, and engage in unrestrained discussions of many subjects. On this bright morning waiters wearing white aprons that hung to their shoe tops, were scurrying around and placing small tables and straight-backed chairs in long rows across the Square. Within a short time a thousand men sat at the tables, sipping thick Turkish coffee, munching sweet cakes, talking politics, discussing international affairs or any other subject that suited their fancy. In this they followed the custom of the freedom-loving Hellenes since before the days of Homer.

Greek men are enthusiastic conversationalists, and they use a variety of gestures. Some wave their arms and hands high in the air; others thrust their hands alternately forward and backward in a swimming movement; some clench their fists and bring them down in a pump-handle motion; others shoot their fists straight out from their bodies; the more conservative take their right hands and count off their arguments by bending the fingers of their left hands into their palms. To conclude a discussion, to emphasize that the final word has been said on any subject, a debater shortens his neck by shrugging his shoulders, and then extends his hands with palms raised as a signal that nothing more can be added. For him, the argument is ended.

Within Constitution Square on that Sunday morning, an acquaintance, seated at a table with a companion, motioned for me to join them. When I was seated, I remarked that Demosthenes had described a similar scene in the Athens agora more than twenty-three hundred years ago as lively Greeks hurried from one group of people to another asking: "Is there anything new? Is there a recent development?"

Comfortably seated and having a small cup of coffee and some cakes, I commented on the invigorating air, the soothing sunshine, and the cheerful expressions on the faces of the people. My friend said that Plutarch had referred to the air in Athens as similar to "spun silk" which gave one a satisfied feeling and drove away gloom and anger.

A young businessman, a lad with a shoe-shine box, knelt in front of me, tapped the pavement with his brush, and raised his eyebrows. I put a foot on the step, and he began to work vigorously. The friend of my acquaintance said something in Greek. Before my friend and interpreter could explain, the boy stopped work and began talking excitedly, at the same time pounding the back of his brush into the palm of his left hand. He ended with a "pup, pup, pup" and then resumed his polishing.

My acquaintance said, "The young man and his family support a political party different from that with which our companion here is affiliated. The younger one has registered his protest to the opinion my friend expressed."

I commented, "Aristotle wrote: 'Hence it is evident that the state is a creation of nature, and that man is by nature a political animal.'"¹

"And," added my friend, "he also wrote, 'He is by nature a slave who is capable of belonging to another.'"²

Looking over the smiling, chatting, gesticulating crowd, I reminded the men of an observation by St. Paul in Acts 17:21, when he visited Athens in 51 A.D.: "For all the Athenians, and strangers which were there, spent their time in nothing else, but either to tell, or to hear some new thing."

The Greeks have always been a gregarious race. The ancient Hellenes built their towns and villages far enough from the seashore that marauding pirates could not readily see them, and if the outlaws did find them, attack would be very difficult. The Greeks, ancient and modern, have always shunned isolation, that is, isolation from other Greeks. Their farms are on the outskirts of communities. In the morning, workers often go long distances to tend their

¹ Jowett, *The Politics of Aristotle* (Oxford: The Clarendon Press, 1885), Vol. I, p. 4.

² *Ibid.*, Vol. I, chap. 2, sec. 13.

crops, and return the same distance to the village in the evening, to gather around coffee tables there and engage in lively conversation as long as they have auditors.

IV

When the little businessman had finished his job on my shoes, my acquaintance asked if I would like to take a short trip into the country. As we drove along, I observed the bright flowers in the fields. Red, blue, yellow, white, and pink blossoms of many varieties of flowers burst into bloom almost with a shout.

The riot of color recalled to me a conversation I had had with a brilliant woman author who extolled the harmony of Sappho's few preserved poems, written about 590 B.C. They are full of references to nature:

Sappho wrote:

Flowers for the Graces

Weave garlands, maiden, from the strands

Of dill, and with soft gentle hands

Set the delicious leafage round your head.

The Goddess and the happy Graces

Love to look on flower-crown'd faces,

But turn aside from the ungarlanded.*

About ten miles from the city we came to a small village, the houses of which were all whitewashed. There I was introduced to an elderly schoolteacher, who invited us to join him at his little table and have a drink.

"Coffee or brandy?" he asked, and he explained, "At my age, eighty-three, I need a little brandy to stimulate the flow of blood through my veins and arteries."

I asked our host how long he had lived in the village.

With a look of mild surprise, he said, "All my life. In my youth a businessman from Chicago offered to pay my expenses and give me a job if I would go home with him."

"Why didn't you accept?" I asked.

He replied, "I love nature. Nowhere else in the world do the stars shine and twinkle as they do in Attica. Nowhere else is the sky so blue. Nowhere else have flowers such

* Oates and Murphy, *Greek Literature in Translation* (New York: Longmans, Green Co., 1951), p. 970. Translation, C. M. Bowra.

gorgeous colors. And nowhere else is there such a healthful climate as ours."

I enjoyed his enthusiasm.

After a pause he added with a wink, "I have never been out of Attica."

V

On our way back to Athens, I said to my companion, "The old schoolteacher seems to be imbued with the spirit of the ancient Greeks who practiced a philosophy that brought them happiness. Perhaps early in life he learned Epictetus' definition of a rich man, 'the contented one.'"

"Yes," he replied, "most Greeks are contented with their lot. They permit themselves the luxury of few regrets."

I observed, "They have some of the characteristics of their ancient ancestors who lived one day at a time, accepted life as it came, even its hardships, and became strong by overcoming difficulties, just as the north winds made the Vikings into physical giants."

I continued, "Somewhere I have read that the Greeks were the first people to learn to play, to learn to laugh, to know the sheer joy of living, like Saul when Browning had him say:

How good is man's life, the mere living! how fit to employ
All the heart and the soul and the senses forever in joy!

VI

After lunch I strolled into the center of Athens to the Parliament Building, an imposing structure which was built as a palace for the king. (I was told that the site was chosen by hanging several dead sheep in different parts of the city and noting that the one at this location was the last to decompose.) On the marble terrace in front of the building is the tomb of the Unknown Soldier of World War I. As I approached, a group of men and women, led by a band and representing some patriotic organization, were placing a wreath at the base of the tomb.

Then I crossed the street to the wide marble steps that lead down to Constitution Square. There I found a comfortable place to sit, under an overhanging branch of a

pepper tree. From this vantage point I had a good view of the crowd below. As I noted their happy mood I was reminded of Homer's significant statement:

Dear to us ever is the banquet and the harp and the dance
and changes of raiment and the warm bath and love and sleep.*

From my seat I had a good view of the Parthenon. That inspiring temple can be seen for many miles and from every place in Athens. The legend is that Athena and the sea god, Poseidon, met on the Acropolis, the huge, oblong rock in the center of Athens, to determine whose temple would be erected in that choice spot. Poseidon struck the earth, and a salt-water spring bubbled up; Athena hit the soil with her wand, and a sacred olive tree came to life. The people voted that the olive tree was of greater value to them, and they chose Athena as their goddess. An olive tree grows today on the Acropolis near the temple.

My first visit to the Parthenon was at midnight of a full moon. As a small group of us entered the propylaeum, or vestibule, a guide came forward.

We followed him along the Sacred Way, and when we arrived at a place where we had a full view of the magnificent columns shimmering in the moonlight, he stopped and dramatically said, "Ladies and gentlemen, you are now looking at the Parthenon, the most perfect building in the world."

The noted Greek scholar Professor J. P. Mahaffy wrote:

... ask any real specialist, such as the late Mr. Penrose, or Dr. Dörpfeld,² what place the best Greek architecture holds in the buildings of the world, and he will tell you that never again can anything equal to the Parthenon at Athens be constructed. ... the Parthenon, with its apparent simplicity, shows a subtle depth of artistic knowledge which justifies us in calling it the finest of earthly buildings.³

The same Professor Mahaffy wrote in his book *Rambles and Studies in Greece*:

*Edith Hamilton, *The Greek Way to Western Civilization* (New York: W. W. Norton & Company, 1930), p. 18.

²Francis C. Penrose, 1817-1903, English architect, archaeologist, and astronomer. Dr. Wilhelm Dörpfeld, 1853-1940, German architect and archaeologist.

³J. P. Mahaffy, *What Have the Greeks Done for Modern Civilization?* (New York: G. P. Putnam Sons, 1906), pp. 27-28.

There is no ruin, all the world over, that combines so much striking beauty, so distinct a type, so vast a volume of history, so great a pageant of immortal memories. There is, in fact, no building on earth which can sustain the burden of such greatness, and so the first visit to the Acropolis is and must be disappointing. When the traveller reflects how all the Old World's culture culminated in Greece—all Greece in Athens—all Athens in its Acropolis—all the Acropolis in the Parthenon—so much crowds upon the mind confusedly that we look for some enduring monument whereupon we can fasten our thoughts, and from which we can pass as from a visible starting-point into all this history and all this greatness. And at first we look in vain. The shattered pillars and the torn pediments will not bear so great a strain; and the traveller feels forced to admit a sense of disappointment, sore against his will.

On the last point I disagreed with Professor Mahaffy. I did not see the "shattered pillars and the torn pediments"; I saw embellished white marble columns, shaped by skilled artisans into the most perfect symmetry that has ever met the eye of man; I saw the ghost of the gray-eyed Athena, the colossal gold-and-ivory statue raised to the majestic height of thirty feet by the greatest sculptor of all time, Phidias. There she stood where Ictinus, the chief designer of the Parthenon, had arranged a pedestal for her in the cella facing the east.

I saw moonbeams as if in a mirror of silver, playing hide-and-seek as they sprayed the milk-white columns, bathing the ivory face and hands of the statue of Athena; I saw the sparkling eyes of precious stones; I saw the gold helmet and tresses of gold hair that fell in graceful curls on the shoulders of the superb goddess; I saw the large shield of authority grasped firmly in her left hand. The sight of the Parthenon under the splendor of the Attic moon at its full, leaves one with a choice mental picture he will carry throughout life.

VII

Oscar Broneer, who, when I met him, was director of the American School of Classical Studies in Greece, told me a human-interest story about the statue of Athena. Pericles, one of the greatest statesmen of all time and a shrewd politician, commissioned his friend Phidias to have general

supervision of the erection of the buildings on the Acropolis and to execute and direct the carving of the three thousand pieces of sculpture on the buildings and grounds.

Pericles warned Phidias that the green-eyed monster, jealousy, would in all likelihood rear its devilish head and seek to discredit the work of the artist. For that reason, Pericles suggested that the statue of Athena be constructed so that the gold, ivory, and precious stones supplied by the state be attached so they could be removed for inspection and weighing.

The body of the statue was of wood, the traditional material used in works of this kind. Slots were cut into the wood, and into these slots the gold, ivory, and precious stones which came from the public treasury, were anchored. Soon after the masterpiece was completed, envy employed its devastating gossip, and the great sculptor was falsely accused of stealing part of the gold and other valuable items which the government had entrusted to him. In spite of the fact that he disproved the charges by removing the precious metals and jewels and weighing them, unfair criticism did not cease.

Later, after Phidias had created the huge statue of Zeus at Olympia, one of the Seven Wonders of the Ancient World, the political enemies of Pericles, in order to discredit him, brought charges of sacrilege against the sculptor. It was alleged that Phidias had represented himself and Pericles among the many figures in the design on the shield of Athena. Phidias is said to have been convicted on this charge and thrown into a dirty prison, where he died. Thus have been falsely convicted many benefactors of the human race, among them Socrates and Jesus Christ.

Associated with Pericles were artists, scientists, philosophers, historians, poets, orators, and profound thinkers in other fields—a galaxy of the greatest intellects ever to appear on the earth at one time. These men kindled a conflagration of intellectualism unequaled in any other age. They set off a chain reaction of ideas, concepts, and mental accomplishments that have stirred men's minds and stimulated them to explore the highest realms of civilization and human attainments.

These thoughts raced through my mind as we left the Acropolis on that moonlit night.

Crossing the street, we saw a high outcrop of rock, the Areopagus, the Hill of Ares, the ancient meeting place of the Athens court. This was the Mars Hill where St. Paul delivered his famous oration in 51 A.D., as recorded in Acts 17. At the base of the rock is a bronze tablet on which is inscribed in Greek St. Paul's speech before many of the learned men of Athens. In this little country the greatest of all missionaries planted the viable seed from which grew world-wide Christianity.

A little farther down the winding road is the theater of Dionysus, the open-air stadium where many plays of Euripides, Sophocles, Aristophanes, and Aeschylus were enacted before critical audiences. Here the ancient Greeks were privileged to see produced on the stage some of the greatest dramas ever written.

VIII

While I sat above Constitution Square on that Sunday afternoon, with vivid pictures of ancient times filling my mind, the men around coffee tables continued to gesticulate and talk. I imagined I could see the sloven Socrates, with his scraggly whiskers blowing in the breeze, shuffling barefoot through the stoae of the Agora near the Acropolis, pausing occasionally to talk with small groups of men.

This wisest of all wise men, so acclaimed by the oracle at Delphi, never tired of engaging people in discussion. Unlike most teachers, however, he rarely stated an opinion categorically, but endeavored by subtle questions to compel his auditors to use their minds to think, to reason, and to draw their own conclusions.

Of all men, Socrates probably most deserved to be called philosopher, but tradition has it that Pythagoras, in the sixth century B.C., was the first person to refer to himself as a philosopher. The word "philosophia" means "love of wisdom." Diogenes Laertius in his "Epigrams" quotes Socrates as saying: "I know nothing except the fact of my ignorance," and again, "There is only one good, that is knowledge; there is only one evil, that is ignorance." Plato,

the most devoted disciple of Socrates, wrote: "I am conscious of my own ignorance."

As I mused, the crowd in the Square began thinning out; siesta time was approaching. The men were slipping away for a nap to refresh themselves so that they could come together later in the day for more discussions. I pushed aside the branch of the pepper tree under which I had permitted my mind to wander, and strolled back to my hotel.

While the modern Greek follows the example of his ancient ancestors in endless discussions, he has the advantage of a knowledge of history. The early Hellenes were of necessity original thinkers. They had few learned forebears; they had few authorities to quote; they had few models to follow; and only a few could read. Possibly they were fortunate in that they were compelled to blaze new highways of mental accomplishments. Schopenhauer wrote many centuries later: "the thinking mind is impregnated from without, and it then forms and bears its child. . . . Reading is thinking with some one else's head instead of one's own."⁷

In most ancient nations the priests were the only people who were able to read. They established a theocracy and represented themselves as messengers of God in the government of the community. Not so in Greece. There the activities of the priests were limited to the temples, the sacrifices, and the functions connected with holy days and with religious processions. This is not to imply that the Greeks were irreligious. They erected temples at a cost equivalent to millions of dollars and at great human sacrifice. But over men's thinking, especially in affairs of state, the priests had no control and little influence.

In the history of art in the world, nothing has equaled the inspiration of religious subjects. Other reasons for erecting magnificent temples in every city in Greece were the need to satisfy the artistic urge of the people and to furnish necessary employment.

The beauty of line achieved in Greek temples has been the subject of studies by architects and builders for centuries. The master touch of Hellas' artists is observed in

⁷ *The Essays of Arthur Schopenhauer* (New York: Willey Book Co.), pp. 46-47.

the many temples in Athens, Delphi, Epidaurus, Sunium, Corinth, and at many other places.

IX

That evening I had dinner at the home of a charming Greek couple. I was the guest of honor because I had just been elected an honorary member of the Greek Authors National Society. Here I met a group of intellectuals whose conversation was most stimulating.

My host inquired how I had occupied my time during the day.

I replied, "Your military band made it impossible for me to sleep late. I visited Constitution Square, watched the men talk, and then had a delightful trip into the country."

He commented, "The modern Greek is no more a hermit than were his ancestors. He believes as did the ancients that one profits from an exchange of ideas, as Plato advocated, 'washing away the salt-water taste with a fresh-water discourse.'"

I asked, "Don't the Greeks ever take time out for meditation?"

A guest replied, "Yes, but not for long. They do not believe with Buddha that to purify himself a person must withdraw from human contacts. But," he raised his hand, "I recognize that Buddha was a great teacher, who founded a religion in which millions of people have been comforted, a faith that suited the temperament of the people in the Far East."

Another guest added, "With all his efforts, Buddha did not cure India's worst scourge; the Indians remain a caste-ridden people. The Greeks would never tolerate a system that designates a large percentage of the population as untouchables."

Our host remarked, "Your Thomas Jefferson echoed the basis of Greek philosophy in his draft of the Declaration of Independence, in his first self-evident truth, 'That all men are created equal; that they are endowed by their Creator with certain inalienable rights; that among these are life, liberty, and the pursuit of happiness.'"

"That prompts me to ask another question," I said. "What were the principles on which the ancient Greek based his philosophy? Were they confined to the acquisition of knowledge, the development of mental skills, or the formulation of rules of conduct which were designed to make one happy and contented and to enable him to live a full and complete life?"

A young man answered, "The basis of the ancient Greek philosophy, as I conceive it, was an attempt at a theosophy which formed a chain of three links — love, beauty, truth. Pythagoras, Socrates, and Plato constantly emphasized these fundamentals. They were concerned with the souls of men."

I mentioned Confucius, a philosopher who has influenced the thinking of millions of Chinese.

Someone said, "Confucius could very well have been a Greek. He did not establish a religion as Buddha did; he was more or less a Socrates who coined maxims."

Another added, "No one can eliminate a philosophic truth, whether it is uttered in faraway China or on the shores of the Mediterranean. The Hebrew prophets, Greek seers, and wise men of the East; all contributed to the sum total of culture and the advancement of civilization. And they all helped to pave the way for the establishment of Christianity."

After some general discussion, I asked, "Isn't it an anomaly that the three men who have possibly exerted the greatest influence over the minds of men never wrote a book — two Greeks and a Jew — Pythagoras, Socrates, Jesus Christ? The first was born on Samos Island in the sixth century B.C.; the second in Athens in the fifth century B.C.; and the third in Bethlehem at the beginning of the Christian Era."

Our hostess said, "All were deeply religious, all were concerned about the souls of men, all emphasized practical morality, all believed in life after death, all were willing to give their lives for their convictions. Socrates and Christ made the supreme sacrifice."

Someone observed that Greek philosophy was akin to religion, a sort of voice in the wilderness of superstition,

and that when St. Paul came to Athens he found fertile ground for the teachings of Jesus Christ.

I facetiously said, "It is claimed, 'The Greeks had a word for it.' What does that mean?"

The hostess laughed and said, "You should know—it is *automismos*, 'individuality.' Every Greek feels deep in his heart that he is just as good as any person who lives now or who has ever lived."

CHAPTER II

BEGINNING OF WRITTEN LAWS

I was to learn that *automismos*, or individuality, had a great deal to do with the conduct of the ancient Greeks and that this characteristic contributed much to the establishment of a high degree of civilization and to the development of written laws.

For many millenniums, in prehistoric times and in recorded history, the human race was ruled by unwritten laws. To countless millions of people the law was what the priest-kings, chiefs of tribes, medicine men, or strong dictators proclaimed it to be. Who was the modern braggart king who boasted, "I am the law"?

Showing the influence of superstitions inspired by priests, fear of natural phenomena, such as earthquakes, thunder and lightning, and eclipse of the sun—which often were attributed to the wrath of the gods—the law of the human race in its infancy was the law of the jungle, of might. The strong man was the chief of the tribe; he ruled with force. Kipling gives us the secret.

Now these are the Laws of the Jungle,
and many and mighty are they;
But the head and the hoof of the Law
and the haunch and the hump is—Obey!

As the race advanced in understanding and awareness, custom which had evolved into a way of life became more or less the law. Long-accepted precedent gradually assumed the authority of law, and people learned to obey for their own preservation and welfare.

Aristotle wrote in *Politics*, III, 14:

For the first chiefs were benefactors of the people in arts or arms; they either gathered them into a community, or procured land for them; and thus they became kings of voluntary subjects, and their power was inherited by their de-

scendants. They took the command in war and presided over the sacrifices, except those which required a priest. They also decided causes either with or without an oath; and when they swore, the form of the oath was the stretching out of their sceptre.

Someone has defined civilization as the rule of law which gives people freedom to possess their souls, an opportunity to develop their individual personalities. The Greeks who lived in the fifth century B.C. did not have automobiles, golf courses, newspapers, and television sets; they lived with few luxuries as we know luxuries today. But no one can deny they had a superior civilization. They rejoiced in the opportunity to explore all avenues for the development of their souls and the improvement of their minds. To exercise this liberty, it was necessary that Greek society formulate laws as one of the paramount essentials in guaranteeing orderly conduct.

II

The first written laws were codes. The modern definition of "code" is "a systematic body of laws, compiled and annotated; a digest of the accepted rules and regulations of a community, state, or nation." In brief, a code is a body of principles which have been prescribed by lawgivers or by those in authority. In *Ancient Law* Henry Sumner Maine wrote:

The most celebrated system of jurisprudence known to the world begins, as it ends, with a Code.

Plutarch, one of the greatest biographers of all time, wrote:

Law is king of mortal and immortal beings.

Agreeing with the ancient Greek thought, Baron Montesquieu, noted French lawyer and author (1689-1775) states in *The Spirit of Laws*, Book I:

No society can subsist without a form of government.

Law in general is human reason, inasmuch as it governs all the inhabitants of the earth; the political and civil laws of each nation ought to be only the particular cases in which human reason is applied.

As men developed intellectually and spiritually, ideas of better things for themselves and their families began to ferment and to bring forth constructive results. The first great step forward in the evolution of government was mankind's achievement of a conscience; then came freedom of choice; then arose a desire for rules of conduct and laws which did not discriminate between citizens of different stations in life. From here the logical step was the demand that codes, laws, and constitutions be written so that all people would have the opportunity to read the law and learn their rights.

As time passed, the rulers and their advisers were forced to accede to the demands of the citizenry and to provide written laws. The first were cut in wood or stone or written on clay tablets. With this accomplished, the humblest person or his representative could point to the official written document and under its provisions could claim protection from unfair or arbitrary treatment.

III

Records of written laws appear at the dawn of history. Manu, one of the many mythical progenitors of man, is credited with compiling laws for the guidance of the Hindus of India. His edicts, like those of all other early lawgivers, were claimed to be dictated by deity. His position with the Hindus was somewhat comparable to that of Hammurabi in Babylon, Minos in Knossos, and Moses with the Hebrews. Originally the Manu laws were a collection of rules of conduct, but they were gradually expanded and increased in importance until, with the passing of years, they became the basic law, or constitution, of all India.

The first authentic written code of which we have knowledge is that of King Hammurabi, the sixth king of the first dynasty of Babylon, who lived about 1900 B.C. Hammurabi, therefore, was the first recognized lawgiver of recorded history. Also, in addition to being an able military chief who conquered the Elamites and the Amorites and extended the boundaries of his empire, he built many temples and public buildings and dug two great canals.

Even prior to Hammurabi, Babylon was credited with being the richest and most magnificent of ancient cities. It had one of the oldest superior civilizations, if not the oldest, known to mankind. Here was built the famed Tower of Babel, referred to in Genesis 11:3-4.

And they said one to another, Go to, let us make brick, and burn them thoroughly. . . . And they said, Go to, let us build us a city, and a tower whose top may reach unto heaven.

The tower rose in a series of terraces in the shape of a pyramid. Archaeologists estimate that it contained about 58,000,000 bricks. Such construction in that early day without the aid of machinery staggers the imagination. In Babylon were also located the famous Hanging Gardens, which are listed as one of the Seven Wonders of the Ancient World.

The Hammurabi Code, carved on a stone, was found by De Morgan on the acropolis of Susa in 1901. It opened a page of little-known history that points to many centuries of earlier attempts to write just and fair laws to govern the people. Men of this ancient era established a civilization that had few equals.

The 282 paragraphs of the Hammurabi Code were a compilation of laws of Sumerian rulers and were written over a period of many centuries, possibly dating back as far as 4000 B.C. The code was engraved on a shaft of black diorite that stood eight feet high. The paragraphs were arranged under a crudely carved bas-relief showing King Hammurabi receiving the table of the laws from the sun god, Shamash.

So far as is known, this code was the first body of written laws which stipulated that the state, not the individual, has the authority to mete out justice; that each citizen is a member of society; and that he has a responsibility to preserve law and order for the benefit of the community of which he is a member.

At that early date medicine was, for the most part, linked with the practice of magic, and superstition played a large part in it. However, the "medicine men" were not immune from punishment by the state. In paragraph 218 of the code, a severe penalty is provided for malpractice:

If a doctor operate on a man for a severe wound with a bronze lance and cause the man's death, or open an abscess in the eye of a man with a bronze lancet and destroy the man's eye, they shall cut off his fingers.

The main provisions of the Hammurabi Code provided justice for the widow and orphan, as well as for the rich and powerful. It was the forerunner of the principle that "all men are created equal." The code also contained the plan for administration of justice by means of "an eye for an eye and a tooth for a tooth."

Emphasis is placed on the rule that "the strong shall not injure the weak." Only civil matters that affected everyday life were dealt with. Unlike the codes of many other ancient countries, there was no place for the priests or religious leaders in the enforcement of law and the administration of justice. This was possibly the first dictum that demanded the separation of church and state.

Independent women held a relatively high position in the provisions of the Hammurabi Code. They were protected in their rights to purchase, own, and sell property, and they were granted permission to secure a divorce from their husbands under certain stipulated conditions. Monogamy was practiced with allowances for concubines.

IV

The Hammurabi Code had a widespread influence on the development of civilization in all Eastern and Near East countries. Many of its principles were accepted and applied by the Amorites of Syria, and the common law of early Palestine had many sections that were similar to those found in the code. But possibly the Babylonian king's greatest contribution to human history and civilization came through his influence on Moses (1200 B.C.), who led the Children of Israel out of Egypt.

This Hebrew prophet and lawgiver is credited with being the author of the oldest written laws of the Hebrew nation, the strict moral and religious code found in Exodus and known as the Book of the Covenant. It was written possibly seven hundred years after the Hammurabi Code was carved on the stone shaft in Babylon.

When I visited Cairo, I was taken to the banks of the Nile and shown the supposed site where the infant Moses was found in a crude cradle, lodged in the bulrushes, and rescued by Pharaoh's daughter. Simultaneously, according to the account in the Bible, the mother of the babe appeared on the scene and was employed to act as his nurse.

Whether the child was rescued from the Nile at the instance of the Creator and reared in the palace of the most powerful ruler of the world for the specific purpose of leading the Children of Israel out of captivity, is of little significance. But it is important to know that Moses was the inspired leader of the Hebrews. He planned and conducted an orderly exodus of his people from Egypt, and he gave them the laws by which they were governed, under which they became one of the strongest nations in the ancient world, and which enabled them to make immeasurable contributions to the advancement of civilization.

It is recorded that on their journey to the Promised Land, the Hebrews lost their way in the wilderness, wandered from place to place, quarreled, complained, found fault with their leaders, and expressed the wish that they had remained in Egypt. Then Moses responded to the call of a divine voice requesting him to come up to Mount Sinai. There the finger of God wrote laws on two stones. When Moses descended from the mountain carrying the stones, he discovered that his brother Aaron, the second in command, had yielded to the wishes of the superstitious and fearful multitude and had permitted them to make an idol, a golden calf. Moses then became angry, broke the stones on which the laws were written, and went again to Mount Sinai. There the God of the Israelites forgave the weak people and again wrote the laws on two stones.

The "thou shalt nots" of the Decalogue, the Ten Commandments, contain basic principles of moral conduct. Some scholars hold that the Mosaic laws were not the work of one man and were not compiled in one generation or even in a single century. It is thought that they evolved over a period of many years as needs and customs of society dictated. Some of them were adapted from the Hammurabi Code, which, as we have noted, was a compilation of laws that had probably been in use for centuries. Some of the

Mosaic laws appear to have been copied almost verbatim from the Hammurabi Code. This was especially true in the "thou shalt nots" and the drastic "eye for an eye" retribution.

Moses followed the plan of Hammurabi and instructed that the Hebrew laws be carved on stones. In Deuteronomy 27:2-3 he commanded:

And it shall be on the day when ye shall pass over Jordan unto the land which the Lord thy God giveth thee, that thou shalt set thee up great stones, and plaster them with plaster: And thou shalt write upon them all the words of this law.

In Joshua 8:32 and 34, written after the death of the great Hebrew lawgiver, this record is found:

And he wrote there upon the stones a copy of the law of Moses, which he wrote in the presence of the children of Israel. . . . And afterward he read all the words of the law, the blessings and cursings, according to all that is written in the book of the law.

Later we find an interesting and unprecedented incident occurring after the Mosaic law had been lost, or misplaced, for about 660 years. In Deuteronomy 31:24-26 is this record:

And it came to pass, when Moses had made an end of writing the words of this law in a book, until they were finished, That Moses commanded the Levites, which bare the ark of the covenant of the Lord, saying, Take this book of the law, and put it in the side of the ark of the covenant of the Lord your God, that it may be there for a witness against thee.

Later in II Kings 22:8 we read that in the eighteenth year of the reign of Josiah (King of Judah 638?-608 B.C.), 660 years after the death of Moses, Josiah received this message from the high priest Hilkiah:

I have found the book of the law in the house of the Lord.

King Josiah commanded the priests and others (II Kings 22:13):

Go ye, inquire of the Lord for me, and for the people, and for all Judah, concerning the words of this book that is found: for great is the wrath of the Lord that is kindled against us, because our fathers have not hearkened unto the words of this book, to do according unto all that which is written concerning us.

Throughout the Bible are many references to severe penalties to be meted out to violators of the law. In Exodus 21:23-25, after certain restrictions, we find:

And if any mischief follow, then thou shalt give life for life, Eye for eye, tooth for tooth, hand for hand, foot for foot, Burning for burning, wound for wound, stripe for stripe.

Esther 1:19 refers to the laws of the Persians and Medes, which change not. When King Ahasuerus reigned over these two nations, he commanded:

... let it be written among the laws of the Persians and the Medes, that it not be altered.

Montesquieu explains:

Even if the prince were intoxicated, or non compos, the decree must be executed; otherwise he would contradict himself, and the law admits of no contradiction.

Many other references to laws are found in the Bible:

For the Lord is our judge, the Lord is our lawgiver (Isaiah 33:22).

The law of the Lord is perfect (Psalms 19:7).

In the Sermon on the Mount Jesus said:

Think not that I am come to destroy the law, . . . I am not come to destroy, but to fulfill (Matthew 5:17).

And

Wherefore the law is holy, and the commandment holy, and just, and good (Romans 7:12).

There is neither necessity nor space to list even a small portion of the codes that have been a controlling factor in the development of ancient civilizations. Scholars have deciphered only a small percentage of the tablets which are thought to contain laws. More than a hundred thousand tablets with inscriptions carved into their surfaces have been discovered in the vicinity of Babylon alone. Only a few of them have been read and recorded.

I have given several biblical citations to emphasize the fact that religion and religious leaders have had a decided influence in the evolution of codes, laws, and constitutions.

The spiritual force in man was the most impelling factor in his advancement on the road to a higher civilization.

Spinoza wrote in his *Interpretation of Scripture*:

Moses, too, would have given his laws in vain, if they could only be comprehended by the faithful, who need no law.

H. G. Wells wrote in his *Outline of History*:

The beginnings of civilization and the appearance of temples is simultaneous in history. The two things belong together. The beginning of cities is the temple stage of history.

The Decalogue and many of the broader provisions of the Mosaic law and back of them the Hammurabi Code form the basis of all moral and civil codes.

CHAPTER III

EARLY GREEK CODES, LAWS, AND CONSTITUTIONS

Religion, however primitive, has been one of the most compelling forces in the development of codes, laws, constitutions, and all phases of government. The ordinances of the ancient Hebrews were all based upon strict adherence to the Creator's word as interpreted by prophets and seers.

Early lawgivers claimed that the rules must be strictly obeyed because they were received from the god or gods the people worshiped. This, as we have seen, was true of Hammurabi, who claimed he received his code from the Sun God, of Moses, who announced to his people that the laws he presented to them were given to him by Jehovah, and of Minos, who credited Zeus as the author of his laws.

Legend is that every nine years Minos went to the crest of Mount Ida on Crete, back of Knossos, where he met Zeus, "the father of gods and men," and received from him the laws to govern his people.

One balmy afternoon I had coffee at a sidewalk cafe in front of an Athens hotel with a professor of law at the University. In the course of our conversation, I asked, "Do you think that the troubled and almost chaotic conditions in the world today and the acceptance of the principles of Communism by many intelligent Greeks and Americans and leaders in other great nations, are due to the fact that people have become tired and bored with present-day civilization?"

He smiled and answered, "You mean that the idealist, Professor S— of our University, has come to the conclusion that our civilization, which is undergirded with freedom of action, has abdicated in favor of materialism? Or do you mean that many people are convinced that their lot could be no worse under Communism? Your question seems to imply that intellectual and spiritual development has not kept pace with scientific progress and commercial expansion."

I replied, "One of the principal incentives in the evolution of civilization has been the demand of the people that laws be written to protect them against unjust tyrants and dictators. Communism, while claiming to be a people's government, is, in fact, the worst form of dictatorship ever known; it reverts to the 'might makes right' doctrine. It outlaws religion."

My companion studied a minute and said, "Communism is a destructive force in the world. And yet it is alluring in that it promises a sort of Utopia, an ideal society where the state takes from those who have and gives to those who have not."

I answered, "The leaders in Communist countries keep the people ignorant and employ a propaganda machine which utilizes the 'big lie.' I like to think of the rugged individualist, Socrates, walking barefooted along this very street. If he were living, would he be a Communist? He never talked on a telephone, but he talked with people. He emphasized the necessity for the freedom of the individual and the need of religion in every person's life."

My companion said, "Socrates was interested in people; he cared not for wealth or for popularity. He was vitally concerned about anything that would aid people to develop their minds and souls. Would he, if living today, be a Communist? I don't know. But I know he would have no inhibitions, no fear, no desire for material possessions."

A waiter swished a napkin at some flies. He raised his eyebrows and looked at my cup. I nodded.

I commented, "Socrates talked, but Plato and Aristotle wrote books. These two men, not wholly original, enunciated the fundamental principles for every code, law, and constitution that is based on freedom and liberty of the individual. Their concepts of democracy, of republics, and of confederacies had much to do with the philosophy of government for all free nations of the world, especially of the United States as reflected in our Constitution."

My friend said, "Constitutionalism is at the center of the endeavors of the ancient Greeks to evolve a just and fair government for the individual. You remember that Isocrates, who lived in the fifth and the fourth centuries B.C.,

said, 'The Constitution is the soul of the state' and that Aristotle wrote, 'The Constitution is the state.' In early Greece the word 'constitution' meant a system of laws in each city-state. In retrospect we think it was unfortunate that the wise men of ancient Greece were unable to form a 'United States' with a constitution such as you have."

He continued, "Aristotle wrote in *Politics*, Book III, chapter 16, 'The law is reason unaffected by desire.' This wise man believed that the origin of civilization coincided with the origin and development of laws."

I reminded him that Aristotle had warned against large cities because of the problems of administration.

