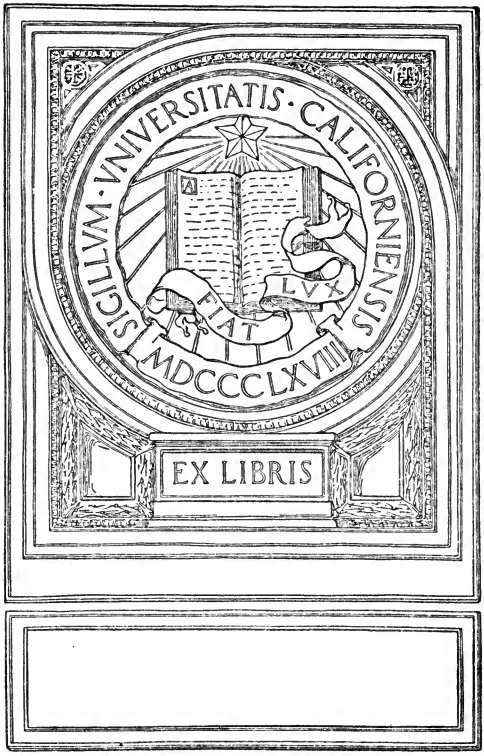
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THE

POLITICAL WRITINGS

OF

JOEL BARLOW.

—CONTAINING—

ADVICE TO THE PRIVILEGED ORDERS.
LETTER TO THE NATIONAL CONVENTION.
LETTER TO THE PEOPLE OF PIEDMONT.
THE CONSPIRACY OF KINGS.

A New Edition Corrected.

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ADVICE

TO THE

PRIVILEGED ORDERS.

INTRODUCTION.

THE French Revolution is at laſt not only accompliſhed, but its accompliſhment univerſally acknowledged, beyond contradiction abroad, or the power of retraction at home.* It has finiſhed its work, by organizing a government, on principles approved by reaſon; an object long contemplated by different writers, but never before exhibited, in this quarter of the globe. The experiment now

* The reader will bear in mind that this was written in the latter end of the year 1791, juſt as the French had eſtabliſhed their firſt conſtitution, and were determined to try the experiment of a limited monarchy. It is in this ſenſe that the author conſidered the revolution as finiſhed; though he did not believe, as will appear in this introduction, that a government ſo conſtructed, and ſo little congenial to the ſpirit of the times, would be of long duration.

He did not believe in the neceſſity of a war to introduce and eſtabliſh the republic. For though the treaty of Pilnitz had then been publiſhed, and though it bore the marks of that folly which is

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in operation will ſolve a queſtion of the firſt magnitude in human affairs: Whether *Theory* and *Practice*, which always agree together in things of ſlighter moment, are really to remain eternal enemies in the higheſt concerns of men?

The change of government in France is, properly ſpeaking, a renovation of ſociety; an object peculiarly fitted to hurry the mind into a field of thought, which can ſcarcely be limited by the concerns of a nation, or the improvements of an age. As there is a tendency in human nature to imitation; and as all the apparent cauſes exiſt in moſt of the governments of the world, to induce the people to wiſh for a ſimilar change; it becomes intereſting to the cauſe of humanity, to take a deliberate view of the real nature and extent of this change, and find what are the advantages and diſadvantages to be expected from it.

There is not that necromancy in politics, which prevents our foreſeeing, with tolerable certainty, what is to be the reſult of operations ſo univerſal, in which all the people concur. Many truths are as perceptible when firſt preſented to the mind, as an age or a world of experience could make them; others require only an indirect and collateral experience; ſome demand an experience direct and poſitive.

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common to the enemies of reform in all ages, ſtill it does not appear from any ſubſequent events, that the parties to that treaty had any intention of puſhing their oppoſition to open hoſtilities. This opinion is more fully developed in the preface to *The Conſpiracy of Kings*, and in the note on Mr. Burke, at the end of the volume.

It is happy for human nature, that in morals we have much to do with this firſt claſs of truths, leſs with the ſecond, and very little with the third; while in phyſics we are perpetually driven to the ſlow proceſs of patient and poſitive experience.

The Revolution in France certainly comes recommended to us under one aſpect which renders it at firſt view extremely inviting: it is the work of argument and rational conviction, not of the ſword. The *ultima ratio regum* had nothing to do with it. It was an operation deſigned for the benefit of the people; it originated in the people, and was conducted by the people. It had therefore a legitimate origin; and this circumſtance entitles it to our ſerious contemplation, on two accounts: becauſe there is ſomething venerable in the idea, and becauſe other nations, in ſimilar circumſtances, will certainly be diſpoſed to imitate it.

I ſhall therefore examine the nature and conſequences of a ſimilar revolution in government, as it will affect the following principal objects, which make up the affairs of nations in the preſent ſtate of Europe:

I. The Feudal Syſtem,
II. The Church,
III. The Military,
IV. The Adminiſtration of Juſtice,
V. Revenue and public expenditure.

It muſt be of vaſt importance to all the claſſes of ſociety, as it now ſtands claſſed in Europe, to calculate before-hand what they are to gain or to looſe by the approaching change; that, like prudent ſtock-jobbers, they may buy in or ſell out, according as this great event ſhall affect them.

