

## JAMES WILSON: AN APPRECIATION BY JAMES BRYCE

*[Editorial Note: Neither the subject nor the author of the following essay needs much editorial introduction. James Wilson was one of six men whose political reputation survived long enough for them to sign both the Declaration of Independence and the Constitution of the United States. So many competent historians have assessed his services as second only to Madison's in the formation of the latter instrument, that it seems as unnecessary to comment upon him as it is to say that James Bryce was the author of the American Commonwealth. This hitherto unpublished paper was written in 1904 as an introduction to a life of Wilson by Lucien Hugh Alexander, a member of the Society. Unfortunately, this biography was not completed before Alexander's death. It is now printed with the permission of the owner, Dr. John Alexander, of the University of Michigan. Dr. Alexander asks that his contribution to this anniversary number of the magazine serve as a gentle reminder of the fact that James Wilson's life and writings still await their publisher. On this occasion Dr. Alexander pays tribute to the many years of painstaking research which Burton Alva Konkle has devoted to the subject of Viscount Bryce's essay.]*

—Randolph G. Adams.]

THE first beginnings of institutions that have had a long life have always had a special interest for the historian, like that which the tiny spring on the mountain whence comes the great river has for the geographer. This interest becomes all the keener the wider is the fame and the greater has been the influence of the institution whose origin is traced. Thus every thing that surrounds the foundation of the American Republic and the preparation of the Constitution by which that Republic came into being, an instrument the most potent in its own kind that was ever drafted by men or approved by a nation, deserves the most minute and careful study. Thus the statesmen who thought out the lines of that Federal system under which the United States have so wonderfully grown and prospered deserve to be remembered and venerated as Athens venerated her legendary Theseus and her historic Solon. The lives and

the characters of these statesmen shine with a light reflected back from the splendour which later years have given to their work. It may be that we think more of some of them than they deserve in comparison with other men whose gifts were equal, or superior, but whose opportunities for fruitful action were scantier. This is part of the chances of the world, in which honour can never be exactly proportioned to merit. Anyhow none will deny that Washington, Jefferson, John Adams, John Marshall, Patrick Henry, James Madison, belonged to a great generation.

In that generation there were two men, and those among the very first in intellectual power to whom during a long time there was awarded less than their fitting meed of recognition. Both were recent immigrants, whose sojourn in America might have seemed scarcely long enough to give them either the knowledge of the country or the patriotic devotion to it which were needed to make them leaders in its struggle against the British king or in its efforts to create an efficient and unified government. Of these two, both, as it so happened, of Scottish stock, Alexander Hamilton has during recent years received the honour due to his extraordinary gifts, an honour which the extinction of the party he led and the emergence of new questions had for a time withheld from him. A revival of public interest in James Wilson has come still later but it has come in full measure. The ceremony of Nov. 1906, when his mortal remains were in the presence of so many distinguished and representative men removed from their resting place in North Carolina and re-interred in his own State and City was not less solemn and imposing than the rites which in the Middle Ages accompanied and consecrated the *Translatio*, as it was called, of the body of a Saint. All that this generation can do in the way of building the sepulchres of the prophets is now being done over America for the heroes of that creative and prophetic age which lies a century and a quarter behind.

James Wilson is in respect of his personal traits less of a distinct and sharply drawn individuality than are some of his compeers such as Jefferson, Hamilton, and Gouverneur Morris. He had neither the attractive vivacity nor the brilliance of Hamilton, whose mother was a French West Indian creole. Few of his letters, few records of his private talk, seem to have been preserved. But the quality of his intellect stands out clear and sharp. It belonged to the type which

Walter Bagehot, one of the most acute and discriminative of critics, has called the Scotch intellect. He was a systematic and coherent thinker, who had read widely, had thoroughly mastered and digested all that he had read, had embodied his observations and ideas in general principles, had formed the habit of seeing the facts of the time in their relation to those principles, and was prepared to apply them steadily and consistently. He had the courage of his logic, and was not afraid to maintain views which startled some of his contemporaries. But he was sufficiently practical to be aware that logical consistency and the desire for the absolutely best must often yield to the need for disarming the prejudices, or soothing the alarms, or even "making a deal" with the selfish interests of opponents. Accordingly the Convention of 1787 found him not unreasonable, not indisposed to accept compromises with good humour. It would seem however that the immense influence which he exerted in that wonderfully able body was due less to any talent for persuasion enabling him to win over its members than to his argumentative power, to the clearness with which he saw and the force with which he expounded and applied the broad doctrines of political and legal science he had already thought out.

Nothing was more natural than that Wilson's mind, like Hamilton's, should have been fixed rather on the Nation than on the States. Both were newcomers, who had not been long enough in the country to have become permeated by that State feeling which was in those days so strong that nothing less than the fear of the disasters which the weakness of the Confederation might bring would have induced the States to subordinate themselves to an effective central government. He was as convinced a Federalist as Hamilton, and he was more democratic in sentiment, with a greater disposition to trust the people, and apparently a more sanguine hope that in the hands of the people all things would work out right.

His contributions to the framing of the Constitution were of inestimable value—and among the proposals he made which were not accepted there are some which a weighty body of opinion in later days has approved. Only second in importance to the services he rendered in the great Convention were those which he was able to give in the Pennsylvania State Convention in which the adoption of the Constitution was debated. Its acceptance there was largely due to his

speeches—and the voice of Pennsylvania counted for much with the other States that had not yet decided.

That he should be placed on the Bench of the Supreme Court when it came into being in 1789 was a matter of course. His mind was eminently judicial; and it will always be a cause for regret that death at the age of fifty-six, when he had sat for nine years only, should have deprived the young Republic of those elucidations of the meaning of the Constitution which no one, not even Jay or Marshall, could have delivered with more authority or with more complete mastery of the principles of law and government.

The services which such a mind as Wilson's, broad, penetrating, exact, and luminous can render to a nation can hardly be overestimated. In the long run, the world is ruled by ideas. Whoever gives a nation, and most of all to a nation at the outset of its career, sound just principles for the conduct of its government, principles which are in harmony with its character and are capable of progressive expansion as it expands, is a true benefactor to that nation, and deserves to be held in everlasting memory. Such a one was James Wilson.

[JAMES BRYCE]