The professor said, "That was not the only reason a close federation of many cities was not then feasible or practical. Topography and lack of ready communication made large cities, as we know them, almost impossible. Some communities were in deep valleys hemmed in by mountains, some on finger-like peninsulas that extended into the sea, and others on numerous large and small islands. When the authorities in one city made a treaty with those in another, they dealt with foreign powers. Corinth and Athens were fifty miles apart; a treaty between them was an international agreement."

I recounted a little Greek history and remarked that there were many instances where the city-states joined in a common cause to defend their country. The combined stand at Marathon in 490 B.C., twenty-six miles from where we were seated, was heralded as a victory unsurpassed in the annals of warfare. There twenty thousand Greeks met the undefeated army of one hundred thousand Persians and overwhelmed them. The world knows about Thermopylae, the "Hot Gates," where in 480 B.C. a band of three hundred Greeks, most of whom were Spartans, stood at a narrow pass and held twenty thousand Persians until the Greeks lost the battle by treachery and not by military defeat.

My friend was pleased, as all Greeks are when they are reminded of high spots in their history, and said, "Another great victory was at Salamis when a combined Greek navy put to rout the far superior Persian fleet. But when danger from invading 'barbarians' passed, the various states returned to their separate competitive activities."

I said, "The colony at Jamestown, Virginia, planted in 1607, the first permanent white settlement on the North American continent, was essentially a city-state. The people were under the necessity to provide for defense, for mutual helpfulness, for commerce, for churches, for schools, and for laws and government. The New England communities were city-states where town meetings were held and everybody had a voice in the formulation of laws and the administration of justice. The town meeting was patterned after the assembly in ancient Greek cities."

II

After my sidewalk conversation with the professor of law, I had many conferences with him. In addition, I did research in the splendid library of the American School of Classical Studies. I wanted to learn about the codes, laws, and constitutions of this remarkable country.

I was not long in discovering that the ancient Greek was an independent person, that he reserved the right to think, speak, and act without interference from anyone. He demanded the privilege of being heard in any court of law or in any discussion of civic or political matters. In his opinion, and for all practical purposes, free speech meant a free man.

I found a good illustration of freedom of speech in Homer's *Iliad*, Book II, when Thersites, the "uncontrolled of speech," stood before King Agamemnon and delivered a tirade against the sovereign. Washington Irving's description of Ichabod Crane does not equal the word picture Homer presents of Thersites.

And he was ill-favoured beyond all men that came to Ilios. Bandy-legged was he, and lame of one foot, and his two shoulders rounded, arched down upon his chest; and over them his head was warped, and a scanty stubble sprouted on it. Hateful was he to Achilles above all and to Odysseus, for them he was wont to revile. But now with shrill shout he poured forth his upbraids upon goodly Agamemnon. With him the Achaeans were sore vexed and had indignation in their souls. But he with loud shout spake and reviled Agamemnon: "Atreides, for what art thou now ill content and lacking? Surely thy huts are full of bronze and many women are in thy huts, the chosen

spoils that we Achaeans give thee first of all, whene'er we take a town. Can it be that thou yet wantest gold as well, such as some one of the horse-taming Trojans may bring from Illos to ransom his son, whom I perchance or some other Achaean have led captive; or else some young girl, to know in love, whom thou mayest keep apart to thyself? But it is not seemly for one that is their captain to bring the sons of the Achaeans to ill."

The king made no answer to the abuse of Thersites, but Odysseus replied with a dire threat.

... if I find thee again raving as now thou art, then may Odysseus' head no longer abide upon his shoulders, nor may I any more be called father of Telemachos, if I take thee not and strip from thee thy garments, thy mantle and tunic that cover thy nakedness, and for thyself send thee weeping to the fleet ships, and beat thee out of the assembly with shameful blows.

Homer also gives a vivid description of the earliest recorded political institution of the Aryan race. The poet relates that a king headed the government, but his power was limited by a council of chief men of the community. Public opinion influenced the decisions of the king and council as their deliberations were held before an assembly of all the people. Here are elements of monarchy, aristocracy, and democracy. From the form of government administered by king, council, and assembly the constitutions of the Western World have evolved.

In Homer's graphic description of the shield of Achilles is pictured a courtroom in which a lawsuit between two men was in progress before the council.

And the folk were cheering both, as they took part on either side. And heralds kept order among the folk, while the elders on polished stones were sitting in the sacred circle. . . . Then before the people they rose up and gave judgment each in turn.

Homer was a reporter. He told stories about people who had lived on the plains of Argos long before his time. Using poetic license, he employed colorful language and figures of speech to make his reporting interesting. Tale-tellers in those days, as well as in later days, did not adhere strictly to facts. But Homer's stories, which doubtless had been

handed down by word of mouth for several generations, were based upon actual occurrences.

Archaeologists report that for many centuries before the Achaean Age, of which Homer wrote, there were powerful tribes in the lower Peloponnesus. They were strictly Achaeans. The Aeolians, Ionians, and Dorians were not the people of the *Iliad*. However, some students think the name Aeolian is a substitute for Achaean. The Ionians arrived in this section of the peninsula as early as the fifteenth century B.C. And the Dorians moved slowly down from Macedonia about the twelfth century and drifted into Attica, to the Peloponnesus and to some of the many Greek islands. The culture of Knossos had filtered across to Mycenae and Tiryns long before the migration of the Ionians and Dorians that far south.

The blending of the Dorians, a Greek people who moved from the rugged country of Macedonia to the south, with those from the temperate and semitropical zones of Crete and Asia Minor produced a virile race. In the early days families with their kinship loyalties lived under the direction and authority of their patriarchs or tribal chiefs. A familiar illustration is found in Hebrew history where Abraham was the head of the family.

As the families grew and extended their holdings to encompass fertile lands in wide areas and as populations multiplied, discipline became imperative. The strong man or patriarch became the head of a large community. When I visited some villages on the Island of Crete, I found that each one had a head man, a sort of seer to whom community problems were referred. The Greeks have always had a high regard for their elders.

The self-appointed rulers of ancient Greece became kings or chiefs; it was only a short step for them to claim that they had direct communication with Zeus and other gods and goddesses on Mount Olympus. These men in authority made the laws, interpreted them, and enforced them.

When the head of a family or community became powerful enough, he brought together other families and formed a city-state. Later many of the city-states joined together in confederacies, such as the League of Neighbors, the

Amphictyons, and the Delos League. In many instances these were for the protection of religious shrines, such as the temple at Delphi. People will sacrifice more for their religion than for any other cause aside from the safety of themselves and their families.

While Homer was not a historian like Thucydides, he did give a description of life as it was lived some eleven or twelve hundred years before Christ in the southern Peloponnese. World literature has three great epic poems. Homer wrote two of them, the *Iliad* and the *Odyssey*; and the other is Virgil's *Aeneid*, the story of a defender of Troy who later came to Rome.

III

Following Homer came other poets and storytellers. One of these was Hesiod, the "father of Greek didactic poetry." He was a voice crying aloud for justice for the peasants and the underprivileged people in sparsely settled areas. This man, son of a poor farmer, is supposed to have lived in Boeotia between the seventh and ninth centuries B.C. He was a Robert Burns type, a farmer's poet. Long before there were any written codes or laws in his country, he raised his voice for equality for all.

In reading fragments of his poems that are preserved, one is impressed with his earnestness, his almost religious fervor. Some students compare him to the Hebrew prophets. The known poems of Hesiod are sermons in which he gives serious and devout advice on right conduct.

There were courts of law in his day. They were similar to those of our day or perhaps our Congress. Hesiod advised his brother Perses:

... do not let that Strife who delights in mischief hold your heart back from work, while you peep and peer and listen to the wrangles of the courthouse.

The poems of Hesiod presaged the stirrings of revolt that eventually resulted in reforms in government which benefited the peasants. It is interesting to note that the ancients coupled the name of Hesiod with that of Homer.

In my search for the origin of written laws, I discovered that writers always referred to the families. Aristotle wrote:

The family is the association established by nature for the supply of men's every day wants, and the members of it are called by Charondas, "companions of the cupboard" and by Epimenides the Cretan, "companions of the manger" [older translation: "companions of the hearth"]. But when several families are united, and the association aims at something more than the supply of daily needs, then comes into existence the village. And the most natural form of the village appears to be that of a colony from the family, composed of the children and grandchildren, who are said to be "suckled with the same milk."

Aristotle in *Politics*, Book I, chapter 2, told how a city-state was organized by communities.

And this is the reason why Hellenic states were originally governed by kings; because the Hellenes were under royal rule before they came together, as the barbarians still are. . . . When several villages are united in a single community, perfect and large enough to be nearly or quite self-sufficing, the state comes into existence, . . . And therefore, if the earlier forms of society are natural, so is the state, for it is the end of them.

Maine, in *Ancient Law*, wrote:

The elementary group is the Family, connected by common subjugation to the highest male ascendant. The aggregation of Families forms the Gens or House. The aggregation of Houses makes the Tribe. The aggregation of Tribes constitutes the Commonwealth.

IV

The ruler supposed to be the last of the absolute monarchs of ancient Athens was King Codrus, who lived about 1096 B.C. According to legend, when the Dorians came down from the north, an oracle declared that they would be victorious if the life of the Attic King was spared.

Codrus decided to sacrifice his life for the good of Athens. He disguised himself and went into the camp of the enemy and provoked a quarrel with some common soldiers. In the fight which followed, Codrus was killed, whereupon the Dorians withdrew from Athens. After Codrus' death, the monarchy was abolished, and Melon, a son of the martyred king, became archon, or chief magistrate, for life.

In 752 B.C. the archon's term of office was limited to ten years. Later, in 683, it was limited to one year, and the powers of the office were divided among a committee of

nine archons, who were chosen from among the aristocratic families of the city by the Areopagus, or court. The archons' duties were to superintend all civil and religious affairs.

The first archon was properly "the archon," and his name designated the year in the public records. The second was the king-archon, who exercised the functions of high-priest. The third was general of the armed forces. The other six were the thesmothetai, whose duties were to examine the laws and call attention to defects in them, to guard public documents, and to keep records of judicial decisions.

This division of authority was not purposefully designed as a step toward democracy. In fact, the aristocratic families continued to be very powerful in the state; the king-archon had limited authority, and the office and title were retained in the constitution of Athens.

With every step of progress up the ladder from monarchy, the people felt a greater breath of freedom. More and more they gave thought to the laws under which they were compelled to live. They gradually became dissatisfied with the rule of the archons, whose decrees were mere verbal edicts depending upon the opinions or moods of the rulers at the time.

V

Lycurgus, the famous lawgiver of Sparta, who lived in an undefined period about 900 B.C., realized the inadequacy of the existing government of his country and also the dissatisfaction of the people. He was the uncle of the young King Charilaus and had governed wisely during the infancy of the king. He traveled widely over Crete, Ionia, and Egypt and returned to find his country in a state of anarchy.

To save Sparta from destruction, Lycurgus made a new division of property and changed the constitution in both civil and military objectives. He created a Senate, with twenty-eight members. This legislative body originated the laws, but the Assembly, to which all males seem to have been admitted at the age of thirty years, theoretically held sovereignty, and all important matters were brought before it. Its consent was necessary to the passage of all laws.

Plutarch recorded that Lycurgus was able to effect reforms in the interest of the people to a degree that gave stability to the Spartan government,

For the state, which before had no firm basis to stand upon, but leaned one while towards an absolute monarchy, when the kings had the upper hand, and another while towards a pure democracy, when the people had the better, found in this establishment of a senate a central weight, like ballast in a ship, which always kept things in a just equilibrium.

VI

Laws, claimed to be the original written laws in Greece, were drafted by Zaleucus for the city of Locri, an ancient town in Magna Graecia, founded about 683 B.C. The citizens decided that disorder must be curbed in their city. They therefore assigned Zaleucus the task of setting down in writing the accepted code of conduct, and he, like all ancient lawgivers, asserted that he had done his work with divine aid.

Zaleucus was a slave, but like the slave Epictetus, Zaleucus was not an ordinary person. He was more than a mere codifier; his constitution fixed penalties for specified crimes. This was a departure from former efforts at writing laws. Such authority hitherto had rested on the discretion of the judge.

Zaleucus' successor, Charondas of Catana, extended his influence to other cities of Sicily and Italy. Little is known of Charondas' laws, but apparently the chief characteristic was accuracy of expression. A spirit had arisen in Greece to accept nothing that could not be explained and understood.

Aristotle wrote in *Politics*, Book II, chapter 12:

Mere legislators were Zaleucus, who gave laws to the Epizephyrian, Locrians, and Charondas, who legislated for his own city of Catana, and for the other Chalcidian cities in Italy and Sicily. . . . In the legislation of Charondas there is nothing remarkable, except the laws about false witnesses. He is the first who instituted actions for perjury. His laws are more exact and more precisely expressed than even those of our modern legislators.

VII

By the seventh century B.C. an organization of the towns of Attica had been accomplished. Historians refer to this organization as the Athenian Empire. It was sometimes called simply Athens, for Athens was the chief city. The

federation, league, or union of states was formed by mutual desire for defense against the hated Persians. This strong confederacy was able to hold piracy in check and to set up a type of international law.

Thucydides wrote, Book II, page 93:

... Under Cecrops and the first kings, down to the reign of Theseus, Attica had always consisted of a number of independent townships, each with its own town-hall and magistrates. Except in times of danger the king at Athens was not consulted; in ordinary seasons they carried on their government and settled their affairs without his interference; sometimes even they waged war against him, as in the case of the Eleusinians with Eumolpus against Erechtheus.

The people of Attica were organized into four tribes, which may be likened to present-day political divisions. Each tribe was composed of three phratries, or brotherhoods, each brotherhood of thirty clans, and each clan of approximately thirty families.

About 650 B.C. the common people of the Empire began more vigorous and widespread clamor against the injustices they suffered in civil affairs in the courts. The tribes presented their protests to the archons, asking for assurance of just and fair treatment for all the people of the state, regardless of class or prestige.

To assuage the discontent of the citizenry, a timocracy (as defined by Plato, a state in which love of honor or glory is the ruling principle) was inaugurated. In this political experiment civil honors were distributed according to a rating of property as well as of birth. This gave a much broader base for participation in government and brought to the aid of the aristocrats a large number of intellectual and influential citizens. But the position of the peasants, which had been bad, became worse; they were little more than slaves.

To this experiment there is some similarity in the early history of our own country when several of the states limited suffrage to freeholders, or holders of property. Bancroft cites the fact that "Virginia was the first state in the world, with separate districts or boroughs, diffused over an extensive surface, where representation was organized on the principle

of a suffrage embracing all payers of a tax,"¹ and that "The privilege of the suffrage had been far more widely extended in the colonies than in England; by general consent, the extension of the elective franchise was postponed."²

At the time of the establishment of the timocracy in Athens, the people of Greece were of three classes: For the most part, merchants and commercial traders lived on the coast; the wealthy aristocrats lived on the alluvial planes; shepherds and farmers lived in the mountains. In the third group, as has been characteristic of mountain people throughout history, were the independent thinkers and the advocates of democratic government.

In general, this independence of mountain men may be attributed to the fact that they have been compelled to battle nature for their livelihood. They have been forced to work out their problems alone with their own hands and their own initiative; they have been hardened by vicissitudes; and they have developed the spirit to fight against all handicaps.

¹ George Bancroft, *History of the United States* (New York: D. Appleton and Co., 1888), Vol. I, p. 151.

² *Ibid.*, Vol. 5, p. 114.

CHAPTER IV

HEADSPRING OF WESTERN LAW

The first move toward the provision of written laws in ancient Greece came because of the persistent demands of the mountain dwellers. These independent people insisted upon being informed what the laws were under which they were to be governed, who the judges were, and what penalties could be imposed when one was found guilty of an infraction. These men insisted that the laws be codified and published. Late in the seventh century B.C. this duty was delegated to a little-known archon, Draco.

Aristotle wrote in *Politics*, Book II:

Draco has left laws, but he adapted them to a constitution which already existed, and there is no peculiarity in them which is worth mentioning, except the greatness and severity of the punishments.

Draco's code was much more severe than the people had expected or were willing to accept. For the smallest crime, such as stealing a cabbage, the death penalty was prescribed; the person who committed murder could receive no more severe sentence. Demades, an Athenian orator, is said to have remarked: "The laws of Draco seem to have been written, not in ink, but in blood."

It was reported that when Draco attended a performance at the theater in Aegina, some of the audience, pretending to honor him, flung their cloaks about him and smothered him to death.

Toward the end of the seventh century B.C., the injustices and cruelties of Draco's code brought the poor of Athens almost to rebellion against the rulers and others in authority. Adding to the hardships and confusion, a pestilence arose, and many persons fell ill and died.

II

At this low ebb in the morale of the people of Athens, a mediator in the civil strife was sought. The more moderate

of the nobles sensed the danger of the continued suppression of the masses, and they induced the archon Solon, a very popular man, to undertake the work of reform in 594 B.C. Solon had already distinguished himself in the eyes of the public by wresting Salamis from the Megarians. He was the son of a nobleman and belonged to one of the richest families in Athens. Later he was listed as one of the Seven Wise Men of Greece.

Solon was one of the most influential lawgivers in history. Even today members of legislative bodies are called "solons."

When Solon was forty-five years old, he was elected archon with assurances that he would be given virtually dictatorial powers. He was charged with the responsibility of establishing a workable constitution and effecting a stable government in Athens. Solon undertook the task with a background of success as a businessman and merchant. Also he had traveled extensively and was a minor philosopher and a poet of no mean ability.

One of Solon's first acts as ruling archon was to repeal practically every law that Draco had written. To satisfy the common people, the new archon ordered that the laws which he was charged with codifying should be inscribed on tablets, set in wooden frames, and placed in the Public Hall. More permanent copies were carved in stone and set up in the Portico of the King. These laws were ordered to be kept in force for a hundred years.

Solon wrote laws which were designed to benefit the poor. To prove his sincerity he ordered the cancellation of all debts for which servitude had been exacted. This act freed the farmers of their greatest handicap. Solon released all who had been imprisoned or enslaved for debt, and put an end to making slaves out of debtors. (It has been only a few years since England abolished the debtor's prison.) Solon, the businessman, lost heavily in the cancellation of debts, for he had large sums of money loaned to many persons in Athens. But the wise ruling probably saved Athens from revolution.

The Solon code provided that any citizen who failed to win a lawsuit was privileged to appeal his case to a jury of his peers, known as the *Heliaea*, or popular court, composed of men over thirty who were selected by lot. All citizens of

high and low class were eligible to serve on the Heliaea, provided they took the Heliastic oath. This body was also the court of appeal from a decision of the archons, and this right could be exercised by the humblest citizen. The right of appeal was a long step toward democracy in Athens.

In addition to the main body of laws having to do with civil matters, Solon framed a constitution which provided that all free citizens might attend the meetings of the Assembly and that each had the right to express his opinion regarding any acts of the government. (This was similar to the "free speech" clause in the Bill of Rights in the Constitution of the United States, except that the citizens of this country may not appear and speak in the halls of Congress and in the legislatures.) A council of four hundred citizens was chosen to prepare the agenda of the Assembly. This was true democracy. The pendulum had swung far to the right.

Solon also instituted a property tax which was in effect a graduated income tax. A tax on bachelors was proposed, but Solon objected to this suggestion because, he said, "A wife is a heavy load to carry."

Penalties were imposed for the breaking of any laws. Under Solon's constitution the state assumed responsibility for the support and education of sons of men who died in the wars.

In addition to Solon's being a lawgiver, he is acknowledged as the leading economist of antiquity. At the time he was engaged in writing the laws for the benefit of the people, he also undertook to promote industry. He increased the production of olive oil, and he found markets for it in other countries.

Every father was ordered to teach his son a trade. Foreign craftsmen were encouraged to come and work in Athens and to open schools to instruct the Athenians in manual and domestic arts. In return they were promised the high honor of Athenian citizenship.

Aristotle judged the work of Solon in this way (*Politics*, Book II, chapter 12):

As to Solon, he is thought by some to have been a good legislator, who put an end to the exclusiveness of the oligarchy, emancipated the people, established the ancient Athenian de-

mocracy, and harmonized the different elements of the state. . . . Solon, himself, appears to have given the Athenians only that power of electing to offices and calling to account the magistrates, which was absolutely necessary; for without it they would have been in a state of slavery and enmity to the government.

Solon's work marks the beginning of widespread written laws, laws designed for the benefit of all of the people, and published and displayed in public places so that everybody could read and interpret them. Five centuries later Cicero said that Solon's laws were yet in effect in Athens. Basically, this was true; in fact, their fundamental philosophy is in effect in all free nations today.

The broad reforms Solon inaugurated in Athens were staunchly opposed by various factions. The rich could hardly be expected to accept willingly a plan to cancel debts and to share opportunities for wealth with the less fortunate masses. The nobles did not approve having the common people admitted to high positions in government.

After much criticism and dissension, the great legislator left Athens to travel for ten years in Egypt, Cyprus, and Lydia. He hoped that the people would adjust to the new laws and obey them.

III

After Solon's departure, however, political unrest disturbed the people in Athens. A tyrant arose, Pisistratus (605-527), a cousin of Solon, an aristocrat, but a generous man who understood the needs of the people. He might be called a benevolent dictator, but he had difficulty establishing a beneficent dictatorship after the citizens had had so much power in the Assembly. To his credit, he tried to carry out the laws Solon had instituted. For the most part, Greek city-states prospered better under tyrants than they did under other forms of government. This was especially true of Corinth.

Pisistratus encouraged arts and letters. He is credited with appointing a commission of learned men who put Homer's epic poems into the form in which we have them today. He was interested in Thespis and other dramatists. He lent his influence to the forming of a confederacy of city-states

in which Athens would advance to a position as key city of Greece.

When Pisistratus died in 527 B.C., his two sons were unable to succeed him. Herodotus, Book V, records:

After the death of Hipparchus (the son of Pisistratus, and brother of the tyrant Hippias), who, in spite of the clear warning he had received concerning his fate in a dream, was slain by Harmodius and Aristogeiton (men both of the race of the Gephyraeans), the oppression of the Athenians continued for the space of four years [514 B.C. to 510 B.C.]; and they gained nothing, but were worse used than before.

After the family succession failed, a popular dictatorship followed under Cleisthenes. He gave Athens the beginnings of real democracy toward which the people had been struggling. About 508 B.C. he abolished the old tribe-and-clan organization of Attica, which was based upon family relationships and which was controlled by the old and wealthy families. He set up in its stead a territorial organization of ten tribes comprised of an unstipulated number of demes, or townships, but, to discourage occupational and district factions, each tribe must have an equal number of demes from the coast, the cities, and the interior. A head man of each district was given authority as leader of the people.

Each tribe elected fifty men to a new council of five hundred members. Fifty more members were selected as substitutes to fill up any possible gaps in the body. The members were chosen from all the citizens thirty years or older who had not already served two terms. They were selected not by ballot but by lot. This system of choosing representatives gave all citizens an equal chance to serve. It also enlarged the Assembly to an incredible membership of about thirty thousand. Freemen from other countries living in Athens were granted citizenship. This act almost doubled the number of voters.

Under this regime the custom of ostracism was put into effect. Ostracism was designed to prevent the ambitious from seizing the government and depriving the people of their power. Plutarch records:

Every one taking an ostrakon, a sherd, that is, or piece of earthenware, wrote upon it the citizen's name he would have banished, and carried it to a certain part of the market-place

surrounded with wooden rails. First, the magistrates numbered all the sherds in gross (for if there were less than six thousand, the ostracism was imperfect); then, laying every name by itself, they pronounced him whose name was written by the larger number banished for ten years, with the enjoyment of his estate.

Democracy was not perfect under Cleisthenes. The lowest class of Athenians yet were not eligible to hold office since ownership of property was a requirement. But during Cleisthenes' tenure, all legislative, executive, and judicial authority was held by representatives of the people. So much political power had never before been in the hands of the masses. The new liberty inspired all Athenians with pride and courage and desire for accomplishment. They endeavored to lead all Greece in art, literature, statesmanship, and patriotism. After Cleisthenes the Greeks displayed great respect for the laws of their own making.

The acts of Solon, Pisistratus, and Cleisthenes added impetus to the establishment of written laws and advanced the cause of free people. Their efforts resulted in infinite benefits to mankind, not only of their time, but of all time. The world is better for their having lived and wrought.

IV

One day I visited Phaestus on the southern shore of Crete. On the way to the site of that city, I stopped at Gortyna, an ancient city that at one time rivaled Knossos and was the second largest city on Crete.

Gortyna is noted for the code of laws engraved on the stone wall of a courthouse, the remains of which were discovered in 1884. The wall was twenty-seven feet long and five feet high. I walked around the place and noted the ancient inscription, the longest of all that have been found in Greece. The engraved lines run from left to right and from right to left; this could be ascertained by looking at a "K" or "F," which was carved backward on the lines that ran from right to left.

Some of these carvings are assigned to about 650 B.C., but the great inscription is dated at about 430 B.C. The translation indicates that the laws deal primarily with private matters such as barter and trade. The earliest inscrip-

tions were made before the time of the use of coins; fines were assessed from a single tripod up to a hundred caldrons. But the later inscription indicates that fines were assessed on a graduated scale in terms of coins.

This written code was a great step forward from the time when the laws were what the priests or judges claimed they were, when a "rememberer" cited precedents in the settlement of disputes or litigation. In this code is a provision that forbids a creditor to seize a debtor's tools or furniture for payment.

The site of Gortyna is on a wide plain south of Mount Ida. I tried to visualize a large city located here with many thousands of people going about their work with a certain amount of security in the knowledge that their rights would be protected by written laws which they could read in their public building and which they could cite in an effort to obtain justice in the courts.

V

The story of the birth and development of Greek written law is not half told in the land of its origin. Its principles became almost universal. One line of the advance of Greek law and the Greek theory of government over the western world was through Rome. In that city in the century after Cleisthenes, there appeared one of the most noted of ancient codes. This was the law of the Twelve Tables of the Decemvirs. These Tables comprised the basic law for the most powerful nation in the world at the time, possibly of all time, the Roman Empire. When this law was written, Rome ruled most of the known world.

About five hundred years before Christ, at the beginning of the Golden Age of Greece, the plebians of Rome contended that their rights and liberties were not safeguarded by the laws which the judges and the priests administered as they saw fit at the moment. The people demanded relief from execution of laws that ensued from the memory or the whim of the patrician rulers.

To appease the plebians, ten magistrates, the Decemvirs, were assigned the task of writing a code of laws for the Roman Empire. The Tables aimed to define rights, fix penalties, and prevent oppression. They dealt with property,

torts, civic procedure, and crime. Many of their provisions were harsh. Under the law a father might scourge, chain, imprison, sell, or even kill his children.

This code, while not perfect, was the most important factor in the systematic development and expansion of the Roman Empire. When the Roman legions conquered a nation, the emperor appointed a governor and other officials to put the laws of Rome into effect in the acquired country. In many instances the conquered people fared better under the government of Rome than they had before the invasion. A Roman citizen claimed protection under the Twelve Tables, no matter where he was, and other nations respected the claim.

It is recorded in the New Testament, Acts 22:25-29, that St. Paul at one time was arrested in Jerusalem. He was bound with thongs and ordered to be scourged. Then the prisoner said to the centurion that stood by:

... Is it lawful for you to scourge a man that is a Roman, and uncondemned?

When the centurion heard that, he went and told the chief captain, saying, Take heed what thou doest: for this man is a Roman.

Then the chief captain came and said unto him, Tell me, art thou a Roman? He said, Yes.

... and the chief captain also was afraid, after he knew that he was a Roman, and because he had bound him.

The Twelve Tables remained the basic law of the Roman Empire for more than nine hundred years. Their most valuable contribution was the resultant conviction that society must be founded upon law; that civilization cannot endure without law; and that law must be just and impartial.

Many of the laws of the Twelve Tables were based upon Greek models. Like Greek codes of the sixth and fifth centuries before Christ, such as those of Zaleucus and Lycurgus, the Tables advanced the cause of democracy, a fundamental of civilized government which was born in Greece. Recorded facts show opportunity for Greek influence upon Roman law.

Dionysius of Halicarnassus, a Greek scholar who settled in Rome in 29 B.C. and there wrote a twenty-volume history entitled *Roman Antiquities*, stated that the Romans were

descendants of the Greeks who migrated to Italy before the Trojan War, and that their government was patterned after that of their homeland, especially Sparta. Dionysius claimed that Romulus was a Lycurgean legislator and that he fashioned a system of government for Rome in which the power was balanced so well among the governing bodies that it endured for 630 years, until the tribunal of Gaius Gracchus (153-121 B.C.) destroyed its equilibrium.

Maine wrote:

It is indeed true that the Twelve Tables of Rome do exhibit some traces of systematic arrangement, but this is probably explained by the tradition that the framers of that body of law called in the assistance of Greeks who enjoyed the later Greek experience in the art of law-making. The fragments of the Attic Code of Solon show, however, that it had but little order, and probably the laws of Draco had even less.³

This is the concluding sentence of the Twelve Tables: "*Salus populi suprema lex.*"—The supreme law of all is the welfare of the people.

VI

After the Twelve Tables, came the Justinian Code, which takes its name from the renowned Roman emperor, legislator, and lawgiver. Justinian's thirty-eight-year reign, from 527 to 565 A.D., was the most brilliant of the Eastern Empire. One of the emperor's first acts after his accession was his order for the compilation of a body of laws. For this work he appointed a commission of eminent men, legal experts, who were not ignorant of Greek law or immune to the influence of Greek ideas. An attempt was made to have the Justinian Code include the best elements of the laws and constitutions of its predecessors.

While Justinian constructed fortifications along the borders of the empire and erected public buildings, monasteries, and churches, including the world-famous Santa Sophia of Istanbul, he is best known for his pre-eminent work in developing a sound government based on written laws. The Justinian Code was destined to become the foundation of modern jurisprudence. Many of its provisions are incorporated in the present-day common law of England and of the United States.

³ Henry Sumner Maine, *Ancient Law* (New York: Charles Scribner and Co., 1871), p. 14.

After this famous *Codex Constitutionum* appeared in 529 A.D., the *Digest*, or *Pandectae*, followed four years later, and then a revised code, which included Justinian's constitutions. His *Institutions* was a valuable treatise for the guidance of students and lawyers.

Maine quotes from this treatise:

All nations who are ruled by laws and customs, are governed partly by their own particular laws, and partly by those laws which are common to all mankind. The law which a people enacts is called the Civil Law of that people, but that which natural reason appoints for all mankind is called the Law of Nations, because all nations use it.⁴

VII

The early codes of Greece and Rome were of great assistance to the scholarly jurists whom Napoleon selected in 1800 to compile the laws of France. In 1804 the *Code Civil des Français* was completed and accepted as the basic law of the land. Later this notable constitution was designated the *Code Napoleon*. The laws were so eminently fair and so well drawn that the main features continue in force in France today. The articles and sections are models of clearness, simplicity, and catholicity, and nations of two continents have adopted principles of the code. The civil law of the state of Louisiana is substantially the *Code Napoleon*.

VIII

One other historic contract between the people and their ruler must be mentioned, a contract which carried the spirit of democracy born in Greece. In England, more than two centuries and a half before Columbus saw the shores of America, one of the great events in history occurred at Runnymede. On June 15, 1215, King John of England was forced to sign *Magna Charta*, the Great Charter, a constitution which guaranteed the rights of the people. *Magna Charta* was a step of inestimable magnitude in man's advance toward self-government. It paved the way for our Declaration of Independence more than five hundred years later, influenced the statesmen who wrote the Constitution of the United States, and dictated the first ten amendments to the Constitution, which are known as the *Bill of Rights*.

⁴ *Ibid.*, p. 44.

CHAPTER V

ECHOES FROM GREECE IN THE CONSTITUTIONAL CONVENTION

It was an August evening in Athens. I sat in a taverna, enclosed by adobe walls, at the foot of the Acropolis. Constantine Tsatsos, minister to the Prime Minister, former minister of education, and former professor of law at the University, had invited me to have dinner with him.

Waiters in shirt sleeves, with white aprons flapping about their legs, trotted back and forth on the earthen floor, which had been beaten hard by footprints of thousands of customers. Men seated at little tables were sipping ouzo, retsina wine, and Turkish coffee. They were chatting amiably and punctuating their sentences with gesticulations, as Greeks always do when in animated conversation.

Our table was beneath the low-hanging branches of an orange tree through which the silver rays of a full moon streamed. A breeze stroked my face as I raised my head to get a better view of the star-sprinkled heavens.

After we had placed our orders, I remarked to my host, "A pleasant setting—the silver moon, twinkling stars, soft air, and the low murmur of conversation combine to create an atmosphere of serenity."

He replied, "Yes. It was on a night like this that Socrates went to the Piraeus, as told by Plato in the *Republic*, to offer prayers to the goddess. After which, as you recall, he visited Cephalus in his home, and, upon request, spent the night in conversation with friends. The topics of discussion, subjects of which Plato never tired, were justice, religion, governments, and laws."

I said, "The world—I place special emphasis on the United States—is greatly indebted to Socrates, Plato, and Aristotle for theories and suggestions relative to the kind of government that is best suited and most beneficial to all people without discrimination. These three men em-

phasized that laws should be written in terms of the individual."

My friend was silent a few seconds, and then he said, "Theories come first; then a practical application of them must be worked out. Unfortunately the ancient Greeks were unable to put their excellent theories to practical use in the way that Rome and modern nations have done. The men who framed your Constitution were students of political science as advocated by Socrates, Plato, and Aristotle. And in their deliberations the Americans used numerous illustrations of confederacies, leagues, and co-operative defense organizations employed by Greek city-states. The leagues of ancient Greece, while well-conceived, were not administered successfully. A weakness was their failure to provide for three branches of government as your Constitution does—executive, legislative, and judicial—all having equal powers."

I commented, "The ancient Greek confederacies were similar to the thirteen original colonies in North America under the Articles of Confederation. That constitution provided for only a legislative body which had no executive or judicial powers. The Congress could pass laws, but it could not enforce them; it could levy taxes, but it could not collect them."

Mr. Tsatsos studied a minute and said, "Yes. Fortunately for the United States and the world, the colonies did not retain the Articles of Confederation for many years—I believe about six—after the close of the Revolutionary War. If it had not been for Washington, Franklin, Madison, and other able leaders, the chances are thirteen nations would have been formed on the North American continent."

I replied, "That is true. Permit me to remind you that not only is the United States indebted to Greece for many excellent ideas of government which are incorporated in the basic law of our country, the Constitution, but also we owe much to her for invaluable contributions to present-day civilization."

He smiled and answered, "What was it Napoleon said to his soldiers when they stood at the base of the Pyramids in Egypt—'Four thousand years of history are looking down upon you.' Could we in like manner say that the

fathers of present-day civilization are looking down upon us tonight?"

We leisurely finished our dinner. Then we climbed a winding path, noted many men seated around coffee tables in the moonlight, chatting, waving their arms for emphasis, and apparently enjoying the balmy evening. We strolled along the road that separates the Acropolis from Mars Hill, on the summit of which St. Paul delivered his famous oration in 51 A.D.

Passing the bronze tablet on which is inscribed Paul's speech, Mr. Tsatsos commented, "St. Paul, the greatest missionary of all time, planted the foundation of Christianity in this little peninsula. Sometimes I wonder if Christ's message to the world would have been so successful without the previous teachings of Pythagoras, Socrates, Plato, Aristotle, and other Greek savants. And, of course, I think everybody will agree that St. Paul, exercising the privilege of freedom of speech in Greece, rendered inestimable service to Christianity by preaching in Athens, Corinth, Rhodes, Macedonia, and many other Greek communities."

