

THE THERAPY OF DISTANCE by Daniel Boorstin

It is important to keep in mind that the Europeans, Africans, and Asians who came to the New World were not fundamentally different from their brothers and sisters who remained behind. The migrants, free and slave alike, did not intend to change themselves. (Those who came to America voluntarily sought to alter the circumstances of their lives, not their values and attitudes; and those who came in the chains of slavery can be presumed to have resisted acculturation stubbornly.) Nevertheless, as countless historians have noted, the migrants soon developed distinctive new cultures which we now call American. Why this was the case is a fascinating question.

Many reasons- - some obvious, others quite subtle explain the alteration. Among the latter is what Daniel J. Boorstin calls "the therapy of distance." His essay persuasively demonstrates how this "distance" influenced the shape of American history and the nature of the American character. Boorstin, formerly a professor of history at the University of Chicago, is currently Librarian of Congress. Among his many books, the three-volume *The Americans*, an analysis of the evolving character of American civilization, is probably the best known.

With the settlement of the colonies in North America, for the first time in history the English "provinces" became transatlantic. The story of American civilization gives us an opportunity to see what may happen when a prospering old culture detaches a piece of itself to a great distance. On the other side of a broad ocean the civilization of Englishmen became something it never could have become within their little island. "Not a place upon earth might be so happy as America," Thomas Paine observed in 1776. "Her situation is remote from all the wrangling world, and she has nothing to do but to trade with them." But that was not the whole story.

The American colonies were not, of course, the first settlements of Englishmen outside of England. In fact, as Charles H. Mellwain has shown, there was an ancient distinction in constitutional law between the *realm* of England (England itself) and the dominion (other lands "belonging to" England). The American colonies were not the first testing ground of the capacity of the English Constitution to provide machinery for self-government beyond the island.

In the seventeenth century, while Englishmen in America were building colonies, the Irish, separated by only a few miles of water, were trying without success to assert their right to legislate for themselves. The English Commonwealth Parliament of 1649, with the arrogance of a parvenu, declared that Parliament alone ("the People ... without any King or House of Lords") should have the power to govern England and "all the Dominions and Territories thereunto belonging." The very same declaration which proclaimed England "to be a Commonwealth and Free-State" thus silently declared that Ireland had no right to govern itself. Free Englishmen asserted their right to make laws for all those whom they "possessed." For the first time there emerged into constitutional parlance the notion of "British Possessions." The irony of this situation, which escaped most English statesmen, was vivid enough to the dyspeptic Irishman Jonathan Swift, who called "government without the consent of the governed ... the very definition of slavery." The Irish, Swift noted, were well enough equipped with arguments, but the torrent of power prevailed--"in fact, eleven men well armed will certainly subdue one single man in his shirt."

Ireland was too close to England, and the stakes of the Irish empire too great, for the Irish prophets of revolution to prevail. The Irish proponents of self-government lost. In fact, before the settlement of the American colonies, the only place in the English dominions (i.e., outside England) where the right to self-government was successfully asserted was in the tiny Channel Islands, which neither threatened nor promised enough to justify a battle. The doughty Channel Islanders had the gall to argue that if anyone was dependent on anyone else, the English were dependent on *them*, since they were the remaining fragment of the dukedom of Normandy, whose William had conquered England.

While Cromwell's army could master next-door Ireland, neither he nor his successors could effectively assert the power of the English Parliament over the transatlantic Americans. Three thousand miles of ocean accomplished what

could not be accomplished by a thousand years of history. The Atlantic Ocean proved a more effective advocate than all the constitutional lawyers of Ireland.

The significance of sheer distance appears from the earliest settlement of Englishmen in the New World. Here is how William Bradford describes what happened in mid-November, 1620, when he and the other Pilgrim Fathers had their first view of the American coast:

. . . after longe beating at sea they fell with that land which is called Cape Cod; the which being made and certainly knowne to be it, they were not a little joyfull. After some deliberation had amongst them selves and with the master of the ship, they tacked aboute and resolved to stande for the southward (the wind and weather being faire) to finde some place aboute Hudsons river for their habitation. But after they had sailed that course aboute halfe the day, they fell amongst dangerous shoulds and roring breakers, and they were so farr intangled ther with as they conceived them selves in great danger; and the wind shrinking upon them withall, they resolved to beare up againe for the Cape, and thought themselves hapy to gett out of those dangers before night overtooke them, as by Gods providence they did. And the next day they gott into the Cape harbor wher they ridd in saftie.

If the Pilgrim Fathers had been closer to home or more accurate in their navigation or luckier in their weather, it is most unlikely that there ever would have been any need for a Mayflower Compact. That document which Bradford called "the first foundation of their government in this place" was to be the primary document of self-government in the British colonies in North America.