Philoſophers and contemplative men, who may think themſelves diſintereſted ſpectators of ſo great

a political drama, will do well to conſider how far the cataſtrophe is to be beneficial or detrimental to the human race; in order to determine whether in conſcience they ought to promote or diſcourage, accelerate or retard it, by the publication of their opinions. It is true, the work was ſet on foot by this ſort of men; but they have not all been of the ſame opinion relative to the beſt organization of the governing power, or how far the reform of abuſes ought to extend. Monteſquieu, Voltaire, and many other reſpectable authorities, have accredited the principle, that republicaniſm is not convenient for a great ſtate. Others take no notice of the diſtinction between great and ſmall ſtates, in deciding, that this is the only government proper to enſure the happineſs, and ſupport the dignity of man. Of the former opinion was a great majority of the conſtituant national aſſembly of France. Probably not many years will paſs, before a third opinion will be univerſally adopted, never to be laid aſide: That the republican principle is not only proper and ſafe for the government of any people; but that its propriety and ſafety are in proportion to the magnitude of the ſociety and extent of the territory.

Among ſincere enquirers after truth, all general queſtions on this ſubject reduce themſelves to this: Whether men are to perform their duties by an eaſy choice or an expenſive cheat; or, whether our reaſon be given us to be improved or ſtifled, to render us greater or leſs than brutes, to increaſe our happineſs or aggravate our miſery.

Among thoſe whoſe anxieties ariſe only from intereſt, the inquiry is, how their privileges or their profeſſions are to be affected by the new order of things. Theſe form a claſs of men reſpectable

both for their numbers and ſenſibility; it is our duty to attend to their caſe. I ſincerely hope to adminiſter ſome conſolation to them in the courſe of this eſſay. And though I have a better opinion of their philanthrophy, than political opponents generally entertain of each other, yet I do not altogether rely upon their preſumed ſympathy with their fellow-citizens, and their ſuppoſed willingneſs to ſacrifice to the public good; but I hope to convince them, that the eſtabliſhment of general liberty will be leſs injurious to thoſe who now live by abuſes, than is commonly imagined; that protected induſtry will produce effects far more aſtoniſhing than have ever been calculated; that the increaſe of enjoyments will be ſuch, as to ameliorate the condition of every human creature.

To perſuade this claſs of mankind, that it is neither their duty nor their intereſt to endeavour to perpetuate the ancient forms of government, would be an high and holy office; it would be the greateſt act of charity to them, as it might teach them to avoid a danger that is otherwiſe unavoidable; it would preclude the occaſion of the people's indulging what is ſometimes called a ferocious diſpoſition, which is apt to grow upon the revenge of injuries, and render them leſs harmonious in their new ſtation of citizens; it would prevent the civil wars, which might attend the inſurrections of the people, where there ſhould be a great want of unanimity,—for we are not to expect in every country that mildneſs and dignity which have uniformly characterized the French, even in their moſt tumultuous movements*; it would remove every

* Whatever reaſon may be given for the fact, I believe all thoſe who have been witneſſes of what

obſtacle and every danger that may ſeem to attend that rational ſyſtem of public felicity to which the nations of Europe are moving with rapid ſtrides, and which in proſpect is ſo conſoling to the enlightened friends of humanity.

To induce the men who now govern the world to adopt theſe ideas, is the duty of thoſe who now

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are called *mobs* in France (during the revolution) will join with me in opinion, that they are by no means to be compared with Engliſh mobs, in point of indiſcriminate ferocity and private plunder. A popular commotion in Paris was uniformly directed to a certain well-explained object; from which it never was known to deviate. Whether this object were to hang a man, to arreſt the king, to intimidate the court, or to break the furniture of a hotel, all other perſons and all other property, that fell in the way of the mob, were perfectly ſafe.

The truth is, thoſe collections were compoſed of honeſt and induſtrious people, who had nothing in view but the public good. They believed that the cauſe of their country required an execution of juſtice more prompt than could be expected from any eſtabliſhed tribunal. Beſides, they were in the criſis of a revolution, when they were ſenſible, that the crimes of their enemies would remain unpuniſhed, for want of a known rule by which they could be judged. Though a violation of *right*, is not always a violation of *law*; yet, in their opinion, occaſions might exiſt, when it would be dangerous to let it paſs with impunity.

It is indeed to be hoped, that whenever mobs in other countries ſhall be animated by the ſame cauſe, they will conduct themſelves with the ſame dignity; and that this ſingular phenomenon will be found not altogether attributable to national character.

poſſeſs them. I confeſs the taſk, at firſt view, appears more than Herculean; it will be thought an object from which the eloquence of the cloſet muſt ſhrink in deſpair, and which prudence would leave to the more powerful arguments of events. But I believe at the ſame time that ſome ſucceſs may be expected; that though the harveſt be great, the labourers may not be few; that prejudice and intereſt cannot always be relied on to garriſon the mind againſt the aſſaults of truth. This belief, ill-grounded as it may appear, is ſufficient to animate me in the cauſe; and to the venerable hoſt of republican writers, who have preceeded me in the diſcuſſions occaſioned by the French revolution, this belief is my only apology for offering to join the fraternity, and for thus practically declaring my opinion, that they have not exhauſted the ſubject.

Two very powerful weapons, the force of reaſon and the force of numbers, are in the hands of the political reformers. While the uſe of the firſt brings into action the ſecond, and enſures its cooperation, it remains a ſacred duty, impoſed on them by the God of reaſon to wield with dexterity this mild and beneficent weapon, before recurring to the uſe of the other; which, though legitimate, may be leſs harmleſs; though infallible in operation, may be leſs glorious in victory.

