

George Mason and Individual Rights

Willie E. Nelms

In the recent Bicentennial celebrations, it has become popular to examine the contributions of the Founding Fathers of our country. The names of these individuals are well known to all Americans. Men such as George Washington, John Adams, and Thomas Jefferson will be remembered as long as this country exists. Yet, one individual, who added much to our heritage and especially to the cause of liberty, is unknown to many people. This man is George Mason of Virginia. A brief examination of his life and contributions will remind us of the heritage of our country and should serve as an inspiration to present-day libertarians.

Mason was born in the Northern Neck of Virginia near the Potomac River in 1725. His father having

died when he was ten, young George came under the care of his uncle, John Mercer, a prominent lawyer. At Mercer's plantation, "Marlborough," Mason spent much time studying in the well-stocked library. The essays of John Locke, as well as the writings of philosophers from throughout history, were studied by the young Mason.¹

These writers were instrumental in shaping the thoughts of Mason, who early developed a deep respect for English common law and the rights of individuals. In addition, he read several tracts against slavery and began his lifelong opposition to that institution which was thriving in his native state.

In many ways, Mason represented the spirit of the Enlightenment. Self-educated, he believed in the rule of reason; he thought life, liberty, and private property to be vital to human rights. In economics, he saw the importance of free exchange. He believed it was necessary for men to develop their own enterprises and to bear the consequences of their own economic successes and mistakes.²

By the time Mason was grown and in charge of his own plantation, "Gunston Hall," problems between the colonies and Great Britain were rapidly increasing. As a member of the Virginia House of Burgesses, he openly opposed the Stamp Act as an illegal levy that must be resisted.

Mr. Nelms is a professional librarian in Virginia.

It was during the years after his opposition to the Stamp Act that Mason established his personality as a leader. Unlike his fellow Virginian Patrick Henry, he was not a fiery orator. Instead, he chose to influence his colleagues in small meetings, where his well-reasoned arguments were greatly respected. As Edmund Randolph, one of his contemporaries noted, "among the members who in their small circles were propagating activity was George Mason in the shade of retirement."³

The "shade of retirement" about which Randolph spoke was always inviting to Mason. An intensely personal man, he never considered himself a public figure but a man of private affairs, even during his most active periods as a leader. Like other libertarians, he would have much preferred taking care of his own affairs and leaving others to do the same. It was only the threat to individual freedom that kept him active in public matters.

Whatever his personal preferences, Mason reached a high point in his career in 1776 when he met in Williamsburg with other Virginians to develop a new revolutionary government. It was here that he drafted the Virginia Declaration of Rights. A remarkable document, this paper expressed Mason's view of the basic rights of all men.

The Declaration stated that all

men were by nature free and had certain basic rights, including "the enjoyment of life and liberty, with the means of acquiring and possessing property, and pursuing and obtaining happiness and safety."⁴ He called for a limited government that would not interfere with an individual's exercise of his rights.

The Virginia Declaration

The Virginia Declaration noted "that freedom of the press is one of the great bulwarks of liberty, and can never be restrained by despotic governments." Mason also called for freedom of religion and religious tolerance.⁵ The document went on to proclaim that trial by jury was vital, and it set forth the idea that government gained its powers from the consent of the governed.

Expressed in straightforward language and running to only a few hundred words, the Virginia Declaration proclaimed all men free from restraint as long as they did not threaten or harm others. By writing this document, Mason gave voice to the growing spirit of independence in the colonies and helped establish a standard of individual liberty that would be shared by free men for years to come.

The Virginia Declaration of Rights became a model for other states, which adopted similar statements.⁶ In addition, the Mason proclamation, either directly or indi-

rectly, influenced the national declaration that Thomas Jefferson drafted several months later.

At the end of the Revolution, when many citizens came to believe that the Articles of Confederation did not provide an adequate government for the new nation, a constitutional convention was called in Philadelphia. As a delegate to this gathering, Mason spoke often on the need to guarantee civil liberties. He was disappointed when the convention agreed that a simple majority vote of the national legislature could authorize interference in the internal affairs of the states. He feared that such action would lead to national intervention in local economies.⁷

At the Philadelphia gathering, Mason also spoke against the continuance of the slave trade and was upset when the delegates took no conclusive action on the matter.⁸ Mason's anger at the proposed constitution reached the point of no return when the convention members refused to formulate a bill of rights. He believed that such a statement was necessary to protect the citizenry against the growth of the national government.⁹

When the convention failed to comply with Mason's wishes, he returned home to "Gunston Hall," determined to oppose the new constitution. Joining forces with Patrick Henry and other prominent