I replied, "The world owes a great debt to Greece for many gifts, not the least of which are her contributions to government and to Christianity."

II

After my pleasant conversation with Mr. Tsatsos, I undertook to search out some of the ideas drawn from Greek lawgivers, philosophers, poets, and historians which were incorporated in our Constitution.

I was not long in learning that one of the tasks the leaders in the Constitutional Convention had to accomplish was to convince the delegates that the form of government they desired was not wholly new. Many illustrations were used to point out that republics, confederacies, and leagues existed in Greece five or six hundred years before Christ. The delegates' purpose was "to form a more perfect union," a confederacy that would bind the thirteen colonies together into a stable republic.

The speakers at the Convention used many quotations from the ancient Greeks and many illustrations from

ancient Greek governments. The references I have selected are not exhaustive, but I think they will prove that America is greatly indebted to Greece for her contributions to our form of government.

James Madison, the acknowledged "father" of the Constitution, had studied at Princeton under the noted Greek scholar John Witherspoon, a Presbyterian minister, who was a member of the second Continental Congress and who was the only preacher who signed the Declaration of Independence. Under Witherspoon, Madison learned the fundamental tenets of democracy and reviewed the many attempts to establish representative governments designed for the benefit of individuals in Greek city-states.

In his Introduction to the Debates of the Constitution, Madison wrote:

Ancient history furnishes examples of these confederate associations, though with a very imperfect account of their structure, and of the attributes and functions of the presiding authority.¹

While Madison drew upon his knowledge of history to illustrate his points in the Convention, there were, I soon discovered, other students of Greek history and government among the delegates. On June 4, 1787, George Mason urged the formation of a republic. Among its advantages he cited:

Every husbandman will be quickly converted into a soldier when he knows and feels that he is to fight not in defence of the rights of a particular family, or a prince, but for his own. . . . It was this which in ancient times enabled the little cluster of Grecian republics to resist, and almost constantly to defeat, the Persian monarch.²

On June 6 James Wilson of Pennsylvania placed greater emphasis on this point in replying to a demand by George Read, who had said:

We must come to a consolidation — the State Govts must be swept away.

Wilson countered:

I am in favor of a preservation of the State Govts there is

¹ *Elliot's Debates* (Philadelphia: J. B. Lippincott Company, 1937), Vol. V, p. 169.
² *Farrand, The Records of the Federal Convention of 1787* (New Haven, Conn.: Yale University Press, 1937), Vol. I, p. 112.

no apprehension of the State Govts being swallowed up by the Genl. Govt. . . . the contrary has been the Case—the Amphictyonic Council . . . & Achaian Leagues were dissolved by the encroachments of the constituent members.²

On June 18 the brilliant Alexander Hamilton, while debating a resolution that the Articles of Confederation "ought to be revised and amended," stated emphatically that he conceived a federal government to be an association of independent communities into one. Here he began his arguments for a strong central government, which he continued to advocate long after the Constitution was framed.

To substantiate his point he said:

Theory is in this case fully confirmed by experience. The Amphictyonic Council had, it would seem, ample powers for general purposes. It had, in particular, the power of fining and using force against delinquent members. What was the consequence? Their decrees were mere signals of war. The Phocian war is a striking example of it. Philip, at length, taking advantage of their disunion, and insinuating himself into their councils, made himself master of their fortunes.³

Madison answered Hamilton on the next day by pointing out that the Amphictyonic Council was weak. He warned that the Constitution must provide that no foreign power should ever be permitted to deal with separate states. He mentioned the intrigues practiced among the Amphictyonic confederates, first by the kings of Persia and afterwards, fatally, by Philip of Macedon. He cited a similar situation in the Achaean League when some members resorted to intrigues, first those of Macedon and afterwards, no less fatally, those of Rome.⁴

To prevent this fate, Madison argued that a strong federal government would be more powerful than any state or combination of states. He said:

It is evident, if we do not radically depart from a federal plan, we shall share the fate of ancient and modern confederacies. The amphictyonic council, like the American congress, had the power of judging in the last resort in war and peace—call out forces—send ambassadors. What was its fate or continuance? Philip of Macedon, with little difficulty, destroyed every ap-

pearance of it. The Athenian had nearly the same fate—The Helvetic confederacy is rather a league.⁵

On June 20 James Wilson urged the necessity of having two legislative branches and observed that

if a proper model was not to be found in other confederacies, it was not to be wondered at. The number of them was small, and the duration of some, at least, short. The Amphictyonic and Achaean were formed in the infancy of political science, and appear, by their history and fate, to have contained radical defects.⁶

Speaking of co-operation and representation of all states, large and small, Madison on June 28 said:

The contentions, not the coalitions, of Sparta, Athens, and Thebes, proved fatal to the smaller members of the Amphictyonic confederacy. . . . What is the situation of the weak, compared with the strong, in those stages of civilization in which the violence of individuals is least controlled by an efficient government? The heroic period of ancient Greece, the feudal licentiousness of the middle ages of Europe, the existing condition of the American savages, answer this question.⁷

Two days later Madison argued that in the legislative branch of the government the large states should have greater representation than the small ones. He cited the Lycian confederacy to prove his point. He referred to Montesquieu's *Spirit of Laws*, Volume I, Book IX, chapter III, stating:

The Lycian republic was a association of twenty-three towns; the large ones had three votes in the common council, the middle ones two, and the small towns one. . . . The cities of Lycia contributed to the expenses of the state according to the proportion of suffrages. . . . Were I to give a model of an excellent confederate republic, I should pitch upon that of Lycia.

In my studies I have noted that not only did the framers of our Constitution search the history of Greece for ideas to incorporate in the basic law of the land, but also they endeavored to avoid the mistakes of that country.

Robert Strausz-Hupe points out in his *The Zone of Indifference*:

² *Ibid.*, p. 143.

³ Elliot, op. cit., p. 200.

⁴ Elliot, op. cit., p. 209.

⁵ Farrand, op. cit., p. 326.

⁶ Elliot, op. cit., p. 219.

⁷ Elliot, op. cit., p. 232.

Greece did not unite in a state that could have coped with the dangers that arose from the altered geopolitical equilibrium of the ancient world. By this failure Greece taught a lesson, perhaps the most important one of this stage of Western history. No one acknowledged this lesson more freely and knowingly than the makers of the American Constitution. In this respect, as in others, the document bears the authentic stamp of Greece.

CHAPTER VI

ECHOES FROM GREECE IN THE FEDERALIST

On September 17, 1787, the work of the Constitutional Convention was completed after four months of debate in a hot Philadelphia summer. At the suggestion of Benjamin Franklin, thirty-nine delegates signed the Constitution and by this action silently pledged themselves to work for its ratification.

A big job remained to be done. It was necessary to "sell" the Constitution to the people in the various states and to secure its ratification by at least nine of the colonies. Possibly the greatest effort was put forth in New York, which was one of the key states and in which there was strong organized opposition.

Governor George Clinton, the most influential man in the Empire State, brought to bear all the power of his office to defeat ratification. He enlisted the support of many of the leading political figures in the various counties and urged them to elect only delegates who were committed to vote against the Constitution.

To offset Clinton's efforts, Alexander Hamilton conceived the idea of a series of explanatory essays to be published in the leading newspapers in New York City. He secured the aid of Madison and John Jay to put his plan into effect. Jay became the first Chief Justice of the Supreme Court of the United States. Madison was the fourth President of the United States. Hamilton was the first Secretary of the Treasury. These were men!

Each of the eighty-five essays was signed "Publius." The first one, an Introduction, was written by Hamilton in the cabin of a sloop on the Hudson River in October, 1787. These learned treatises were published in different papers, sometimes three or four a week, during the fall and winter. All of the articles were later published in a book, *The Federalist*.

In *The Critical Period of American History* Fiske evaluated these essays as:

... perhaps the most famous of American books, and undoubtedly the most profound and suggestive treatise on government that has ever been written. . . . But for all posterity the "Federalist" must remain the most authoritative commentary upon the Constitution that can be found; for it is the joint work of the principal author of that Constitution and of its most brilliant advocate.²

In these essays emphasis was placed on the fact that the Constitution did not set up a wholly new form of government, that republics, leagues, and confederacies existed in ancient Greece at least five hundred years before Christ. In order to focus attention on the contribution which ancient Greece made to acceptance of our Constitution, I have selected a number of quotations from the essays written by Hamilton and Madison.

In Essay No. 6, Hamilton wrote:

If these States should either be wholly disunited, or only united in partial Confederacies, a man must be far gone in Utopian speculations, who can seriously doubt that the subdivisions into which they might be thrown, would have frequent and violent contests with each other.

To illustrate his point, he gave a reference to one of the greatest statesmen of all time, the man who made possible the Golden Age of Greece. He wrote:

The celebrated Pericles, in compliance with the resentments of a prostitute [Aspasia. vide: *Plutarch's Life of Pericles*], at the expense of much of the blood and treasure of his countrymen, attacked, vanquished, and destroyed the city of the Samnians. The same man . . . was the primitive author of that famous and fatal war, distinguished in the Grecian annals by the name of the Peloponnesian war; which after various vicissitudes, intermissions, and renewals, terminated in the ruin of the Athenian commonwealth.

In one minor respect Hamilton was not fully acquainted with the facts. Aspasia was not a prostitute. At one time she had been a hetaira, a companion and entertainer. She married Pericles, and Plutarch refers to the fact that he

never left home in the morning without kissing her good-by and never returned in the evening without greeting her with a kiss.

Hamilton wrote in Essay No. 6:

Sparta, Athens, Rome, and Carthage, were all republics; two of them, Athens and Carthage, of the commercial kind. Yet were they as often engaged in wars, offensive and defensive, as the neighbouring monarchies of the same times. Sparta was little better than a well regulated camp; and Rome was never sated of carnage and conquest.

II

From now on, in this chapter, I shall give only quotations from and references to the essays Madison wrote, because I consider him far more able to give exact illustrations from ancient Greece, with whose history he was familiar. I believe Madison shaped the Constitution of the United States in large part from ideas and suggestions, positive and negative, which he gleaned from ancient Greek attempts at forming confederacies and republics.

In Essay No. 14, Madison counseled with the warning:

Hearken not to the voice, which petulantly tells you, that the form of Government recommended for your adoption, is a novelty in the political world; that it has never yet had a place in the theories of the wildest projectors; that it rashly attempts what is impossible to accomplish.

Then he cried out against those who argued that the Constitution attempted a new form of government. He pleaded:

... the most rash of all attempts, is that of rending us in pieces, in order to preserve our liberties, and promote our happiness.

Madison drew from his vast storehouse of knowledge to emphasize the necessity of ratifying the Constitution. At the beginning of his Essay No. 18 appears:

Among the Confederacies of antiquity, the most considerable was that of the Grecian republics, associated under the Amphycyonic Council. From the best accounts transmitted of this celebrated institution, it bore a very instructive analogy to the present Confederation of the American States.

The members retained the character of independent and sovereign states, and had equal votes in the federal council.

² John Fiske, *The Critical Period of American History, 1783-1789* (Boston and New York: Houghton, Mifflin & Co., 1901), pp. 341-42.

This council had a general authority to propose and resolve whatever it judged necessary for the common welfare of Greece; to declare and carry on war; to decide, in the last resort, all controversies between the members; to fine the aggressing party; to employ the whole force of the confederacy against the disobedient; to admit new members. The Amphycionians were the guardians of religion, and of the immense riches belonging to the temple of Delphos, where they had the right of jurisdiction in controversies between the inhabitants and those who came to consult the oracle. As a further provision for the efficacy of the federal powers, they took an oath mutually to defend and protect the united cities, to punish the violators of this oath, and to inflict vengeance on sacrilegious despoilers of the temple.

Madison then pointed out that the powers, "like those of the present Congress" under the Articles of Confederation,

were administered by deputies appointed wholly by the cities in their political capacities.

He explained that the deputies from the "more powerful members" dominated the League.

Athens, as we learn from Demosthenes, was the arbiter of Greece seventy-three years. The Lacedaemonians next governed it twenty-nine years.

Madison continued to give illustrations from ancient Greece to point out weaknesses which should be avoided in America, as in Essay No. 18.

Had the Greeks, says the abbe Millot, been as wise as they were courageous, they would have been admonished by experience of the necessity of a closer union, and would have availed themselves of the peace which followed their success against the Persian arms, to establish such a reformation. Instead of this obvious policy, Athens and Sparta, inflated with the victories and glory they had acquired, became first rivals, and then enemies; and did each other infinitely more mischief than they had suffered from Xerxes. Their mutual jealousies, fears, hatreds, and injuries, ended in the celebrated Peloponnesian war; which itself ended in the ruin and slavery of the Athenians, who had begun it.

Madison then struck at the weakness of the League and the cause of its downfall.

The Phocians having ploughed up some consecrated ground belonging to the temple of Apollo, the Amphycionian council,

according to the superstition of the age, imposed a fine on the sacrilegious offenders. The Phocians, being abetted by Athens and Sparta, refused to submit to the decree. The Thebans, with others of the cities, undertook to maintain the authority of the Amphycionians, and to avenge the violated god. The latter being the weaker party, invited the assistance of Philip of Macedon, who had secretly fostered the contest. Philip gladly seized the opportunity of executing the designs he had long planned against the liberties of Greece. By his intrigues and bribes, he won over to his interests the popular leaders of several cities; by their influence and votes, gained admission into the Amphycionian council; and by his arts and his arms, made himself master of the confederacy.

By implication, Madison pointed out in this Essay No. 18, that the weakness of the Amphycionian Council has been corrected in our Constitution. He wrote:

Had Greece, says a judicious observer on her fate, been united by a stricter confederation, and persevered in her union, she would never have worn the chains of Macedon; and might have proved a barrier to the vast projects of Rome.

Madison then turned from the Amphycionian League to the Achaean League, which he referred to as "another society of Grecian republics." He claimed this union was more intimate, and its "organization much wiser."

The cities composing this league, retained their municipal jurisdiction, appointed their own officers, and enjoyed a perfect equality. The Senate in which they were represented, had the sole and exclusive right of peace and war; of sending and receiving ambassadors; of entering into treaties and alliances; of appointing a chief magistrate or pretor, as he was called; who commanded their armies, and who, with the advice and consent of ten of the Senators, not only administered the government in the recesses of the senate, but had a great share in its deliberation, when assembled. According to the primitive constitution, there were two pretors associated in the administration; but on trial a single one was preferred.

At this point Madison directed attention to the similarity of the Constitution of the United States and that of the Achaean League. He emphasized the fact that the different states must be unified by certain fundamental principles of sound government.

It appears that the cities had all the same laws and customs, the same weights and measures, and the same money. But how

far this effect proceeded from the authority of the federal council, is left in uncertainty. It is said only, that the cities were in a manner compelled to receive the same laws and usages. When Lacedæmon was brought into the league by Philopœmen, it was attended with an abolition of the institutions and laws of Lycurgus, and an adoption of those of the Achæans. The Amphyctionic confederacy, of which she had been a member, left her in the full exercise of her government and her legislation. This circumstance alone prevents a very material difference in the genius of the two systems.

Madison was aware that there were jealousies among the cities in ancient Greece in much the same way that there were jealousies among the several colonies on the North American continent. He intimated that such conditions tend to disrupt governments. He continued his comparisons in Essay No. 18.

Whilst the Amphyctionic confederacy remained, that of the Achæans, which comprehended the less important cities only, made little figure on the theatre of Greece. When the former became a victim to Macedon, the latter was spared by the policy of Philip and Alexander. Under the successors of these princes, however, a different policy prevailed. The arts of division were practised among the Achæans; each city was seduced into a separate interest; the union was dissolved. Some of the cities fell under the tyranny of Macedonian garrisons: others under that of usurpers springing out of their own confusions. Shame and oppression ere long awakened their love to liberty. A few cities re-united. . . . Macedon saw its progress; but was hindered by internal dissensions from stopping it. All Greece caught the enthusiasm, and seemed ready to unite in one confederacy, when the jealousy and envy in Sparta and Athens, of the rising glory of the Achæans, threw a fatal damp on the enterprise.

Later in Essay No. 18, Madison related that the "dread of the Macedonian power" caused the League to court the alliance of the kings of Egypt and Syria. However, this plan failed because of the interference of Cleomenes, king of Sparta, who sought to make an unprovoked attack on the Achæans. Madison continued:

The Achæans were now reduced to the dilemma of submitting to Cleomenes, or of supplicating the aid of Macedon, its former oppressor. The latter expedient was adopted. The contest of the Greeks always afforded a pleasing opportunity to that powerful neighbour, of intermeddling in their affairs. A Mace-

donian army quickly appeared; Cleomenes was vanquished. The Achæans soon experienced, as often happens, that a victorious and powerfully ally, is but another name for a master. All that their most abject compliances could obtain from him, was a toleration of the exercise of their laws.

Madison then explained that Philip took advantage of his position, sought to cause discord among the members of the League, and succeeded in securing the revolt of Messene and later of others. The League then turned to the Romans and asked for help. "Philip was conquered: Macedon subdued." But the League had further trouble. The Romans fostered dissension. Callicrates and other popular leaders were used to deceive their countrymen. And,

The more effectually to nourish discord and disorder, the Romans had, to the astonishment of those who confided in their sincerity, already proclaimed universal liberty throughout Greece.

Madison told of further intrigues by the Romans.

With the same insidious views, they (the Romans) now seduced the members from the league, by representing to their pride, the violation it committed on their sovereignty. By these arts, this union, the last hope of Greece—the last hope of ancient liberty, was torn into pieces; and such imbecility and distraction introduced, that the arms of Rome found little difficulty in completing the ruin which their arts had commenced. The Achæans were cut to pieces; and Achaia loaded with chains, under which it is groaning at this hour.

(Note: "At this hour" Madison meant Greece was occupied by Turkey. In the Greek Revolution of 1821, most of Greece was freed from Turkish domination.)

III

My purpose in quoting at length from Essay No. 18, in which James Madison presented facts from the history of ancient Greece, has been to prove that many of the provisions of our Constitution were not original, that they were not "a novelty in the political world." The intrepid Madison was not content with giving a few arguments for ratifying the Constitution; he hammered away with many and varied illustrations from ancient Greece and from other nations

that had attempted to frame republican forms of government.

In Essay No. 20 Madison asserted that he had no apology for citing "federal precedents." He wrote:

Experience is the oracle of truth; and where its responses are unequivocal, they ought to be conclusive and sacred.

Essay No. 38 called attention to the fact that "in every case reported by ancient history," in every case where government has been established deliberately, it has been done by a single individual and not by "an assembly of men." He referred to Minos, founder of the government of Crete, Zaleucus of the Locrians, Theseus, and later Draco and Solon of Athens.

He reminded that the Greeks were jealous of their liberty and yet they placed "their destiny in the hands of a single citizen."

... Solon ... confessed that he had not given to his countrymen the government best suited to their happiness, but most tolerable to their prejudices.

He then emphasized the fact that the Constitution which he wanted to see ratified had been written by "men of her [America's] own deliberate choice."

In Essay No. 45, Madison discussed the supposed danger to the State governments from the powers of the Union. He again turned to ancient Greece.

In the Achaean league, it is probable that the Federal head had a degree and species of power, which gave it considerable likeness to the Government framed by the Convention. The Lycian confederacy, as far as its principles and form are transmitted, must have borne a still greater analogy to it. Yet history does not inform us, that either of them ever degenerated, or tended to degenerate, into one consolidated government. On the contrary, we know that the ruin of one of them proceeded from the incapacity of the federal authority to prevent the dissensions, and finally the disunion of the subordinate authorities.

Madison urged:

Let us consult experience, the guide that ought always be followed whenever it can be found.

In Essay No. 55, he argued that the House of Representatives should not be composed of a large number of members, as delegates from the smaller states had wished.

In all very numerous assemblies . . . passion never fails to wrest the sceptre from reason. Had every Athenian citizen been a Socrates, every Athenian assembly would still have been a mob.

In reference to the Senate, Madison, in Essay No. 63, called attention to the make-up of the Senate in regard to the duration of the appointment of its members.

Thus far I have considered the circumstances which point out the necessity of a well constructed Senate, only as they relate to the representatives of the people. . . . What bitter anguish would not the people of Athens have often escaped, if their government had contained so provident a safeguard against the tyranny of their own passions? Popular liberty might then have escaped the indelible reproach of decreeing to the same citizens, the hemlock on one day, and statues on the next.

and later in the same essay:

It adds no small weight to all these considerations, to recollect, that history informs us of no long lived republic which had not a Senate. Sparta, Rome, and Carthage, are, in fact, the only States to whom that character can be applied. In each of the two first, there was a Senate for life. The constitution of the Senate in the last, is less known . . .

In the most pure democracies of Greece, many of the executive functions were performed, not by the people themselves, but by officers elected by the people, and representing them in their executive capacity.

Prior to the reform by Solon, Athens was governed by nine archons, annually elected by the people at large. The degree of power delegated to them, seems to be left in great obscurity. Subsequent to that period we find an assembly, first of four, and afterwards of six hundred members, annually elected by the people; . . .

Lastly, in Sparta, we meet with the Ephori . . . small indeed in number, but annually elected by the whole body of the people, and considered as the representatives of the people, almost in their plenipotentiary capacity. The Cosmi of Crete were also annually elected by the people; and have been considered by some authors as an institution analogous to those of Sparta . . . with this difference only, that in the election of that representative body, the right of suffrage was communicated to a part only of the people.

From these facts, to which many others might be added, it is clear, that the principle of representation was neither unknown to the ancients, nor wholly overlooked in their political constitutions. The true distinction between these and the American governments, lies in the total exclusion of the people in their collective capacity, from any share in the latter, and not in the total exclusion of the representatives of the people from the administration of the former. The distinction, however, thus qualified, must be admitted to leave a most advantageous superiority in favour of the United States.

IV

I have quoted at length from the debates on the Convention floor, and have cited many references to ancient Greece from the essays in *The Federalist*. From these illustrations, we must conclude that ancient Greece contributed much to the ideas of government found in our Constitution, and furthermore was a strong factor in convincing the people that the Constitution should be ratified.

One of the influences was the many references to the Amphictyonic League, which was organized by several cities for the purpose of protecting the Temple of Apollo at Delphi. This Council also made the first international law when it adopted rules that water would not be shut off from a city in time of war.

Another reference was to the Achaean League, which consisted of many small cities banded together for their own protection. The most prominent league was the Delos League, which consisted of some 270 cities. It had the power to punish its members by fining them if they disobeyed the constitution. And members were not permitted to secede.

Not only did Madison and others select positive examples from ancient Greek history, but also they pointed out errors which the framers of our Constitution sought to avoid in the effort to form a "more perfect union." The Greek confederacies, for the most part, were not as united as they should have been to make for permanency.

The leaders in the crusade for ratification of our Constitution contended that when a league accepted the aid of an enemy, it was compelled to take the consequences. This was well illustrated by the action of the Amphictyonic

Council when it admitted Philip of Macedon as a member. A modern reminder of this point was Churchill's famous statement, when Russia became an ally in World War II, that he would accept the devil as an ally against an enemy.

TREASURE TROVE OF BURIED CITIES

The pre-eminence of ancient Greece in law and government is neither inexplicable nor surprising when her other intellectual and cultural attainments are considered. Her achievements in broad learning, in consummate art, in general wisdom afford a background and accompaniment for her legal and governmental acuity.

The ancient Greeks accepted the challenge of any human need, any practical problem, any unanswered question. They devoted themselves to intellectual exercises. Their thinking always found expression. And these men were masters of meaningful words, of painting, sculpture, and architecture.

On many visits to sites of early Hellenic cities, I have been fascinated to observe even in ruins the flawless lines of the architecture, the symmetrical arrangement of buildings, the perfectly chiseled marble columns, the intricately designed mosaic floors and walls, the sculptured figures — all telling a story of an enthusiasm to achieve perfection in creative artistic effort.

These evidences of master craftsmanship bespeak intelligent planning and patient endeavor on the part of talented people who were not content with less than the best. I have looked at these phenomenal achievements and wished that I could have seen the inspiring temples, the public buildings, and the homes before the ravages of centuries marred their beauty. What divine spirit ushered in the Golden Age of Greece and brought freedom and democracy to the world? Intuitively I know that only free men, possessed of a rich imagination and an unsatisfied desire for mighty deeds, could conceive and bring forth such enduring artistry.

Our country, we boast, has come to maturity in less than two centuries of its existence as a sovereign nation. Our

history records the handicaps and struggles of the Continental army under Washington, the critical governmental problems that prevailed among the thirteen colonies until the Constitution was written, the years of trial and error to establish a sound economy, the severing of ties and the destruction of a bloody Civil War, and the time of healing the wounds and the adjustments to knit together a firm national unity. Our forefathers faced these conditions with all of their knowledge of history. It is hard for us to imagine the greater difficulties that confronted the people who lived some two thousand years before Christ on the little Island of Crete. But with their meager physical resources and their almost entire lack of precedent, they attained a plateau of civilization that is the wonder of the Western World.

II

The pilot of our plane, a United States Army major with a record of several thousand hours in the air, prided himself on his ability to land on a gravel runway without dropping his flaps. On a bright June morning he glided smoothly along the dusty single strip at the airport at Irakleion (Candia), an ancient seaport town on the northern coast of Crete. An army sergeant jerked open the door of the "bucket" plane, hopped out, adjusted a metal ladder, and motioned to me to throw my bag to him. I did so and turned and backed down from the plane.

A small, hatless, swarthy man approached, extended his hand, and introduced himself, "I am your guide, Anthony Samothrakis."

This dark-eyed Cretan, who, although he had never been off the island, spoke English fluently, was to accompany me on sight-seeing trips for several days. As our crippled car bumped along a rutty highway toward the city, I saw men and boys ramming red clay into wooden molds in the ancient manner — making bricks without straw. These unfortunate victims of a cruel war were bending their backs to the task of rebuilding their homes which had been flattened by bombs.

After depositing my bag in a private home (the war-ravaged hotels were being rebuilt), I went to the town hall

in the center of the city, where I met several newspapermen. Among them was Constantine Caffetzakis, editor and owner of the daily *Drassis*, who invited Tony and me to have dinner with him that evening.

At eight o'clock we met our host in a tavern courtyard. He beamed down at me from his height of seven feet and introduced me to the tavern keeper, a broad-shouldered, wrestler-type individual with a handle-bar mustachio and a soiled white apron that covered his ankles.

Then the giant editor led us across the moonlit outdoor restaurant, past a circular concrete block on which smiling young people were dancing to the accompaniment of a three-piece orchestra, and seated us at a table under a canopy of palm branches.

I recall that Sappho, lyric poetess of the sixth century B.C. whom Plato called the "tenth Muse," had described the scene before me.

And thus at times, in Crete, the women there
Circle in dance around the altar fair;
In measured movement, treading as they pass
With tender feet the soft bloom of the grass.

The three of us had been seated only a few minutes when the tavern keeper, sans apron, arrived with a bottle of retsina wine, which, with a bow from the waist, he placed in the middle of the table, saying, "With the compliments of the taverna." I had learned that a visitor makes a good impression on the Greeks if he can, without a shudder, take his first drink of this wine, which is flavored with resin from pine trees.

"This retsina is made from my own grapes," boasted the restaurateur. "Nowhere in the world will you find better grapes than grow on Crete."

I like the way the Greeks smile broadly when they claim they have the best of everything in the world.

The tavern keeper made a ceremony of filling our glasses. He watched the bubbles rise. Then with an outward circular motion he raised his glass and said, "Hygeia," and added, "To our good friend, America."

I answered, "To Greece, the cradle of civilization."

This toast gave the stocky man an idea. He rushed over

to the little orchestra, flapping his arms and motioning the players to stop. The three musicians then began a poor rendition of "The Star-Spangled Banner." The tavern keeper waved to the people at the other tables to stand. Some of them did, but most of them were at a loss to know what was wanted. However, as soon as the orchestra struck a few notes of the Greek national anthem, every person snapped to attention.

As is customary in most Greek taverns, the proprietor invited us to select our food before it was cooked. We followed him across the earthen floor, under the pepper and olive trees, to a half-enclosed corner. There, from a large tank in which fish were swimming, I chose a lazy red fellow that looked like a mullet. The restaurateur grabbed it quickly and threw it to the cook who stood by a charcoal fire.

As we leisurely enjoyed our dinner, I listened to the proud Cretans talk about the enlightenment and refinement their ancestors had brought to fruition on this tiny island. The influence of their achievements spread to the mainland of Greece, to Egypt, and to many other sections of the Mediterranean.

Here in the Early Minoan Period (3000-2000 B.C.) lived a race who developed a high degree of skill in the use of bronze for utensils, weapons, and tools of various types as well as for ornaments. Even prior to that, in the Neolithic Period for several milleniums extending back into the Stone Age, they made crude pottery and utilized polished stones for weapons and tools.

III

The famed epic poet Homer is said to have visited Crete about the ninth century B.C., but he did not find the civilization and culture that had prevailed there more than a thousand years before his time. The bard had his principal character of the *Odyssey*, Ulysses, describe a five-day voyage which he made from this island to Egypt. In Book III he relates how

Zeus of the far-borne voice . . . sundered he the fleet in twain,
and part thereof he brought nigh to Crete, . . . Now there is a

certain cliff, smooth and sheer towards the sea, on the border of Gortyn, in the misty deep. . . . Thither came one part of the fleet, and the men scarce escaped destruction, but the ships were broken by the waves against the rock; while those other five dark-prowed ships the wind and the water bare and brought nigh to Egypt.

In Book XIX of the *Odyssey* Homer gives a word picture of the little island.

There is a land called Crete in the midst of the wine-dark sea, a fair land and a rich, begirt with water, and therein are many men innumerable, and ninety cities.

A thousand years before Homer's time, a great city of an estimated hundred thousand population, Knossos, flourished on this island. A noted English archaeologist, Sir Arthur Evans (1851-1941), made a long and intensive study of the ruins on the island. He began excavating this city in 1900 and devoted his full time to it for eight years. In his work at Knossos, Evans unearthed evidences of a highly civilized and cultured people who lived here two thousand years before Christ.

It was here, about three miles from Irakleion, that the fabled Minos, said to have been a priest-king, lived in a palace that covered five acres of ground. He ruled a large empire. Minos—the name was probably a title such as Pharaoh in Egypt and applied to several generations of rulers—was the legendary hero-king of a large part of Crete. The noted ancient Greek historian, Thucydides, records that Minos was the first ruler to possess a navy. It is known that he developed a maritime nation, possibly the greatest in ancient times.

Back of Knossos is Mount Ida, the highest peak in the mountain range, more than eight thousand feet above sea level. We have noted that, according to legend, Minos went every nine years to the crest of Mount Ida where he met Zeus, the "father of gods and men," who gave the earthly ruler laws by which he governed his people.

It was almost under the shadow of this celebrated city that we continued our dinner at the tavern.

Before leaving my companions that night, I secured from Tony a promise to take me to Knossos the next morning at nine o'clock.

IV

A short distance from the site of ancient Knossos, Tony pointed to a ridge of the mountain and said, "There is the 'sleeping Zeus,' facing the heavens, outlined against the sky."

I looked and saw the mountain range which extends for several miles and noted the resemblance to the profile of a giant head, on the tip of the nose of which was perched a small church.

We passed an imposing cathedral on the right of the road. I visited this cathedral later, and I saw there five original paintings by the noted monk Damaskinos, the first instructor of El Greco, who was born on Crete and became a foremost artist of his time, living for many years at Toledo, Spain, and doing his best work there.

Slowly passing along the highway in front of the church, a peasant seated on bags piled high in his two-wheeled donkey cart, crossed himself three times. This gesture brought a question to my mind. "Did the prehistoric Cretans have temples for public worship?" I asked.

Tony replied, "There is no evidence that there were public churches in the early Minoan civilization. Sir Arthur Evans discovered there were caves where people assembled, and possibly they met in open spaces to pay tribute to their gods. Sir Arthur also found cult rooms in palaces and private homes where doubtless the inhabitants worshipped."

The huge palace of Knossos stood on a hill in the valley of the Kairatos River. The palace could well have been designed by Sir Christopher Wren after the ideas he incorporated in Hampton Court Palace, or by Frank Lloyd Wright with the motif at his home, "Taliesin," or by Cass Gilbert, who adapted classical architecture in the numerous public buildings he constructed. The palace was more than a mere home for King Minos. In addition to the royal suites, here was the seat of government of an extensive empire; here were many offices for clerks who handled the details of a large export business, and the shops of a host of weavers, potters, masons, jewelers, and other skilled artisans.

This palace was constructed of sun-dried brick, limestone, rubble, gypsum, and stucco. These early people had the for-

mula for the manufacture of a very hard, durable cement which was used in their buildings. The plaster on the walls seemed to be far superior to most of the plaster used in buildings today.

Knossos, unlike many other ancient Greek cities, was not surrounded by a defensive wall or moat, nor was it located on an acropolis. Apparently the successive rulers trusted their navies to protect the city from invasion by barbarians or from molestation by pirates that infested the seas.

V

We followed the main road, paid a small fee at the guard's house, crossed a modern bridge, and then walked slowly toward the West Porch.

Tony was explaining, "Let's imagine," he said, "that you are an ambassador from the court of Pharaoh and that you are here to enter into a trade treaty or to bring greetings of friendship to King Minos on the basis that people emigrated to Crete from your country beginning about 3000 B.C. Migration was possible because of the steady current in the sea from the Delta along the coast of Syria and Asia Minor."

I replied, "I do not know the ancient protocol, but I accept the assignment if, by doing so, I will be permitted to see the palace."

As we walked along, we looked across the West Court, a section that had been constructed about 2000 B.C. We noted the scattered remains of some small houses that had stood in this area. Then we entered the West Porch, where there had been a guardroom and reception parlor. Here I would have presented my credentials if I had been a representative of the ancient Pharaoh.

We went toward the south of the palace along the Corridor of the Processions, so called because the frescoes on the walls were of youths and maidens bearing gifts to the gods. We came to the entrance of the South Propylaeum, on the door of which is a picture of the restored famous "Cupbearer," the original of which we saw later in the Museum and the reproduction of which is in most Greek textbooks.

The frescoes give an idea of the kind of young men who lived in Crete nearly two thousand years before Christ.

The characters have "wasp-waists" and long black curls. They wear kilts held in place by metal girdles, and bracelets of seal stones. The Minoan artists displayed a high degree of skill in engraving their small seal stones, a sort of coat of arms which they used on personal effects.

We went through the Propylaeum and up the stairs to the main floor. There we found many rooms which evidently had received light from a long roofless corridor. One of these rooms was apparently the Treasury Chamber; gold leaf, jewels, and other valuables were found in the rubble beneath it.

We then descended wooden stairs to the Long Corridor and saw eighteen magazines where huge stone jars were stored, some at least five feet high and three feet in diameter. The jars have handles around the sides and decorations of rope slings which were once used for moving smaller jars. This corridor must have been very dark because there were no light wells or windows. Possibly the magazines were unlighted in order to hide the stores of olive oil and wine which were sold in export trade.