The tyrannies of the world, whatever be the appellation of the government under which they are exerciſed, are all ariſtocratical tyrannies. An ordinance to plunder and murder, whether it fulminate from the Vatican, or ſteal ſilently forth from the Harem; whether it come clothed in the *certain ſcience* of a Bed of Juſtice, or in the legal ſolemnities of a bench of lawyers; whether it be purcha-

ſed by the careſſes of a woman, or the treaſures of a nation ;—never confines its effects to the benefit of a ſingle individual ; it goes to enrich the whole combination of conſpirators, whoſe bnſineſs it is to dupe and to govern the nation. It carries its own bribery with itſelf through all its progreſs and connexions,—in its origination, in its enaction, in its vindication, in its execution ; it is a fertilizing ſtream, that waters and vivifies its happy plants in the numerous channels of its communication. Miniſters and ſecretaries, commanders of armies, contractors, collectors and tide-waiters, intendants, judges and lawyers,—whoever is permitted to drink of the ſalutary ſtream,—are all intereſted in removing the obſtructions and in praiſing the fountain from which it flows.

The ſtate of human nature requires that this ſhould be the caſe. Among beings ſo nearly equal in power and capacity as men of the ſame community are, it is impoſſible that a ſolitary tyrant ſhould exiſt. Laws that are deſigned to operate unequally on ſociety, muſt offer an excluſive intereſt to a conſiderable portion of its members, to enſure their execution upon the reſt. Hence has ariſen the neceſſity of that ſtrange complication in the governing power, which has made of politics an inexpliclable ſcience ; hence the reaſon for arming one claſs of our fellow creatures with the weapons of bodily deſtruction, and another with the myſterious artillery of the vengeance of heaven ; hence the cauſe of what in England is called the independence of the judges, and what on the continent has created a judiciary nobility, a ſet of men who purchaſe the privilege of being the profeſſional enemies of the people, of ſelling their deciſions to the rich, and of diſtributing individual oppreſſion ;

hence the ſource of thoſe Draconian codes of criminal juriſprudence which enſhrine the idol property in a bloody ſanctuary, and teach the modern European, that his life is of leſs value than the ſhoes on his feet; hence the poſitive diſcouragements laid upon agriculture, manufacture, commerce, and every method of improving the condition of men; for it is to be obſerved, that in every country the ſhackles impoſed upon induſtry are in proportion to the degree of general deſpotiſm that reigns in the government. This ariſes not only from the greater debility and want of enterpriſe in the people, but from the ſuperior neceſſity that ſuch governments are under, to prevent their ſubjects from acquiring that eaſe and information, by which they could diſcern the evil and apply the remedy.

To the ſame fruitful ſource of calamities we are to trace that perverſity of reaſon, which, in governments where men are permitted to diſcuſs political ſubjects, has given riſe to thoſe perpetual ſhifts of ſophiſtry, by which they vindicate the prerogative of kings. In one age it is the *right of conqueſt*, in another *the divine right*, then it comes to be a *compact between king and people*, and laſt of all, it is ſaid to be founded on general convenience, *the good of the whole community*. In England theſe ſeveral arguments have all had their day; though it is aſtoniſhing that the two former could ever have been the ſubjects of rational debate: the firſt is the logic of the muſquet, and the ſecond of the chalice; the one was buried at Rennimede on the ſignature of Magna Charta, the other took its flight to the continent with James the Second. The compact of king and people has lain dor-

mant the greater part of the preſent century ; till it was rouſed from ſlumber by the French revolution, and came into the ſervice of Mr. Burke.

Haſty men diſcover their errors when it is too late. It had certainly been much more conſiſtent with the temperament of that writer's mind, and quite as ſerviceable to his cauſe, to have recalled the fugitive claim of the divine right of kings. It would have given a myſtic force to his declamation, afforded him many new epithets, and furniſhed ſubjects perfectly accordant with the copious charges of *ſacrilege, atheiſm, murders, aſſaſſinations, rapes* and *plunders* with which his three volumes abound.* He then could not have diſappointed his friends by his total want of argument, as he now does in his two firſt eſſays ; for on ſuch a ſubject no argument could be expected ; and in his third, where it is patiently attempted, he would have avoided the neceſſity of ſhowing that he has none, by giving a different title to his book ; for the " Appeal," inſtead of being " from the New to the Old Whigs," would have been *from the new whigs to the old tories* ; and he might as well have appealed to Cæſar ; he could have found at this day no court to take cognizance of his cauſe.

But the great advantage of this mode of handling the ſubject would have been, that it could have provoked no anſwers ; the gauntlet might have been thrown, without a champion to have taken it up ; and the laſt ſolitary admirer of chivalry have retired in negative triumph from the field.

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* Theſe three works are, his *Reflections on the Revolution in France*, his *Letter to a Member of the National Aſſembly*, and his *Appeal from the New to the Old Whigs*.

Mr. Burke, however, in his defence of royalty, does not rely on this argument of the compact. Whether it be, that he is conſcious of its futility, or that in his rage he forgets that he has uſed it, he is perpetually recurring to the laſt ground that has yet been heard of, on which we are called upon to conſider kings even as a tolerable nuiſance, and to ſupport the exiſting forms of government: this ground is *the general good of the community*. It is ſaid to be dangerous to pull down ſyſtems that are already formed, or even to attempt to improve them; and it is likewiſe ſaid, that, were they peaceably deſtroyed, and we had ſociety to build up anew, it would be beſt to create hereditary kings, hereditary orders, and excluſive privileges.

Theſe are ſober opinions, uniting a claſs of reaſoners too numerous and too reſpectable to be treated with contempt. I believe, however, that their number is every day diminiſhing, and I believe the example which France will ſoon be obliged to exhibit to the world on this ſubject, will induce every man to reject them, who is not perſonally and excluſively intereſted in their ſupport.

The inconſiſtency of the the conſtituent aſſembly, in retaining an hereditary king, armed with an enormous civil liſt, to wage war with a popular government, has induced ſome perſons to predict the downfall of their conſtitution. But this meaſure had a different origin from what is commonly aſſigned to it, and will probably have a different iſſue. It was the reſult rather of local and temporary circumſtances, than of any general belief in the utility of kings, under any modifications or limitations that could be attached to the office.

