



Address to Phi Beta Kappa James Kent (1831)

James Kent was a white lawyer, politician, and judge who served as chancellor of New York, which was then the state's highest judicial office. Kent was influential, nationally, as a legal theorist; he authored a four-volume commentary on US law that was republished throughout the 1800s. He delivered the address from which this excerpt comes to the Yale chapter of the college fraternity Phi Beta Kappa, of which he had been a founding member fifty years earlier. The address is a celebratory history of Yale, prefaced by a tribute to the Puritan colonists who founded the college. In this excerpt, Kent commends the colonists for acknowledging indigenous land rights. At the same time, he lauds the occupation and cultivation of the American wilderness by European Christians, on overtly white supremacist grounds.

The equity of the first emigrants in their dealings with the natives of the country is [a] circumstance that deserves a special and honorable notice. The Indians in Connecticut are supposed to have exceeded twenty thousand when the state was first colonized, and the question as to Indian rights and titles must have presented itself to our ancestors as one deserving of very grave consideration.

The Rev. Mr. Bulkley of Colchester in this state, upwards of a century ago, wrote an able essay to prove that the Indians had not by the law of nature any title to the soil, except so far as they had actually settled upon it and subdued it by their labor; and he contended that the country not so occupied was justly open to the civilized emigrants from Europe. This, at the time, was not an uncommon theory with the Puritans. Their projected emigration from England to Massachusetts was originally urged upon them, while in England, on vague suggestions of a common right, as sons of Adam, to enter upon and cultivate the waste parts of this continent. Even the learned Cotton Mather placed the general purchase of Indian titles upon the ground of civility, and he referred to King James's Patent for the better title, and that Patent was evidently founded on the same assumptions of right.

It is happy for this country that the governments and settlers did not, in point of fact, rest their conduct upon these abstract speculations, however plausible they may be in appearance or difficult in discussion. They respected Indian rights and titles from motives of policy, if not from a sense of justice; and with the exception of parts of the Pequot country, which was procured by conquest in war, the inhabitants of Connecticut, as well as of the other colonies, uniformly acquired their lands from the natives by fair purchase. When Indian rights and territories have been defined and acknowledged by the whites by treaty, or where the Indians have formed themselves into regular organized governments within prescribed limits, there would seem to be no question as to the superiority of their title.

But so far as they have remained roving savages of the forest, it is not at all surprising that our ancestors should have not felt much respect for their loose and attenuated dominion over the soil of the country, and that they should have deemed it to be unreasonable, and a perversion of the duties and design of the human race, to allow the Indians to retain this continent entirely to themselves and to suffer it to remain as hunting grounds, a savage and frightful desert. It is

certainly not now any cause of regret that the red men of the forest have, in the course of Providence, been supplanted by a much nobler race of beings of European blood. The rapid conversion of the interminable forests of this continent into a cultivated, civilized, and powerful empire, filled with men and wealth, and laws and learning, and liberty and religion, is the most wonderful and glorious event in the annals of mankind.

The territory now comprising these United States owes its cultivation, and all the intellectual, moral, and great physical achievements which have been performed upon its surface, to the white race of men. Wherever European Christians have spread themselves over this country, they have at once fulfilled their original destiny, which was to *subdue the earth and till the ground from whence they were taken*. They have carried with them the institutions of private property and of marriage, the great foundation of all civilization and order. They have formed societies civil and religious, established governments, ordained laws, cultivated commerce, patronized science and the liberal arts, and carried to exalted heights the blessing of civil and religious freedom. Wherever they have penetrated into the interior of this continent, they have exhibited, as emblems of civilization, the implements of husbandry and the arts—the axe, the plough, the forge, and the loom—and the still nobler marks of moral improvement, the schoolhouse and the tall spire directing the heart to the skies.

Source: James Kent, *An Address Delivered at New Haven, Before the Phi Beta Kappa Society, September 13, 1831* (New Haven [CT]: Hezekiah Howe, 1831), 13-15, <https://hdl.handle.net/2027/uc2.ark:/13960/t39z9297q>. Public domain.

Excerpt edited by John-Charles Duffy. Footnotes in the source publication omitted. Additional paragraph breaks inserted for readability. Spelling and punctuation emended in line with modern American conventions. The use of lowercase for the racial labels *white* and *red* reproduces the usage of the source; so too does the capitalizing of *Patent*.

This edited excerpt from Kent's address is intended for *teaching* purposes only. For *research* purposes, you should consult, quote, and cite the source publication listed above.



© 2022 by John-Charles Duffy. Except as otherwise noted, this work is made available under the Creative Commons Attribution-NonCommercial-ShareAlike 4.0 International License, <https://creativecommons.org/licenses/by-nc-sa/4.0/>.

All rights are reserved for the flag-shaped “Empire and American Religion” logo; if you alter this work, you may not reproduce the logo. Use of the Creative Commons license icon is subject to the Creative Commons Trademark Policy.