The legal right of these English separatists to settle in the New World came from a patent that they had received from the Virginia Company of London, who authorized them to establish "a particular plantation" wherever they wished within the domain of the company. The Pilgrims had intended to settle at the mouth of the Hudson River, which was still well within the Virginia Company's northern boundaries. If they had landed there, their patent from the Virginia Company would have sufficed, and they would have had no need for a new instrument of government.

But Cape Cod, where the Pilgrims actually found themselves, was too far north and so outside the Virginia Company's domain. By settling at Plymouth, across the bay from their first landfall, they put themselves in a state of nature. Their patent was not valid there. They were now within the jurisdiction of the Northern Virginia Company (at that time being reorganized into the Council for New England), from whom they had no patent. They would have to create their own government. This they did with the Mayflower Compact, written on board their vessel and signed on November 11, 1620, by forty-one men, including every head of a family, every adult bachelor, and most of the men-servants. The only males who did not affix their names were two sailors who had signed on the voyage for a single year, and the other passengers who happened to be under the legal age of discretion.

The accident of mis-navigation, as Bradford reported, had been noticed by some of the more legalistic and libertarian *Mayflower* passengers and became an urgent reason for hastily creating some document of self-government. The compact they wrote so quickly was "occasioned partly by the discontented and mutinous speeches that some of the strangers amongst them had let fall from them on the ship; That when they came a shore they would use their owne libertie; for none had power to command them, the patente they had being for Virginia, and not for New-england, which belonged to an other Government, with which the Virginia Company had nothing to doe."

The government that the Mayflower colonists created by their compact was, according to Bradford, "as firme as any patent, and in some respects more sure." They wrote a new chapter in the history of self-government. For in other places the roots of civil government had been buried deep under the debris of time. America laid bare the birth of government where it would be plain for all to see. In 1802, in a celebrated oration given at Plymouth, John Quincy Adams extolled the Mayflower document as "perhaps the only instance, in human history, of that positive, original social compact, which speculative philosophers have imagined as the only legitimate source of government.

It was appropriate that the occasion for the primeval document of American self-government should have come not from ideology but from a simple fact of life. That was what New England historians have straightforwardly called "the missing of the place," and it obviously was related to the huge distance the Mayflower had traveled. In America need and opportunity upstaged ideology.

In their American remoteness the New Englanders created simple new forms of self-government. The New England town meetings had an uncertain precedent in the vestry meetings of rural England, but American circumstances gave town meetings comprehensive powers and a new vitality. Once again Americans relived the mythic prehistory of government. Tacitus had sketched that prehistory in his account of popular assemblies among the Germanic tribes. It also could be glimpsed in the direct democracy of the Swiss *Landsgemeinde* (the popular assembly of the self-governing canton), which flourished from the thirteenth till the seventeenth century. Even as the direct democracy of the Swiss cantons was declining, it was being reborn in New England.

From the beginning New England facts transcended Old English forms. The New England town meeting, which met first weekly, then monthly, came to include all the men who had settled the town. At first the meetings seem to have been confined to so-called freemen, those who satisfied the legal requirements for voting in the colony. Soon the towns developed their own sort of freemen—a group larger than those whom the General Court of the colony recognized as grantees of the land. While the town meetings proved to be lively and sometimes acrimonious debating societies, they were more than that. They actually distributed town lands, they levied local taxes, they made crucial decisions on schools, roads, and bridges, and they elected the selectmen, constables, and others to conduct town affairs between the meetings.

The laws of Massachusetts Bay Colony gradually gave form to the town meetings. A law of 1692 required that meetings be held annually in March and enumerated the officers to be elected. A law of 1715 required the selection of moderators, gave them the power to impose fines on those who spoke during meetings without permission, and authorized any ten or more freeholders to put items on the agenda. But as the drive for independence gathered momentum Britain's Parliamentary Act of 1774 decreed that no town meeting should be held to discuss affairs of government without written permission from the royal governor.

The transatlantic distance had given to these transplanted Englishmen their opportunity and their need to govern themselves. The tradition of self-government that had been established in England by the weight of hundreds of years was being established in America by the force of the hundreds of miles....

Just as the American remoteness dissolved the powers of the imperial bureaucrats in London over the lives of transplanted Englishmen, so too it dissolved numerous petty bureaucracies. Daily life in the English homeland was a domain of specialized monopolies. The nation labored under the burden of privileged guilds and chartered companies who had divided all the subjects' needs into profitable satrapies.