It is to be obſerved, *firſt*, that the French had a king upon their hands. This king had always been conſidered as a well-diſpoſed man; ſo that, by a fatality ſomewhat ſingular, though not unexampled in *regal hiſtory*, he gained the love of the people, almoſt in proportion to the miſchief which he did them. *Secondly*, their king had very powerful family connexions, in the ſovereigns of Spain, Auſtria, Naples and Sardinia; beſides his relations within the kingdom, whom it was neceſſary to attach, if poſſible, to the intereſts of the community. *Thirdly*, the revolution was conſidered by all Europe as a high and dangerous experiment. It was neceſſary to hide as much as poſſible the appearance of its magnitude from the eye of the diſtant obſerver. The reformers conſidered it as their duty to produce an internal regeneration of ſociety, rather than an external change in the appearance of the court; to ſet in order the counting-houſe and the kitchen, before arranging the drawing-room. This would leave the ſovereigns of Europe totally without a pretext for interfering; while it would be conſoling to that claſs of philoſophers, who ſtill believed in the compatibility of royalty and liberty. *Fourthly*, this decree, That *France ſhould have a king*, and that he *could do no wrong*, was paſſed at an early period of their operations; when the above reaſons were apparently more urgent than they were afterwards, or probably will ever be again.

From theſe conſiderations we may conclude, that royalty is preſerved in France for reaſons which are fugitive; that a majory of the conſtituent aſſembly did not believe in it, as an abſtract principle; that a majority of the people will learn

to be diſgueſted with ſo unnatural and ponderous a deformity in their new edifice, and will ſoon hew it off.

After this improvement ſhall have been made, a few years experience in the face of Europe, and on ſo great a theatre as that of France, will probably leave but one opinion in the minds of honeſt men, relative to the republican principle, or the great ſimplicity of nature applied to the organization of ſociety.

The example of America would have had great weight in producing this conviction; but it is too little known to the European reaſoner, to be a ſubject of accurate inveſtigation. Beſides the difference of circumſtances between that country and the ſtates of Europe has given occaſion for imagining many diſtinctions which exiſt not in fact, and has prevented the application of principles which are permanently founded in nature, and follow not the trifling variations in the ſtate of ſociety.

But I have not preſcribed to myſelf the taſk of entering into arguments on the utility of kings, or of inveſtigating the meaning of Mr. Burke, in order to compliment him with an additional refutation. My ſubject furniſhes a more extenſive ſcope. It depends not on me, or Mr. Burke, or any other writer, or deſcription of writers, to determine the queſtion, whether a change of government ſhall take place, and extend through Europe. It depends on a much more important claſs of men, the claſs that cannot write; and in a great meaſure, on thoſe who cannnot read. It is to be decided by men who reaſon better without books, than we do with all the books in the world. Ta-

king it for granted, therefore, that a general revolution is at hand, whose progress is *irresistable*, my object is to contemplate its probable effects, and to comfort those who are afflicted at the prospect.

Note,—A mistake has been committed in heading the first part of this work, page 3; it should read thus:—*Advice to the Privileged Orders in the several States of Europe, resulting from the necessity and propriety of a general revolution in the principles of government.* Editor.

CHAP. I.

FEUDAL SYSTEM.

THE moſt prominent feature in the moral face of Europe, was imprinted upon it by conqueſt. It is the reſult of the ſubordination neceſſary among military ſavages, on their becoming cultivators of the ſoil which they had deſolated, and making an advantageous uſe of ſuch of the inhabitants as they did not chooſe to maſſacre, and could not ſell to foreigners for ſlaves.

The relation thus eſtabliſhed between the officers and the ſoldiers, between the victors and the vanquiſhed, and between them all and the lands which they were to cultivate, modified by the experience of unlettered ages, has obtained the name of the Feudal Syſtem, and may be conſidered as the foundation of all the political inſtitutions in this quarter of the world. The claims reſulting to particular claſſes of men, under this modification of ſociety, are called Feudal Rights; and to the individual poſſeſſors they are either nominal or real, conveying an empty title or a ſubſtantial profit.

My intention is not to enter on the details of this ſyſtem, as a lawyer, or to trace its progreſs with the accuracy of an hiſtorian, and ſhow its peculiar fitneſs to the rude ages of ſociety which

gave it birth. But, viewing it as an ancient edifice, whose foundation, worn away by the current of events, can no longer support its weight, I would sketch a few drawings to show the style of its architecture, and compare it with the model of the new building to be erected in its place.

The *philosophy* of the Feudal System, is all that remains of it worthy of our contemplation. This I will attempt to trace in some of its leading points, leaving the practical part to fall, with its ancient founders and its modern admirers, into the peaceful gulph of oblivion ; to which I wish it a speedy and an unobstructed passage.

The original object of this institution was undoubtedly, what it was alleged to be, the preservation of turbulent societies, in which men are held together but by feeble ties; and it effected its purpose by uniting the personal interest of the head of each family, with the perpetual safety of the state. Thus far the purpose was laudable, and the means extremely well calculated for the end. But it was the fortune of this system to attach itself to those passions of human nature which vary not with the change of circumstances. While national motives ceased by degrees to require its continuance, family motives forbade to lay it aside. The same progressive improvements in society, which rendered military tenures and military titles first unnecessary and then injurious to the general interest, at the same time sharpened the avarice, and piqued the honour of those who possessed them, to preserve the exclusive privileges which rendered them thus distinguished. And these privileges, united with the operations of the church, have founded and supported the

deſpotiſms of Europe in all their diviſions, combinations, and refinements.

