

# **A Discourse On the Seminole War**

## **U. S. House of Representatives,**

### **Henry Clay, 19 January 1819**

19 January, 1819 was a pivotal moment in the history of the United States – and perhaps even a pivotal moment in the history of the world.

As Henry Clay points out in this discourse, our nation is just as prone to mistake as the rest of the world, and our leaders – our representatives and even our youth and children – must be ever vigilant of mistakes and errors in our high offices and military officers.

The United States has been blessed with a stream of mighty Admirals, Generals and valiant warriors and we may thank God that most of these achieved their distinctions because they had eyes single to the glory of this nation they served.

George Washington was the General of Colonial forces and became our first President. General Jackson grew popular through the feats of his generalship and became President. General Taylor grew popular through his striking power as exhibited against Mexico by his generalship and became President. Grant, hero of the Civil War became President. Theodore Roosevelt rode with the Rough Riders and became President in a wave of popularity. General Pershing became so popular in uniform that the titular heads of Europe bowed before him. Eisenhower was swept into politics on such a high wave of popularity that both major parties initially asked him to run for President.

It is when generals believe they have the right to determine public policy for the United States that we must be most vigilant. General MacArthur repeatedly defied the President of the United States and waged war in Korea as he felt it should be. When he was recalled home it is said that he fully expected a wave of gratitude from the populace to sweep away his censure. There are those now who were there then and still swear that the policies MacArthur chose were those our nation should have pursued. To this day their hearts swell with gratitude that Truman was pulled up short in a “police action” where our men, our heroes, were fighting, dying and being buried under a flag not our own.

But if we pursue that line of reasoning then one man, one general, if you will, would have dictated what this country believed, thought and did. When only one man votes you do not have a democracy or even a republic. As Henry Clay saw so clearly, that vote, that revolt would have been the end of our nation.

I have arranged Henry Clay's discourse that it might be delivered as a speech, but it can also be read thus with its built in pauses that the reader might also profit from these words of Clay, as if Henry were delivering them even this day in the halls of our Congress.

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IF MY recollection does not deceive me, Bonaparte had passed the Rhine and the Alps, had conquered Italy, the Netherlands, Holland, Hanover, Lubec, and Hamburg, and extended his empire as far as Altona, on the side of Denmark. A few days' march would have carried him through Holstein, over the two Belts, through Funen, and into the island of Zealand. What, then, was the conduct of England? It was my lot to fall into conversation with an intelligent Englishman on this subject.

"We knew" (said he) "that we were fighting for our existence. It was absolutely necessary that we should preserve the command of the seas. If the fleet of Denmark fell into the enemy's hands, combined with his other fleets, that command (of the seas) might be rendered doubtful. Denmark had only a nominal independence. She was, in truth, subject to his sway.

"We said to her, **Give us your fleet; it will otherwise be taken possession of by your secret and our open enemy. We will preserve it and restore it to you whenever the danger shall be over.**

Denmark refused.

Copenhagen was bombarded, and gallantly defended, but the fleet was seized."

Everywhere the conduct of England was censured; and the name even of the negotiator who was employed by her, who was subsequently the minister near this government, was scarcely ever pronounced here without coupling with it an epithet indicating his participation in the disgraceful transaction.

And yet we are going to sanction acts of violence, committed by ourselves, which but too much resemble it! What an important difference, too, between the relative condition of England and of this country! She, perhaps, was struggling for her existence. She was combating, single-handed, the most enormous military power that the world has ever known.

With whom were we contending? With a few half-starved, half-clothed, wretched Indians and fugitive slaves.

And while carrying on this inglorious war, inglorious as regards the laurels or renown won in it, we violate neutral rights, which the government had solemnly pledged itself to respect, upon the principle of convenience, or upon the light presumption that, by possibility, a post might be taken by this miserable combination of Indians and slaves....

I will not trespass much longer upon the time of the committee;

but I trust I shall be indulged with some few reflections upon the danger of permitting the conduct on which it has been my painful duty to animadvert, to pass without the solemn expression of the disapprobation of this House.

Recall to your recollection the free nations which have gone before us. Where are they now?

Gone glimmering through the dream of things that were,  
A schoolboy's tale,  
the wonder of an hour.

And how have they (those countries) lost their liberties?

If we could transport ourselves back to the ages when Greece and Rome flourished in their greatest prosperity, and, mingling in the throng, should ask a Grecian if he did not fear that some daring military chieftain, covered with glory, some Philip or Alexander, would one day overthrow the liberties of his country, the confident and indignant Grecian would exclaim, No! no! we have nothing to fear from our heroes; our liberties will be eternal.

If a Roman citizen had been asked if he did not fear that the conqueror of Gaul might establish a throne upon the ruins of public liberty, he would have instantly repelled the unjust insinuation.

Yet Greece fell;  
Caesar passed the Rubicon,  
and the patriotic arm even of Brutus could not preserve the liberties of his devoted country!