I was told that opposite the location of the magazines were found some fourteen hundred clay tablets inscribed in the latest linear Minoan script. They had evidently fallen from an office located on the floor above. These tablets may prove to be the most valuable discovery in the palace because, when it is possible to interpret them, they may reveal knowledge of that ancient civilization that is not available today.

A short time ago an English architect, Michael Ventris, and an associate, John Chadwick, claimed that they had been able to decipher the Linear B Minoan script; they think it was in an archaic Greek language.

We turned right at the north end of the corridor and followed a winding ramp down to the lower floor. On the outside of the building Tony pointed out six deep stone-lined pits, which he said were used for dungeons for criminals; one, he said with a smile, was reserved for women who were unfaithful to their husbands. Some archaeologists believe that these pits were used for the storage of water.

We passed to the Northwest Portico, where is supposed to have been a purifying area, where visitors or even in-

habitants who entered the palace at this point could anoint themselves with oil. Small oil flasks have been found scattered on the floor.

Leaving the palace at the northern entrance, we visited the outdoor theater, a flat paved area with tiers of low steps on each side. Where the steps join in the center, a bastion extends over the back of the stage. It is thought this was the royal box from which Minos, his family, and close advisers reviewed troops, watched religious dances and dramas, and possibly accepted homage from the king's subjects.

From here we saw what is claimed to be the "oldest road in Europe," a narrow way paved with stone slabs. On each side are cement wings and drains. This road led to the harbor town and served a dense population in a large community. It was not built for horses; they were not imported to Crete from the mainland until about 1600 B.C. The rich of Knossos were carried in palanquins. The stone-paved crown of the road served to prevent the feet of the servants or slaves from slipping.

We re-entered the palace through the north door and wound around corridors to the Central Court. This is a large open space nearly two hundred feet long and almost ninety feet wide. It is claimed that the palace was constructed around this court by joining several buildings in a somewhat irregular fashion. Stairs led from the court to the different units of the palace, and balconies hung over it from the upper stories. It is thought that this Central Court may have been used to assemble the entire household of the king, including servants and artisans, for instruction or worship.

Tony led me across the Central Court, up a flight of stairs to a landing, and then into a small anteroom from which we entered the Throne Room. I was invited to sit in the gypsum throne, a chair with a leaf-shaped back, said to be the world's oldest existing throne that was used by a sovereign.

On each side of the throne are backless stone benches which were for the king's councilors. A small opening from the Throne Room leads to a sunken area, where there is a stone basin. It is thought that the priest-king entered the

small recess for purification and ritual exercises before discussing matters of state with his closest advisers.

Beyond the Throne Room is a small Shrine where cult objects and ornaments were found. Near it is what is known as the "kitchen." It is thought that the king could have retired to this suite of rooms and remained undisturbed for several days or even weeks.

We recrossed the Central Court and walked up the Grand Staircase to the private rooms of the royal family. This staircase is considered one of the greatest marvels of antiquity; it served five stories of the palace. With the broad shallow treads, it is possible that processions or pageants were staged on the staircase.

I was particularly interested in the queen's suite of rooms. It is entered by a narrow winding corridor which seems to have been designed to insure privacy. It has a narrow stairway to the lower floor, a bath, and a toilet. In one corner of the toilet room is a pottery basin which connects with a cistern above. Against the wall is a closet with evidence that it had a wooden seat, an arrangement for flushing, and was served by a system of sewers. The drainage system and the water supply give a modern touch which one would not expect to find developed by architects two thousand years before Christ.

Across the corridor from the queen's bedroom is the Hall of the Double-Ax, a large room that would accommodate many people who may have assembled here for worship. Against the northern wall stood a throne, which was occupied by the king-priest when worship services were held. Carved on the pillars and walls of this room are outlines of a two-bladed ax, the most sacred Minoan religious symbol, which may be compared to the cross in the Christian religion. It is supposed to represent the worship of Zeus and his mother, Rhea, the nature goddess.

Scholars inform us that the Carian word for "double-ax" is "labrys" and that here was probably the origin of the legend that in a labyrinth, or maze, King Minos had a Minotauros ("Minos" plus "tauros," "a bull") which annually devoured youths and maidens from overseas. When one walks through the long halls and rooms of the palace,

he may well imagine he is making his way through a labyrinth.

In addition to the double-ax symbol of worship, there were found in the palace bell-shaped idols, figurines of snake goddesses, votary horns, and trees which were worshiped as the abode of deities. The ancient Minoans were nature-loving people, and it was easy for them to believe that their gods and goddesses were connected with the earth, sky, and sea.

On our trip from the Hall of the Double-Ax we descended the stairs to the East Bastion. From here we looked over the flat stretch of land toward the river, an area which Sir Arthur Evans believed was the bull ring. These ancient people played a dangerous game with bulls. An athlete would face a maddened animal, grab him by the horns, turn somersaults over his back, and be caught behind by other athletes. Both young men and young women participated in this thrilling game. Frescoes depicting how bull-bating was accomplished were found on walls, and a recovered ivory figurine showed an athlete in movement over the bull's back.

It is thought that the royal household had a grandstand seat on a balcony of the palace overlooking the East Bastion. Across the ravine a hill rises more than the height of the palace, and most likely the citizens of the community watched the games from that vantage point.

As I followed my guide, I was constantly amazed at the modern arrangement of the well-designed rooms, stairways, airways, and corridors. The windows were probably oiled papyrus or, in some instances, highly colored faience.

To provide water for drinking, laundry, bath, and toilet, the palace had a system of pipes and drainage which has been unexcelled in any land until within the last century. It is easy to trace the flow of water from catch basins, reservoirs, and hillside springs. The fact that in some places the pipes carried water uphill indicates the engineers evidently knew the law of physics that water seeks its own level. The sections of terra-cotta tiles were about six inches in diameter and thirty inches long. There were traps to prevent clogging, and one end of each tile was made smaller

so that it would fit into the next one, where it was cemented in place.

VI

When Tony and I left the palace, we went to the Museum in the center of Irakleion. I wish I could describe the many treasured objects that have been collected and beautifully arranged here by the director, N. Platon, and his associates. Theodore Caroussos, a well-known guide who assisted in the translation of the printed guidebook, took me through the Museum.

There I saw stucco walls of the palace handsomely frescoed, hundreds of pieces of bric-a-brac, figurines, and jewelry which was intricately fashioned of gold, ivory, and precious stones. These have been brought from Knossos, Phaestos, Haghia, Triadha, and many other Minoan sites. Some colored frescoes show the ancient Minoan women in costumes with puffed sleeves, flounced skirts, and low-necked bodices tightly drawn around the waist. They have "wasp-waists" like those of the men in the procession. Both men and women wore many pieces of jewelry.

The faces of the individuals in pictures painted sixteen or eighteen hundred years before Christ are sensitive, refined, and intelligent. There is abundant evidence that the people, for the most part, were prosperous, lived in comparative luxury, and led a carefree life.

Every picture in the Museum depicted movement. There was always action—marching men and women, athletic events painted on pottery, and even jewelry had movement. What is reputed to be the most beautiful jewel in the Museum is a hairpin, the head of which is like a flower with a pendant. On it two insects sit on a honeycomb, eating honey, while a small ball swings within a bigger one of wire. I was told that with a large magnifying glass one may see the hairs on the legs of the insects. This gives evidence of the skill of the ancient jewelers.

VII

This little Mediterranean island was inhabited in the Neolithic Age, 6000 to 5000 B.C. In that period the people lived

in caves, used tools made of stone and bone, had crude clay pots, hunted, fished, and cultivated the land.

Beneath the palace of Knossos the Neolithic deposit is twenty-five feet thick. Many towns and villages existed here over a period of countless centuries. And hundreds of thousands of people lived here in ages past before King Minos reigned.

About 3000 B.C. there came into being a civilization which Sir Arthur Evans chose to call the Minoan civilization after the fabled King Minos. The people who lived on Crete at that time probably came from the south and east. Soon they became seafarers and traveled into all of the known world.

The great number of people who lived here required huge quantities of food. Therefore, in order to exist they were compelled to cultivate hundreds of acres of land. The climate and soil were ideal for the growing of a variety of crops — olives, grapes, other fruits, grains, and vegetables. It is assumed that the Minoan government was socialistic, and the products of the fields and orchards were stored in common warehouses.

By the fifteenth century B.C. the power and influence of the priest-kings of Knossos were felt throughout the known world. An extensive foreign trade had been established; ships from this empire called at many ports along the shores of the Mediterranean; and pottery and other items made by Minoan artisans were shipped to Egypt, to Africa, and to the mainland of Greece. Through this world-wide export business, the Cretan culture spread to hundreds of seaport communities in distant lands.

About fifteen hundred years before Christ, some catastrophe leveled the city of Knossos and wiped out its hundred thousand population almost overnight. There is no clear record of what happened. Archaeologists have proved that an abrupt change occurred which caught people at work and left priceless jewels and other valuables in their accustomed places. (How like Pompeii!) Some research specialists attribute the downfall of Knossos to civil strife, others to invasion by Dorians or unknown nomadic barbarians, and Sir Arthur Evans claimed that the city was destroyed by earthquakes.

Tony and his editor friend accompanied me to the airport when I left Irakleion. There my worthy guide introduced me to a University of Athens professor of archaeology who has given a great deal of study to Knossos. He was returning to Athens on the plane with me. When we were off the ground, I asked my new acquaintance how he thought the ancient city had been destroyed. He suggested that I request the pilot to fly over the island of Santorin, one of the Cyclades lying about ten miles north of Irakleion. As we approached the island, the professor said, "Look at the huge crater in the center."

The top of the island had been blown off, and the orifice of a volcano, which seemed to be several miles in diameter, showed its ugly jagged edges. The archaeologist continued, "My theory is that an earth movement of gigantic proportions occurred beneath the surface of that island about fifteen hundred years before Christ and produced a tidal wave, mountain high, which swept over the north coast of Crete and completely destroyed a civilization that had been built up over many centuries, one of the most interesting civilizations in all history."

I learned later that the archaeologist Marinatos also subscribed to the theory that Knossos was destroyed by a tidal wave. Then I came across the suggestion in *The Encyclopedia Britannica* that the mythical Atlantis was the Island of Crete. The encyclopedia refers to an article published in the *London Times* for February 19, 1909, entitled "The Lost Continent," which theorized that Crete was the Atlantis and was flooded in the Minoan period.

This is given further interest by the fact that Plato wrote about the legendary island of Atlantis. In the *Timaeus* he describes how some Egyptian priests told Solon that this island was larger than Asia Minor and Libya combined; that it was a powerful kingdom nine thousand years before the birth of Solon; that its armies overran the lands that bordered the Mediterranean; and that the sea had covered this earthly paradise.

Regardless of how Knossos was destroyed, we know that it was an empire of outstanding achievements. Its desire

for comfort and beauty, its ability to achieve these objectives through orderly community life to which all submitted, and its well-knit government are the marvel of the ages. The wealthy lived in splendor, and the poor were able to live a good life. The overlords and their ladies adorned themselves with jewelry of gold and precious stones; the poor had necklaces and rings of highly polished pebbles. And government was designed to serve the entire populace.

The builders of this ancient Minoan civilization have truly been the incomparable benefactors of the human race.

PART II

In every section of Greece in the Golden Age there was a scene of unceasing intellectual effort, of mental activity. The Greeks followed the path of Alexander: "Keep ever on the move and always on the march." They sought truth by reasoning. They drew conclusions from all available facts, no matter how small. They argued and debated; they tackled any challenge with verve and conviction; they believed that all questions could be answered by one who used his mind to the optimum. They accepted nothing as impossible.

The fearless Greeks had confidence in their abilities and knew that they could reserve mountains. This they did in fact when they moved a mountain of marble from Mount Pentelicon over twelve rough miles, and with it erected the Parthenon to house the famous statue of Athena made of gold and ivory by Phidias.

The rugged individualism of the ancient Greeks made them the most persistent searchers after truth for truth's sake in recorded history. They sought, as did Saint Augustine, for the "road of truth." They traveled through their world with little physical or mental baggage to hamper their progress, with few worries, and with almost no desire for material possessions.

Every high school student is familiar with the story of the death of Alexander the Great to the great philosopher, Diogenes, whom Alexander found seated in a tub in which he lived outside the gates of Corinth. When the ambitious young soldier asked the philosopher if he wanted anything, the latter replied, "Please move aside so the sun can shine on me." The young man who was starting on his march to conquer the world, turned to his retinue and said, "How I wish I were Diogenes!"

In spite of the fact that Pythagoras (fifth century B.C.) was the father of arithmetic and Euclid (third century B.C.)

for comfort and beauty, its ability to afford these things lives through orderly community life in which all participated and its well-built government was the mark of the age. The wealthy lived in splendor, and the poor were able to live a good life. The overworked and their ladies adorned themselves with jewelry of gold and precious stones; the poor had necklaces and rings of highly polished pebbles, and government was designed to serve the entire population.

The history of this ancient Hellenic civilization that truly knew the incomparable beauties of the human race.

PART II

CHAPTER VIII

A GLIMPSE OF "THE GLORY THAT WAS GREECE"

In every section of Greece in the Golden Age there was a surge of profound intellectual effort, of mental activity. The Greeks followed the policy of Alexander: Keep ever on the move and always seek new thought-provoking worlds to conquer. They branded every so-called unsolvable problem a lie. They expected the unexpected; they tackled any challenge with verve and conviction; they believed that all questions could be answered by one who used his mind to the optimum. They accepted nothing as impossible.

The fearless Greeks had confidence in their abilities and faith that they could remove mountains. This they did literally when they moved a mountain of marble from Mount Pentelicus, over twelve rough miles, and with it erected the Parthenon to house the famous statue of Athena made of gold and ivory by Phidias.

The rugged individualism of the ancient Greeks made them the most persistent searchers after truth for truth's sake in recorded history. They sought, as did Saint Augustine, for the "food of truth." They traveled through their world with little physical or mental baggage to hamper their progress, with few worries, and with almost no desire for material possessions.

Every high school student is familiar with the story of the visit of Alexander the Great to the cynic philosopher, Diogenes, whom Alexander found seated in a tub in which he lived outside the gates of Corinth. When the ambitious professional soldier asked the philosopher if he wanted anything, the latter replied, "Please move aside so the sun can shine on me." The young man who was starting on his crusade to conquer the world, turned to his retinue and said, "Were I not Alexander, I would wish to be Diogenes."

In spite of the fact that Pythagoras (sixth century B.C.) was the father of arithmetic and Euclid (third century B.C.)

was the father of geometry, the Greeks never admitted that two and two always made four. Instead, they sought to prove that under given circumstances two and two equalled three, five, or some other sum. Their minds were never put up for auction to the highest bidder, never put in a pawnbroker's shop. Possessed of keen vision and understanding, the ancient Greeks, like eagles, were born to be free and unfettered and to soar to great heights.

Somewhere I read the definition of a genius as one who has understanding and perspicacity without aid of instructors or research in tomes of learned men. This description fits the brilliant coterie of early Greeks, men who, with disregard for appearances, strolled daily in the stoae of the market place or lolled in the academy or lyceum, where intellectual diets, cafeteria style, were served in abundance to all and sundry.

It is readily conceded by most students that these men of thought and action who lived in the two centuries culminating in the phenomenal Age of Pericles, contributed more worthwhile original ideas and concepts to all fields of human endeavor than have the people of any other nation before or since. Why? They were not restricted by despots, overbearing priests, and straight-jacket, man-made laws. They were free, and their principal endeavor was to make the mind supreme.

A critic calls attention to the fact that there were in Athens thousands of slaves who did the work while their masters discussed intellectual problems. Some twenty-five hundred years later in "free" America, in spite of the Declaration of Independence, there were also slaves which required a civil war to free them.

The untrammelled Greeks with their deference to *autismos*, individuality, undergirded the individual and encouraged him to express his uninhibited opinions on all subjects; they demanded that he use his mind to the limit of its ability. Use of the intellect went unrestrained in Greece until the country came under the domination of the Roman Empire, which extended its tentacles throughout most of the Middle East and down into Africa.

I talked with Constantine Tsatsos, minister of education, now minister to the Prime Minister. Mr. Tsatsos told me that he considered Greece the fountainhead of Christianity. He cited the fact that the New Testament was written in the Greek language; that St. Paul was welcomed to Athens in 51 A.D. and permitted to deliver his famous oration in the Aeropagus (Mars Hill) before a distinguished group of learned citizens; and that Paul spent a year and a half in Corinth, fifty miles from Athens, teaching and preaching. From there he visited Macedonia, Philippi, Crete, Rhodes, Cyprus, and many other Greek communities.

In Corinth a mob of his own race attacked Paul and hauled him to the agora where they preferred against him the charge that he persuaded people "to worship God contrary to the law."

But Gallio, the Roman governor, who was a Stoic, said,

If it were some matter of injustice or an heinous deed, O Jews, I should with reason bear with you. But if they be questions of words and names, and of your law, look you to it: I will not be judge of such things.

Paul, the inspired Jew of Tarsus, whose language was Greek, had been reared in the free commercial seaport city where he was exposed to the culture of Egypt, of Rome, and especially of Greece. Paul's letters to the Greek churches, which he had established in many places, served to clarify the Christian faith and ethics. And, of course, one of the principal factors in the spread of the doctrine of Christ's teachings was the common use of the Greek language in all of the Mediterranean countries.

Another factor contributing to the influence of ancient Greece in the development of Christianity was the studies and doctrines of the Greek philosophers and writers. Many centuries before the birth of Christ, learned savants in Greece were teaching eternal verities which fortuitously prepared the minds of the people for Christ's Sermon on the Mount, His succinct parables, His Golden Rule, and His unselfish sacrifice of Himself for others. How like the Psalms and the words of Christ are many of the dicta of Greek philosophers, teachers, poets.

Xenophanes, who lived in the sixth century B.C., wrote:

There is one eternal, infinite, immortal Being, by whom all things exist, and this one being is God.

About the same time Pythagoras had a school in Crotona in southern Italy. He is quoted as saying,

The one Deity is the source of all things; his form, light; his essence, truth. . . . He is the soul of all things, pervading and maintaining the universe.¹

Here are quotations, relative to Divinity, from three of the world's greatest dramatists:

Aeschylus (525-456 B.C.)

A judge who righteth wrongs,
Whose keen eye seeth all life
And whose tablet records both good and evil.

Euripides (480?-406? B.C.)

Strength of God, slow and still,
Thou failest never.
Canst thou not, O Man, have faith?
Canst thou not see
That the spirit of God and the eternal law
Are strong and abide forever?

Sophocles (496?-406 B.C.)

Let my feet walk in the way of righteousness
And without sin in word or deed.
Let me obey those eternal laws that come from heaven.

Then we find that the brilliant Socrates (470?-399 B.C.), who was possibly as nearly like Christ as any man who ever lived, reasoned: "God alone possesseth wisdom." This wise man, the only ancient Greek who was condemned to death because of his opinions, addressed the jurors:

Wherefore, my judges, be of good cheer about death, and know of a certainty, that no evil can happen to a good man, either in life or after death.

Plato, the Boswell of Socrates, listed four fundamental virtues — prudence, fortitude, temperance, justice. St. Ambrose, bishop of Milan in the fourth century A.D., added

¹C. C. Felton, *Greece, Ancient and Modern* (Boston: Houghton, Mifflin & Company, 1896), p. 436.

what are known as the Christian virtues — faith, hope, charity. All these taken together are known as the seven cardinal virtues which, if observed and applied, give satisfaction to all human beings.

The late W. R. Inge, when he was Dean of St. Paul's Cathedral, wrote:

St. Paul's statement, "We look not at things which are seen, but at the things which are not seen; for the things which are seen are temporal, but the things which are not seen are eternal," is pure Platonism. . . . Early Christian philosophy was mainly Platonic, early Christian ethics, as exemplified by writers like Ambrose, were mainly stoical.

Because of the freedom of speech and action that the Greeks had demanded and practiced, the early Christians met little opposition in that country. It may be questioned whether the followers of Christ could have carried on their work so successfully if they had been persecuted in Greece as they were in Rome. But thanks to the reception Paul and others received in the little peninsula and in the Greek islands, Christianity became established and firmly organized, and its faith and practices spread to the Western World. They grace and sustain our personal, our political, and our social ideals.

III

I have often wondered why the early Greeks talked and wrote so much about government and laws. It was probably because they wanted to emphasize the democratic rule that guarantees all men "equality under the law." And they believed in the government "of the people, by the people, and for the people."

The nations of the world owe Greece a debt of gratitude for her breadth of vision in matters pertaining to laws and government.

Aristotle is the father of political science. In the field of government he was one of the most brilliant men of all time. In his *Politics* he distinguishes three forms of government — monarchy, aristocracy, and polity. The last term comes from the Greek word, "polites" meaning "citizens." In polity, the authority of government is held either directly or indirectly by those who are governed.

This philosopher and sage wrote:

Speaking generally, we may say that whatever legal enactments are held to be for the interest of states, all these preserve states. And the great preserving principle is the one which has been repeatedly mentioned,—to have a care that the loyal citizens should outnumber the disloyal.

The early Athenian government held the state responsible for justice for all; it gave the people freedom of thought, speech, and action; and it promulgated laws which were for the benefit of all the citizens. This early experiment in democracy introduced a representative republic, a form of government which comes nearer to providing liberty and justice for all than any other form devised before or since that time.

In recent years we have heard much of laws to protect farmers and to guarantee high prices for their products. This is not new. In Aristotle's *Politics*, VI, 2-9, we find:

For the best material of democracy is an agricultural population; there is no difficulty in forming a democracy where the mass of the people live by agriculture or tending of cattle.... The ancient laws of many states which aimed at making the people husbandmen were excellent. They provided either that no one should possess more than a certain quantity of land, or that, if he did, the land should not be within a certain distance from the town or the acropolis. Formerly in many states there was a law forbidding any one to sell his original allotment of land.

IV

In another important field of human endeavor, science, the ancient Greeks discovered many primary facts. From about 600 to 300 B.C., they made notable discoveries in medicine, biology, astronomy, physics, and mathematics.

Hippocrates of Kos (460?-377? B.C.) is known as the father of medicine. This man is credited with being largely responsible for freeing medicine from superstition and the quackery of the priesthood. His code of medical ethics is expressed in the voluntary pledge now committed to memory by men who prepare themselves for the practice of medicine. The concluding words of this remarkable oath are:

With purity and holiness I will pass my life and practice my Art. Into whatever houses I enter, I will go there for the

benefit of the sick and will abstain from every injurious act and corruption. Whatever in my professional practice—or even not in connection with it—I see or hear in the lives of men which ought not to be spoken of abroad, I will not divulge. While I keep this Oath unviolated, may it be granted me to enjoy life and the practice of the Art, always respected among men, but should I break or violate the Oath, may the reverse be my lot.*

The study of physiology and anatomy was slow in emerging from such superstitious beliefs as that one could be cured by placing a replica of the diseased part of his body in the temple of Aesculapius at Epidaurus and asking Apollo to make the organ whole. Medicine made great strides under the skillful leadership of Hippocrates.

Hippocrates recognized the value of keeping and studying case records. Some of the methods employed by the "father of medicine" and his assistants are as modern as yesterday. These Greek doctors recognized the necessity for cleanliness and for preparing the operating room for surgery. They also held the modern theory that nature has immense healing power and that the physician should co-operate with her.

Plato wrote many statements about the body, particularly about the movement of the blood. In the *Dialogues*, III, 493, he wrote:

For when the respiration is going in and out, and the fire, which is fast bound within, follows it, and ever and anon moving to and fro, enters the belly and reaches the meat and drink, it dissolves them, and dividing them into small portions, and guiding them through the passages where it goes, pumps them as from a fountain into the channels of the veins, and makes the stream of the veins flow through the body as through a conduit. . . . the liquid itself we call blood, which nourishes the flesh and the whole body, whence all parts are watered and empty spaces filled.

Thus we learn that nearly two thousand years before William Harvey (1578-1657), English physician and anatomist who first expounded the theory of the circulation of the blood and its function in the human body, Plato described crudely the circulatory system and attempted to explain its use.

*La Rue Van Hook, *Greek Life and Thought* (New York: Columbia University Press, 1923), p. 277.

In addition to an unprecedented advance in medicine, the ancient Greeks had vast knowledge in many other scientific fields. Although they had almost no instruments, they understood the basic theory of meteorology, much about the stars and planets, and the cause of eclipses of the sun and the moon.

They reasoned that the earth hung free in space and was one of the planets revolving around a central fire; that the sun was a red-hot molten mass much larger than the Peloponnese; that the moon received its light from the sun; that the Milky Way was a cluster of stars; and that light required time to travel from one point to another.

Among the most noted scientists was the many-talented genius Aristotle. In addition to being a profound teacher of political science and learned philosopher, he gave much time to research and wrote on such subjects as physics and biology. He explained the use of the lever a hundred years before Archimedes was born, and he wrote about weather manifestations such as rain, snow, hail, clouds, dew, frost.

Aristotle was a prolific writer. He had sixty-three books to his credit. Among them were thirteen philosophical books on metaphysics and eight in the field of natural science. He delved into the study of the botany and zoology of the Aegean Sea. As a tutor of Alexander the Great for eleven years, he won the king's lifelong friendship. This military adventurer, who spread Greek culture throughout many countries in his campaigns to conquer the world, gave instructions to his men to gather specimens of flora to send back to Aristotle.

Although the ancient Greeks knew arithmetic and algebra, their greatest mathematical contribution was in the field of geometry. Pythagoras and Euclid were original thinkers in working out geometrical theorems.

The first atomic bomb that was exploded in Almagordo, New Mexico, July 16, 1945, and shot its death-dealing mushroom-like cloud into the air with a destructive force never before known, was not produced in a single laboratory by a single scientist working with a single formula or single blueprint. Its origin may be traced to two Greek philosophers who advanced the atomic theory — Leucippus, in the fifth century B.C., and Democritus, in the fourth

century B.C. Also pre-Hippocratic philosopher-physicians, notably Pythagoras, his pupil Empedocles, who laid claim to divinity, and Democritus, the "laughing philosopher," advanced the atomic theory of matter.

V

One of the most important contributions made by ancient Greece to world civilization and culture was in philosophy, "love of wisdom." Socrates said: "And is not the love of learning, the love of wisdom, which is philosophy?"³

No nation, ancient or modern, has produced as many profound thinkers in epistemology, ontology, and the whole field of metaphysics, as has Greece. The philosophy of the Greeks is inextricably entwined with religion, politics, and science, subjects which intimately touch men's lives.

In a period of about three hundred years, the most highly respected men of that little nation walked the streets, in the stoae, in public and private places, and expounded philosophic truths the like of which have never been proclaimed before or since.

While the word "philosophy" has become narrowed in its connotation, the ancient Greeks employed it to embrace the fields of medicine, mathematics, sciences, history, literature, politics, government, and other subjects that required concentrated thought and study.

VI

Ancient Greece also leads the way in aesthetics, especially in sculpture and architecture. Here she excelled; here she rose to heights of almost perfect achievement. Even in ruins, her antiquities are inspiring.

No design by any architect in the past 2500 years has equaled or approached the magnificent Parthenon. The reproduction of this temple of Athena at Nashville, Tennessee, is worth traveling many miles to see. Evidences of reliance upon Greek architectural design are found in government buildings in our nation's capital, in public buildings in every state in the Union, churches, museums,

³ St. Augustine (354-430 A.D.), "For with thee is wisdom. But love of wisdom is in Greek called 'philosophy,' with which that book inflamed me."

art galleries, libraries, schools, railroad stations, in residences, and in hundreds of other structures.

A million people a year visit Mount Vernon, the home of George Washington, the most notable residential shrine on this continent. The architecture of that mansion which overlooks the Potomac is in the ancient Grecian style. The building claimed by many to be the most artistic in the United States is the Lincoln Memorial in Washington. It is truly a majestic Greek temple.

Phidias, in the fifth century B.C., made the statue of Zeus at Olympia, one of the Seven Wonders of the Ancient World, and the noble statue of Athena for the Parthenon. The famous French sculptor, Rodin, said that progress in the art of sculpture ceased with Phidias. Praxiteles, of the fourth century B.C., is regarded as the greatest sculptor of his age. Among his works were statues of Hermes (now in the museum at Olympia), Dionysus, Aphrodite of Cnidus, and Apollo.

Original pieces of Greek sculpture are found in the Louvre and the Vatican, in Florence and Milan, in the Metropolitan Museum of Art in New York, at Harvard, and in many other places. The famous Elgin Marbles are in the British Museum in London. They were taken from the Parthenon in Athens, 1802-4, having been purchased by Lord Elgin from the Turkish government. Our art galleries, libraries, halls of learning, and private homes have thousands of copies of Greek statues.

VII

In another field, the creation of literary forms, the Greeks were supreme. They originated the essay, history, biography, the novel, epic poetry, lyric poetry, and dramatic poetry. Cicero, Rome's greatest orator, acknowledged: "In all learning and in every branch of literature the Greeks are our masters."

Pope acclaimed Homer to be the most ingenious inventive writer of all time, the greatest of all poets. He asserted that this ancient author is the father of diction; that no writer has drawn so many characters so clearly and in such surprising variety, or "given us such lively and affecting impressions of them."

The standards by which Greek literature excelled are the criteria of authors of the present day, namely, high intelligence, honesty of thought, simplicity, directness, and fine craftsmanship.

The father of history was Herodotus, who lived in the fifth century B.C. During the course of his studies he traveled over most of the known world. The work for which he is principally noted is a history of the Greco-Persian wars from 500 to 479 B.C.

Thucydides (471?-400? B.C.) wrote *History of the Peloponnesian War*. He is regarded as the first real historian and is ranked as the most learned and accurate historian of antiquity.

Xenophon (434?-355? B.C.), a disciple of Socrates, wrote of the war with Persia in the fourth century. His best-known work was the *Anabasis*, an account of Cyrus' expedition and the Greek retreat. This history is required reading for college students who study the ancient Greek language.

Greek legends enrich our literature and the mythology of the world. The activities of the gods on Mount Olympus are realistic; the gods have human shape and human passions and desires. We know many of these gods—Zeus, Juno, Aphrodite, Eros, Athena, Apollo, Venus, Mercury.

Aesop's Fables are world renowned. Aesop is said to have lived in Greece about 620-560 B.C. He walked around the streets and told his parables to anyone who would listen.

To comprehend the immeasurable number of Greek derivatives in our vocabulary, one must consult the largest dictionary.

VIII

A true account of the contribution of ancient Greece to the civilization and culture of the world would require numerous volumes, each written by a specialist in his particular field. Fortunately, many books by devoted Greek scholars are available for the student who is interested in this fascinating subject.

John Stuart Mill in his *Dissertations* wrote:

The Greeks are the most remarkable people who have yet existed. . . . They were the beginners of nearly everything, Christianity excepted, of which the modern world makes its

boast. . . . They were the first people who had a historical literature; as perfect of its kind (though not the highest kind), as their oratory, their sculpture, and their architecture. They were the founders of mathematics, of physics, of the inductive study of politics, of the philosophy of human nature and life. In each they made the indispensable first steps, which are the foundation of all the rest.

CHAPTER IX

THE GLORY THAT IS GREECE

Back of the learning and the accomplishments of Greece's Golden Age was, to be sure, the character of her men.

The soundness and force of their character stirs the Greece of our own day.

One balmy evening when the moon was showering its generous beams over Constitution Square, I sat with George L— and a friend of his at a coffee table there.

After being served a cup of Turkish coffee, I observed, "Greece is blessed with a serene climate—soothing air, silver moon, twinkling stars—all make one want to forego sleep so that he will not miss the beauty of the night."

George replied, "Someone wrote that there is no night in Greece, only absence of light. Like our ancestors, we are an out-of-doors people who enjoy the sun, moon, and stars while visiting with our friends."

I said, "You have a glorious country."

The young man knitted his brow in deep thought and answered, "I believe your Edgar Allan Poe coined the phrase 'the glory that was Greece.' Why not 'the glory that is Greece'?"

George's friend spoke, "George is thinking of the harrowing experiences of our men—George among them—in the Albanian Campaign in 1940-41. In the crisis of those years our little Greek army faced the hated Italians without flinching, and every man's thought was for the glory of his native land. Hundreds of our soldiers died of malnutrition, and countless numbers did not survive the hand of the merciless killer, winter. Often the thermometer registered fifteen degrees below zero in that frozen northland."

George changed the subject, "You Americans know that the Albanian Campaign was a worthy counterpart to Washington's winter at Valley Forge except that Washington's army was not engaged in battle at that time."

"You know that story?" I asked. "Those were discouraging months when the little Continental army — cold, hungry, thinly clad, pitifully equipped, poorly trained — was made to know its inferiority to the British forces. Washington and his officers had intelligence that the enemy was preparing for a smashing drive in the spring. But the confident invaders reckoned without the super power men develop when they fight for their firesides."

George's friend said, "George was one of the half-starved men who sloshed through knee-deep snow to drive the enemy from Greek soil. The Albanian Campaign spelled out the phrase 'the glory that is Greece.'"

I turned to George and said, "Tell us about that campaign."

He replied, "It was hell! I often asked myself, 'Why did God let me be born, and why does He want me to live to endure such punishment?' Day after day our rations consisted of a thin slice of brown bread and a handful of olives. In the bitter cold we were issued summer underwear, the only kind available. When my shoes wore out, I wrapped my feet in pieces of paper and tied scraps of cloth around them."

He hesitated, and a faraway expression came into his eyes as he continued, "We pushed forward, ever forward, up steep mountainsides through snow and ice until we were exhausted and our eyes were blinded with the glare, but we shook ourselves and struggled on. When our ammunition was gone, we charged the Italians with bayonets. We early discovered that they feared our bayonets and knives more than they did our bullets. An Italian war correspondent wrote about the Greek bayonet, referring to it as a 'barbarous weapon.'"

After a pause he said, "A fanatical patriotism such as inspired Leonidas and his three hundred Spartans at Thermopylae seized us. We had no Ephialtis to play traitor and report our weaknesses to the enemy. We had many like Dienckes who, when told that the Persian host was so great that their arrows hid the sun, replied, 'So much the better. We shall fight in the shade.'"

"The night of November 9, less than two weeks after the campaign was launched, we stopped the Italians. On that

night, Greek women, accustomed to carrying heavy burdens, hauled artillery and ammunition up mountains that even a mule could not climb.

"When we were told that the enemy was being pushed back from Greek soil, there came over us a feeling of joy that is indescribable."

II

On June 10, 1940, Mussolini belligerently shouted, "I solemnly declare that Italy has no intention of dragging into the conflict other nations who are her neighbours by sea or by land. Switzerland, Yugoslavia, Greece, Turkey, and Egypt should take note of these words of mine."¹

That was a warning from the pompous Italian dictator that these countries be good or take the consequences. His flamboyant statement did not deceive the Greeks. For some time Albania, on the northwestern border of Greece, had been an Italian protectorate. On the preceding Good Friday, April 7, Italian troops had moved into Albania. King Zog of the Albanians now abdicated, leaving the crown to the Italian king, Victor Emmanuel. Five days after Il Duce made his warning declaration, Count Ciano announced, "Italy will watch over the national aspirations of Albania."

