

PATRICK HENRY: NICE GUY, CONSIDERATE ADVERSARY, GOOD LOSER

by James M. Elson

In our present age of bad manners, bombast, and bombers, Patrick Henry would appear to be the *beau ideal*. Sure, there is -- the ranting revolutionary from the backwoods of Virginia shouting at the respectable Tidewater aristocracy, "If this be treason, make the most of it!" and "Give me liberty or give me death!" After all, didn't he make his first mark in the world by beating up in court on a group of clergy from his own church, one of whom was his uncle for whom he was named? Give 'em hell, Patrick!

Now here's Col. Henry with his home-grown militia marching on a cache of gunpowder in Williamsburg defended by colonial governor Lord Dunmore and his British troops. Col. Henry is determined to fight it out to the end, if necessary. Dunmore turns tail and runs, but who was to know that? The Voice of the Revolution, willing to risk taking a royal bullet in this confrontation, was obviously willing to "walk the walk" as well as "talk the talk".

Patrick Henry, a Rambo for all seasons? Despite the mythology -- despite the stereotype which prompted Timothy McVeigh's search for a retroactive role model in a Henry biography as he awaited trial (TIME 14 August 95) -- when we examine Mr. Henry closely and carefully, we are certainly not going to find a confused rebel. But nice guy, considerate adversary, good loser?

That Patrick Henry was a man of unwavering principles there can be no doubt. "The first thing I have at heart is American liberty; the second is American union," he told the Virginia Convention on the Ratification of the Constitution in 1788. That pretty well sums up the political creed of his entire life. Henry's attitudes and methods towards achieving these goals may have changed over time as he acquired wisdom through experience, but not the goals themselves. Yet even in his early, admittedly more impetuous years, we may discern a much more complex Patrick Henry, than his advocates have been will-

ing to put forward for fear of weakening the image of the firebrand.

"I think he was the best humored man in society I almost ever knew, and the greatest orator that ever lived," Thomas Jefferson recalled in 1805. "He had a consummate knowledge of the human heart, which directing the efforts of his eloquence enabled him to attain a degree of popularity with the people at large never perhaps equalled."

Henry's good humor seems to have been part of his genetic makeup and, influenced over the years by his religious upbringing and keen powers of observation, developed in tandem with his considerable mental abilities. Thus, he was never hesitant to attack the sin but, understanding human frailty, was almost just as ready to forgive, or at least go easy on, the sinner. Even in Henry's first youthful slashing jeremiads against the establishment church and government, the Parsons' Cause Case and the Stamp Act Speech, there are stories of his consideration for his opponents.

"I shall be obliged to say some hard things of the clergy, and I am very unwilling to give pain to your feelings," Henry's first biographer, William Wirt, reports him warning his uncle, the Rev. Patrick Henry, just before the commencement of the Parson's Cause trial. And there is that troublesome story of the "French traveler," who happened to be present in the Virginia House of Burgesses to witness Henry's Stamp Act Speech. According to the foreigner's perhaps imperfect understanding of the debate he had witnessed, the orator offered to apologize if he had given offense, but this version of what took place seems to differ from everyone else's, including Jefferson's.

Henry's twentieth-century biographer, Robert Meade, probably has it about right: "Possibly Henry, after skirting the edge of treason, did make some conciliatory remarks. But the evidence is overwhelming that these remarks, if actually made, were not a weak

apology. It was an age when gentlemen would bow politely even before attempting to run each other through in a duel."

Fast forward ten years to 1775, St. John's Church, Richmond, where a convention of distinguished Virginians has gathered to consider arming their colony against the British. Again the Tidewater aristocrats are dragging their feet; they simply refuse to recognize the inevitability of the coming conflict. Patrick Henry is there -- he'll put them in their place. The Trumpet of the Revolution is recognized by the chair and rises to speak:

No man thinks more highly than I do of the patriotism, as well as abilities, of the very worthy gentlemen who have just addressed the house. But different men often see the same subject in different lights; and, therefore, I hope it will not be thought disrespectful to those gentlemen, if entertaining, as I do, opinions of a character very opposite to theirs, I shall speak forth my sentiments freely and without reserve. . . ."

What! Is this any way to begin the speech that ends with the immortal peroration, "Give me liberty or give me death!"? Did the older and more mature Henry, twelve years past the Parsons' Cause Case and approaching forty, believe that beginning his speech by politely acknowledging his opponents as individuals of worth would sway them to his way of thinking? Not likely. But on the other hand, what was there to be gained by attacking them personally for their views?

"There was one trait in Mr. Henry, flowing from his good disposition and his magnanimity, which did him great credit and is universally admitted," Judge Spencer Roane wrote in his memoir of his father-in-law. "He was extremely kind to young men in debate, and every ready to compliment even his adversaries when it was merited."