Feudal Rights are either *territorial* or *perſonal*. I ſhall divide them into theſe two claſſes, for the ſake of beſtowing a few obſervations upon each.

The pernicious effects of the ſyſtem on territorial tenures are inconceivable, various and great. In a legal view, it has led to thoſe intricacies and vexations, which we find attached to every circumſtance of real property, which have perplexed the ſcience of civil juriſprudence, which have perpetuated the ignorance of the people relative to the adminiſtration of juſtice, rendered neceſſary the intervention of lawyers, and multiplied the means of oppreſſion. But, in a political view, its conſequences are ſtill more ſerious, and demand a particular conſideration.

The firſt quality of the feudal tenure is to confine the deſcendible property to the *eldeſt male iſſue*. To ſay that this is contrary to nature, is but a feeble expreſſion. So abominable is its operation, that it has ſeduced and perverted nature; her voice is ſtifled, intereſt itſelf is laid aſleep, and nothing but the eloquence of an incomprehenſible pride is heard on the occaſion. You will hear father and mother, younger brothers and ſiſters, rejoice in this proviſion of the law; the former conſigning their daughters to the gloomy priſon of a convent, and their younger ſons to the church or the army, to enſure their celibacy; that no remnant of the family may remain but the heir of the eſtate entire; the latter congratulating each other, that the elder brother will tranſmit unimpaired the title and the property, while they themſelves are content to periſh in the obſcurity of their ſeveral deſtinations. It is probable that, in another age,

a tale of this kind will ſcarcely gain credit, and that the tear of ſenſibility may be ſpared by a diſbelief of the fact. It is, however, no creature of the imagination; it happened every day in France previous to the revolution; I have ſeen it with my own eyes, and heard it with my own ears; it is now to be ſeen and heard in moſt other Catholic countries.

But other points of view ſhow this diſpoſition of the law to be ſtill more reprehenſible in the eye of political philoſophy. It ſwells the inequality of wealth, which, even in the beſt regulated ſociety, is but too conſiderable; it habituates the people to believe in an unnatural inequality in the rights of men, and by theſe means prepares them for ſervility and oppreſſion; it prevents the improvement of lands, and impedes the progreſs of induſtry and cultivation, which are beſt promoted on ſmall eſtates, where proprietors cultivate for themſelves; it diſcourages population, by inducing to a life of celibacy.—But I ſhall ſpeak of celibacy when I ſpeak of the church.

Whether men are born to govern, or to obey, or to enjoy equal liberty, depends not on the original capacity of the mind, but on the *inſtinct of analogy*, or the *habit of thinking*. When children of the ſame family are taught to believe in the unconquerable diſtinctions of birth among themſelves, they are completely fitted for a feudal government; becauſe their minds are familiariſed with all the gradations and degradations that ſuch a government requires. The birth-right of domineering is not more readily claimed on the one hand, than it is acknowledged on the other; and the Jamaica planter is not more habitually con-

vinced that an European is superior to an African, than he is that a Lord is better than himself.

This subject deserves to be placed in a light, in which no writer, as far as I know, has yet considered it. When a person was repeating to Fontenelle the common adage *habit is the second nature*, the philosopher replied, *and do me the favour to tell me which is the first.* When we assert that nature has established *inequalities* among men, and has thus given to some the right of governing others, or when we maintain the *contrary* of this position, we should be careful to define what sort of nature we mean, whether the *first* or *second nature*; or whether we mean that there is but one. A mere savage, Colocolo* for instance, would decide the question of equality by a trial of bodily strength, designating the man that could lift the heaviest beam to be the legislator; and unless all men could lift the same beam, they could not be equal in their rights. Aristotle would give the preference to him that excelled in mental capacity. Ulysses would make the decision upon a compound ratio of both. But there appears to me another step in this ladder, and that the *habit of thinking* is the only safe and universal criterion to which, in practice, the question can be referred. Indeed, when interest is laid aside, it is the only one to which, in civilized ages, it ever is referred. We never submit to a King, because he is stronger than we in bodily force, nor because he is superior in understanding or in information; but because we believe him born to govern, or at least, because a majority of the society believes it.

* See the Araucana of Ercilla.

This *habit of thinking* has so much of nature in it, it is so undistinguishable from the indelible marks of the man, that it is a perfectly safe foundation for any system that we may choose to build upon it; indeed it is the *only* foundation, for it is the only point of contact by which men communicate as moral associates. As a practical position therefore, and as relating to almost all places and almost all times, in which the experiment has yet been made, Aristotle was as right in teaching, *That some are born to command, and others to be commanded*, as the National Assembly was in declaring, That *men are born and always continue free and equal in respect to their rights*. The latter is as apparently false in the diet of Ratisbon, as the former is in the hall of the Jacobins.

Abstractly considered, there can be no doubt of the unchangeable truth of the assembly's declaration; and they have taken the right method to make it a *practical* truth, by publishing it to the world for discussion. A general belief *that it is a truth*, makes it at once practical, confirms it in one nation, and extends it to others.

A due attention to the astonishing effects that are wrought in the world by *the habit of thinking*, will serve many valuable purposes. I cannot therefore dismiss the subject so soon as I intended; but will mention one or two instances of these effects, and leave the reflection of the reader to make the application to a thousand others.

First, It is evident that all the arbitrary systems in the world are founded and supported on this *second nature* of man, in counteraction of the *first*. Systems which distort and crush and subjugate every thing that we can suppose original and characteristic in man, as an undistorted being. It

ſuſtains the moſt abſurd and abominable theories of religion, and honours them with as many martyrs as it does thoſe that are the moſt peaceful and beneficent.