After Hitler declared war on Poland on September 1, 1939, Mussolini wanted to get into the conflict; he declared war on Great Britain and France on June 10, 1940. This was twelve days before the occupied France (Vichy government) had signed an armistice with Germany.

Il Duce was impatient, flexing his muscles, eager to demonstrate that he was a modern Caesar. He thought he could crush little Greece more easily than he had defeated Haile Selassie and thus carve his name high in the records of history as a military genius. The Italian agents in Albania reported to him, "The Greeks don't like to fight; you can defeat them within a few days."

On October 4, 1940, Hitler and Mussolini had a conference at the Brenner Pass. Three days later German troops were marching into Rumania in the first violation of the Balkan Pact. It was rumored that at the meeting Hitler told Il Duce of preparations for the military occupation of the Balkans

¹ Dilys Powell, *Remember Greece* (New York: Hastings House, 1943), p. 33.

as the first move toward the Mediterranean Straits, the Middle East, and Suez. This was to be the start of the attempted pincer movement in the Mediterranean, a part of Hitler's careful strategy.

It is claimed that at this conference Mussolini received his orders. He was to move south from Albania and occupy Greece. He swelled with pride when he spoke of his well-trained Alpine troops and assured the Fuhrer that certainly they would ride roughshod over the Greek army which *Il Duce* thought would be about as effective as Boy Scouts.

On Saturday evening, October 26, 1940, the National Theatre of Greece in Athens presented Puccini's opera "Madame Butterfly." At the suggestion of Prime Minister Metaxas, the composer's son had been invited to come from Rome as the guest of the Greek government. Following the performance, Count M. Grazzi, Italian ambassador, held a reception at the embassy. Invitations had been sent to members of the Greek cabinet, other officials, and prominent citizens of Athens. Inscribed in icing on the cake that occupied the center of the table was "Viva la Grecia."

Count Grazzi had already received instructions from his government to present an ultimatum to Metaxas. This he did twenty-four hours after the hypocritical goodwill reception. At three o'clock in the morning, October 28, 1940, he telephoned the Prime Minister and is said to have changed his voice and represented himself as being the ambassador of France. He emphasized that it was imperative that he see the Greek official at once.

Metaxas came to the door in his dressing gown and admitted the Italian emissary. Upon entering the room Grazzi handed the Prime Minister an ultimatum which demanded "as a guarantee alike of the neutrality of Greece and the security of Italy, the right to occupy . . . a number of strategic points in Greek territory." This demand gave Metaxas three hours in which to comply.

The reply was given within three minutes. General Metaxas, square-jawed soldier, virtual dictator of Greece since 1936, thundered, "OXI!", the Greek word for "NO!"

III

One morning I flew with a small group of Americans and Greeks to Yannina, capital of Epirus. This was the former stronghold of the bloody Turk, Ali Pasha, whose palace Lord Byron visited and about whom Byron wrote in "Childe Harold's Pilgrimage":

To greet Albania's chief, whose dread command
Is lawless law; for with a bloody hand
He sways a nation, turbulent and bold.

While in Yannina, Byron wrote about Albania "thou rugged nurse of savage men." We were to learn that Ali Pasha, the "Lion of Yannina," had an imitator more than a hundred years after his death, in the person of Mussolini.

For our visit to Yannina the weather was so bad that we could not get a plane back to Athens until the next day. That evening we sat around a table in a small hotel and listened to stories of the Albanian Campaign related by Constantine Doxiadis, an artillery officer who later became a well-known engineer in Greece.

He said, "About four o'clock on the morning of October 28, 1940, the telephone in my apartment began a continuous and persistent jangle. Sleepily I raised the receiver and heard a commanding voice yelling, 'Polemos! Polemos!' 'War! War!' I was instructed to report to my artillery company immediately.

"I quickly got into my clothes and picked up a few items. I had been married only a week. I kissed my bride good-by and hurried to the armory. By seven o'clock we had entrained and were on our way to Larissa. From there we came to Yannina."

Mr. Doxiadis explained to us that all during the summer of 1940, the Italian army had engaged in maneuvers in Albania on the Greek border a few miles from where we were. To avoid offending Mussolini or giving him an excuse to declare war, Greece had not ordered an all-out mobilization of her armed forces. But in the late summer she had sent a large part of her regular army to the vicinity of Yannina.

The artillery officer said, "The chief of staff of our army selected some of his best officers and assigned them the task

of spying on the enemy. They disguised themselves as goat-herds, grew beards, and put on sheepskin coats and high boots. At night they slipped across the border into Albania and mingled freely in the Italian camps. There they observed where the army units were concentrated. With this information, they later made maps and plotted how they would attack if the positions of the armies were reversed. As a result, our artillery was able to lob shells into the Italian formations and kill some three thousand on the first day of hostilities."

In anticipation of a swift victory, Mussolini instructed the Bank of Italy to prepare to send money to Yannina, capital of Epirus. Special detachments were to follow his victorious army on its triumphal march over Greek soil and distribute food and clothing to what he had been told were destitute people. And some favored Fascists were to set up governing agencies in the conquered territory.

Propaganda news stories had been released telling the world that Greece was divided by internal strife, that the government was on the verge of collapse, and that Crown Prince Paul, later King Paul, who had married the niece of the former Kaiser, had been deported because of his alleged pro-Axis sentiment. The truth was, the "Oxi" of Metaxas had unified the Greek people as they had not been unified before in recent history.

About daybreak Italian planes carrying Greek colors flew over the seaport city of Patras. Thinking the pilots were their own fliers, many of the citizens ran into the streets waving and shouting. It was reported that more than seven hundred Greeks were killed by machine-gun strafing and bombs during this sneak attack on an undefended city.

The first communique from the Greek General Staff was released the day war began.

Since 5:30 this morning [one-half hour before the expiration of the ultimatum] Italian military forces have been attacking our advanced units on the Greco-Albanian frontier. Our forces are defending the national soil.²

The next day, October 29, a communique was issued from the Italian headquarters.

²Ibid., p. 45.

Yesterday at dawn, our forces in Albania crossed the Greek frontier and at many points have driven into enemy territory. The advance continues. Our Air Force, despite bad weather conditions, conducted a number of bombardments upon military objectives, securing direct hits on the station and quays at Patras, where great fires were caused. The whole length of the Corinth Canal was also bombed, as were the naval base of Preveza and the airport of Tatoi, near Athens. All our aircraft have returned safely.³

Mussolini felt impelled to explain:

After showing exemplary patience over a long period, we have torn the mask from a people guaranteed by Great Britain — a servile people, the Greeks. It is an account that had to be settled.⁴

At the beginning of the historic struggle, the Italians had ten infantry divisions, several Black Shirt battalions, some Albanian "legionnaires," a large number of tanks and heavy artillery, and two thousand airplanes. Il Duce boasted that he had a well-trained, well-equipped army of eight million. This was about a million more than the entire population of the little country he sought to conquer.

The Greeks had five infantry divisions, very little artillery, less than a hundred second-rate planes, and five tanks.

IV

For two hours I sat in the little hotel in Yannina and shared the reliving of the artillery officer's experiences. He had participated in one of the most heroic events in modern military campaigns, a little-publicized drama that changed the course of history. In this sparsely settled country of northwest Greece a battle was fought that has few equals in the annals of warfare.

The officer told us, "In that unequal struggle, I saw inspired men face crushing odds and stand without flinching against overwhelming numbers. Call it a divine spirit, Providence, a God-given strength, or what you will. There was a power that took possession of them, and their tenacity was more than physical force. When all their strength should have been expended, they were still enabled to per-

³Stephen Lava, *The Greek Miracle* (New York: Hastings House, 1943), p. 43.

⁴Francis Noel-Baker, *Greece, The Whole Story* (New York: Hutchinson & Co., 1946), p. 38.

form deeds of valor beyond all concept of human endurance."

The former officer's eyes burned as he continued, "There were times on the Albanian front when I saw ragged soldiers with only a few rounds of ammunition, kneel in the snow, bow their heads in silent prayer, then rise, and with glowing faces push forward with bayonets and take fortifications which our officers had pronounced impregnable."

I was greatly interested in one personal story Mr. Doxiadis told us. "One day," he said, "my commanding officer ordered me to lob some shells into a flock of sheep on the hillside. I wondered why but obeyed orders. When the shells began to fall, I was surprised to see a multitude of white sheets fly into the air and Italian soldiers run for cover. Later I asked my superior officer how he knew the 'sheep' were camouflaged soldiers. He replied, 'No one ever saw that large a drove of sheep without a black one in it.'"

Mr. Doxiadis reiterated what my friend George had said about the peasant women. "They hoisted boxes of ammunition to their backs and delivered them to the troops. Then they amused themselves by walking around the mountain ridges and rolling immense boulders down on the Italian troops in the ravines. When a hit was made, they yelled with delight, clapped their hands, and shouted imprecations on the enemies of Greece."

V

Throughout the Albanian Campaign, the officers of the Greek army followed one strategic plan. They concentrated on taking the high ridges; then they forced the Italians to take refuge in ravines between the mountains. In these positions the Italians were compelled to surrender or be killed.

The "contemptible" Greek army was not influenced by loud talk or by propaganda news stories, and was not impressed by well-clothed, well-fed, well-equipped Italian legions. Within four months the Greeks had driven the enemy back some fifty miles into Albania and had captured more than twenty thousand prisoners and a tremendous amount of artillery, ammunition, and other war materials.

Eventually the "insuperable" Italian war machine was pushed back seventy-five miles from the Greek border.

In early 1941 Mussolini spent eighteen days at the front in an effort to inspire his troops, but this was of no avail. His best regiments continued to retreat. For the glory of his family, he put his son Bruno in command of the first Italian squadron to fly over Athens, and his son-in-law Count Ciano took part in the air raid on Salonika.

Truly the Albanian Campaign was a David-and-Goliath contest. The Greeks did what no great power thought was possible—they won the war and made Il Duce look like the cheap braggart he was. The victors could exclaim with the ancient Hebrew prophet Samuel: "The beauty of Israel is slain upon thy high places; how are the mighty fallen!" (II Samuel 1:19)

The spirit of the Greek people in the harrowing days of the Albanian Campaign was expressed March 26, 1941, in this official statement by Prime Minister Koryzis, who had taken the place of Metaxas, whose death had occurred that year:

The deeds of 1821 [in the war with Turkey] are about to be repeated. Once again Greece has been called upon to give the whole world an example of human dignity, and to show a terrorized Europe, which appears to have lost the meaning of civilization, the significance of national honor and liberty.

VI

Later I was in Rhodes, and I met the editor of a newspaper who had been a pilot of one of the few planes Greece had at the beginning of the Albanian Campaign. As we sat at lunch on the terrace of the Hotel Roses and looked at the calm Mediterranean, he told me about those days.

He said, "I shall never forget October 28, 1940. I was awakened at my home in Athens by the wailing of sirens, the ringing of church bells, and the blaring of automobile horns. Great crowds quickly assembled in Constitution Square, around the Parliament Building, and in front of recruiting stations. Men, women, and children ran excitedly through the streets, yelling at the top of their voices that war had been declared."

"Hysteria?" I asked.

He smiled, "It was more than that. It was mass emotion that had been building up for several months. This was whipped into flame by the sudden appearance of notices rejecting the ultimatum of Italy. These were tacked on doors, telephone poles, and billboards. As if by magic, newspapers containing the government's official call to all-out mobilization began rolling off the presses. Few details were given at first, but everybody knew that the long-expected war between Italy and Greece was at hand."

He looked out at the sea and continued, "I recall that a recruiting station was near the Parliament Building in Athens. Guards were placed around it in an attempt to maintain order, but the crowd was so tense, so determined to enlist immediately, that they swept the guards aside and rushed in."

"Did this enthusiasm prevail in other parts of Greece?" I asked.

He thought a minute. "Yes. Newspapers carried stories of the mad fury that had seized the entire population of the country. Mass meetings were held in every city. Parades crowded the streets. Bands led marching soldiers on their way to entrain for the front. In contrast to what Mussolini anticipated, there was no cloud of gloom or despair apparent in any section of the country."

I asked, "Did you know about the part the peasant women played in Epirus?"

He smiled. "At the beginning of the campaign we were instructed to fly over the lines several times a day. This was to give the Italians the impression that we had many more planes than we actually possessed. When I was flying back and forth I frequently saw long lines of women in single file climbing the mountainsides with heavy boxes of ammunition on their shoulders."

I said, "I presume the men, women, and children all did their part."

"Yes," he said, "after I was shot down, I was sent back to Larissa. One night I tried to get into a bomb shelter, but it was completely filled. I then went into the basement of a church. While I was trying to get some sleep, bombing started. I turned over and saw a shadow on the wall. I

moved closer and in the dim light discerned a little old woman before a crucifix, crossing herself and murmuring a prayer, 'Thank you, Lord. Thank you, Lord. Have them drop their bombs on us and spare our boys at the front.'"

The editor concluded, "I had many harrowing experiences in the Albanian Campaign, but I would not have missed it for anything in the world."

VII

At five-thirty on Sunday morning, April 6, 1941, the German minister in Athens called upon Prime Minister Koryzis and informed him that Hitler's army would cross the Greek frontier from Bulgaria without delay. The Fuhrer had decided that Mussolini, who posed as his compeer, was unable to withstand the onslaught of the little Greek army.⁵

The first official communique of this offensive was published in Berlin the same day. It read:

Following the disembarkation of British troops in Greece and their advance towards the north, and also owing to great mobilisation in Yugoslavia, German troops counter-attacked this morning.⁶

The following day, April 7, the Greek government issued an official communique in Athens, saying:

The German Reich has committed an unprovoked and entirely unjustifiable act of aggression against Greece.⁷

Hitler's war machine rolled down through Macedonia on the eastern side of the Pindus Mountains. Had all the Greek military forces been free to face the German blitzkrieg, they would have been helpless to stop the German's highly mechanized force which pushed forward over the plains in the north. The unequal contest between the "corporate guard" of the Greek army in that area and the German war juggernaut lasted but a few days.

To add to the dilemma faced by the Greek government, thirteen days after German troops crossed the border Premier Alexander Koryzis committed suicide in his Athens

⁵ Lavra, *The Greek Miracle*, p. 99.

⁶ *Ibid.*, p. 99.

⁷ *Ibid.*, p. 100.

home. Four days later an armistice was signed at Salonika with General Jodl representing Hitler. On the same day King George moved the Greek government from Athens to Crete.

On April 27, exactly six months after the beginning of the Albanian Campaign, German troops goose-stepped "triumphantly" over the narrow streets of the ancient city of Athens. A company followed the winding road past Mars Hill, climbed to the entrance of the Acropolis, glanced at the Temple of Athena Nike on the right, entered the propylaea, proceeded along the Sacred Way between the Parthenon and the Erechtheum and came to the edge of the oblong rock where the flagpole stood.

The German captain, in guttural tones, commanded the soldier in charge of the blue-and-white flag that waved over the city, to lower the Greek emblem so that the swastika could be raised. The gallant man in charge of his country's colors, slowly and sorrowfully pulled the rope that brought his beloved flag to the earth. Then, before his intentions were suspected, he wrapped it around himself and jumped over the parapet to his death. Thus he symbolized the fervid patriotism of the Greeks who had withstood the might of the Italians and had been forced to capitulate only because of the far superior German war machine.

Four weeks after the German invasion of the helpless little country, Hitler made a speech in the Reichstag, weakly claiming that the intervention was not directed against Greece. He explained:

The Duce himself has never asked for so much as a single German Division. He was convinced that with the coming of better weather he would in any event have conquered that country. . . . Therefore the German advance into Greece was not intended to help Italy: it was simply a preventive measure against the British plan of worming an army secretly into the Balkans, on the lines of the Salonika landing in the last war.⁵

VIII

The Greek people defied the occupation troops. The Germans and Italians in Greece were continually harassed by underground agents, snipers, and guerrillas during the war.

⁵ *Ibid.*, p. 101.

But in retaliation for underground activities many innocent civilians were thrown into filthy jails, tortured by being hung by their thumbs and by other inhuman sentences, and murdered.

One day I was in the home of a well-known physician in Irakleion, Crete. His wife showed me a recess above their bathtub, where, she explained, as an underground agent she had hidden many escaping British soldiers. Frequently German officers occupied adjoining rooms. They used the bathroom without ever discovering the men in the cramped quarters a few feet above them.

I heard a heroic story told about Archbishop Damaskinos of the Greek orthodox church. He had the appearance of being one of the most sincere men I have ever met. In addition to being the leading churchman of his country, he was a statesman. In the absence of the king, he was regent of Greece from December 30, 1944, to September 5, 1946. The story was that one night a German soldier was killed at Piraeus, and in retaliation the Germans captured twenty-six civilians and condemned them to death. Damaskinos walked boldly into the headquarters of the commanding officer and entered a vigorous protest. He was told that the lives of German soldiers must be protected and that the Greeks must be taught a lesson.

The archbishop said, "Very well." He took a piece of paper and wrote the names of twenty-six priests, his own name heading the list. He handed it to the German commander with the comment, "Here is a list of twenty-six Greeks. Put them to death and set the others free."

The astonished general exclaimed, "That I cannot do. The world would condemn me if I were to put to death the leaders of the Greek church."

The Albanian Campaign was the first defeat of an Axis army in World War II, and it paved the way for the unconditional surrender of Italy on September 8, 1943. This was followed by a declaration of war by Italy against Germany on October 13, 1943.

IX

Let us sum up. "The glory that is Greece," as exemplified by the small army of "stand or die" patriots as they defeated

a far greater power on the Albanian front in the winter of 1940-41, changed the entire course of world history.

It was on April 6, 1941, that Hitler threw his weight against almost defenseless Greece. Two and one-half months later, June 22, he hurled his war machine in an undeclared offensive on a scorched-earth move toward Moscow. Roosevelt and Churchill welcomed Stalin as a full-fledged ally on the theory that the devil is accepted as a partner against any enemy.

The sledge-hammer blows by Germany's mechanized army, the burning of towns and villages, the killing and capturing of hundreds of thousands of soldiers and civilians, convinced the best military men in the world, including our own, that Russia would be defeated within a few weeks.

How wrong they were! As in Napoleon's march on Russia, the Russian military forces did not now stop the German machine — it was the snow and ice of the vast Asian steppes that were too much for any human army to withstand. If the Fuhrer had started his offensive the first of April, there is little doubt that he would have taken Moscow and forced Stalin to surrender. Thus the delay of more than two and one-half months caused by the Albanian Campaign in Greece cost Hitler the conquest of the giant Bear.

The failure of Hitler to reach Moscow gave Great Britain and the United States an opportunity to manufacture and ship almost limitless supplies of war materials to Russia. The war in the Near East would have been entirely different if Greece had not upset Hitler's timetable. His overall plan was, with the help of Mussolini, to make short work of the Balkans and all of Turkey so that Germany would have a vast reservoir of raw materials and agricultural products. But the little Greek army wiped that plan off the map.

In a speech in London on October 28, 1941, Albert Victor Alexander, First Lord of the Admiralty, said:

It is no exaggeration to say that Greece upset the whole of Germany's plans by forcing a six weeks' postponement of the Russian invasion. Without Greece, I wonder what would have been the present position of our Russian allies?⁹

Mr. Law, Under-Secretary of State in the Foreign Office, said in a speech:

⁹ *Ibid.*, p. 143.

The way in which Greece stood up to the might of the German invasion was not only a glorious example: it was one of the decisive battles of the war and, as we can now believe, one of the decisive battles of the world. We know that the stand made by Greece postponed the invasion of Russia for at least six weeks. What would Hitler give now to have those 42 days back again?¹⁰

The Albanian Campaign has been called the "Miracle of Greece," and Oxi Day, October 28, is now observed wherever patriotic Greeks are found. In their hearts they are convinced that the Albanian Campaign takes its place beside Marathon, Thermopylae, and Salamis, and demonstrates "the glory that is Greece."

¹⁰ *Ibid.*, p. 143.

CHAPTER X

SOME "IFS" IN OUR EARLY HISTORY

My enthusiasm for the social and political history of the United States, particularly as it pertains to the formation of the Republic and to the evolution of the democratic ideals contained in the Constitution, has been a long-established enthusiasm.

The struggles of the pioneers to establish communities on the Western Waters have fascinated me since my father, who served in the Union army during the Civil War, told me of his trips down the Great Kanawha, the Ohio, and the Mississippi rivers on man-powered keelboats. These boats were pushed along sluggish waters by long poles in the hands of stalwart men. The trips were made to transport salt from the "licks" above Charleston, West Virginia, as far south as New Orleans. En route the salt was also sold at Cincinnati, Paducah, Louisville, and other river towns. At the destination the downstream boat was sold, and the crew returned with the money from the salt and keelboat. The men traveled back on foot and by stagecoach.

My imagination was kindled by stories of life in pioneer West Virginia, my native state, which came into being as the thirty-fifth state in the midst of the Civil War. As a lad I romped over the site of one of the homes of Daniel Boone when he was a member of the House of Burgesses of Virginia. On a tract of land that at one time belonged to George Washington I visited the "burning spring," which was fed by natural gas seeping out of the ground.

My boyhood rambles over honored spots gave me an interest in my home state. Those spots may be small dots on the map depicting historical events, but as they are small, so my interest has often turned to the minor events. Many, when they occurred and even in superficial review, have been considered of little importance. Yet, to use a metaphor from football, they opened the line so that the ball carrier

could make a touchdown. I have seen that if some of these incidents had not taken place, major issues would have been in doubt.

II

I call attention to a few "ifs" in our history.

The events which I would mention occurred when some wise Americans were planning for the union of the colonies, and they give a partial but helpful view of the country at the time when the influence of Greece was soon to become a saving factor.

I have lived most of my life in what would have been the fourteenth colony on the North American Continent if a movement set on foot in 1769 had been successful. In June of that year, seven years before the signing of the United States Declaration of Independence, a petition was presented to King George III requesting the right to purchase and colonize some twenty million acres of land which had been ceded by the Iroquois Indians at the treaty of Fort Stanwix during the preceding year.

This undeveloped territory lay west of the Allegheny Mountains and south of the Ohio River. It embraced the western tip of Virginia, about two-thirds of what is now West Virginia, and a large slice of Kentucky. The exact boundary lines have never been determined. This area was to have been the fourteenth colony, and for it the name Vandalia was chosen in honor of Queen Charlotte, "as her Majesty is descended from the Vandals."

Thomas Walpole, a London banker, headed the movement in Great Britain to establish Vandalia. Benjamin Franklin (an agent to Great Britain for Pennsylvania), Samuel Wharton, and some thirty other Americans were associated in the plan.

The scheme was well conceived. Stock in this huge land company was allotted to Hartford, Gower, and Camden, all friends and well-wishers of America and all politically influential Englishmen. Camden had served as chief justice and, at the time of the organization of the land company, was lord chancellor. Some other less-known politicians were given stock.

Many prominent men in America hoped and believed that the effort to establish a fourteenth colony would be successful. A few months after the petition was filed with the King, Washington took a trip down the Ohio, ostensibly to have a look at the land which had been ceded to him for his service in the French and Indian Wars.

In 1773 Washington advertised to lease his land, some twenty thousand acres on the Ohio and Great Kanawha rivers. Among the inducements he offered were "the scheme for establishing a new government on the Ohio," and the contiguity of his lands "to the seat of government, which, it is more than probable, will be fixed at the mouth of the Great Kanawha."¹ The town of Point Pleasant, West Virginia, now lies at the site of that proposed "seat of government."

The grant to the proponents of the fourteenth colony was ordered on October 28, 1773. The King signed the charter, and all details were completed except affixing the seals and filling out certain forms.

The big stumbling block to the plan was Lord Hillsborough, secretary of state for the colonies and chairman of the Board of Trade. He contended this grant would give the people in the backwoods of America too much independence. In this he was abetted by Thurlow, solicitor general.

The arguments pro and con became so bitter among men high in the government that Hillsborough was forced to resign his position in the cabinet. Later he gave vent to his feelings toward the North American colonies when, in Parliament on February 11, 1778, he sarcastically asked the Duke of Richmond

in what manner he meant that England should crouch to the vipers and rebels in America? By giving up the sacred right of taxation? or by yielding to her absurd pretensions about her charters? or by declaring the thirteen provinces independent?²

By the delaying tactics of Hillsborough, Thurlow, and others, the plan for granting a charter for the fourteenth colony was not given immediate consideration. Volcanic

¹ Reuben Gold Thwaites, *Afloat on the Ohio* (Chicago: Way and Williams, 1897), p. 120.

² George Bancroft, *History of the United States* (New York: D. Appleton and Company, 1888), Vol. 3, p. 246.

action was afoot in North America. On December 16, 1773, the Boston Tea Party was dramatically staged; the charter of Massachusetts was annulled; and General Gage was named military governor. These and other incidents stirred up bitter feeling on both sides of the Atlantic, so much so that all prospects for a new colony had gone aglimmering by the middle of 1774.

I propound an "if." If the gigantic land deal had been completed and the capital located at Point Pleasant with Colonel George Mercer as governor, as was planned, if the influential businessmen and politicians in England and America had brought pressure to bear to iron out the differences between Great Britain and her North American colonies, there is strong probability that the Declaration of Independence would not have been written in 1776, and the Revolution would have been postponed and possibly averted.

I have traveled many times over what would have been Vandalia. The territory is rich in such natural resources as coal, oil, gas, timber, glass sand, and water power. Here are now located huge chemical plants, glass factories, potteries, iron and steel mills, and hundreds of acres of rich farm land.

III

Dunmore's War has been given little attention by American historians, and yet, although it lasted only six months and was confined to a small territory, this war was an event of great significance.

In 1763 the Board of Trade in London advised the Crown that settlements of white men should be forbidden west of the crest of the Alleghenies. Not only did the King issue a proclamation to this effect, but he decreed that the people who had established homes in the west must move back across the mountains out of Indian reserves.

The sturdy pioneers, if they heard of the King's act, paid no attention to it. These intrepid frontiersmen did not hesitate to ignore the wishes of a king and a parliament some three thousand miles away. This attitude was emphasized in a letter from Governor Dunmore to Lord Dartmouth, colonial secretary, for whom Dartmouth College was named. At Williamsburg on December 24, 1774, Dunmore wrote:

I have learnt from experience that the established Authority of any government in America, and the policy of Government at home, are both insufficient to restrain the Americans; and that they do and will remove as their avidity and restlessness incite them. They acquire no attachment to Place.³

The order forbidding the settlements west of the Alleghenies set off Indian depredations. The savages slipped silently through the dense forests at night, brutally murdered the whites, took their scalps, and burned their homes. In some instances they took women and children as slaves. To satisfy their sadistic pleasure, they often burned men at the stake after torturing them by cutting off their arms and legs. They hoped by such barbaric treatment to discourage settlements on what they claimed was their land.

A few years ago I visited the site of one of the Indian forays which occurred on June 27, 1763. It was on Muddy Creek, about two miles west of Lewisburg, West Virginia. Today, in a slightly rolling bluegrass area, dotted here and there with graceful trees, is a large dairy farm.

In this peaceful valley lived the family of Archibald Clendenin and a few scattered neighbors. On a bright, sunny morning there arrived a young Shawnee chief, Cornstalk, with about sixty braves whom he had led from west of the Ohio River up the Kanawha Valley.

Clendenin and his neighbors welcomed them as friendly Indians, killed a steer and prepared a barbecue for them. While the party was in progress, all apparently enjoying the occasion, a signal was given, and the Indians perpetrated a bloody massacre in which more than fifty white people were either put to death or carried away in captivity.

The story of this mass murder and others resulted in the erection of a hundred forts along the frontier for the protection of the settlers. The Indian attacks continued in increased ferocity for a period of ten years. Many of the less hardy settlers gave up the struggle, abandoned their homes, and sought safety east of the mountains.

Matters became worse along the western border. On April 21, 1774, Dr. John Connolly, a representative of Governor Dunmore, stationed at the site of Pittsburgh, sent a

circular letter to the people along the Ohio, advising them to arm in anticipation of an Indian uprising.

On June 10, 1774, Lord Dunmore wrote to all county lieutenants in Virginia that

hopes of a pacification can be no longer entertained.

He instructed them

to give orders that the Militia of your County be forthwith embodied, and held in readiness either to defend that part of the Country or to march to the Assistance of any other, as occasion may require.⁴

Colonel Andrew Lewis, one of the ablest Indian fighters of that day, was summoned to a conference with Dunmore. A few years ago, as I walked through the restored capitol of Virginia, I tried to visualize the meeting between the two men, one an aristocrat with a long line of ancestors who had held high positions in Great Britain, the other a rugged frontiersman, a friend of Washington, who recommended that the colonel be made commander-in-chief of the Continental army.

Lewis was instructed by Dunmore in a letter of July 12, 1774, to proceed immediately to

the mouth of the great Kanawha & there build a Fort.⁵

He was ordered, if he thought it advisable, to destroy Indian towns. Dunmore told Lewis he would proceed to the site of Pittsburgh and enlist men on the way and then bring his troops down the Ohio to the mouth of the "Kanawha."

Lewis sent messages to county lieutenants in southwestern Virginia and ordered them to enlist an army and meet at the "Levils of Greenbrier." I have walked over much of the terrain where some twelve hundred liberty-loving mountain men rendezvoused. This was a rugged, fearless army, the members of which had mountain rifles and wore coonskin caps, hunting shirts, and moccasins. Each man in one company from Augusta County was six feet tall or taller. Theodore Roosevelt wrote of them:

It may be doubted if a braver or physically finer set of men will ever get together on this continent.

³ Thwaites-Kellogg, *Documentary History of Dunmore's War* (Madison, Wisconsin: Wisconsin Historical Society, 1905), p. 371.

⁴ *Ibid.*, p. 33.

⁵ *Ibid.*, p. 66.

Lewis made the trip from the "Levils of Greenbrier" to the mouth of the Kanawha, 160 miles, in one month, arriving at what is now Point Pleasant on October 6, 1774. Four days later occurred the battle which brought to a close Dunmore's War.

Cornstalk, the Shawnee chief who massacred the Clendenin family, organized several tribes of the northwest Indians and headed an army of some twelve hundred, who attacked at daybreak of October 10, 1774. His purpose was to "drive the whites into the river." All during the battle, which was fought from behind rocks, logs, trees, and other obstructions, Cornstalk was heard above the din calling, "Be brave! Be brave!"

In the evening Cornstalk ordered a retreat. The Indians got into canoes and crossed the Ohio, and thus came to an end one of the most significant battles ever fought on the North American continent.

This is a big "if." If Cornstalk had won the Battle of Point Pleasant, then had rushed to the mouth of the Hocking River, where Dunmore was with an army of some twelve hundred, and had defeated Dunmore, in all likelihood there would have been a general Indian uprising. In that event, the First Continental Congress, which was meeting in Philadelphia on the day of the battle, would have been compelled to turn its attention to the Indian problem.

If there had been an Indian uprising of any magnitude, there is a strong probability that England would have sent troops to protect her colonies, as she had done nineteen years earlier when General Braddock came to aid in preventing the French from occupying the Ohio Valley.

If Dunmore's War had been won by the Indians, it is entirely probable that the colonies in North America would have continued under British rule for many years.

IV

I now call attention to another event which, inconspicuous at the time, occurred on November 30, 1774. On that date Thomas Paine, thirty-seven years of age, arrived in Philadelphia. He brought a letter from Benjamin Franklin to Franklin's son-in-law, Richard Bache, requesting Bache to give the young Englishman all possible assistance.

Paine had been born of poor parents and reared in a small town in England, later moving to London, where his sensitive soul was shocked at the injustices of the British system of government. He was, to borrow a phrase from General Charles Lee, "a man with genius in his eyes."

Three months after he met Richard Bache, Paine was editor of the *Pennsylvania Magazine*. His editorials attracted attention. This penniless immigrant became a sort of voice "crying in the wilderness," crying for independence.

When Washington took command of the Continental army, he said emphatically that he abhorred the idea of independence. This opinion was shared by many other conservatives who felt a loyalty to the mother country. But Thomas Paine, in a new and stimulating environment, his mind filled with bitterness toward his native land and his soul seared by the abuses and injustices which were heaped upon the poor and underprivileged people of Great Britain, had no inhibitions. He dipped his bold pen in vitriol and painted word pictures of miseries unknown in the broad reaches of this continent, pictures of conditions far worse than those so graphically described later by Charles Dickens.

On September 27, 1775, less than a year after Paine arrived in Philadelphia, Franklin wrote to him that he had satisfaction that he was his "introducer into America" and that "I value myself on the share I had in procuring for it the acquisition of so useful and valuable a citizen."⁶

A few years ago I visited Philadelphia and tried to retrace the footsteps of Thomas Paine. I presume, although I have found no record to confirm it, that he landed on our shores at the Dock. At any rate I made my start there and walked across South Front Street and along Dock Street to the site of William Penn's house. Then I went to what is accepted to be the site of Franklin's house.

The construction of the house was started late in 1764, and on November 7 Franklin left for England where he served as agent for the Province of Pennsylvania. Mrs. Franklin moved into the house in the latter part of 1765 with her only daughter, Sarah.

⁶ William M. Van der Weyde, *Life and Works of Thomas Paine* (New Rochelle, N. Y.: Thomas Paine National Historical Association, 1935), Vol. I, p. 23.

Richard Bache married Sarah in 1767, and they lived in the Franklin home, where it is reasonable to suppose that Thomas Paine brought his letter of introduction. Mrs. Franklin died here a short time before her husband returned to Philadelphia in 1775.

I walked along Orianna Street to Market, turned left to North Fourth Street, then turned left a few yards to the site of Franklin's printing house, and proceeded south to Willing's Alley, where I visited the site of the establishment of Robert Bell, bookseller, who published Paine's notable pamphlet *Common Sense*.

What may be termed the preface to this pamphlet appeared in the *Pennsylvania Journal* on October 18, 1775, under the title "A Serious Thought" and with the signature "Humanus." In it sounded the first clarion cry in America for outright independence.

I hesitate not for a moment to believe that the Almighty will finally separate America from Britain. Call it Independence, or what you will, if it is the cause of God and humanity it will go on.⁷

Less than three months later, January 10, 1776, *Common Sense* was published anonymously. The title page carried the line "Written by an Englishman." The essay of some twenty thousand words closed with this ringing sentence:

Let the names of Whig and Tory be extinct; and let none other be heard among us, than those of a good citizen; an open and resolute friend; and a virtuous supporter of the RIGHTS of MANKIND, and of the FREE AND INDEPENDENT STATES OF AMERICA.⁸

Within a few weeks about half a million copies of *Common Sense* had been sold. People in all of the colonies discussed it pro and con, on street corners, in barber shops, in public buildings, in private meetings, in homes. John Quincy Adams said of it:

Paine's pamphlet, "Common Sense," crystallized public opinion and was the first factor in bringing about the Revolution.⁹

Washington, Jefferson, Franklin, Madison, and many other outstanding men in the colonies read the magnetic sen-

tences and were inspired to action. Washington, destined to be the star performer in the drama that made this Republic, called *Common Sense* "sound doctrine and unanswerable logic."

Thomas Paine had done his work well; he had convinced a wavering people that independence was imperative. Less than six months after his pamphlet was published the Declaration of Independence was signed.