In seventeenth-century England the command of armies had become an aristocratic monopoly. While the private soldiers tended to be the social dregs drawn from jails and taverns, the officers were usually aristocratic gentlemen who had bought or inherited their commands. This feature of European armies had certain wholesome and even pleasant consequences. It helped produce an age of limited warfare that might equally have been called an age of ceremonial warfare. Members of an international aristocracy were versed in the "rules" of war for civilized nations which were recorded in the writings of Grotius and Vattel. The conduct of battles was a real-life version of chess. "Now it is frequent," Daniel Defoe observed in 1697, "to have armies of fifty thousand men of a side stand at bay within view of one another, and spend a whole campaign in dodging, or, as it is genteely called, observing one another, and then march off into winter quarters. The difference is in the maxims of war, which now differ as much from what they were formerly as long perukes do from piqued beards, or as the habits of the people do now from what they then were. The present maxims of war are

*Never fight without a manifest advantage,
And Always encamp so as not to be forced to it.*

And if two opposite generals nicely observe both these rules, it is impossible they should ever come to fight." It is not so surprising then that between engagements the officers of opposing sides entertained one another with balls, concerts, and dinner parties.

In America the profession of arms was being dissolved into communities of citizen soldiers (militias)—not through force of dogma, but through force of circumstances. Firearms were a daily necessity—both for gathering food and skins and for defense against the Indians. "A well grown boy at the age of twelve or thirteen years," a settler observed in the Valley of Virginia in the 1760's, "was furnished with a small rifle and shot-pouch. He then became a fort soldier, and had his porthole assigned him. Hunting squirrels, turkeys and raccoons, soon made him expert in the use of his gun."

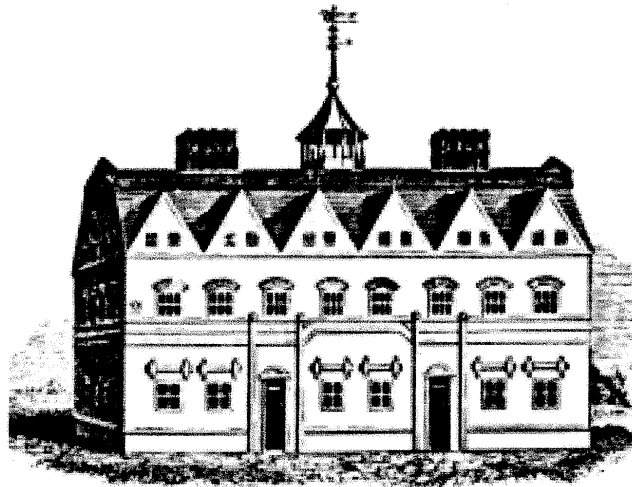
Of course, the American Indians had never read Grotius or Vattel and were ignorant of European military etiquette. They were skilled, courageous, and ruthless guerrilla fighters, and the colonists had to follow their example. Backwoods warfare was nothing like the polite game of military chess described by Defoe. It was individualistic warfare, warfare without rules, which dissolved all sorts of distinctions--not only between officer and private, but even between soldier and civilian.

The military profession was only one of the monopolies that dissolved in the American remoteness. "Besides the hopes of being safe from Persecution in this Retreat," William Byrd wrote in 1728, "the New Proprietors [of New Jersey] inveigled many over by this tempting account of the Country: that it was a Place free from those 3 great Scourges of Mankind: Priests, Lawyers, and Physicians. Nor did they tell a word of a Lye, for the People were as yet too poor to maintain these Learned Gentlemen." But as important as their poverty was the sheer distance of the colonists from the Old World citadels of privilege.

In religion, the remoteness of America as well as its vast spaces made it impossible to preserve the monopoly of the Established Church. The Puritans in New England were not noted for their toleration. They warned away all heretics, and they harried the Quakers from their midst. Meanwhile Rhode Island, Connecticut, and Pennsylvania gladly welcomed refugees. And the American backwoods proved to be a boundlessly tolerating landscape. There was room enough for everybody. . . . The wonderful independence and variety of American religions never ceased to amaze the visitors from abroad. In 1828 Mrs. Trollope (visiting from France) found the church-going Americans "insisting upon having each a little separate banner, embroidered with a device of their own imagining." "The whole people," she wrote, "appear to be divided into an almost endless variety of religious factions."

In England the higher learning as well as religion had been a monopoly of the Established Church. Nonconformists had difficulty securing admission to Oxford or Cambridge (the only English universities till the early nineteenth century), while Catholics and Jews were absolutely excluded. The dissenting academies, although they set high academic standards, had no power to grant degrees. In America, by contrast, at the time of the Revolution, nearly every major Christian sect had a degree-granting institution of its own. The flourishing variety of sects nourished a variety of institutions. By the early eighteenth century New England Puritans and their secessionists had set up Harvard and Yale, while Virginia conformists of the Church of England had their College of William and Mary. New-Side Presbyterians founded Princeton University; revivalist Baptists founded Brown University in Rhode Island; Dutch Reformed revivalists founded Rutgers in New Jersey; a Congregational minister transformed an Indian missionary school into Dartmouth in New Hampshire; Anglicans and Presbyterians joined in founding King's College (later Columbia) in New York City and the College of Philadelphia (later the University of Pennsylvania).