But *ſecondly*, we find for our conſolation, that it will likewiſe ſupport ſyſtems of equal liberty and national happineſs. In the United States of America, the ſcience of liberty is univerſally underſtood, felt, and practiſed, as much by the ſimple as the wiſe, the weak as the ſtrong. Their deep-rooted and inveterate habit of thinking is, that *all men are equal in their rights*, that *it is impoſſible to make them otherwiſe*; and this being their undiſturbed belief, they have no conception how any man in his ſenſes can entertain any other. This point once ſettled, every thing is ſettled. Many operations, which in Europe have been conſidered as incredible tales or dangerous experiments, are but the infallible conſequences of this great principle. The firſt of theſe operations is *the buſineſs of election*, which, with that people, is carried on with as much gravity as their daily labour. There is no jealouſy on the occaſion, nothing lucrative in office; any man in ſociety may attain to any place in the government, and may exerciſe its functions. They believe that there is nothing more difficult in the management of the affairs of a nation, than the affairs of a family; that it only requires more hands. They believe that it is the juggle of keeping up impoſitions to blind the eyes of the vulgar, that conſtitutes the intricacy of ſtate. Banith the myſticiſm of inequality, and you baniſh almoſt all the evils attendant on human nature.

The people, being habituated to the election of all kinds of officers, the *magnitude* of the office makes no difficulty in the caſe. The preſident of

the United States, who has more power while in office than ſome of the kings of Europe, is choſen with as little commotion as a churchwarden. There is a public ſervice to be performed, and the people ſay who ſhall do it. The ſervant feels honoured with the confidence repoſed in him, and generally expreſſes his gratitude by a faithful performance.

Another of theſe operations is making every citizen a ſoldier, and every ſoldier a citizen; not only *permitting* every man to arm, but *obliging* him to arm. This fact, told in Europe, previous to the French revolution, would have gained little credit; or at leaſt it would have been regarded as a mark of an uncivilized people, extremely dangerous to a well ordered ſociety. Men who build ſyſtems on an inverſion of nature, are obliged to invert every thing that is to make part of that ſyſtem. It is *becauſe the people are civilized, that they are with ſafety armed.* It is an effect of their conſcious dignity, as citizens enjoying equal rights, that they wiſh not to invade the rights of others. The danger (where there is any) from armed citizens, is only to the *government*, not to the *ſociety*; and as long as they have nothing to revenge in the government (which they cannot have while it is in their own hands) there are many advantages in their being accuſtomed to the uſe of arms, and no poſſible diſadvantage.

Power, habitually in the hands of a whole community, loſes all the ordinary aſſociated ideas of power. The exerciſe of power is a relative term; it ſuppoſes an oppoſition,—ſomething to operate upon. We perceive no exertion of power in the motion of the planetary ſyſtem, but a very ſtrong one in the movement of a whirlwind, is

because we see obstructions to the latter, but none to the former. Where the government is *not* in the hands of the people, there you find opposition, you perceive two contending interests, and get an idea of the exercise of power; and whether this power be in the hands of the government or of the people, or whether it change from side to side, it is always to be dreaded. But the word *people*, in America, has a different meaning from what it has in Europe. It there means the whole community, and comprehends every human creature; here it means something else, more difficult to define.

Another consequence of the habitual idea of equality, is the *facility of changing the structure of their government*, whenever, and as often as the society shall think there is any thing in it to amend. As Mr. Burke has written no "reflections on the "revolution" in America, the people there have never yet been told that they have no *right* "to "frame a government for themselves;" they have therefore done much in this business, without ever affixing to it the idea of "sacrilege" or "usurpation," or any other term of rant, to be found in that gentleman's vocabulary.

Within a few years the fifteen states have not only framed each its own state constitution, and two successive federal constitutions; but since the settlement of the present general government in the year 1789, three of the states, Pennsylvania, South-Carolina, and Georgia, have totally new modelled their own. And all this is done without the least confusion; the operation being scarcely known beyond the limits of the state where it is performed. Thus they are in the habit of "*choos-*

"*ing their own governors,*" of "*caſhiering them "for miſconduct,*" of "*framing a government for "themſelves,*" and all thoſe abominable things, the mere naming of which, in Mr. Burke's opinion, has polluted the pulpit in the Old Jewry.*

But it is ſaid, Theſe things will do very well for America, where the people are leſs numerous, leſs indigent, and better inſtructed; but they will not apply to Europe. This objection deſerves a reply, not becauſe it is ſolid, but becauſe it is faſhionable. It may be anſwered, that ſome parts of Spain, much of Poland, and almoſt the whole of Ruſſia, are leſs peopled than the ſettled country in the United States; that poverty and ignorance are *effects* of ſlavery rather than its *cauſes*; but the beſt anſwer to be given, is the example of France. To the event of that revolution I will truſt the argument. Let the people have time to become thoroughly and ſoberly grounded in the doctrine of *equality*, and there is no danger of oppreſſion either from government or from anarchy. Very little inſtruction is neceſſary to teach a man his rights; and there is no perſon of common intellects, in the moſt ignorant corner of Europe, but receives leſſons enough, if they were of the proper kind. For writing and reading are not indiſpenſable to the object; it is *thinking* right which makes them act right. Every child is taught to repeat about fifty Latin prayers, which ſet up the Pope, the Biſhop, and the King, as the trinity of his adoration; he is taught that *the powers that*

* See Dr. Price's Sermon preached in the Old Jewry before the Revolutionary Society, and Mr. Burke's abuſive ſtrictures on the above expreſſions uſed by the Doctor.

be, are ordained of God, and therefore the ſoldier quartered in the pariſh has a right to cut his throat. Half this inſtruction, upon oppoſite principles, would go a great way; in that caſe nature would be aſſiſted, while here ſhe is counteracted. Engrave it on the heart of a man, *that all men are equal in rights,* and that the *government is their own,* and then perſuade him to ſell his crucifix and buy a muſquet,—and you have made him a good citizen.