Here is an emphatic "if." If the penniless Thomas Paine had not met Franklin in London, if Franklin had not been an exceptional judge of human nature and had not urged Paine to go to America with promise of aid, if he had not given Paine a letter of introduction to Richard Bache, and if Paine had not become editor of the *Pennsylvania Magazine*, the probabilities are that a compromise would have been worked out and the North American colonies would have continued under British rule with possibly a viceroy or governor who would have had authority over all British possessions.

V

If early American statesmen had not known of the ancient Greek states, would the need of the hour have been supplied from any other source? If the men who led the thirteen colonies through agonizing efforts toward unity and the common good could not have cited Greek history, would those men have found elsewhere as pertinent and as strong support for their pleas and their urgings?

But Greek precedent was at hand to convince the doubting and the wavering. Shortcomings in ancient democratic government pointed to paths to avoid.

If the masters of this country's founding had not been prepared with the knowledge of Greek democracy in the flowering years of Greece, can we be sure the founding would have been realized?

⁷ Van der Weyde, op. cit., Vol. I, p. 28.

⁸ Van der Weyde, op. cit., Vol. II, p. 162.

⁹ Van der Weyde, op. cit., Vol. I, p. 32.

CHAPTER XI

APPROACH TO THE CONSTITUTION

Some years ago I was employed as an instructor in United States Government at a small college in West Virginia. I made my way to the college town on a local passenger boat that plied the Little Kanawha River. The craft swayed as it pushed through the sky-blue water, shuddering to the rhythm of the chug-chug, sput-sput of the gasoline engine. On either side of the river rose rolling hills, clothed in bright green finery of early spring. Here and there a frog croaked, a bobwhite called to its mate, and a Carolina wren sang its "teakettle, teakettle."

George Washington had looked upon similar scenes as he drifted down the Ohio in 1770 and saw the mouth of this river on his journey to inspect his western lands, given to him for services in the French and Indian Wars. He recorded in his Journal that the stream was about as wide as the Muskingum but much deeper and "runs up towards the inhabitants of the Monongahela and according to the Indians forks about 40 or 50 miles up it."

As I saw the white-capped waves recede from the prow of the small craft, my imagination supplied a gallery of pictures of trackless wilderness through which Washington made his way in 1753 to the site of Pittsburgh to warn the French to cease constructing forts along the headwaters of the Ohio. Governor Dinwiddie had summoned him to his office in Williamsburg and had entrusted him with the delicate and dangerous task of carrying to the commander of the French forces the governor's message that the French were encroaching upon English territory.

Washington was acting as a diplomatic messenger in a role usually given to men far beyond his age. This tall man, twenty-one years of age, had already become hardened to the wilderness by his experiences in surveying tracts of land for Lord Fairfax. Since he was sixteen years of age, he had

surveyed the mountainous areas in Virginia and West Virginia, encountering savage Indians and predatory animals. On his trip to Pittsburgh, he met multitudinous problems of the wilderness, of densely forested mountains, and of turbulent streams. Without knowing it, he was serving an apprenticeship in the school of rough experiences which developed the stamina and character of the man destined to lead the Colonial army to success, and later, to preside over the most important convention ever held on the North American continent. This convention gave birth to the Constitution of the United States.

As our little boat chugged down the river, I continued to think of my heritage made possible by such men as Washington.

Light faded in the west in "a path of gold" as the struggling craft feebly wallowed up to the dock. Gay young students crowded the small space allotted for the boat landing. They waved, joked, called greetings, and bantered with the returning students who ran to the side of the boat, causing it to list heavily. The captain-pilot-deckhand-owner yelled, "Have a care! Git back from the side o' the boat."

II

A few days later I faced my class of students in United States Government. They had come from the hills and valleys of a rural section. Most of them were serious men and women who had taught school in order to defray their expenses to complete their work for a college degree.

We began our study of government by a brief resume of the origin of the Constitution. I soon discovered that the members of the class had little knowledge of the circumstances surrounding the framing of the basic law of our land or of the origin of the ideas which made our Republic possible.

I assigned reading references in the *Federalist*, *Elliot's Debates*, and other books which reveal sources from which principles were drawn and incorporated in our Constitution. I urged the students to give particular attention to citations which the delegates to the Constitutional Convention made to the leagues, confederacies, and republics of

ancient Greece. I pointed out that our form of government was not new, that it had existed in Greece at least five hundred years before Christ.

Before proceeding to the study of the great document itself, I explained that the Constitution came into existence through a process of evolution, that it was not born in an instant, Athena-like, in the brains of the fifty-five super-statesmen who assembled in a small room in Philadelphia in 1787. I tried to lead the class to understand that no significant event in world history ever happened in the twinkling of an eye or came to fruition with the flipping of a switch, the turning of a valve, or the enunciation of a theory.

It is true that when the switch was flipped that set the wheels in motion at the Chicago Century of Progress Exposition in 1933, the power, from the rays of the star Arcturus, had required 125 light-years to reach the shores of Lake Michigan. I explained that the ideas of freedom and democracy contained in our Constitution had come down to us over many centuries, centuries of trial and error.

I pointed out that our Constitution had stood the test of time despite the people's ignorance of its origin and despite rough treatment, as when one President facetiously asked, "What is the Constitution between friends?", and another wrote a member of Congress requesting that a certain bill be passed regardless of the fact that it might appear to be unconstitutional. A few years ago I sat in a large audience and heard a labor leader shout in a foghorn voice, "You can't eat the Constitution." Cold chills ran up and down my spine as the audience cheered this rash statement. It implied that the Constitution should be treated as if it were a scrap of paper. I felt like yelling, "You can't eat religion, friendship, love." I could have reminded the rabble-rouser that the greatest man who ever lived said, "Man shall not live by bread alone."

I am always amused when I hear people imply that until recent years there was no government worthy of the name and no civilization in which one would care to have a part. Such men and women overlook the undisputed fact that we have inherited a civilization which came to us from the efforts of billions of people who lived in milleniums of time.

In discussions I tried to impress upon the students that unwritten codes, constitutions, and laws existed before the dawn of history; that an orderly society cannot exist without regulations and rules; and that, for many ideas incorporated in our Constitution, we are indebted to the learned Greek philosophers, lawmakers, and historians who lived several hundred years before the Christian Era.

III

The Constitution of the United States was figuratively an atomic bomb. When it was written and ratified by the several states, political leaders and students of government throughout the world expressed doubt that this bold experiment in the New World would be a successful, practical instrument. And many of the ablest leaders in the colonies sincerely objected to it and strove earnestly to prevent its ratification. Among them were Patrick Henry, Samuel Adams, Governor Clinton, and Richard Henry Lee.

In my classroom discussions, I also referred to the well-known remark by the noted British statesman, William Ewart Gladstone, a hundred years after the Revolution, that the American Constitution is "the most wonderful work ever struck off at a given time by the brain and purpose of man."

This was a half-truth. The great document was written down in a measure of days, but the men who framed our Constitution drew heavily upon ideas, suggestions, theories, and examples of governments which dated back more than two thousand years before Christ, to Babylon, later to ancient Egypt and Greece, and still later to scholars and students of government who wrote learnedly on the subject. Among them were Baron Montesquieu, John Locke, and Lord Somers.

Baron Montesquieu wrote *Spirit of Laws*, published in 1748. This French philosopher spent twenty years in research to compile material for his treatise on law. This book was quoted frequently in the debates at the Convention. John Locke, English scientist and philosopher, in 1690 defended the democratic sovereignty of the people. In his *Essay Concerning Human Understanding*, Locke advanced

the opinion that the American colonies would be justified in seeking separation from Great Britain. Another Englishman, John (Baron) Somers (1651-1716), a brilliant lawyer and statesman, was chairman of the committee that drew up the Declaration of Rights and served as solicitor general and lord chancellor.

Not the least of our research together revealed to these young Americans that the Founding Fathers received enlightenment from every attempt at self-government that had been made on the North American continent since the settling of Jamestown, Virginia, in 1607.

CHAPTER XII

EFFORTS AT SELF-GOVERNMENT IN AMERICA

It was nine o'clock when I started the drive from Williamsburg to the tip of the Jamestown Island, once a peninsula. After parking my car, I walked slowly to the entrance of the fenced area. I felt a sense of pleasure at being on the site of the first permanent white settlement in North America. I recalled that on May 13, 1607, a small band of 105 adventurers who had been recruited by the London Company, sailed up Chesapeake Bay and disembarked here from three small vessels.

I paid a small fee and entered the iron gate. Standing in front of the monument to the Indian Princess Pocahontas, famed in history for saving the life of John Smith, were two women. One, I learned, was a student from New York who was attending William and Mary College, and the other a middle-aged schoolteacher.

The student, with a superior smile, asked, "Why did those people come to this mosquito-ridden coast to found the first colony in America?"

Facetiously I asked, "Why did Jesus Christ select the poverty-stricken town of Bethlehem as a birthplace?"

The teacher in all seriousness said, "This is the most inspiring spot I have ever seen. Here was the beginning of our Republic. Here people struggled for freedom. Here they exemplified the kind of courage that has made America great."

We moved to the side of the monument on which are listed the names of Governor Sir George Yeardley, the twenty-two members of Virginia's first House of Burgesses, and nine councilors. The members had been chosen at town meetings of adult males who voted by a showing of hands.

The teacher read the message carved in the monument.

First Assembly of Virginia, July 30, 1619. Summoned by Governor George Yeardley, Governor General of Virginia

under authority of the London Company pursuant to the charter granted by King James I was convened in the church at Jamestown. This assembly composed of the governor, the council of state and two burgesses elected by the people from each of the eleven plantations, was the beginning of representative government in the colonies of England and laid the foundation of the liberties of America.

Soon after Sir George Yeardley arrived from England in April, 1619, he issued the following proclamation:

And that they might have a hande in the governinge of themselves, it was granted that a general assemblie should be held yearly once, wherat were to be present the Govr and Counsell with two Burgesses from each Plantation freely to be elected by the inhabitants thereof; this assemblie to have power to make and ordaine whatsoever lawes and orders should by them be thought good and proffittable for our subsistance.¹

The first meeting was held in the "Quire of the Church" and was opened by prayer by the Reverend Richard Buck. The men then moved to the sanctuary, where each one took the "Oathe of Supremacy." John Pory, a former member of the English Parliament, was chosen as speaker of the Assembly.

This first legislative body in America adopted a rule that later was incorporated in the United States Constitution, namely, that the Assembly was to be the judge of the qualifications of its own members. In keeping with this decision, two representatives from Captain John Martin's plantation were not permitted to take their seats in the Assembly. Actually, since the days of Pericles, when only free Greeks were permitted to vote on the passage of laws, most legislative assemblies have reserved to themselves the authority to pass on their membership.

The members of the first legislative body in America learned that under the charter granted by King James, the settlers were to enjoy all the rights and privileges possessed by the people living in England.

I explained further that at this first meeting, laws were passed against drunkenness and gambling; measures were taken to protect the people against Indians; an attempt to

¹ *Journals of the House of Burgesses of Virginia, 1619-1658/59*, edited by H. R. Melvaine (Richmond, 1915), p. 36.

form the first trust in America was made in an effort to regulate by law the sale price of tobacco; and a poll tax was fixed to be paid by all males above the age of sixteen, the money to be used to pay the members of the Assembly for their services. In addition to legislative matters, the Assembly acted as a court and tried two people for specified offenses.

After reading the words carved on the monument, we passed beside the bronze statue of Captain John Smith. It is a forceful figure that looks out toward the James River, named for King James I.

I commented to my companions, "If it had not been for this magnetic personality, the Jamestown colony would have died aborning. His name is written high in history as a man of action and courage and the possessor of an indomitable will. He arrived at this spot on May 24, 1607, immediately became a member of the council, was president of the colony in 1608 and 1609, was captured, and, according to his account, was sentenced to death by the Indians but was saved by Princess Pocahontas."

I added that in addition to being an adventurer, Smith was an idealist. He instituted a communist-type of Utopian government which demanded that the products of the farms and gardens be brought together in a common warehouse from which all persons shared alike. But Smith soon learned that the lazy ne'er-do-wells received as much food as the industrious, thrifty, and conscientious workmen. To remedy this situation, he inaugurated the rule, "He who does not work, shall not eat."

After our brief discussion we entered the restored church and looked at the partial tower which was left standing after the building was burned in 1676 in Bacon's Rebellion. Then we walked to the chancel railing behind which are marked graves of a few of the early settlers. There is the "Knight's Tomb," thought to be the last resting place of Sir George Yeardley, who died in 1627.

We strolled through the arbor opposite the church and stood on the embankment near the ruins of the Confederate fort. From here we saw the James River, sliding in toward the site of the old settlement, and the lapping waves seemed to whisper, "This is historic ground. Here took place the

birth of representative government on the North American continent."

Outside of the enclosure stands the huge granite monument erected by the United States Government in 1907 to commemorate the three-hundredth anniversary of the planting of the colony at this place. As we looked at the monument, I observed, "Jamestown became a 'deserted village' ninety-three years after it was founded, when the Assembly voted to move the capital to Williamsburg, where it remained for eighty years. Then it was transferred to Richmond."

"This is a new country, and yet what giant strides have been made by a free people!" exclaimed the teacher.

I reminded the two women that it was 115 years after Columbus made his first voyage to the New World that the courageous band of adventurers sailed up the James River; it was exactly 100 years after Bacon's Rebellion that the Declaration of Independence was signed; and 168 years after the first legislative assembly met in the little log church in Jamestown, a small group of serious statesmen met in Philadelphia and framed the Constitution of the United States.

Today Jamestown reminds one of historic communities of ancient Greece, a place of memories, a scene of heroic efforts by determined people to establish a free government. The rolling land, covered with bright green grass and trees, stretches westward from the site where brave men and dauntless women sought

Self-government, self-determination, freedom of initiative, civil and religious liberty, moral worth, justice, righteousness, honor, fair-dealing, and religious faith.²

II

It was a lovely spring morning when I made my first visit to Plymouth Rock. The countryside through which I drove from Boston was like a well-kept lawn; the white homes looked as if they had been newly washed; and the steeped churches with their silent graveyards added a touch of serenity and reverence that denoted a long-enduring spiritual atmosphere.

² Rev. G. MacLaren Brydon, *Southern Churchman*, July 29, 1944.

Plymouth Rock is a granite boulder on the face of which is carved the figures "1620." It was here the Pilgrims stepped ashore on the first day of winter, December 21, 1620. The rock is only a few feet in diameter, but it symbolizes solidarity, and it holds a greater place in the history of our country than any other single rock in America.

The 120 people who came on the little sailing vessel, "Mayflower," were, with few exceptions, devout souls who sought a place to live where they could worship God according to the dictates of their own consciences. As I looked at the "rock bound coast" where the colony of New Plymouth was established, there passed through my mind the thought that since the dawn of history, people have been willing to sacrifice their lives for their religion.

About thirty people who came with less serious purposes were servants or sailors. Before the craft docked, some of them boasted that they would now be free of all legal restraints. This prompted the leaders of the Pilgrims to meet in the cabin of the "Mayflower" and draw up the Mayflower Compact, one of the most important codes in history. In it they agreed

to enact, constitute, and frame such just and equal laws, ordinances, acts, constitutions, and offices, from time to time, as shall be thought most convenient for the general good of the colony. Unto which we promise all due submission and obedience.³

John Carver was unanimously elected the first governor.

This Mayflower Compact was signed by forty-one men, all heads of households. Since the Pilgrims had no official charter from the King, they were governed by this code until 1691, when the Colony of New Plymouth became a part of Massachusetts Bay Colony.

The government of pure democracy established by the Colony of New Plymouth was similar to that of the city-states of ancient Greece where every free citizen was a law-maker and entitled to be heard and permitted to vote on all ordinances. In like manner, the Pilgrims made their laws in town meetings where every adult male was a member. However, they had declared themselves in their Com-

³ George Bancroft, *History of the United States* (New York: D. Appleton and Company, 1888), Vol. I, p. 207.

pact as "loyal subjects" of the King, reserving the right to make laws that were needful for the "general good of the colony."

Many years after the planting of this Colony, Thomas Jefferson said that the New England town meetings had proved themselves to be the

wisest invention ever devised by the wit of man for the perfect exercise of self-government.

III

Soon after the establishment of the Colony of New Plymouth the citizens of Watertown, Dorchester, and Newton became dissatisfied with the aristocratic oligarchy of Massachusetts. They migrated to the Connecticut Valley, where they established the towns of Windsor, Hartford, and Wethersfield. When they were settled in these communities, they drew up the first constitution in America, The Fundamental Orders.

On January 14, 1639, The Fundamental Orders of Connecticut were adopted at a convention of the citizens of Windsor, Hartford, and Wethersfield who

are now cohabiting and dwelling in and upon the River of Conectecotte and the Lands thereunto adioyning.⁴

This was nineteen years after the Mayflower Compact was written.

Historians claim that The Fundamental Orders was

the first written constitution, in the modern sense of the term, as a permanent limitation on governmental power, known in history, and certainly the first American constitution of government to embody the democratic idea.⁵

In the Orders is found the democratic provision that all judges, deputies, governors, and other officials were to be elected by a direct vote of the male citizens. This was a radical departure from any governmental plan that had been hitherto devised for public participation in elections.

When the Orders were adopted at a town meeting consisting of people from the three Connecticut cities, it was not

⁴ *Harvard Classics*, Vol. 43, p. 62.

⁵ *Ibid.*

dreamed that within a century and a half, public opinion in North America would demand a separation from the Mother Country. The Orders helped to pave the way for the Declaration of Independence, which unequivocally stated that to secure the rights of

life, liberty, and the pursuit of happiness . . . governments are instituted among men, deriving their just powers from the consent of the governed.

IV

Throughout history legislative bodies have tried to restrict the people from what the lawmakers considered to be wrongdoing. To this purpose priest-kings, chiefs of tribes, emperors, and dictators have imposed severe penalties for violations of their rules and regulations. The great Hebrew lawgiver, Moses, believed that the people should be disciplined and forced to conform to the laws of his strict moral code. Mohammed's Koran is stricter than the Mosaic laws.

I believe the best example of an attempt to legislate morals in America is found in "The Liberties of the Massachusetts Collonie in New England," which connoted anything except liberties. This body of laws was written by Nathaniel Ward twenty-one years after the "Mayflower" landed at Plymouth Rock, and was adopted by the Massachusetts General Court in December, 1641. Ward was an English Puritan who had been trained as a lawyer. His code represented the straight-laced thinking of the most narrow-minded early Puritans.

Ward explained that the "liberties" were designed for

Churches, and Civill State to be respectively, impartiallie, and inviolably enjoyed and observed throughout our Jurisdiction for ever.⁶

The code listed twelve "liberties" which carried the penalty of death for violation. A few provisions were:

1. If any man after legall conviction shall have or worship any other god, but the lord god, he shall be put to death.
2. If any man or woeman be a witch, (that is hath or consulteth with a familiar spirit,) they shall be put to death.

⁶ *Op. cit.*, Vol. 43, p. 70.

9. If any person committeth Adultery with a married or espoused wife, the Adulterer and Adulteresse shall surely be put to death.⁷

Those were the days when, if a person failed to attend church services, he was subject to be sentenced to stand in the pillory in the public square for many hours and be pelted with vegetables, mud, sticks, stones, and reviled by pious passers-by; the days when learned theologians argued at length about how many angels could stand on the point of a needle.

V

When I visited Albany, New York, I was not forgetful that Albany has played a major role in the history of this country. On Castle Island, near the city, the second permanent settlement on the North American continent was made in 1614. This was a trading post, which was moved to the mainland three years later. In 1524 a French navigator had sailed up the Hudson, and in 1540 a temporary trading post had been located at Albany.

Not the least of the events taking place at Albany was the drafting of the Albany Plan of Union at a meeting called for June 19, 1754. On that date commissioners representing seven colonies, all north of the Potomac River, met for the purpose of effecting a closer association of the states for defense against the French and for treating with the powerful Indian confederation, the Six Nations.

When I was in high school I read Benjamin Franklin's *Autobiography*. In that noted book is this statement:

In 1754, war with France being again apprehended, a congress of commissioners from the different colonies was, by an order of the Lords of Trade, to be assembled at Albany, there to confer with the chiefs of the Six Nations concerning the means of defending both their country and ours. . . . In our way thither, I projected and drew a plan for the union of all the colonies under one government, so far as might be necessary for defense, and other important general purposes.⁸

The Albany meeting was held thirty-three years before the Constitutional Convention met at Philadelphia. John

Fiske wrote about the significance of the event and the important part taken by Franklin:

In the days of George II., before the first mutterings of the Revolution had been heard, and when the French dominion in America was still untouched, before the banishment of the Acadians or the rout of Braddock, while Washington was still surveying lands in the wilderness, while Madison was playing in the nursery and Hamilton was not yet born, Franklin had endeavoured to bring together the thirteen colonies in a federal union. Of the famous Albany plan of 1754, the first complete outline of a federal constitution for America that ever was made, he was the principal if not the sole author.⁹

Franklin desired to see the colonies united. His plan was devised for the co-operation of the American colonies with one another and for the resolving of difficulties with the Six Nations. It was presented to the commission on July 10, 1754, twenty-two years before the Declaration of Independence was signed.

It is reasonable to deduce that if the plan presented by Franklin at Albany and unanimously adopted by the commissioners had been ratified by the thirteen colonies and had been approved by the British Parliament, the Revolutionary War might have been averted.

VI

In June, 1765, James Otis of Boston decided that the time had come for specific measures to oppose the Stamp Act. He proposed that a protest meeting be held to register opposition to this objectionable law that had been passed by Parliament in March. Similar proposals were made in Virginia and other colonies.¹⁰

On October 7, 1765, twenty-seven delegates from nine colonies met in New York in what was known as the Stamp Act Congress. The men who attended this meeting felt keenly that they had a just grievance against Great Britain because of the imposition of a tax which must be paid by compulsory purchase of government stamps to be placed on all legal instruments issued in the colonies.

⁷ Fiske, *The Critical Period of American History, 1783-1789* (Boston and New York: Houghton, Mifflin & Co., 1901), p. 204.

⁸ *Harvard Classics*, Vol. 4, p. 343.

⁹ *Op. cit.*, Vol. 43, p. 84.

¹⁰ *Op. cit.*, Vol. 1, p. 129.

At this congress in New York the delegates wrote the Declaration of Rights. In this document they affirmed that Americans

are entitled to all the inherent rights and liberties of his [the king's] natural born subjects, within the kingdom of Great Britain.¹¹

This historic document was signed on October 7, 1765.

The Declaration of Rights may well be referred to as the first declaration of independence of the American colonies, for it was not confined to dissatisfaction over the Stamp Act; it struck at the very heart of the grievances of the colonists and the principal cause of the Revolution, "taxation without representation." Article three read:

That it is inseparably essential to the freedom of a people, and the undoubted right of Englishmen, that no taxes be imposed on them but with their own consent, given personally, or by their representatives.

The Declaration of Rights anticipated by eleven years the Declaration of Independence. Article seven of the Rights struck at one of the fundamental grievances the colonists had against the Mother Country:

That trial by jury, is the inherent and invaluable right of every British subject in these colonies.

How like the charge against the King in the Declaration of Independence:

For imposing taxes on us without our Consent: For depriving us, in many cases, of the benefits of Trial by Jury.

It required courage for the delegates to sign this Declaration of Rights. Under strong protests of liberty-loving people in the colonies and in Parliament, the hated stamps were never distributed. The British Stamp Act was repealed by embarrassed members of Parliament one year after it was passed, in March, 1766. In the lower house the vote was 275 for repeal of the act, 167 for softening and enforcing it.¹² In the House of Lords the vote was for repeal, seventy-three to sixty-one.¹³

¹¹ *Op. cit.*, Vol. 43, p. 157.

¹² Bancroft, *History of The United States*, Vol. III, p. 206.

¹³ *Ibid.*, p. 210.

VII

The most important body of pre-Constitution laws written in the colonies was the Articles of Confederation. After the Declaration of Independence was signed on July 4, 1776, the leaders recognized that steps must be taken to establish a unified government. In fact, the Continental Congress that approved the bold act of announcing independence appointed a committee

to prepare and digest the form of confederation to be entered into between the colonies.

Franklin, who twenty-two years before had, as we have noted, written what may be termed the first constitution for the colonies at the Albany convention, and who had served as a member of the committee to write the Declaration of Independence and later signed it, had a major part in writing the Articles of Confederation. In fact, he had written the principal provisions of the Articles and presented the document to Congress on July 21, 1775, nearly a year before the Declaration of Independence was signed.

Eight days after Congress appointed the committee, the first draft of the Articles of Confederation was reported. After many changes, the Congress adopted the Articles on November 15, 1777.

The Articles of Confederation provided for a government similar to the Delian League, which was formed on Delos Island of 270 city-states of ancient Greece in 470 B.C. However, the League was stronger than the Articles because it had the power to discipline its members and to fine them if they failed to pay taxes.

After the Articles were approved by Congress, came the long struggle to have them ratified by the thirteen states. The last state to sign, on March 1, 1781, was Maryland, which

did, in behalf of the said State of Maryland, sign and ratify the said articles, by which act the Confederation of the United States of America was completed, each and every of the Thirteen United States, from New Hampshire to Georgia, both included, having adopted and confirmed, and by their delegates in Congress, ratified the same.¹⁴

¹⁴ *Journals of the Continental Congress*, Library of Congress Edition, Vol XIX (1912), p. 214. From *United States, Formation of the Union, Documents, Government Printing Office (1927)*, p. 27.

One wonders how the Continental army, the Continental Congress, and the thirteen colonies were held together under a sort of spider-web form of government with a tenuous law such as the Articles of Confederation, which had not been ratified by all the states. Through this web poured all of the weaknesses of the colonies, both great and small.

That the Articles of Confederation were weak and defective was noted before the close of the Revolution. The leaders of the struggle for independence soon realized that the Articles were not adequate to unite the colonies in a strong nation.

VIII

There was a little-known publicist and merchant in Philadelphia, Pelatiah Webster, to whom some historians have given credit for making the original suggestion for the plan of government which was later embodied in the Constitution. In 1783 Webster published *A Dissertation on the Political Union and Constitution of the Thirteen United States of America*. Prior to that (1781) Webster had written a pamphlet in which he advocated a fiscal system that would provide for a national bank and then added,

the authority of Congress at present is very inadequate to the performance of their duties; and this indicates the necessity of their calling a continental convention, for the express purpose of ascertaining, defining, enlarging, and limiting, the duties and powers of their Constitution.¹⁵

IX

In my opinion, Alexander Hamilton has never received the credit due him for his work in establishing a stable government in the United States. He served his adopted country brilliantly in war and in peace; to him is due much of the credit for drafting and ratification of the Constitution.

In a debate in the Continental Congress on April 1, 1783, Hamilton expressed the opinion that local conventions

¹⁵ *Elipot's Debates* (Philadelphia: J. B. Lippincott Company, 1937), Vol. V, p. 117.

would be of little value in solving the national problems. He said:

that he wished, instead of them, to see a general convention take place; and that he should soon, in pursuance of instructions from his constituents, propose to Congress a plan for that purpose, the object of which would be to strengthen the Federal Constitution.¹⁶

Hamilton was familiar with the resolution passed unanimously by the New York Legislature in the summer of 1782, stating:

that the Confederation was defective, in not giving Congress power to provide a revenue for itself, or in not investing them with funds from established and productive sources; and that it would be advisable for Congress to recommend to the states to call a general convention, to revise and amend the Confederation.¹⁷

Even officials and members of Congress recognized the weakness of the Articles. On November 26, 1784, Richard H. Lee, President of the Continental Congress, wrote James Madison:

It is by many here suggested, as a very necessary step for Congress to take, the calling on the states to form a convention, for the sole purpose of revising the Confederation, so far as to enable Congress to execute, with more energy, effect, and vigor, the powers assigned to it, than it appears by experience that they can do under the present state of things.¹⁸

Madison agreed with Lee but cautiously warned that the timing should be given consideration.

I hold it for a maxim, that the union of the states is essential to their safety against foreign danger and internal contention; and that the perpetuity and efficacy of the present system cannot be confided in. The question, therefore, is, in what mode, and at what moment, the experiment for supplying the defects ought to be made.¹⁹

Noah Webster, of dictionary fame, a friend of Franklin, wrote in 1784 that it was imperative to have

a new system of government, which should act, not on the

¹⁶ *Op. cit.*, Vol. V, p. 117.

¹⁷ *Op. cit.*, Vol. V, pp. 117-118.

¹⁸ *Op. cit.*, Vol. V, p. 118.

¹⁹ *Op. cit.*, Vol. V, p. 118.

states, but directly on individuals, and vest in Congress full power to carry its laws into effect.²⁰

X

The few illustrations I have cited of efforts toward self-government, beginning at Jamestown in 1619 and continuing until independence was attained, pointed the way for the writing of the Constitution. The fifty-five men, "demigods" as Jefferson called them, who served as delegates to the Constitutional Convention from twelve states, were well qualified by knowledge of history, by actual experience in legislative halls, by intellectual endowments, and by sincerity of purpose, to write the basic law of a country that was destined to become the most powerful nation in the world.

²⁰ *Op. cit.*, Vol. V, p. 118

CHAPTER XIII

CRISIS IN THE COLONIES

For many years I had looked forward to visiting Yorktown. As I drove along the smooth highway through Virginia, my heart was filled with joy that at long last I was to see the place where the last battle in the Revolution was fought, where England capitulated and made possible the establishment of the United States of America.

It was midsummer. I saw farmers tending their crops, sleek cattle grazing in pastures, and tourists driving at breakneck speed to go places in a hurry. Neat homes crowded the highway. As I went through the thriving metropolis of Richmond, there passed in review in my mind many historic events, especially the notable convention of 1788 when the fate of this nation was held in the balance by a very slender thread.

I reflected that through handicaps, struggle, and travail, this nation, "under God," had become the most powerful in the world in an incredibly short time. Why? Because of the courage of the little army under Washington, because of the Republic set up under the Constitution which gave every citizen an opportunity to use his talents to the limit of his capacity, and because of free enterprise, unhampered by socialism and undue government interference.

The sun was still high in the heavens when I arrived at Williamsburg, the site of many of the most dramatic events in the early history of this country. After registering at the Inn, I drove along the magnificent Colonial Parkway, bordered by beautiful trees, fourteen miles to the tip of the peninsula where Yorktown is located. It is now a National Historical Park.

I parked my car at the information center where a number of tourists, most of whom had cameras and bulletins in their hands, were milling around in the office. I have often wondered how many people take the time to read the

literature they pick up on their hurried trips to historic places.

When a lull occurred at the desk, I spoke to the attractive young lady in charge, "Tell me about Yorktown."

She smiled and replied, "That is a big order. But I'll try to hit the high spots. Yorktown was established in 1691 as a port town. You know that tobacco was the principal crop of the early settlers. This town grew and prospered because of the export of tons of tobacco which passed through the harbor."

At this point a portly lady interrupted and asked, "How far is it to Jamestown?"

She was told, "About twenty miles. Go along the Parkway through Williamsburg."

The tourist smirked, "I hope I'll find more to see there than I did here."

The young lady raised her eyebrows and turned to me. "It was here that Lord Cornwallis surrendered at two o'clock in the afternoon of October 19, 1781. The surrender was made in a large open field near the town."

I asked, "Why was this beautiful spot chosen for the last battle of the Revolution?"

She said, "The British had been losing heavily in the Northern states. For this reason Cornwallis came up from North Carolina into Virginia, thinking that if he could win here, the states farther south would remain loyal to Great Britain."

She turned to answer questions for other visitors. I glanced over a map showing a tour one could take around the battlefield, and I decided to see the field. The tour was easy to follow. I drove slowly and noted the markers.

It was clear that Washington had trapped Cornwallis so that surrender was the only way out. Washington directed Comte de Grasse to bring his large French fleet and blockade the mouth of Chesapeake Bay to prevent the arrival of British reinforcements. The American land forces and the French army under Comte de Rochambeau were placed in strategic positions where they had Cornwallis shut off from escape. After a few days of allied bombardment, Cornwallis sent out a flag of truce and asked Wash-

ington for a discussion of terms. On October 18 commissioners met at the Moore House, just behind the American lines, and drafted terms of surrender.

The next day Cornwallis, who was in the Nelson House claiming to be ill with the gout, sent his sword by his second in command, General Charles O'Hara. O'Hara first offered the sword to Comte de Rochambeau, who refused to accept it. Then O'Hara tried to present it to Washington, who also would not accept it. Finally General Benjamin Lincoln, Washington's second in command, accepted the sword, symbol of surrender.

The band played the tune, "The World's Upside Down," and thus came to a close an uneven struggle in which the underdog won, much to the surprise of Great Britain as well as the rest of the world.

The seven years of war had taken a terrific toll of the colonies. It was then Thomas Paine wrote, "The times that try men's souls are over." How wrong he was! In like manner, how mistaken were the pseudostatesmen who proclaimed normalcy at the close of the two world wars in this century. World catastrophes are not resolved overnight.

It was late in the afternoon when I turned my car toward Williamsburg. The evening air was soft. The golden rays of the sun made ghost shadows as it slipped silently over the western hills like a star shell seeking a resting place. The privilege of visiting the site of Washington's headquarters gave me a warm glow of well-being. How skillfully he deployed the French army on one flank and the Americans on the other. I had a new appreciation of the splendid accomplishments of the first Commander-in-Chief of our military forces.

I am sure the great General felt relieved and thankful on that autumn afternoon when he realized that the long struggle for independence was ended. Doubtless he dreamed that night of Mount Vernon, where he planned to reunite his wife and take up the life he loved, that of a gentleman-farmer.

II

How was the defeat of Lord Cornwallis at Yorktown received in London? Lord North, prime minister, was much

upset. He had been a bitter foe of the colonies. At one time he said, "America must fear you before she can love you." On March 20, 1782, after a vote of no confidence was narrowly averted, Lord North resigned his cabinet position.

At the opening of Parliament that year, King George III closed his speech by acknowledging the independence of the United States and praying that "religion, language, interest, and affection might prove a bond of permanent union between the two countries."

When I stood in Independence Hall in Philadelphia, I reflected that the event of signing the Declaration of Independence had committed three million people to a military struggle, the outcome of which was decided at Yorktown. But there remained many tremendous problems.

To the credit of the colonies, a league of independent states, held loosely together under the weak Articles of Confederation, had been able to win a military victory over the most powerful nation in the world. This confederacy had succeeded in spite of the fact that it had no approved constitution and no stable government.

I want to refer to a few of those problems which the new nation faced. Between 1783, when the peace treaty was signed in Paris, and 1789, when Washington was inaugurated the first President, the country was on the brink of disaster. It tried to forge a union under the Articles of Confederation, a constitution that was built around a legislative branch of government without an executive department or federal courts. Laws could be passed by Congress, but they could not be enforced. Each state was virtually an independent nation.

There was much reason to fear that the release from the common adhesion to Great Britain would end in setting up thirteen little republics, ripe for endless squabbling, like the republics of ancient Greece and mediaeval Italy, and ready to become the prey of England and Spain, even as Greece became the prey of Macedonia.¹

John Fiske pointed out that the country in this period waved like a reed in a storm. There were bickerings and

¹ John Fiske, *The Critical Period of American History, 1782-1789* (Boston and New York: Houghton, Mifflin & Co., 1901), p. 57.

quarrels between authorities of the colonies, and general unrest among the people.

