9. Balance of Power

To James Sullivan

Philadelphia, 26 May 1776

... Our worthy friend, Mr. Gerry, has put into my hands a letter from you, of the sixth of May, in which you consider the principles of representation and legislation, and give us hints of some alterations, which you seem to think necessary, in the qualification of voters.

I wish, Sir, I could possibly find time to accompany you, in your investigation of the principles upon which a representative assembly stands, and ought to stand, and in your examination whether the practice of our colony has been conformable to those principles. But, alas! Sir, my time is so incessantly engrossed by the business before me, that I cannot spare enough to go through so large a field; and as to books, it is not easy to obtain them here; nor could I find a moment to look into them, if I had them.

It is certain, in theory, that the only moral foundation of government is, the consent of the people. But to what an extent shall we carry this principle? Shall we say that every individual of the community, old and young, male and female, as well as rich and poor, must consent, expressly, to every act of legislation? No, you will say, this is impossible. How, then, does the right arise in the majority to govern the minority, against their will? Whence arises the right of the men to govern the women, without their consent? Whence the right of the old to bind the young, without theirs?

But let us first suppose that the whole community, of every age, rank, sex, and condition, has a right to vote. This community is assembled. A motion is made, and carried by a majority of one voice. The minority will not agree to this. Whence arises the right of the majority to govern, and the obligation of the minority to obey?

From necessity, you will say, because there can be no other rule.

But why exclude women?

You will say, because their delicacy renders them unfit for practice and experience in the great businesses of life, and the hardy enterprises of war, as well as the arduous cares of state. Besides, their attention is so much engaged with the necessary nurture of their children, that nature has made them fittest for domestic cares. And children have not judg-
ment or will of their own. True. But will not these reasons apply to others? Is it not equally true, that men in general, in every society, who are wholly destitute of property, are also too little acquainted with public affairs to form a right judgment, and too dependent upon other men to have a will of their own? If this is a fact, if you give to every man who has no property, a vote, will you not make a fine encouraging provision for corruption, by your fundamental law? Such is the frailty of the human heart, that very few men who have no property, have any judgment of their own. They talk and vote as they are directed by some man of property, who has attached their minds to his interest.

Upon my word, Sir, I have long thought an army a piece of clockwork, and to be governed only by principles and maxims, as fixed as any in mechanics; and, by all that I have read in the history of mankind, and in authors who have speculated upon society and government, I am much inclined to think a government must manage a society in the same manner; and that this is machinery too.

Harrington has shown that power always follows property. This I believe to be as infallible a maxim in politics, as that action and reaction are equal, is in mechanics. Nay, I believe we may advance one step farther, and affirm that the balance of power in a society, accompanies the balance of property in land. The only possible way, then, of preserving the balance of power on the side of equal liberty and public virtue, is to make the acquisition of land easy to every member of society; to make a division of the land into small quantities, so that the multitude may be possessed of landed estates. If the multitude is possessed of the balance of real estate, the multitude will have the balance of power, and in that case the multitude will take care of the liberty, virtue, and interest of the multitude, in all acts of government.

I believe these principles have been felt, if not understood, in the Massachusetts Bay, from the beginning; and therefore I should think that wisdom and policy would dictate in these times to be very cautious of making alterations. Our people have never been very rigid in scrutinizing into the qualifications of voters, and I presume they will not now begin to be so. But I would not advise them to make any alteration in the laws, at present, respecting the qualifications of voters.

Your idea that those laws which affect the lives and personal liberty of all, or which inflict corporal punishment, affect those who are not qualified to vote, as well as those who are, is just. But so they do women, as well as men; children, as well as adults. What reason should there be for excluding a man of twenty years eleven months and twenty-seven days old, from a vote, when you admit one who is twenty-one? The reason is, you must fix upon some period in life, when the understanding and will of men in general, is fit to be trusted by the public. Will not the same reason justify the state in fixing upon some certain quantity of property, as a qualification?

The same reasoning which will induce you to admit all men who have
no property, to vote, with those who have, for those laws which affect the
person, will prove that you ought to admit women and children; for,
generally speaking, women and children have as good judgments, and as
independent minds, as those men who are wholly destitute of property;
these last being to all intents and purposes as much dependent upon
others, who will please to feed, clothe, and employ them, as women are
upon their husbands, or children on their parents.

As to your idea of proportioning the votes of men, in money matters,
to the property they hold, it is utterly impracticable. There is no possible
way of ascertaining, at any one time, how much every man in a com-
munity is worth; and if there was, so fluctuating is trade and property,
that this state of it would change in half an hour. The property of the
whole community is shifting every hour, and no record can be kept of the
changes.

Society can be governed only by general rules. Government cannot
accommodate itself to every particular case as it happens, nor to the cir-
cumstances of particular persons. It must establish general comprehen-
sive regulations for cases and persons. The only question is, which
general rule will accommodate most cases and most persons.

Depend upon it, Sir, it is dangerous to open so fruitful a source of con-
troversy and altercation as would be opened by attempting to alter the
qualifications of voters; there will be no end of it. New claims will arise;
women will demand a vote; lads from twelve to twenty-one will think
their rights not enough attended to; and every man who has not a far-
thing, will demand an equal voice with any other, in all acts of state. It
tends to confound and destroy all distinctions, and prostrate all ranks to
one common level.