Another conſequence of a ſettled belief in the equality of rights is, that under this belief *there is no danger from anarchy.* This word has likewiſe acquired a different meaning in America from what we read of it in books. In Europe it means confuſion, attended with mobs and carnage, where the innocent periſh with the guilty. But it is very different where a country is *uſed* to a repreſentative government, though it ſhould have an interval of no government at all. Where the people at large feel and know that they *can do every thing* by themſelves perſonally, they really *do nothing* by themſelves perſonally. In the heat of the American revolution, when the people in ſome ſtates were for a long time without the leaſt ſhadow of law or government, they always acted by committees and repreſentation. This they muſt call anarchy, for they know no other.

Theſe are materials for the formation of governments, which need not be dreaded, though diſjointed and laid aſunder to make ſome repairs. They are deep-rooted habits of thinking, which almoſt change the moral nature of man; they are principles as much unknown to the ancient republics as to the modern monarchies of Europe.

We muſt not therefore rely upon ſyſtems drawn from the experimental reaſonings of Ariſtotle, when we find them contradicted by what we feel to be the eternal truth of nature, and ſee them brought to the teſt of our own experience. Ariſtotle was certainly a great politician; and Claudius Ptolemy was a great geographer; but the latter has ſaid not a word of America, the largeſt quarter of the globe; nor the former, of repreſentative republics, the reſource of afflicted humanity.

Since I have brought theſe two great luminaries of ſcience ſo near together, I will keep them in company a moment longer, to ſhow the ſtrange partiality that we may retain for one ſuperſtition after having laid aſide another, though they are built on ſimilar foundations. Ptolemy wrote a ſyſtem of Aſtronomy; in which he taught among other things, that the earth was the centre of the univerſe, and that the heavenly bodies moved round it. This ſyſtem is now taught (to the excluſion by an anathema of all others) in Turkey, Arabia, Perſia, Paleſtine, Egypt, and where ever the doctrines of Mahomet are taught; while at the ſame time, and with the ſame reverence, the politics of Ariſtotle are taught at the univerſity of Oxford. The ground which ſupports the one is, that the ſun ſtopt its courſe at the command of Joſhua, which it could not have done, had it not been in motion; and the other, that *the powers that be, are ordained of God.* Mention to a Muſſelman the Copernican ſyſtem, and you might as well ſpeak to Mr. Burke about the rights of man; they both call you an atheiſt.—But I will proceed with the feudal ſyſtem.

The next quality of a feudal tenure is what is

commonly called on the Continent the right of *ſubſtitution*, in the Engliſh law, known by the name of *entail*. Of all the methods that have yet been diſcovered to prevent men from enjoying the advantages that nature has laid before them, this is the moſt extraordinary, and in many reſpects the moſt effectual. There have been ſuperſtitions entertained by many nations relative to property in lands; rendering them more difficult of alienation than any other poſſeſſions, and conſequently leſs productive. Such were the *jus retractus* of the Romans, the family-right of redemption, and the abſolute reſtoration once in fifty years among the Jews, ſimilar regulations among the ancient Egyptians, and laws to the ſame purpoſe under the government of the Incas in Peru.

Theſe were all calculated to perpetuate family diſtinctions, and to temper the minds of men to an ariſtocratical ſubordination. But none of them were attended with the barbarous excluſion of younger brothers; nor had they the preſumption to put it into the power of a dying man, who could not regulate the diſpoſition of his ſandals for one hour after his death, to ſay to all mankind thenceforward to the end of time, "Touch not my inheritance! I will that this tract of country, on which I have taken my pleaſure, ſhall remain to the wild beaſts and to the fowls of heaven; that one man only of each generation ſhall exiſt upon it; that all the reſt, even of my own poſterity, ſhall be driven out hence, as ſoon as born; and that the inheritor himſelf ſhall not increaſe his enjoyments by alienating a part to ameliorate the reſt."

There might have been individual madmen, in all ages, capable of *expreſſing* a deſire of this kind; but for whole nations, for many centuries together, to agree to *reverence* and *execute* ſuch hoſtile teſtaments as theſe, comported not with the wiſdom of the ancients; it is a ſuicide of ſociety, reſerved for the days of chivalry,—to ſupport the governments of modern Europe.

Sir Edward Coke ſhould have ſpared his panegyric on the parliament of Edward the firſt, as the fathers of the laws of entailments. He quotes with ſingular pleaſure the words of Sir William Herle, who informs us, that "King "Edward I. was the wiſeſt King that ever was, "and they were ſage men, who made this ſtatute." Whatever wiſdom there is in the ſtatute, is of an elder growth. It is a plant of genuine feudal extraction, brought into England by the Normans or Saxons, or ſome other conquerors; and though ſettled as common law, it began to be diſregarded and deſpiſed by the judicial tribunals, as a ſenſe of good policy prevailed. But the progreſs of liberality was arreſted by that parliament, and the law of entailments paſſed into the ſtatute of Weſtminſter the ſecond.

This was conſidered as law in America, previous to the revolution. But that epoch of light and liberty has freed one quarter of the world from this miſerable appendage of Gothiciſm; and France has now begun to break the ſhackles from another quarter, where they were more ſtrongly rivetted. The ſimple deſtruction of theſe two laws, of *entailment* and *primogeniture*, if you add to it the *freedom of the preſs*, will enſure the continuance of liberty in any country where it is once eſtabliſhed.