Henry was not only kind to his

opponents in debate, he was occasionally merciful, as the following story illustrates: Henry's most celebrated case as an attorney was that of British Debtors, tried in the early 1790's. Henry argued successfully that money owed by Americans to English merchants before the Revolution was no longer due because of the exigencies of the conflict. One of Henry's courtroom opponents was a certain Mr. Ronald, who "had been suspected of being not very warm in the American cause." While attempting to present his argument, Mr. Ronald made the unfortunate error of referring to the Commonwealth of Virginia as a "revolted colony," a term which even today would arouse the ire of any loyal citizen of the Old Dominion. Henry's reaction to this insult is described by his biographer, William Wirt:

At this word, he turned upon Mr. Ronald his piercing eye, and knit his brows at him, with an expression of indignation and contempt, which seemed almost to annihilate him. It was like a stroke of lightning. Mr. Ronald shrunk from the withering look: and pale and breathless, cast down his eyes, "seeming, says my informant, to be in quest of an auger hole, by which he might drop through the floor, and escape forever from mortal sight." Mr. Henry perceived his suffering, and his usual good-nature immediately returned to him. He raised his eyes gently toward the court, and shaking his head slowly, with an expression of regret, added, "I wish I had not heard it: for although innocently meant (and I am sure that it was so, from the character of the gentleman who mentioned it) yet the sound displeases me -- it is unpleasant." Mr. Ronald breathed again, and looked up, and his generous adversary dismissed the topic, to resume it no more.

Patrick Henry opposed the ratification of the Constitution of the United States in its original form. Generally, he objected on two grounds: he felt it called for too strong a central government and originally the document contained no Bill of Rights. At the Virginia

Convention on the Ratification of the Constitution, held in Richmond in 1788, Henry, age 52, argued long and eloquently to persuade his fellow Virginians to vote "no." He lost. Although there was a promise of a future Bill of Rights, there was no guarantee. Was it time for another revolution? This is what Mr. Henry said:

I beg pardon of this house for having taken up more time than came to my share; and I thank them for their patience and polite attention with which I have been heard. If I shall be in the minority, I shall have those painful sensations which arise from a conviction of being overpowered in a good cause. Yet I will be a peaceable citizen! My head, my hand, and my heart, shall be free to retrieve the loss of liberty, and remove the defects of that system in a constitutional way. I wish not to go to violence, but will wait with hopes that the spirit which predominated in the revolution is not yet gone: nor the cause of those who are attached to the revolution yet lost -- I shall therefore patiently wait, in expectation of seeing that government changed, so as to be compatible with the safety, liberty, and happiness of the people.

Henry did see a Bill of Rights added to the Constitution three years later. Still he never felt completely comfortable with the new government and declined numerous offers to serve in it. In the late 1790s he retired to Red Hill and watched developments from afar. There were controversies to be sure -- some very hot ones, notably the Alien and Sedition Acts. In early 1799 at the behest of his old commander-in-chief, George Washington, Henry presented himself at Charlotte Court House as a candidate for the Virginia legislature. In his last public speech, he addressed the issues of the day:

If I am asked what is to be done, when a people feel themselves intolerably oppressed, my answer is ready: Overturn the government. But do not, I beseech you, carry matters to

this length without provocation. Wait at least until some infringement is made upon your rights and which cannot otherwise be redressed; for if ever you recur to another change, you may bid *adieu* for ever to representative government.

Patrick Henry, "The Voice of the Revolution," was elected but died in June 1799 before he could take office. George Washington, "The Sword of the Revolution," died later the same year. Thomas Jefferson, "The Pen of the Revolution," lived another twenty-seven years. The reputations of Washington, and Jefferson have remained bright and even increased in the present century, roughly commensurate with the growth of the federal government, in which they played so important a part. Patrick Henry, who never held a federal office, has become in our time "The Forgotten Patriot" or, at most, a seven-word sound bite.

Today the few who still revere "The Forgotten Patriot," seem intent on reminding us of the firebrand, but it may be that our present uncivil age is more in need of the kinder, gentler Patrick Henry. Perhaps Americans at the end of the twentieth century would best serve their country by emulating his character rather than by mindlessly mouthing his words. Patrick Henry was the first of the Founding Fathers to teach us the lesson of constitutionalism the hard way -- through losing. You make your case, you take a vote, and, if the vote is not in your favor, you seek to make changes in a constitutional manner.

Patrick Henry, "the best humored man in society," "kind. . . in debate," "ready to compliment his adversaries," "overpowered in a good cause" yet "willing to remain a peaceable citizen." The Voice of the Revolution at the end of his life became the law-abiding dissenter. By doing so, he provided his country a great, and perhaps his most valuable service.

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