Virginians, he championed the Anti-federalist cause at the state convention called to consider the ratification of the new government. He again argued that addition of a Bill of Rights was essential. It was only through such a document, he argued, that the people could feel secure in their freedom. He voiced the fear that the new federal government with its power to levy taxes, would destroy the powers of the states and individuals as well.¹⁰

A Lonely Position

Mason's stand made him unpopular with many of his fellow Virginians, with whom he had worked in the battle for independence from Great Britain. Such men as James Madison, George Washington, and other longtime associates believed that their friend was losing perspective on the issues of the day. Some of these former allies noted that his formidable intellectual powers seemed to be waning. How much of this criticism was due to their being on opposite sides in the constitutional battle and how much was due to correct observation can not be ascertained. It is worth noting, however, that many of the delegates to the state convention said that Mason, who was then in his upper sixties, still retained his sharp and incisive mental capabilities.


With the final defeat of the Anti-federalists and the acceptance of the

Constitution, Mason withdrew to his plantation to live out his days. At first embittered by his defeat, he was given satisfaction when a Bill of Rights was added to the new Constitution. This document, modeled after Mason's 1776 work and drafted by fellow Virginian James Madison, was viewed with approval by the owner of "Gunston Hall." Noting that only two or three further amendments were needed, especially to restrain the federal judiciary, Mason said that he could support the Constitution.

Further satisfaction was given Mason when many Southerners began to share his belief that the new federal government might pose a threat to the states. After his death in 1792, these fears were amplified many times by individuals who saw the growing power of the federal government in areas that challenged the rights of individuals.

In more recent times, we can appreciate the contributions of George Mason. A man of great intellect, he used his powers to proclaim the cause of human liberty. Realizing the dangers of unrestrained power (even in the modest form established by the Constitution), he saw the repression of individual freedom as a real possibility. His Virginia Declaration of Rights set forth basic doctrines of human liberty which have influenced men ever since.

He saw the evils of slavery and realized that they would haunt his home state and the nation until an acceptable conclusion was reached.

Mason was a great man who advised great men. At a time when the highest caliber of men who have ever led this country were in power, he served as a great influence on them. This is a great compliment to pay any man. His contributions will not be forgotten as long as men read the Virginia Declaration of Rights and realize the need for individual freedom. He should serve as an inspiration to each person who champions the cause of freedom in today's world. 

—FOOTNOTES—

¹Henri, Florette, *George Mason of Virginia* (New York: Crowell-Collier Press, 1971), p. 21-25.

²"George Mason," *Dictionary of American Biography*, Vol. VI (New York: Charles Scribner's Sons, 1933), p. 364.

³"George Mason," *Dictionary of American Biography*, p. 362.

⁴Rutland, Robert, *George Mason: Reluctant Statesman* (Charlottesville: Dominion Books, 1961), p. 57.

⁵Rutland, *George Mason*, p. 111-114; Miller, Helen Hill, *George Mason; Gentleman Revolutionary* (Chapel Hill: University of North Carolina Press, 1975), p. 152-154.

⁶Miller, *George Mason*, p. 154-155.

⁷Rutland, *George Mason*, p. 87.

⁸Miller, *George Mason*, p. 252-253.

⁹Miller, *George Mason*, p. 261-263.

¹⁰Rutland, *George Mason*, p. 92-102.

Educating for Freedom



ALBERT JAY NOCK observed that there is a practical reason for preferring freedom: "freedom seems to be the only condition under which any kind of substantial moral fiber can be developed."¹ It is clear that Mr. Nock is referring to the fact that to form a moral character one must be free to make his own choices, and his own errors. Good deeds, under compulsion, whatever they may be, bear no relation to the character of the individual; for without the opportunity to do wrong, correct actions are morally meaningless.

One element in the development of moral fiber is education, in alliance with the family and the religious institution. The essential re-

quirement, if any of these factors is to effectively aid the development of the individual, is the existence of freedom. Deprive the individual of his freedom to respond or not to these influences and the result may be an obedient automaton, but not a moral, reasoning individual. Thus the "crisis in the schools." Compulsory schooling has been so inimical to the purposes of education that Frank S. Meyer could write in 1962, "The symptoms of deterioration in our educational system, long apparent to serious observers, have become so obvious that the fact of deterioration is now a matter of public concern."² Much of the failure may be traced to government intervention in the field of education.

What then, is the role and purpose of education in a free society, as

Miss Fain is a student at Armstrong State College, Savannah, Georgia.