The celebrated Madame de Stael, in her last and perhaps her best work, has said, that in the very year, almost the very month, when the president of the (French) Directory declared that monarchy would never more show its frightful head in France, Bonaparte, with his grenadiers, entered the palace of St. Cloud,

and, dispersing with the bayonet the deputies of the people deliberating on the affairs of the State, laid the foundation of that vast fabric of despotism which overshadowed all Europe.

I hope not to be misunderstood; I am far from intimating that General Jackson cherishes any designs inimical to the liberties of the country.

I believe his intentions to be pure and patriotic. I thank God that he would not, but I thank him (God) still more that he could not if he would, overturn the liberties of the Republic. But precedents, if bad, are fraught with the most dangerous consequences.

Man has been described, by some of those who have treated of his nature, as a bundle of habits.

The definition is much truer when applied to governments. **Precedents are their habits.**

There is one important difference between the formation of habits by an individual and by governments. He contracts only after frequent repetition. (But) A single instance fixes the habit and determines the direction of governments.

Against the alarming doctrine of unlimited discretion in our military commanders when applied even to prisoners of war, I must enter my protest.

It begins upon them;  
it will end on us.

I hope our happy form of government is to be perpetual. But, if it is to be preserved, it must be by the practice of virtue, by justice, by moderation, by magnanimity, by greatness of soul, by keeping a watchful and steady eye on the Executive; and, above all, by holding to a strict accountability the military branch of the public force.

We are fighting a great moral battle for the benefit not only of our country, but of all mankind.

The eyes of the whole world are in fixed attention upon us. One, and the larger portion of it, is gazing with contempt, with jealousy, and with envy;

the other portion, with hope, with confidence, and with affection.

Everywhere the black cloud of legitimacy is suspended over the world, save only one bright spot, which breaks out from the political hemisphere of the West, to enlighten and animate and gladden the human heart.

Obscure that by the downfall of liberty here, and all mankind are enshrouded in a pall of universal darkness. To you, Mr. Chairman, belongs the high privilege of transmitting, unimpaired, to posterity the fair character and liberty of our country.

Do you expect to execute this high trust by trampling, or suffering to be trampled down, law, justice, the Constitution, and the rights of the people? by exhibiting examples of inhumanity and cruelty and ambition? When the minions of despotism heard, in Europe, of the seizure of Pensacola, how did they chuckle, and chide the admirers of our institutions, tauntingly pointing to the demonstration of a spirit of injustice and aggrandizement made by our country, in the midst of an amicable negotiation!

"Behold," said they, "the conduct of those who are constantly reproaching kings!"

You saw how those admirers were astounded and hung their heads. You saw, too, when that illustrious man, who presides over us, adopted his pacific, moderate, and just course, how they once more lifted up their heads with exultation and delight beaming in their countenances.

And you saw how those minions themselves were finally compelled to unite in the general praises bestowed upon our government. Beware how you forfeit this exalted character. Beware how you give a fatal sanction, in this infant period of our Republic, scarcely yet (40) twoscore years old, to military insubordination.

Remember that Greece had her Alexander,  
Rome her Caesar,  
England her Cromwell,  
France her Bonaparte,

and that if we would escape the rock on which they split (then) we must avoid their errors.

How different has been the treatment of General Jackson and that modest, but heroic young man, a native of one of the smallest States in the Union, who achieved for his country, on Lake Erie, one of the most glorious victories of the late war. In a moment of passion he forgot himself and offered an act of violence which was repented of as soon as perpetrated.

He was tried, and suffered the judgment to be pronounced by his peers.

Public justice was thought not even then to be satisfied. The press and Congress took up the subject.

My honorable friend from Virginia, Mr. Johnson, the faithful and consistent sentinel of the law and of the Constitution, disapproved in that instance, as he does in this, and moved an inquiry. The public mind remained agitated and unappeased until the recent atonement, so honorably made by the gallant commodore.

And is there to be a distinction between the officers of the two branches of the public service?

Are former services, however eminent, to preclude even inquiry into recent misconduct?

Is there to be no limit, no prudential bounds to the national gratitude?

I am not disposed to censure the President for not ordering a court of inquiry, or a general court-martial. Perhaps, impelled by a sense of gratitude, he determined, by anticipation, to extend to the general that pardon which he had the undoubted right to grant after sentence.

Let us not shrink from our duty.  
Let us assert our constitutional powers,  
and vindicate the instrument from military violation.

I hope gentlemen will deliberately survey the awful isthmus on which we stand. They may bear down all opposition; they may even vote the general the public thanks; they may carry him triumphantly through this House.

But, if they do,  
in my humble judgment,  
it will be a triumph of the principle of insubordination,  
a triumph of the military over the civil authority,  
a triumph over the powers of this House,  
a triumph over the Constitution of the land.

And I pray most devoutly to Heaven that it may not prove, in its ultimate effects and consequences,  
a triumph over the liberties of the people.

Henry Clay..

19 January 1819 C.E.

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