The dangers from which we were saved in 1788 were even greater than the dangers from which we were saved in 1865.²

There was, fortunately, a Gibraltar — George Washington. The Congress, the governors, the assemblies, and the common people looked to him for guidance and council in the fast-approaching crisis. This crisis threatened to prove more difficult than the one the General had faced on the field of battle.

Washington's experience at Valley Forge is one illustration of the many crises he faced and overcame during the war.

I visited Valley Forge to see the place where Washington suffered in the severe winter of 1777 with his poorly clad, poorly fed, poorly equipped soldiers. As I went over the rolling hills and saw where the camps were pitched, I thought that the hardening and the discipline which were engendered here had paid off later. It was a courageous thing for Washington to spend the winter in the midst of his men. Martha Washington left her comfortable home at Mount Vernon and came to share her husband's discomfort. These two brave people set the example for all Americans.

In the years that followed Yorktown, there was a rising crescendo of discontent among many of Washington's comrades in arms who had shared the bitter cold with him at Valley Forge and the indescribable dangers of many other battles. Most of them had confidence that he would lead them to peace-time victory. But many soldiers who had not been paid returned to their homes and found their jobs had been taken by Tories, slackers, and ne'er-do-wells. Rabble-rousers took advantage of the situation and promoted riots.

In March, 1783, an anonymous letter was circulated by hand to some of the highest ranking officers of the Revolution. It called for a clandestine meeting to discuss ways and means of overthrowing the government.

This scurrilous communication (Newburgh address, March 11, 1783) began:

² *Op. cit.*, p. 55.

My friends, after seven long years your suffering courage has conducted the United States of America through a doubtful and bloody war; and peace returns to bless — whom? A country willing to redress your wrongs, cherish your worth, and reward your services? Or is it rather a country that tramples upon your rights, disdains your cries, and insults your distresses? . . . Appeal from the justice to the fears of government, and suspect the man who would advise to longer forbearance.³

The man who dared "advise to longer forbearance" was none other than the man who had bared his breast to the fiercest blast in battle by the side of the bravest soldiers in the war for independence. And he had not received a penny for his services as Commander-in-Chief of the Continental army.

Washington had been informed of the plan for the secret meeting. He called upon some of his most trusted men to aid him in putting a stop to this movement. Out of respect for him, the leaders of the revolt postponed the meeting. When the meeting was held he appeared and made an eloquent and touching speech. As a result of his appeal a motion was reported declaring "unshaken confidence in the justice of Congress."

III

As I stood in front of the old State House in Philadelphia, I recalled that on June 9, 1783, some eighty soldiers of the Pennsylvania line assembled on the lawn and stacked their arms. A riot ensued. The rioters yelled imprecations at officials and threw stones at the building in which the Declaration of Independence had been signed and in which the Continental Congress was holding its meetings. This was blatant defiance of law and order. It was anarchy by men who had shed their blood and offered their lives to free the country from oppression by Great Britain.

Colonel Alexander Hamilton, Washington's confidante and highly respected soldier and statesman, pleaded with the dissident soldiers to desist, but to no avail. The mob would not reason. A mob is not capable of reasoning. To prevent what might have resulted in bloodshed, the Congress moved, on June 21, 1783, to Princeton, New Jersey, and from there later it went to New York.

³ *Op. cit.*, p. 100.

This defiant incident convinced the thinking men in the colonies that truly the times were "out of joint." Hamilton wrote to his beloved Commander-in-Chief that it was next to impossible

to keep a complaining and suffering army within bounds of moderation.

Washington and his closest advisers knew that temporary expedients would not serve to cure a condition that was eating at the heart of the body politic.

In October, 1785, the General wrote to James Warren, former paymaster general of the Continental army and at this time political leader in Massachusetts:

Illiberality, jealousy, and local policy mix too much in all our public councils for the good of the government of the Union. In a word, the Confederation appears to me to be little more than a shadow without the substance, and Congress a nugatory body, their ordinances being little attended to.

The General also wrote to George Mason, a close friend and one of the most influential men in Virginia:

I have seen without despondency, even for a moment, the hours which America styled its gloomy ones, but I have beheld no day since the commencement of hostilities that I thought our liberties in such imminent danger as at present.

Washington, for all his calm, clear thinking, his experience, and his faith in his country, was in a "Garden of Gethsemane." Mob psychology had taken possession of the minds of brave men. Widespread open revolt against constituted authority seemed imminent. Tories were smirking and whispering, "I told you so."

In 1786, in the midst of confusion and apprehension, Daniel Shays, a courageous soldier of the Revolution, raised an army of nearly two thousand ill-tempered farmers in Massachusetts and staged a "rebellion." The aggrieved hotheads stoned the courthouse, stopped lawsuits, opened the doors of jails, and liberated prisoners.

In the autumn of that year General Henry Knox wrote to Washington:

Their [the Shaysites'] creed is, "That the property of the United States has been protected from confiscation of Britain

by the joint exertions of all, and therefore ought to be the common property of all. And he that attempts opposition to this creed is an enemy of equity and justice, and ought to be swept from off the face of the earth."

The theory of communism reared its ugly head.

In August, 1786, Washington wrote John Jay, later the first Chief Justice of the United States:

I am told that even respectable characters speak for a monarchical form of government without horror. From thinking proceeds speaking; thence to acting is often but a single step.

The General feared the rise of a ruthless dictator who might be able to take advantage of the unrest and promote mob rule that would spread like wildfire on a dry prairie. He knew that the riots which had been stirred up by Shays in Massachusetts could not be confined to a single state. Unreason threatened to wipe out all the hard-earned gains toward independence and to make null and void the Articles of Confederation and the acts of the Continental Congress.

One factor that prevented the complete wrecking of the new government was the lack of a strong leader to unite the dissatisfied soldiers, farmers, and other discontented people. Respected leaders like Washington stood firm for law and order. Washington commented that the problem of the day was to steer the Ship of State "between Scylla and Charybdis."

One of the greatest incentives which prevented the collapse of government in the colonies was the interest all of the states had in what was known as the Northwest Territory. Originally four states—Virginia, New York, Massachusetts, and Connecticut—claimed all of the vast territory northwest of the Ohio River and extending to the Mississippi. This rich farming land was about one-half as large as all of the area of the thirteen colonies. It embraced the following present states: Ohio, Indiana, Illinois, Michigan, and Wisconsin.

Before Maryland would agree to ratify the Articles of Confederation, she demanded that the Northwest Territory be given to the United States to be disposed of for the common good. This was agreed in 1781. Officials of the

colonies sought to quell the disturbances by telling the people that this territory would be sold and the money used to pay the soldiers and to settle other war debts.

IV

In the dark and foreboding hours of early 1786, an event occurred which set the stage for the framing of the Constitution of the United States. Acting upon the urgent requests of Washington, Madison, and other influential men, the General Assembly of Virginia passed a resolution on January 21, 1786, asking that commissioners of all the colonies meet and discuss a federal plan to regulate commerce between the states. This action was designed to call the attention of the people to a very serious problem, one that threatened to disrupt friendly relationships among some of the largest colonies, notably Virginia, Maryland, and Pennsylvania.

In response to the Virginia resolution

to take into consideration the trade of the United States . . . and to consider how far a uniform system in their commercial regulations may be necessary,

New York, New Jersey, Pennsylvania, and Delaware joined with Virginia in appointing commissioners. Twelve representatives of these five states met at Annapolis, Maryland, on September 11, 1786. Three of these representatives—Madison, Hamilton, and Randolph—were destined to write their names conspicuously on the pages of world history when they played stellar roles at the Constitutional Convention. Obviously, however, little could be accomplished at Annapolis because a majority of the states had not accepted the invitation to send delegates.

Before the adjournment on September 14, Hamilton presented a resolution which, after several amendments, was unanimously adopted. It requested that the five states which had sent delegates to this meeting concur and use their influence in the concurrence of other states

in the appointment of commissioners to meet at Philadelphia on the second Monday in May next, to take into consideration the situation of the United States, to devise such further provisions as shall appear to them necessary to render the con-

stitution of the Federal government adequate to the exigencies of the Union; and to report such an act for that purpose to the United States in Congress assembled, as, when agreed to by them, and afterwards confirmed by the legislatures of every state, will effectually provide for the same.⁴

This was a courageous and unprecedented act. Here were twelve delegates from five states, with no authority from the Congress, asking the regularly constituted officials of thirteen independent states to send delegates to a specified place on a fixed date to make plans to overthrow the existing federal government and possibly reduce the power of the individual states. One powerful force was in their favor — a drowning nation might grasp at the straw thrown to it.

It was more than five months later, February 21, 1787, that Congress reluctantly adopted a halfhearted resolution approving the meeting to be held "at Philadelphia on the second Monday in May." The resolution was passed only after a majority of the states had appointed delegates to attend the convention. Those states were Virginia, New Jersey, Pennsylvania, North Carolina, New Hampshire, Delaware, and Georgia.

The resolution passed by Congress specified that the business of the convention was limited to

the sole and express purpose of revising the Articles of Confederation

and that any revision recommended would become effective only

when agreed to in Congress and conformed to by the States.

Before this resolution was passed, a last-minute attempt was made by the members of the Continental Congress from New York to have Congress itself call a convention to revise the Articles of Confederation. This motion was lost by only one vote. It is difficult to explain why both representatives from Virginia, Madison and Grayson, voted for the resolution presented by the delegates from New York.

⁴Journal of Congress, Vol. I, p. 117-20.

There were many doubting Thomases in the country. Even after the Constitutional Convention began its deliberations, Grayson wrote to James Monroe, May 29, 1787:

What will be the result of their meeting I cannot with any certainty determine, but I hardly think much good can come of it: the people of America don't appear to me to be ripe for any great innovations & it seems they are ultimately to ratify or reject: the weight of Genl. Washington as you justly observe is very great in America, but I hardly think it is sufficient to induce the people to pay money or part with power.⁵

Grayson was right in his opinion that people are reluctant to "part with power." There are only a few instances in history when an established government voluntarily stepped down without resort to arms and bloodshed. Let me briefly review two such events, not exactly parallel to the situation in America.

At the beginning of the Golden Age of Greece, following the battle of Marathon, the common people of Athens demanded a change so that they would have a greater voice in the affairs of state. This opened the way for Pericles to become one of the greatest of political administrators. Before Marathon the Council of the Areopagus was composed of men chosen from the ranks of the wealthiest Athenians. Under the new regime, the opportunist Pericles transferred the powers of this organization to a newly authorized Council of Five Hundred. This democratic form of government made possible the so-called "Age of Pericles," or the Golden Age of Greece, which lasted for thirty years. Its accomplishments mark the most brilliant rule by any chief of state in the history of the world.

A modern example of a bloodless revolution is found in Turkey. Following World War I, General Mestapha Pasha (Ataturk) led a nationalist movement which deposed the Sultan and set up a popular republic with its capital at Ankara. Almost overnight this man of iron converted Turkey from an oriental country to a western nation, abolished legalized polygamy, adopted a modern constitution which replaced the civil law of the Koran, forbade the

⁵Farrand, *The Records of the Federal Convention of 1787* (New Haven, Conn.: Yale University Press, 1937), Vol. III, p. 30.

wearing of the fez by men and the veil by women, changed the written language from the Arabic characters to the Latin alphabet, and outlawed Communism.

Changing a government is not easy. In the case of America following the Revolution, there developed a crowd-mind approaching mass paranoia. The people who expected a Utopia once they were liberated from the imperialistic absentee landlordism of Great Britain, were sorely disappointed. Revolt was in the air, anarchy was at the doorstep, and the organization of thirteen different nations seemed imminent. A French Revolution which Carlyle called "the blood red fury of the Seine" was in the making. That is why Fiske called the six years, 1783-89, the critical period of American History.

In spite of doubts and grave apprehensions, with Rhode Island declining to co-operate, twelve of the thirteen colonies selected delegates to attend the Constitutional Convention at Philadelphia.

CHAPTER XIV

IN THE FOOTSTEPS OF WASHINGTON

In reflecting upon the events that culminated in the framing of the Constitution of the United States, I decided to make a trip over the route Washington traveled from his Mount Vernon home to attend the Constitutional Convention in Philadelphia.

I recalled that when the time approached for holding the Convention to "revise the Articles of Confederation," Washington did not plan to attend and let this fact be known. He wrote a friend that for eleven years he had not been able to make "both ends meet" on his Virginia plantation. For six months he had been suffering from rheumatism, which necessitated his carrying one arm in a sling.

Madison and other close friends, however, importuned him to be present at the Convention in spite of his business reverses and poor health. These friends knew that the people of the country, with implicit confidence, looked to the General for leadership in time of peace as they had followed him in time of war.

Washington understood, possibly better than any other man in the country, the crisis which faced the colonies. For this reason he swept aside all obstacles and decided to attend the Convention as a delegate from Virginia.

With a copy of his diary in my hand, I set out in his footsteps.

II

The brilliant morning sun rode tiptop of a fleecy cloud when I arrived at the bronze Texas Gate of Mount Vernon, the best-known home of any former citizen of the United States. I had driven out from the national capital, a distance of sixteen miles, over the scenic Mount Vernon Memorial Highway. The last few miles were bordered with overhanging trees, wearing their new spring leaves.

I arrived at ten o'clock. My memory chided me with the fact that if I had followed the habit of the illustrious lord of the manor, whose service and devotion have made this place world famous as a shrine for millions of visitors, this would have been a late hour. His habit was to start a fully occupied day on his plantation at six o'clock in the morning and to continue his activities until sundown.

I parked my car and walked to the entrance gate. Above it I observed two flags. One was the regulation American flag of the time, with forty-eight stars and thirteen stripes, but the other had fifteen stars and fifteen stripes. The gatekeeper told me the latter flag was used in 1795 when there were fifteen states in the Union and Washington was serving his second term as President.

To continue to add a star and stripe for each new state admitted to the Union was later conceded to be impractical. For this reason the design with thirteen stripes representing the original colonies and with a new star added each Fourth of July following the admission of a state, was adopted.

As I strolled leisurely along the road to the west front of the mansion, lazy clouds sailed overhead. One, a little darker than the others, was shaped like a three-cornered hat, and beneath it, I imagined, was a faint outline like the face of the Father of His Country.

On the left of the winding road was a hedge of trees. I noted dogwoods with unusually large white blossoms with dark centers and frequently a lilac bush whose limbs bent low with heavy purple flowers. I passed through the double white gates hung between red brick walls that enclosed the broad lawn.

Mingling on the wide path in front of the mansion was a cosmopolitan crowd of visitors, among whom were a chatting group of boys and girls from Belgium; two men from India, accompanied by a woman wearing a long, flowing dress; two Chinese, and many Americans from all walks of life.

III

I went with the crowd to the mansion and entered the commodious living room. The ceiling here is twenty feet high. I stepped out on the veranda, which affords a fine

view of the blue Potomac. Every school child above the fourth grade is familiar with the picture of this porch with its ten white Grecian columns rising the full height of the building. I imagined I could see Washington and his faithful wife, Martha, sitting here in the cool of the evening, talking over the events of the day.

George Washington, when he was a lad, had visited Mount Vernon, then owned by his half brother, Lawrence. The boy could hardly have dreamed that within a few years he would be the proprietor of the vast estate, which later comprised about eleven thousand acres, and that he would reside here as the most distinguished citizen of a new Republic. On George's first visit at his brother's home on the Potomac, he went to the adjoining estate of Lord Fairfax, who subsequently engaged the young man to survey his land on the Northern Neck.

I walked along the porch and re-entered the mansion at the farther end, passed through the halls, peered into the banquet room and the music room. I paused and looked into the library and wondered how many noteworthy letters had been penned here and sent to influential persons, letters concerning the Constitution and the formation of our government. Upstairs I saw the Blue Room, the Lafayette Room, and the spacious bedroom where "the Man first in war, first in peace, and first in the hearts of his countrymen" had died.

After looking tourist-fashion at the interior, I went outside and loitered about the service buildings, then walked down the tree-bordered path to the tomb. Here a tall Negro delivered a memorized speech, telling the assembled visitors that the two marble sarcophagi contain the remains of General Washington and his wife, Martha.

Making my way up the hill, I watched three sleek sheep and a day-old lamb grazing behind the barn. The little fellow was bleating to attract his mother. His father, with gnarled horns curled back flat on his woolly head, paid no attention to either of them.

In the coach house stood a gaily decorated carriage similar, I was informed, to the one in which Washington made trips near and far. It had a high seat over the front wheels

for the driver and the coachman and, behind, a low-slung enclosed carriage with two wide upholstered seats facing each other. In such a coach Washington rode to Philadelphia to preside over the Constitutional Convention.

IV

To attend the Constitutional Convention, Washington left Mount Vernon before sunrise on May 9, 1787, almost 166 years to the day before my visit to this historic spot. I took my car and tried to follow the route over which he drove in his carriage to attend that most momentous convention ever held in this country. This convention framed the Constitution of the United States.

I traveled slowly to Alexandria, often called Washington's home town. There I visited historic Christ Church. The lady attendant guided me to pew number 60, which Washington bought when the church was built. After suggesting that I sit a few seconds in the pew, the attendant took me to the communion rail, where she pointed to a small silver marker designating the place where Robert E. Lee, as a little boy, knelt to be confirmed. Robert's father, Light-Horse Harry Lee, and the family lived at Alexandria before moving to Arlington.

I left the church and passed Carlyle House. It was here that General Braddock planned his ill-fated expedition against Fort Duquesne in 1755. Thomas Jefferson, it is claimed, made the first draft of the Declaration of Independence while on a visit in this home.

Leaving Alexandria, I saw looming before me the impressive George Washington Masonic Memorial building. This five-million-dollar memorial was erected from funds contributed by members of the Masonic Order in different parts of the world out of regard for the First President's interest in Masonry, his organizing the Masonic lodge in Alexandria, and serving as its first Master.

In Washington's diary I found that on Wednesday, May 9, 1787, he "crossed from Mt. Vernon to Digges a little after sunrise." He recorded that he stopped at Bladensburg, where he dined with Mr. Richard Henderson and lodged

with Major Snowden. Today Bladensburg is a small town in Prince Georges County, Maryland.

It was raining next morning, and Washington was forced to wait until about eight o'clock before continuing his journey. He recorded in his diary, "At one o'clock I arrived in Baltimore. Dined at the Fountain, and supped and lodged at Doctor McHenry's." The rain continued.

The following morning he "set off before breakfast, rid 12 miles to Sherrett's Tavern for it." Then he pursued his journey over rough roads and through inclement weather to Havre de Grace, where he stayed the night because he could not cross the Susquehanna River, "the wind being turbulent and squally."

On the following morning, May 12, the carriage crossed the river without difficulty, and Washington ate breakfast at the ferry house. He continued to the head of Elk and dined at Hollingsworth's Tavern. He lodged that night at Wilmington, Delaware, at the "Sign of the Ship," owned and managed by Patrick O'Flinn. Washington had reason to remember this town, for ten miles to the north on September 11, 1777, at the Battle of Brandywine, the British under General Howe had defeated him, and they proceeded sixteen days later to occupy Philadelphia.

As I traveled over the route Washington took, but with much more speed and comfort than he, I tried to picture the mired roads and driving rain and to visualize the sparsely settled communities through which he passed. Today hundreds of thousands of people live and work along this highway.

I thought of the devotion to duty and loyalty to his country which had roused the General to disregard the discomforts and hardships of the journey over rough roads, to ignore intense rheumatic pain, and to place service to his country above important personal interests.

V

Washington traveled four days over the route I covered in four hours. A plane would have cut the time to a matter of minutes.

On Sunday, May 13, the traveler arrived at Chester, fourteen miles from Philadelphia. Here he was met by three former generals of his army, two colonels, and two majors, who acted as his escort the remainder of the journey.

At Grey's Ferry the little group was met by "the city light horse," commanded by Colonel Samuel Miles. From here the First Citizen of the colonies was accompanied by "a large concourse" and at the entrance to the city was met by artillery officers, who "saluted as I passed."

The church bells pealed a grand welcome that Sunday, cheering people crowded the streets through which the General rode, and men and women wept as they saw their beloved hero.

Washington proceeded to Mary House's boarding house at Fifth and Market streets, where he planned to stay. He observed the proprieties and "waited on the President, Benjamin Franklin," the governor of Pennsylvania in Franklin's time being called the president.

At the insistent invitation of Mr. and Mrs. Robert Morris that Washington be their guest, the General sent his baggage to their home. This was Robert Morris the financier, member of the Continental Congress, and signer of the Declaration of Independence. He had raised money for the purchase of supplies for Washington's armies. Later he founded the Bank of North America. He was a delegate to the Constitutional Convention and was the first United States Senator from Pennsylvania.

VI

Having completed Washington's route to Philadelphia, I drove along traffic-filled one-way streets in the city to the Benjamin Franklin Hotel. The next morning I walked two blocks to Independence Hall.

A group of school children with four teachers stood around the Liberty Bell. I heard the guide say, "This bell is the world's greatest symbol of liberty. Its ringing announced the signing of the Declaration of Independence on July 4, 1776. Note its inscription from the Bible: 'Proclaim liberty throughout all the land unto all the inhabitants thereof.' This passage is from Leviticus 25:10."

I followed the children into the "long" room, where the Declaration of Independence was signed and where the Constitution of the United States was written. This is a white wood-paneled chamber with high ceiling, a many-spangled chandelier in its center, and with the speaker's dais at the end of the room. Two American flags are draped over the chair in which Washington sat during the four months while the Constitution was being written. At the top of the chair back is a small carved painted sun, to which Franklin referred on the last day of the Convention. *Elliot's Debates* records from Madison's Manuscript:

Whilst the last members were signing, Dr. FRANKLIN, looking towards the president's chair, at the back of which a rising sun happened to be painted, observed to a few members near him, that painters had found it difficult to distinguish, in their art, a rising from a setting sun. "I have," said he, "often and often, in the course of the session, and the vicissitudes of my hopes and fears as to its issue, looked at that behind the president, without being able to tell whether it was rising or setting; but now, at length, I have the happiness to know that it is a rising, and not a setting sun."¹

Directly in front of the chair is the desk behind which Washington sat during the Convention. To each side of the speaker's platform in an open fireplace. Near the dais is a glass case in which is preserved the inkstand used in the signing of the Declaration of Independence and the Constitution.

I walked to the front of the speaker's platform and tried to locate the place where Madison sat. Madison wrote in the introduction to his notes on the Convention as recorded in *Elliot's Debates*:

I chose a seat in front of the presiding member, with the other members on my right and left hands. In this favorable position for hearing all that passed, I noted in terms legible, and in abbreviations and marks intelligible, to myself, what was read from the chair or spoken by the members; and losing not a moment unnecessarily between the adjournment and reassembling of the Convention, I was enabled to write out my daily notes during the session, or within a few finishing days after its close, in the extent and form preserved, in my own hand, on my files. . . . It happened, also, that I was not absent a

¹ *Elliot's Debates* (Philadelphia: J. B. Lippincott Company, 1937), Vol. V, p. 365.

single day, nor more than a casual fraction of an hour in any day, so that I could not have lost a single speech, unless a very short one.²

I felt that I was on sacred ground in Independence Hall. Within these four walls had occurred two events which set in motion governmental reforms that advanced individual liberty and freedom to a far greater degree than any other act since the lowly Nazarene walked the earth.

VII

Outside, I strolled around the building and then down Walnut Street to Second. A parking lot and service station occupied the site of the famous City Tavern, which was located on the west side of Second Street between Walnut and Chestnut. Several members of the Constitutional Convention lived at the tavern while attending the meetings. Here was the most notable "smoke-filled" room in American history. In this tavern delegates effected compromises on a give-and-take basis, soothed ruffled feelings, and gave assurances of respect for each other's views on the provisions of the Constitution they were determined to frame.

In the City Tavern, extensive for its day, were entertained a larger number of our greatest Americans than have ever been guests in any other hostelry on the North American continent. In this tavern on July 4, 1788, eight days after New York, as the eleventh state, had ratified the Constitution, eighty men sat down to an elaborate banquet. Brief talks were made, and thirteen toasts were drunk, one for each of the states in the newly formed Republic. Imagine toasting each of the fifty states in the Union today.

VIII

On the last day of the Constitutional Convention, September 17, 1787, Washington wrote in his diary:

The business being thus closed, the Members adjourned to the City Tavern, dined together and took a cordial leave of each other—after which I returned to my lodgings—did some business with, and received the papers from the secretary of the Convention, and retired to meditate on the momentous wk.

² *Ibid.*, p. 121.

which had been executed, after not less than five, for a large part of the time six, and sometimes 7 hours sitting every day, sundays & the ten days adjournment to give a Commee. opportunity & time to arrange the business for more than four months.³

Perhaps Washington meditated that night on some of the thoughts he expressed a few months later in a letter to Sir Edward Newenham, written at Mount Vernon, July 20, 1788.

Although there were some few things in the Constitution recommended by the federal Convention to the determination of the People, which did not fully accord with my wishes; yet, having taken every circumstance seriously into consideration, I was convinced it approached nearer to perfection than any government hitherto instituted among men.⁴

IX

From the site of the City Tavern I walked up Second Street, passed the huge United States Customs House, and came to Old Christ Church. The guide told me that this church was begun in 1727 and completed twenty-seven years later. A plaque against the side wall reads:

In the burial grounds of this church rest the remains of Seven Signers of the Declaration of Independence—Benjamin Franklin, Robert Morris, George Ross, Benjamin Rush, James Wilson, Joseph Hewes, Francis Hopkinson.

I entered the foyer and was welcomed by a smiling lady, who invited me to see the church. Near the center of the sanctuary was the double pew which Washington occupied, a column separating it from the single pew on which was the name of Betsy Ross. Several members of the Continental Congress, delegates to the Constitutional Convention, and high officials of the newly formed government worshipped here. While Philadelphia was the national capital, both Washington, the President, and John Adams, the Vice-President, attended this church regularly.

Strolling along the street in the vicinity of Old Christ Church, I reflected that this nation was founded by God-fearing men. Although the names of God and Jesus Christ are not found in the Constitution, the framers of the great

³ *Farrand, The Records of the Federal Convention of 1787*, Vol. III, p. 81.
⁴ *Op. cit.*, Vol. III, p. 339.

document were, with few exceptions, men of integrity and character and possessed devout religious convictions.

I sauntered along Church Street to Third, turned down to Market, and then into Orianna Street, a narrow one-way alley which extends from Market to Chestnut Street. On this passageway stood the home of one of America's most brilliant statesmen, Benjamin Franklin. It was to the house on this site that Washington came on the day of his arrival in the city of Philadelphia, just before the beginning of the Constitutional Convention. Here on the evening of May 16, 1787, Franklin entertained the twenty-four delegates who had come to participate in the Convention. Washington wrote in his diary on that date: "Dined at Doctr Franklin's."

Franklin wrote to Thomas Jordan on May 18:

I received your very kind letter of February 27th, together with the cask of porter you have been so good as to send me. We have here at present . . . a convention composed of some of the principal people from the several States of our confederation. They did me the honor of dining with me last Wednesday, when the cask was broached, and its contents met with the most cordial reception and universal approbation.⁵

Following Chestnut Street, I came to the Second Bank of the United States. In front of this building stands a statue of Robert Morris wearing a long coat and holding a cane in his right hand. A plaque on the outside wall of this historic bank bears the inscription:

A notable example of Greek revival architecture. . . . It was erected in 1819-24. . . . The first of modern adaptations of the Parthenon of Athens.

⁵ Op. cit., Vol. III, p. 21.

CHAPTER XV

DEMIGODS FRAMED THE CONSTITUTION

Of the Constitutional Convention Thomas Jefferson wrote from Paris to John Adams on August 30, 1787: "It is really an assembly of demigods."

The Convention had been called to meet on May 14, 1787. At eleven o'clock on May 14, the first of these demigods, George Washington, was in the chamber which I had visited in Independence Hall. The others were not so prompt in assembling. In his diary Washington noted

that two States only were represented, viz, Virginia and Pennsylvania.

But from boyhood Washington had practiced punctuality. On May 20 he wrote Arthur Lee:

My rheumatic complaint having very much abated . . . I have yielded to what appeared to be the wishes of many of my friends, and am now here as a delegate to the convention. Not more than four states were represented yesterday. . . . These delays greatly impede public measures, and serve to sour the temper of the punctual members, who do not like to idle away their time.¹

I imagined I could see the tall man sitting impatiently in a chair near the center of the room. He said little. He was not a ready conversationalist, and he was far from being a hail-fellow-well-met.

The great man's dignity is well known. The gregarious Gouverneur Morris reported an incident that happened at the home of the President.

Hamilton made a speech I did not like. I started up and spoke. . . . as I finished I stalked up to the President, slapped him on the back, and said, "Ain't I right, general?" The President did not speak, but the majesty of the American people was before me. Oh, his look! How I wished the floor would open and I could descend to the cellar!²

¹ Farrand, *The Records of the Federal Convention of 1787*, Vol. III, p. 22.

² Op. cit., p. 86.

The opening of the all-important Convention was delayed. On May 15 Madison wrote to Jefferson relative to the delay of arrival of delegates:

Among the few is Genl Washington who arrived on Sunday evening amidst the acclamations of the people, as well as more sober marks of the affection and veneration which continues to be felt for his character.³

Madison explained the delay:

the late bad weather has been the principal cause.

I strolled through the hallowed hall. Today armchairs, replicas of those used in the Convention, are located on each side of the room on a raised narrow platform.

I imagined that Washington got more impatient as the days passed. It was not until May 25, eleven days late, that a quorum was present. On that Friday twenty-nine delegates from nine colonies were in attendance.

II

Seventy-two men had been appointed or asked to serve as delegates from twelve colonies. The smallest colony, Rhode Island, refused to send delegates. On May 11 some prominent businessmen of that state wrote a letter in which they expressed regret that Rhode Island would not be represented. Representation had been approved by the lower house of the assembly, but it had been voted down in the upper house.

Of the seventy-two men who had been appointed as delegates to the Convention, fifty-five eventually registered, but some of them attended only a few sessions. Each colony was permitted to name as many delegates as it desired, but it could cast only one vote.

I tried to picture the opening session on May 25. In the minds of the twenty-nine delegates present there was no question as to who should be president. Robert Morris arose and stated that, on behalf of the delegates from Pennsylvania, he wished to propose the name of George Washington as president of the Convention. John Rutledge of South

³ *Op. cit.*, p. 20.

Carolina seconded the motion, and Washington was unanimously elected.

Madison wrote:

The nomination came with particular grace from Penna, as Doctr. Franklin alone could have been thought of (as a competitor). The Doctr. was himself to have made the nomination (of General Washington, but the state of the weather and of his health confined him to his house.)⁴

I think it is generally conceded that never before or since has such an array of men qualified in the science of government assembled at one time for the purpose of writing a constitution as the basic law of a great nation. These demigods were endowed with character, native ability, knowledge, and abundant experience. I believe that I am safe in using the word "genius" as a description of several of the delegates.

All of these representatives had been tempered and hardened in the crucible of the Revolution and the post-Revolution crisis. They had worked together for independence. Now they were convinced that unless a stable federal government could be established without delay, all of their efforts to unite the colonies in a confederacy would be for naught.

Students of the life of Lincoln claim that the "times" made possible his rise to the position as one of the greatest statesmen of history. In like manner, I am sure that circumstances bore heavily upon the shoulders of the leaders of the colonies and contributed to the emergence of demigods to write the Constitution.

That this was the feeling of the delegates was vouched for by Gouverneur Morris when he said in the first session of the United States Senate:

Never, in the flow of time, was there a moment so propitious, as that in which the Convention assembled. The States had been convinced, by melancholy experience, how inadequate they were to the management of our national concerns.⁵

III

I want to emphasize the fact that Washington did not preside over a convention of illiterate yokels. At least

⁴ *Op. cit.*, Vol. I, p. 4.
⁵ *Op. cit.*, Vol. III, p. 381.

twenty-four of the delegates were graduates of colleges or universities. Of those who took part in the writing of the Constitution, nine were graduates of Princeton, three of Yale, two of Harvard, two of the University of Pennsylvania (at that time the College of Philadelphia), four of William and Mary, one of Columbia, one of Oxford, one of Glasgow, and one of Edinburgh. Three were professors of law in universities, and one was president of Columbia College.

Thirty-two were lawyers. Thirty-nine had been members of either the First Continental Congress or the Second or both. Eight had assisted in framing the constitutions of their own states.

These men were young; their average age was about forty. The youngest was Jonathan Dayton of New Jersey, aged twenty-seven. The oldest was Franklin, aged eighty-one. These able men applied themselves with sincerity of purpose to "form a more perfect union" and to establish a representative government, a republic.

These men were serious. Their attitude may be illustrated by a letter written by George Mason, of Virginia, to George Mason, Jr., datelined Philadelphia, June 1, 1787.

The eyes of the United States are turned upon this assembly, and their expectations raised to a very anxious degree. May God grant, we may be able to gratify them, by establishing a wise and just government. For my own part, I never before felt myself in such a situation; and declare I would not, upon pecuniary motives, serve in this convention for a thousand pounds per day. The revolt from Great Britain and the formations of our new governments at that time, were nothing compared to the great business now before us; there was then a certain degree of enthusiasm, which inspired and supported the mind; but to view, through the calm, sedate medium of reason the influence which the establishment now proposed may have upon the happiness or misery of millions yet unborn, is an object of such magnitude, as absorbs, and in a manner suspends the operations of the human understanding.⁴

Washington had spent many years in unwitting preparation to preside over this Convention. He had had many discouragements and frustrations and eventual successes in the Indian wars, in the Revolution, and in the period that "fried men's souls" after the war. In the third of a century of

⁴ *Op. cit.*, Vol. III, p. 32.

active public life after he was twenty-one, he had developed fortitude, patience, and a bulldog-tenacity which stood him in good stead in guiding the deliberations of the delegates. But it would have taken a superhuman character, almost divine, not to have become discouraged and at times ready to "throw in the sponge." We find him six weeks after he had been selected president of the Convention on July 10, writing Alexander Hamilton, who had returned home:

When I refer you to the state of the Councils which prevailed at the period you left this City — and add, that they are now, if possible, in a worse strain than ever; you will find but little ground on which the hope of a good establishment can be formed. — In a word, I almost despair of seeing a favourable issue to the proceedings of the Convention, and do therefore repent having had any agency in the business.

He closed this discouraging letter:

I am sorry you went away — I wish you were back — The crisis is equally important and alarming, and no opposition under such circumstances should discourage exertions till the signature is fixed.⁵

Here we find the wise Washington using a sort of despondent persuasion to induce Hamilton to return to Philadelphia. It worked. The brilliant young man returned and became one of the most powerful influences in completing the work and in the ratification movement. Here is a big "if." If Hamilton had not returned to the Convention, the Constitution might have died aborning.

Earlier (May 30), Washington wrote to his friend Thomas Jefferson:

The business of this convention is as yet too much in embryo to form any opinion of the conclusion. Much is expected from it by some; not much by others; and nothing by a few. That something is necessary, none will deny; for the situation of the general government, if it can be called a government, is shaken to its foundation, and liable to be overturned by every blast. In a word, it is at an end; and, unless a remedy is soon applied, anarchy and confusion will inevitably ensue.⁶

⁵ *Op. cit.*, Vol. III, p. 56.