A wood engraving of Harvard Hall, built 1878-1882. Harvard College had been named in 1638 upon a gift of money and books from a John Harvard.



Americans were happily distant from the London headquarters of the monopolies of the medical and the legal professions. That was where professional guilds guarded their antique silver, displayed their charters, and organized to keep out competitors. And where they preserved pedantic distinctions among their several branches. The aristocrats

of the legal profession were the barristers, fortified in their London Inns of Court, which held the power to admit to the bar, and the monopoly of practice before the high courts. Attorneys, while not authorized to plead in court, set the machinery of the court in motion. Then there were the solicitors, private legal agents whose province it was to look after routine legal matters. Besides these there were notaries (organized in their Scriveners' Company), who prepared the documents that required a notarial seal, in addition to patent agents and still other specialists. Their English citadel was London-but there was no American London.

In America, then, legal specialties dissolved and there were citizen lawyers. When the young John Adams in 1758 sought the advice of a leading Boston lawyer on the requirements for the practice, he was advised that "a lawyer in this country must study common law, and civil law, and natural law, and admiralty law; and must do the duty of a counsellor [barrister], a lawyer, an attorney, a solicitor, and even of a scrivener." As the standard of technical competence was lower than in England, even the distinction between lawyer and layman was blurred. Of the nine chief justices of Massachusetts between 1692 and the Revolution, only three had specialized legal training. American businessmen were more inclined to be their own lawyers. Land, which in England was an heirloom and the most metaphysical of legal subjects, in America became a commodity. When land ownership was widely diffused, its mysteries seemed less arcane.

Few expressed the American suspicion of professional monopolists better than Samuel Livermore, who was chief justice of the New Hampshire supreme court in the late eighteenth century. He lacked legal learning himself, and, as a contemporary reported, he "did not like to be pestered with it in his courts." "When [counsel] attempted to read law books in a law argument, the Chief Justice asked him why he read them; 'if he thought that he and his brethren did not know as much as those musty old worm-eaten books I ' " One of Livermore's brethren on the bench (himself a farmer and a trader by occupation) charged a jury "to do justice between the parties not by any quirks of the law out of Coke or Blackstone-books that I never read and never will-but by common sense as between man and man."

We must keep all this in mind when we recall that of the fifty-six signers of the Declaration of Independence twenty-five were self-styled lawyers, and of the fifty-five members of the Constitutional Convention in Philadelphia thirty-one were lawyers. These facts were not so much evidence of the peculiar importance of legal learning as they were symptoms of the decline of monopolies in America. "In no country perhaps in the world, " Edmund Burke observed in his Speech on Conciliation, "is the law so general a study ... all who read, and most do read, endeavor to obtain some smattering in that science. " The multiplying American legislatures, enough to provide a seat for nearly any citizen who was so inclined, helped bring into being the citizen lawyer.

A similar American catharsis occurred in the medical professions. The eighteenth-century English patient suffered from the doctors' many sub-monopolies. At the top of the social scale, corresponding to the barrister, was the doctor of physick, who enjoyed the privileges of the Royal College of Physicians, which Henry VIII had chartered back in 1518. But his professional ethics, rooted in the university's clerical tradition, forbade him to shed blood or handle the human body. The barber-surgeons, who had been organized in 1540, were later split by the distinction between the barbers, who had a monopoly on cutting hair, shaving beards, and extracting teeth, and the surgeons, who performed other operations. Besides, there were the apothecaries, who until 1617 had been members of the grocers' guild but thereafter had a monopoly on selling drugs. And in addition, there were the midwives, who had to be licensed by their bishop.

In colonial America, where distances were great and specialists scarce, all such monopolists gave way to the general practitioner. " I make use of the English word doctor, " wrote the observant Marquis de Chastellux, who traveled the colonies in 1781, "because the distinction of physician is as little known in the army of Washington as in that of Agamemnon. We read in Homer, that the physician Macaon himself dressed the wounds.... The Americans conform to the ancient custom and it answers very well."

The therapy of distance worked in countless other ways. Distinctions of social classes, which in Europe had been reinforced by all these other distinctions, did not survive intact in the New World. Since the witty drawing rooms, learned libraries, genteel academies, and grand council chambers of the Old World were an ocean away, Americans could not escape some provincial crudity and naivete. But the ocean also separated them from the irrelevancies of a filigreed society, from Old World pomposity and pride and priggishness, from traditional conceits and familial arrogance. Americans would discover for themselves the wisdom in Jonathan Swift's ironic Irish view: "If a man makes me keep my distance, the comfort is, he keeps his at the same time." And American experience would show the world what a purging could do for ancient institutions.