⁶ *Op. cit.*, Vol. III, p. 31.

IV

The life of George Washington is well known. But it might be well to review a few of the major accomplishments of this super demigod. He was especially endowed with the qualities of leadership. Fitted by ability, training, and experience, by poise and balance, and by unexcelled judgment and integrity, Washington was the ideal man to preside at this most important Convention.

As a lad in Westmoreland County, Virginia, Washington had copied and made a part of his life the "Rules of Civility and Decent Behavior." These principles of right conduct were manifest in his character and became a guide in his dealings with others. He was a student, a self-educated man. Early in life he began acquiring a well-chosen library, which included books on military affairs, agriculture, history, biography, and the best fiction.

We have noted that in 1753 Governor Dinwiddie summoned Washington to the capitol at Williamsburg and entrusted him with a message to deliver to the French at what is now the site of Pittsburgh. The twenty-one-year-old major of militia, on his first appearance on the stage of American history, met the French officers and warned them off territory

so notoriously known to be the property of the crown of Great Britain.

After a narrow escape from assassination by a treacherous Indian and a miraculous escape from drowning in the icy waters of the Allegheny, he returned with a negative report to Williamsburg.

Two years later Dinwiddie made him a colonel and put him in command of the Virginia militia, a force of about three hundred men. This small body of soldiers had the duty of patrolling some three hundred miles of mountainous frontier. It was this same year, 1755, that Washington was made an aide to General Braddock and accompanied him on his ill-fated foray against Fort Duquesne. The twenty-three-year-old colonel took command when Braddock was fatally wounded.

In 1759 Washington married Martha Custis and retired to Mount Vernon to live the life of a gentleman-farmer.

The same year he was elected to the House of Burgesses of Virginia, where he served for fifteen years. He became one of the leaders in opposition to British policies in America. He served as a member of the First and Second Continental Congresses.

On September 5, 1774, Washington, among the forty-six delegates to the first Continental Congress, came at ten o'clock to City Tavern in Philadelphia and walked to Carpenter's Hall. Also included among the distinguished men of the thirteen colonies were Patrick Henry, John Jay, Samuel Adams, and Benjamin Franklin.

The occasion for the meeting of these notable men had developed after the Boston Tea Party and after General Thomas Gage had arrived in Boston on Friday, May 13, 1774, with instructions to close Boston harbor. The Committee of Correspondence quickly went into action. Paul Revere was sent with letters from Boston down through New England, New York, and on to Philadelphia. Other couriers visited other states. And the assemblies of the colonies were invited to send delegates to the first Continental Congress to meet in Philadelphia. Dunmore adjourned the House of Burgesses in Virginia, but the members met in the Apollo Room of the Raleigh Tavern and selected delegates for this important meeting.

One day when I was in Philadelphia, I took the historic map compiled by Grant Miles Simon and went to the site of the City Tavern on Second Street. I followed in the footsteps of Washington and other delegates from the City Tavern to Carpenter's Hall. I entered the grounds of Carpenter's Hall through the iron gate and proceeded into the room where the first concerted blow was struck for liberty when the Continental Congress met here on September 5, 1774. Forty-six delegates presented their credentials. They elected Peyton Randolph, speaker of the House of Burgesses of Virginia, as president. The Congress held secret meetings in this hall for seven weeks.

Washington was chosen by the Second Congress on June 15, 1775, to command all Continental armies. He assumed his duties at Cambridge, Massachusetts, July 3, 1775, one year before the Declaration of Independence was signed.

He continued as commander-in-chief of the armies until December 23, 1783, when he resigned his commission. In all of his services in the army he refused to accept a penny of salary, but he did accept pay for his expenses. However, he made repeated pleas that all other members of the military forces be paid. He was regarded so highly by the army that a movement was set on foot to make him king.

Washington presided with dignity and firmness at the Constitutional Convention. It is doubtful whether any other person on the North American continent could have held those delegates together for four months and literally forced them to complete their work.

Washington's diary reports that he left Philadelphia about one o'clock the day after the Convention adjourned and lodged that night at Chester. The next morning rain prevented his "setting off till about 8 o'clock." The second night he spent at the head of Elk, and the next at Havre de Grace. The following day he arrived in Baltimore, and on September 22 he reached home at sunset "after about four months and 14 days."

Washington must have returned to Mount Vernon with a feeling of satisfaction for a task well done and with the conviction that he had been privileged to preside at the birth of the greatest republic ever conceived by the mind of men.

Major William Pierce, in his appraisal of members of the Constitutional Convention, said of Washington

Having conducted these states to independence and peace, he now appears to assist in framing a Government to make the People happy. Like Gustavus Vasa, he may be said to be the deliverer of his Country; . . . and like Cincinnatus he returned to his farm perfectly contented with being only a plain Citizen, after enjoying the highest honor of the Confederacy, — and now only seeks for the approbation of his Country-men by being virtuous and useful.⁹

After the Constitution was written, Washington exerted his influence to have it ratified. The strongest factor in securing the approval of the Constitution was that the people who worked for its ratification let it be known that Washington would be the first President.

⁹ Op. cit., Vol. III, p. 94.

When he was chosen to that high office, he was compelled to borrow money to pay some pressing debts. He declined a salary as President, but he did accept an annual expense allowance of \$25,000 which Congress voted for his office. He was unanimously elected President in 1789 and again in 1793. He retired in 1797 after refusing a third term. He died two years later at his home in Mount Vernon. A French abbe said of him: "The Americans . . . are aroused, animated, and inflamed at the very mention of his name."

V

In smoothing ruffled feelings in debate on the Convention floor and in committee, Washington was aided by the greatest diplomat in our history, the amiable sage, Benjamin Franklin. John Fiske wrote: "The names of Washington and Franklin stood for supreme intelligence and consummate tact."

We have said that when the Convention met in his home city, Franklin had the gout in both feet. He was also suffering from a kidney stone. But in spite of these ailments and the infirmities of advanced age, he wrote a friend that he "attended the business of it [the Convention] five hours every day from the beginning."

Next to Washington, Franklin was the most widely known, most highly respected, and most influential man in the Convention. He was known favorably in Europe as well as in America. With only two years of formal schooling, he had become a self-educated scholar, eminent in languages, journalism, science, history, philosophy, and government.

I became a hero-worshiper of Franklin when I was a boy, after reading his famous *Autobiography*. I even went so far as to get a small notebook and patterned my day after the schedule Franklin laid out for himself. I divided my day into periods for study, work, recreation, and sleep. As I look back over my life, I am sure I would have accomplished far more if I had followed that plan.

Franklin was the first notable American example of the Horatio Alger success story of a self-made man. He was born in Boston in 1706. After serving as an apprentice in his brother's printing shop, he went to Philadelphia when

he was seventeen years of age. There he got a job as a printer. When he was twenty-four, he owned his own business and published the *Pennsylvania Gazette*. His *Poor Richard's Almanac* attracted wide attention. At the age of forty-two he sold his business and devoted his time to public service and other lines of endeavor.

This man of many talents established the American Philosophical Society, the Philadelphia Public Library, and Academy for the Education of Youth (later the University of Pennsylvania), promoted a city hospital, invented a heating stove which bears his name, proved that lightning and electricity are the same, and initiated a plan for a city police system.

In political life Franklin served as clerk of the Pennsylvania Assembly for fifteen years and as a member for three years. He was deputy postmaster general for the colonies, a member of the Second Continental Congress, a member of the committee that drafted the Declaration of Independence and one of its signers, and leader in a movement to form the fourteenth colony of Vandalia. He drafted the Articles of Confederation, represented this country in peace negotiations with France and with Great Britain, was president of Pennsylvania for three years, and one of his last acts was to sign a memorial to Congress asking for the abolition of slavery. His *Autobiography* is one of the outstanding pieces of writing of its kind in all literature.

VI

Next to Washington and Franklin, the most influential man in the Convention, the one who contributed most to the writing of the Constitution, was James Madison. John Fiske credited Madison and Hamilton with doing "the most profound and original thinking" of all the delegates in the Convention.

Madison was born in Port Conway, Virginia, in 1751. He was thirty-six years of age when he was chosen a delegate to the Convention. There he proved to be the hardest worker of all those who took part. He contributed more to the framing of the instrument than any other delegate.

Madison was a diligent student of government, Greek literature, philosophy, history, and achievements in medicine, astronomy, mathematics, and sciences fascinated him. He had read Homer, Lucian, Herodotus, Thucydides, Plato, Xenophon, and Hesiod. He was familiar with the Golden Age of Greece when the noted statesman Pericles utilized the talents of a coterie of intellectuals to produce unparalleled feats in democratic government, in architecture, in sculpture, in music, and all other forms of art.

At twenty-nine Madison was chosen a member of the Continental Congress, where he served for three years. He also served in the Virginia Assembly. He was a member of the Annapolis Convention, which issued a call for the meeting of the Constitutional Convention. In the year the Convention met he was again elected a member of the congress. He probably gave more suggestions than any other individual to the Virginia plan which was presented to the Convention by Governor Randolph. Madison is aptly called "the master-builder of the Constitution." He is also the chief recorder of the proceedings of the Convention. He signed the Constitution and worked for its adoption.

John Fiske wrote of Madison and Hamilton:

Among political writers, these two men must be ranked in the same order with Aristotle, Montesquieu, and Locke; and the "Federalist," their joint production, is the greatest treatise on government that has ever been written.²⁰

Madison wrote fourteen essays for the *Federalist* and collaborated on a number of others. As we have said, this series of articles was published in some of the leading New York newspapers and had much to do with arousing public opinion in support of the Constitution. It is claimed that the *Federalist* was the balance of power since the New York Convention ratified the Constitution on July 26, 1788, by the narrow margin of thirty to twenty-seven.

Madison pointed out the underlying philosophy of the Constitution when he said:

It may be a reflection on human nature, that such devices should be necessary to control the abuses of government. But what is government itself, but the greatest of all reflections

²⁰ Fiske, *The Critical Period of American History, 1783-1789*, p. 225.

on human nature? If men were angels, no government would be necessary. If angels were to govern men, neither external or internal controls on government would be necessary. In framing a government which is to be administered by men over men, the great difficulty lies in this: you must first enable the government to control the governed; and in the next place oblige it to control itself. A dependence on the people is, no doubt, the primary control on the government; but experience has taught mankind the necessity of auxiliary precautions.¹¹

Madison rendered a noteworthy service as leader of the Virginia Convention that ratified the Constitution on June 25, 1788.

That Madison was one of the stars of the early life of the United States is an accepted fact. Under the new government, after Washington was unanimously elected President, Madison was sent to the House of Representatives. In this position he took a leading part in presenting the first ten amendments to the Constitution, which are sometimes called the Bill of Rights. He retired from Congress in 1797. Then he was appointed Secretary of State by his friend President Jefferson. He was elected President in 1809 and retired to private life in 1817.

VII

The genius, Alexander Hamilton, was thirty years of age when he represented New York as a delegate to the Constitutional Convention. He was born in the British Colony of Nevis, Leeward Islands, in 1757, and came to New York when he was fifteen. When a mere lad of seventeen, he wrote a series of anonymous patriotic pamphlets, showing a profound grasp of the issues between America and Great Britain.

Hamilton joined the militia at the outbreak of the Revolution and is reputed to have formed a volunteer company. Later he received a commission to command an artillery company authorized by the provincial Congress; fought with Washington on Long Island and in other campaigns; was made secretary and aide-de-camp to Washington with the rank of lieutenant colonel.

¹¹ Saul K. Padover, *The Living U. S. Constitution* (New York: The New American Library, 1963), p. 14.

Hamilton was a versatile writer. Washington relied upon him to compose many of his state papers. In fact, he wrote Washington's *Farewell Address* (1796). He served as a member of the Continental Congress in 1782-83, 1787, and 1788; became the first secretary of the treasury; and planned and initiated a sound fiscal policy.

Although his attendance at the Constitutional Convention was irregular, he took part in major debates. He disliked many provisions of the Constitution, but he signed the document when it was completed. He then set about having it ratified by New York. It is conceded that if it had not been for the strenuous efforts of Hamilton, the key state of New York would probably not have ratified the Constitution. Powerful forces led by Governor Clinton put up a strenuous battle to defeat it. But Hamilton won the day by his convincing arguments and logical presentation of the subject.

VIII

Another demigod among the delegates must be mentioned: Edmund Randolph, the governor of Virginia, thirty-four years of age. He was charged with the responsibility of presenting the "Virginia Plan," a plan that, with many changes and amendments, became the basic law of the land.

Randolph was born on August 10, 1753, at Williamsburg, Virginia. After graduating from the law department of William and Mary College, he began a career in public life. At the age of twenty-three he was the youngest member of the Constitutional Convention of Virginia. Later he served as attorney general of his state and as a member of the Continental Congress, and was elected governor of Virginia at the age of thirty-three.

Governor Randolph was not the sole author of the "Virginia Plan." In a letter to Noah Webster on October 12, 1804, James Madison explained that since Virginia had initiated the movement for a Convention, the delegates

immediately on their arrival in Philadelphia, and having agreed among themselves on the outline of a plan, it was laid before the convention by Mr. Randolph.¹²

¹² Farrand, *op. cit.*, Vol. III, p. 409.

Madison pointed out that this plan was merely a basis for deliberations,

and after passing through a variety of changes in its important as well as its lesser features, was developed and amended into the form finally agreed to.¹³

Soon after the Constitutional Convention was organized, Randolph made the opening address. He said:

The confederation was made in the infancy of the science of constitutions, when the inefficiency of requisitions was unknown; when no commercial discord had arisen among states; when no rebellion like that in Massachusetts had broken out; when foreign debts were not urgent; when the havoc of paper money had not been foreseen; when treaties had not been violated; and when nothing better could have been conceded by states jealous of their sovereignty. But if offered no security against foreign invasion, for Congress could neither prevent nor conduct a war, nor punish infractions of treaties or of the law of nations, nor control particular states from provoking war. The federal government has no constitutional power to check a quarrel between separate states; nor to suppress a rebellion in any one of them; nor to establish a productive impost; nor to counteract the commercial regulations of other nations; nor to defend itself against the encroachments of the states. From the manner in which it has been ratified in many of the states, it cannot be claimed to be paramount to the state constitutions; so that there is a prospect of anarchy from the inherent laxity of the government. As the remedy, the government to be established must have for its basis the republican principle.¹⁴

It is interesting to note that Randolph, an outstanding leader in the deliberations of the Convention, was one of three delegates who refused to sign the Constitution. He said

that, in refusing to sign the Constitution, he took a step which might be the most awful of his life; but it was dictated by his conscience, and it was not possible for him to hesitate, — much less, to change.¹⁵

Washington appointed Randolph to be the first Attorney General of the United States. Randolph also served as Secretary of State. He was the chief counsel for Aaron Burr when Burr was tried for treason in Richmond in 1807.

¹³ *Ibid.*

¹⁴ *Fiske, op. cit.*, p. 235.

¹⁵ *Elliot's Debates*, Vol. V, p. 537.

IX

As I stood before the chair occupied by Washington at the Constitutional Convention, I tried to picture the last session. Near where I stood, the redheaded Madison had sat with alert attention. And to the side had been Franklin with his gouty feet upon a chair.

I remembered that Lord Cornwallis had remained in the Nelson House at Yorktown and had sent his second in command, General O'Hara, to present his sword in recognition of surrender. His excuse was that he had the gout. How different with Franklin!

In the closing hours of that momentous Convention, Franklin had his wits about him. He wrote this message and had it read by James Wilson:

I confess that there are several parts of this Constitution which I do not at present approve, but I am not sure I shall never approve them. For, having lived long, I have experienced many instances of being obliged, by better information or fuller consideration, to change opinions, even on important subjects, which I once thought right, but found to be otherwise. . . .

On the whole, sir, I cannot help expressing a wish that every member of the Convention, who may still have objections to it, would with me, on this occasion, doubt a little of his own infallibility, and, to make manifest our unanimity, put his name to this instrument.¹⁶

He then moved that the Constitution be signed by the members.

As an amateur student of psychology, I recall no event in our political history which presents an equal to the astuteness of Franklin in the last minutes of the Convention.

In his speech, the essential part of which I have quoted, the old philosopher and humorist kidded himself and used some apt illustrations which I am sure brought smiles to the faces of all who were present. He told of the French lady, who, in a dispute with her sister, said, "I don't know how it happens, sister, but I meet with nobody but myself that is always in the right."

One of the strong points he made was:

I consent, sir, to this Constitution, because I expect no better, and because I am not sure, that it is not the best. The opinions

¹⁶ *Op. cit.*, Vol. V, p. 534.

I have had of its errors I sacrifice to the public good. I have never whispered a syllable of them abroad.¹⁷

Then he warned against talking about differences of opinion relative to the clauses in the document.

I am not sure who signed first; it was probably Washington. But Franklin headed the eight delegates from Pennsylvania.

This wise old man knew people. He knew that if a delegate signed the Constitution, he would feel it his duty to go home and work for ratification. If it had not been for Franklin's clever plan to obtain signatures, the chances are that Hamilton would not have exerted himself to have the Constitution ratified in New York. He objected to several of the provisions of the document.

X

On Monday, September 17, 1787, thirty-nine men walked up to the secretary's desk in the hall in Philadelphia, took the pen that had been used in signing the Declaration of Independence, and affixed their signatures to the Constitution of the United States. Only three men, Randolph and Mason of Virginia and Gerry of Massachusetts, refused to sign.

I have already referred to the fact that the Articles of Confederation required that all colonies ratify before the Articles became effective. As a result, they were not ratified for five years. Probably the framers of the Constitution sought to avoid such delay by providing that when nine states had ratified, the Constitution would become effective. Without this provision the Constitution would never have been ratified.

¹⁷ *Ibid.*

CHAPTER XVI

RATIFICATION OF THE CONSTITUTION

Following the drafting of the Constitution came times of stress and strain, times when strong men spent sleepless nights, bit their fingernails to the quick, and developed stomach ulcers.

Leaders knew that the fate of the nation was held by a slender cord, that their country was on the brink of an abyss, at the edge of a precipice of chaos and anarchy. In a few fatal months they would know whether the sacrifices they had made and the victories they had won on the bloody battlefields of the Revolution were to be a "tinkling cymbal" or the foundation on which was to be built a glorious republic of free people.

On September 20, 1787, three days after the Constitution was signed in Philadelphia, it was presented to Congress, which was meeting at that time in New York. Ten of the delegates who had participated in the debates at the Constitutional Convention resumed their seats as members of the Congress.

In considering the Constitution which had been transmitted to the Congress, Richard Henry Lee of Virginia, the man who had moved that a declaration of independence be passed in 1776, proposed a series of amendments which he insisted should be made before submitting the Constitution to the states. His proposal was defeated. In the end a majority of the members voted to have the Constitution transmitted to the legislatures

to be submitted to a convention of Delegates chosen in each state by the people thereof in conformity to the resolves of the Convention made and provided in that case.¹

Copies of the Constitution were sent to each of the states. In contrast to the strict secrecy surrounding the debates in the Convention, the widest publicity was given to the text.

¹ Carl Van Doren, *The Great Rehearsal* (New York: The Viking Press, 1948), p. 178.

Two days after the Constitution was signed, the first printing of the document appeared in the *Pennsylvania Packet*. Thousands of copies were printed and distributed, not only in this country but also in England, France, and other foreign countries.

Propaganda for and against the Constitution appeared in newspapers; members of assemblies were deluged with arguments pro and con; and public meetings were held where debaters argued what they considered to be the merits or demerits of the law. After the decision by Congress on September 28 to submit the Constitution to the states, plans soon took shape to have ratification conventions.

II

Delaware, one of the smallest states and one whose delegates had resisted many of the provisions of the Constitution, was the first to ratify it. This it did with a unanimous vote on December 7, 1787, eighty-one days after the document had been signed.

Pennsylvania was the second state to ratify. On September 18, the day following the adjournment of the Convention, Franklin headed the eight-man delegation which visited the assembly. Mifflin, one of the delegates and speaker of the house, read the Constitution. Then the wily Franklin read a letter which was signed by each of the delegates from his state to the Constitutional Convention and which set forth a recommendation that Pennsylvania cede a tract of land to the Federal Congress for use as the site of the capitol of the new government.

The Pennsylvania Assembly took this action two days prior to the time Congress voted to submit the Constitution to the states for ratification. In New York Franklin had arranged for an express rider who immediately carried to Philadelphia a report of the action of the Congress.

The matter of a ratification convention was presented to the Pennsylvania Assembly. Some members who opposed the Constitution absented themselves from attending this meeting, thus preventing a quorum. A sergeant-at-arms was dispatched to bring in two members. He succeeded, with the assistance of some onlookers. Then the doors were

locked and guards placed to prevent anyone from entering or leaving. A reluctant quorum being present, the assembly voted to hold an election on the first Tuesday in November to choose delegates to a convention on November 20.

When this convention met, Mr. Thomas McKean moved that the Constitution be ratified. James Wilson, the only delegate to this convention who had participated in the debates at the Constitutional Convention, led the debate in favor of ratification. There was full debate. A number of delegates registered disapproval, but on December 12, the vote for ratification was forty-six to twenty-three.

Six days later, December 18, New Jersey ratified unanimously.

On January 2, 1788, Georgia also unanimously ratified the Constitution. There was good reason for its action because it needed help on account of the threat of Indians on one side and the Spaniards on the other.

On January 9, Connecticut ratified by a vote of 128 to forty after debating the subject for eight days. In the opening address, January 4, 1788, Oliver Ellsworth pointed out that union was necessary; that without it wars might break out between states; and that power must be lodged in a central government. In the course of his talk, he referred to ancient nations.

It is said, that other confederacies have not had the principle of coercion. Is this so? Let us attend to those confederacies which have resembled our own. Some time before Alexander, the Grecian states confederated together. The Amphictyonic council, consisting of deputies from these states, met at Delphos, and had authority to regulate the general interests of Greece. This council did enforce its decrees by coercion. The Boeotians once infringed upon a decree of the Amphictyons. A mulet [fine] was laid upon them. They refused to pay it. Upon that, their whole territory was confiscated. They were then glad to compound the matter. After the death of Alexander, the Achaean league was formed. The decrees of this confederacy were enforced by dint of arms. The Aetolian league was formed by some other Grecian cities, in opposition to the Achaean; and there was no peace between them until they were conquered and reduced to a Roman province. They were then obliged to sit down in peace under the same yoke of despotism.²

² Elliot's *Debates*, Vol. II, p. 167.

Following the vote on ratification, January 9, 1788, Jonathan Trumbull, an aide to Washington during the Revolution, wrote to him

I have the honor to inform you that, last evening, the Convention of this State, by a great majority, voted to ratify and adopt the new proposed Constitution for the United States.³

Washington exerted a great influence on key men in every state. He did more than any other man to bring about ratification.

III

Massachusetts was one of the key states. The convention met in Boston on January 9, 1788, and continued in session until February 6. The vote for ratification was by the narrow margin of 187 to 168.

At the outset of the convention, those who favored the Constitution had used strategy to enlist the support of the governor, John Hancock; they chose him as president of the convention. He had served in the Continental Congress and was the first man to sign the Declaration of Independence. It is alleged that he was disappointed when he was not chosen as commander-in-chief of the army when Washington was selected.

It had been rumored that Virginia might not ratify the Constitution on account of the influential men who opposed it. The thought was planted in Hancock's mind that if Virginia failed to approve, he stood a good chance of being the first President of the United States. With this ambitious man as chairman, the meetings were conducted in an orderly manner, and on February 6 Massachusetts voted for ratification.

Maryland was the seventh state to ratify the Constitution. The delegates to the Constitutional Convention were requested by the legislature to appear on November 29, 1787, and report. Following this report a ratification convention was authorized. Before the meeting of the convention at Annapolis on April 21, 1788, a bitter campaign, led by Luther Martin, was waged against adoption. The effort to elect delegates who would be opposed to the Constitution was not

successful. Proponents were in the great majority. Maryland was one of the few states that voted on the entire Constitution without debating it section by section. The convention was in session only five days when it voted sixty-three to eleven for ratification.

South Carolina was the eighth state to ratify. Heated debates over the Constitution were held in the legislature. Here the four delegates, all of whom had signed the Constitution, answered all arguments, and the legislature voted unanimously to call a ratification convention, which assembled on May 12, 1788. The next day Governor Thomas Pinckney (brother of Charles Cotesworth Pinckney, a delegate to the Constitutional Convention), was chosen president. On May 23 the vote was 149 to seventy-three.

New Hampshire was the ninth state to ratify the Constitution, and nine was a sufficient number to make the law effective as provided in the document. The state convention met at Exeter on February 13, 1788. It debated the subject for ten days, then adjourned until June 3, but did not reconvene until June 17. The adjourned convention met in Concord on that date, debated phases of the Constitution for four days, and voted fifty-seven to forty-seven in the affirmative.

Tobias Lear, Washington's private secretary at Mount Vernon, wrote to him

The Constitution was ratified on Saturday, at one o'clock, P.M. I am thus particular, as Virginia might have adopted it the same day, and, in that case, the hour must be known, to determine which was the ninth State.⁴

IV

The bitterest fight on ratification occurred in Virginia. The contest was a battle of giants. Many of the ablest men on the North American continent took part. The debate was dramatic, filled with surprises, and both sides were represented by patriotic statesmen. The proceedings fill a complete volume in *Elliot's Debates*.

On account of the size of the colony, the number of influential statesmen who lived there, and the fact that it was

³ Van Doren, *The Great Rehearsal*, p. 194.

⁴ *Op. cit.*, p. 206.

the home of Washington, Virginia's ratification of the Constitution was essential to its success. The convention met in Richmond on June 2, 1788, in the New Academy on Shockoe Hill. Edmund Pendleton was chosen president, and John Beckley, secretary, the latter becoming the first librarian of the Library of Congress. When the question of rules to govern the convention was being discussed, Mason, one of the three delegates who had refused to sign the Constitution, said:

The curse denounced by the divine vengeance will be small, compared to what will justly fall upon us, if from any sinister views we obstruct the fullest inquiry.⁵

Patrick Henry, who had refused to be a delegate to the Constitutional Convention, saying, "I smelt a rat," used all of the power of his magnetic oratory to influence the delegates to vote against ratification. Henry demanded in his first address that the delegates explain why they had rejected the Articles of Confederation. He paid tribute to Washington by saying:

Even from that illustrious man who saved us by his valor, I would have a reason for his conduct: that liberty which he has given us by his valor, tells me to ask this reason; and sure I am, were he here, he would give us that reason.⁶

George Mason, Richard Henry Lee, and other influential men joined Patrick Henry.

James Madison led the fight for approval. In this he was supported by Governor Randolph, who had refused to sign the Constitution but who worked for its ratification. Washington was at home writing letters and sending messages.

Day after day the debate continued. There hovered over the assembled delegates a sense of responsibility and gravity. Madison, without the ability of Henry as an orator but with unanswerable clear and convincing logic, held the convention to a steady course. In his arguments, Madison frequently referred to ancient Greece. From his richly stored mind he drew illustrations of similar political situations that had been resolved four or five hundred years before Christ in the little peninsula of the Hellenes.

⁵ Elliot's *Debates*, Vol. III, p. 3.

⁶ *Op. cit.*, Vol. III, p. 22.

On June 7, he reminded the delegates:

The Amphictyonic league resembled our Confederation in its nominal powers; it was possessed of rather more power. The component states retained their sovereignty, and enjoyed an equality of suffrage in the federal council. But, though its powers were more considerable in many respects than those of our present system, yet it had the same radical defect. Its powers were exercised over its individual members, in their political capacities. To this capital defect it owed its disorders and final destruction. It was compelled to recur to the sanguinary coercion of war to enforce its decrees.⁷

Madison used an apt illustration by comparing the Articles of Confederation with the Amphictyonic League which bound together some dozen city-states for the primary purpose of protecting the temple of Apollo at Delphi. He implied that the only way the Confederation would be able to enforce its decrees was by war. And there was no provision for it to raise and maintain an army.

The struggles consequent on a refusal to obey a decree, and an attempt to enforce it, produced the necessity of applying to foreign assistance. By complying with such an application, together with his intrigues, Philip of Macedon acquired sufficient influence to become a member of the league. This artful and insidious prince soon after became master of their liberties.⁸

The Amphictyonic League brought about its own destruction by inviting Philip of Macedon to join it. Madison showed that the Achaean League had the same weakness and was dissolved for the same reason. He advised against the loose organization found in the two ancient Greek leagues.

The Achaean league, though better constructed than the Amphictyonic, in material respects, was continually agitated with domestic dissensions, and driven to the necessity of calling in foreign aid; this, also, eventuated in the demolition of their confederacy. Had they been more closely united, their people would have been happier; and their united wisdom and strength would not only have rendered unnecessary all foreign interpositions in their affairs, but would have enabled them to repel the attack of an enemy. If we descend to more modern examples, we shall find the same evils resulting from the same sources.⁹

⁷ *Op. cit.*, Vol. III, p. 122.

⁸ *Op. cit.*, Vol. III, p. 122.

⁹ *Op. cit.*, Vol. III, p. 130.

The Constitution of the United States guarded against the possibility of any state's inviting in foreign aid and waging war.

James Monroe, another Princeton graduate and Greek student, advised on June 10, 1788, that the principles which applied to ancient leagues would produce the same effect in this country.

The Amphictyonic council consisted of three members—Sparta, Thebes, and Athens. What was the construction of these states? Sparta was a monarchy more analogous to the constitution of England than any I have heard of in modern times. Thebes was a democracy, but on different principles from modern democracies. Representation was not known then. This is the acquirement of modern times. Athens, like Thebes, was generally democratic, but sometimes changed. In these two states, the people transacted their business in person; consequently they could not be of any great extent. There was a perpetual variance between the members of this confederacy, and its ultimate dissolution was attributed to this defect. The weakest were obliged to call for foreign aid, and this precipitated the ruin of this confederacy.¹⁰

Monroe went farther than Madison in his comparison of the provisions of the Constitution with those governing the ancient Greek leagues. He pointed to the Achaean League as very similar to the plan worked out for our government at Philadelphia.

The Achaean league had more analogy to ours, and gives me great hopes that the apprehensions of gentlemen with respect to our confederacy are groundless. They were all democratic, and firmly united. What was the effect? The most perfect harmony and friendship subsisted between them, and they were very active in guarding their liberties. The history of that confederacy does not present us with those confusions and internal convulsions which gentlemen ascribe to all governments of a confederate kind. The most respectable historians prove this confederacy to have been exempt from those defects.¹¹

For twenty-five days, June 2 to 26, the verbal battle raged. The entire country recognized that Virginia was the pivotal state; if it failed to approve, chances were the new Republic would die aborning. But after much wrangling, the pro-Constitution forces won by the narrow margin of eighty-nine to seventy-nine.

¹⁰ *Op. cit.*, Vol. III, p. 209.

¹¹ *Op. cit.*, Vol. III, p. 210.

V

The eleventh state to ratify the Constitution was New York.

On the last day of the Constitutional Convention, when Alexander Hamilton had joined with Franklin in urging the members to sign the document, he had announced publicly that no man's ideas were more remote from the plan than were his. But he argued that anarchy might result if the Constitution was not adopted. By his last speech at the Convention and by his signature of approval, he placed himself on record to give his best efforts to secure ratification.

When Hamilton returned to New York, he faced the greatest battle of his life. Governor George Clinton, a former member of the Continental Congress and later Vice-President of the United States, was one of the bitterest foes of the Constitution. He enlisted the support of Robert Yates and John Lansing, who had been delegates to the Convention, although neither Yates nor Lansing was present when the Constitution was completed. (Yates made elaborate notes of the proceedings, notes which are preserved.)

In their efforts to prevent ratification, Clinton and his aides induced Melancton Smith, one of the greatest orators this country has produced, to work with them.

On the first of February, 1788, the Legislature of New York passed a resolution providing for the election of delegates to a state convention to be held in the courthouse in Poughkeepsie "on the third Tuesday of June next." When the convention met on June 17, the delegates unanimously elected the governor, George Clinton, as president.

Those who opposed ratification had an advantage because of the widespread political influence they possessed. But the debates were prolonged for more than a month, and in that time, many converts to the Constitution were made by the clear logic of Hamilton and others.

Hamilton, as he had done in Philadelphia, drew illustrations from confederacies of ancient Greece. In his first major speech, he said:

The gentlemen who have spoken to-day have taken up the subject of the ancient confederacies; but their view of them has been extremely partial and erroneous. . . . The first of

these governments that we read of, was the Amphictyonic confederacy. The council which managed the affairs of this league possessed powers of a similar complexion to those of our present Congress. The same feeble mode of legislation in the head, and the same power of resistance in the members, prevailed.¹²

Later in the same speech he said:

No inference can be drawn from these examples [Lycian and Achaean leagues as well as the Amphictyonic confederacy], that republics cannot exist: . . . Weakness in the head has produced resistance in the members; this has been the immediate parent of civil war: auxiliary force has been invited; and foreign power has annihilated their liberties and name. Thus Philip subverted the Amphictyonic, and Rome the Achaean republic.¹³

When information was received that the ninth state, New Hampshire, had ratified the Constitution, the people of New York began to change their attitude. They did not want New York to be left out of the new government. And when the report was made that Virginia had ratified, even Melancton Smith argued for ratification. He made the motion that the convention approve the Constitution. The vote was taken on July 25, after more than five weeks of debate. The vote was by the narrow margin of thirty to twenty-seven in favor of ratification.

VI

The Constitution went into effect on March 4, 1789.

Washington was unanimously elected the first President of the United States by eleven states that had ratified the Constitution. He took the oath of office in New York on April 30, 1789.

On January 28, 1790, the President informed Congress that North Carolina had ratified the Constitution November 21, 1789. The vote was 195 to seventy-seven.

On June 1, 1790, the President informed Congress that Rhode Island, which had not sent delegates to the Constitutional Convention, had ratified the Constitution on May 29, 1790. The vote was thirty-four to thirty-two.

¹² *Op. cit.*, Vol. II, p. 234.

¹³ *Op. cit.*, Vol. II, p. 235.

An unusual ratification was that of Vermont, which became the fourteenth state. Vermont had not been a member of the Confederation, but it had ratified the Constitution on January 10, 1789. Approved by an act of Congress on February 19, 1791, the state was "received and admitted into this Union as a new and entire member of the United States."

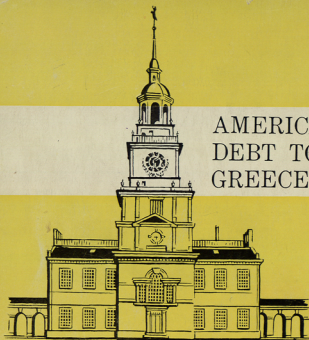
VII

Fourteen states had become one Republic under one Constitution. To this supreme hour the Greek savants, born centuries before, had aided the new United States of America, and for the blessing we know in the bulwark of our Constitution we may thank those statesmen of ancient Greece.

For the origin of much of the order and beauty in the culture we enjoy today, we may look to the Golden Age of Greece.

Beyond measure, beyond comprehending is our debt to Greece, where rose the sun of our civilization.





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