Other territorial rights, peculiar to the feudal tenure, are leſs general in their operation, though almoſt infinite in their number and variety. Not a current of water, nor a mill-ſeat, nor a fiſh-pond, nor a foreſt, nor the dividing line of a village or a farm, but gives name to and ſupports ſome ſeigneurial impoſition; beſides the numberleſs claims predicated upon all the poſſible actions and ceremonies that paſs, or are ſuppoſed to paſs, between the great Lord and the little Lord, and between the little Lord and the leſs Lord, and between him and the Lord knows whom. The National Aſſembly, in one decree, ſuppreſſed about one hundred and fifty of theſe taxes by name, beſides a general ſweeping clauſe in the act, which perhaps deſtroyed as many more, the names of which no man could report.

One general character will apply to all theſe impoſitions: they are a diſcouragement to agriculture, an embarraſſment to commerce,—they humiliate one part of the community, ſwell the pride of the other, and are a real pecuniary diſadvantage to both.

But it is time to pay our reſpects to thoſe feudal claims that we call *perſonal*. The firſt of theſe is *allegiance*,—in its genuine Gothic ſenſe, called *perpetual allegiance*. It is difficult to expreſs a ſuitable contempt for this idea, without deſcending to language below the dignity of philoſophy. On the firſt inveſtiture of a fief, the ſuperior Lord (ſuppoſing he had any right to it himſelf) has doubtleſs the power of granting it on whatever terms the vaſſal will agree to. It is an even bargain between the parties; and an unchangeable allegiance during the lives of theſe parties may be a condition of it. But for a man to be *born* to

ſuch an allegiance to another man, is to have an evil ſtar indeed ; it is to be born to unchangeable ſlavery.

A nobleman of Venice, at this moment, cannot ſtep his foot over the limits of the republic without leave from the Senate, on pain of forfeiting his eſtate. Similar laws prevail in all feudal countries, where revolutions have not yet prevailed. They flee before the ſearching eye of liberty, and will ſoon flee from Europe.

Hitherto we have treated of claims, whether perſonal or territorial, that are confined to the eldeſt ſons of families ; but there is one genuine feudal claim, which "ſpreads undivided" to all the children, runs in all collateral directions, and extends to every drop of noble blood, wherever found, however mixt or adulterated,—it is the claim of *idleneſs*. In general it is ſuppoſed, that all indigent noble children are to be provided for by the government. But alas ! the ſwarm is too great to be eaſily hived. Though the army, the navy, and the church, with all their poſſible multiplication of places, are occupied only by them, yet their number becomes ſo conſiderable, that many remain out of employment and deſtitute of the means of ſupport.

In contemplating the peculiar deſtiny of this deſcription of men, we cannot but feel a mixture of emotions, in which compaſſion gets the better of contempt. In addition to the misfortunes incident to other claſſes of ſociety, their noble birth has entailed upon them a ſingular curſe ; it has interdicted them every kind of buſineſs or occupation, even for procuring the neceſſaries of life. Other men may be found who have been deprived of their juſt inheritance by the barbarous laws of

deſcent, who may have been neglected in youth and not educated to buſineſs, or who by averſion to induſtry are rendered incapable of any uſeful employment; but none but the offspring of a noble family can experience the ſuperadded fatality of being told, that to put his hand to the plough, or his foot into a counting houſe, would diſgrace an illuſtrious line of anceſtors, and wither a tree of genealogy, which takes its root in a groom of ſome fortunate robber, who perhaps was an archer of Charlemagne.

Every capital in Europe, if you except London, throngs with this miſerable claſs of nobleſſe, who are really and literally tormented between their pride and their poverty. Indeed, ſuch is the prepoſterous tyranny of cuſtom, that thoſe who are rich, and take the lead in ſociety, have the cruelty to make *idleneſs* a *criterion of nobleſſe*. A proof of inoccupation is a ticket of admiſſion into their houſes, and an indiſpenſible badge of welcome to their parties.

But in France their hands are at laſt untied; the charm is broken, and the feudal ſyſtem, with all its infamous idolatries, has fallen to the ground. Honour is reſtored to the heart of man, inſtead of being ſuſpended from his button-hole; and uſeful induſtry gives a title to reſpect. The men who were formerly Dukes and Marquiſſes, are now exalted to farmers, manufacturers and merchants; the riſing generation among all claſſes of people are forming their maxims on a juſt eſtimate of things; and ſociety is extracting the poiſoned dagger which conqueſt had planted in her vitals.

CHAP. II.

THE CHURCH.

BUT it would have been impoſſible for the feudal ſyſtem, with all its powers of inverſion, to have held human nature ſo long debaſed, without the aid of an agent more powerful than an arm of fleſh, and without aſſailing the mind with other weapons than thoſe which are furniſhed from its temporal concerns. Mankind are by nature religious; the governors of nations, or thoſe perſons, who contrive to live upon the labours of their fellow-creatures muſt neceſſarily be few, in compariſon to thoſe who bear the burthens of the whole; their object therefore is to dupe the community at large, to conceal the ſtrength of the many, and magnify that of the few. An open arrangement of forces, whether phyſical or moral, muſt be artfully avoided; for men, however ignorant, are as naturally diſpoſed to calculation, as they are to religion; they perceive as readily that an hundred ſoldiers can deſtroy the captain they have made, as that thunder and lightning can deſtroy a man. Recourſe muſt therefore be had to myſteries and inviſibilities; an engine muſt be forged out of the *religion* of human nature, and erected on its *credulity*, to play upon and extinguiſh the light of reaſon, which was placed in the mind as a caution to the one, and a kind companion to the other.

This engine, in all ages of the world, has been the Church*. It has varied in its appellation, at different periods and in different countries, according to the circumstances of nations; but has never changed its character; and it is difficult to say, under which of its names it has done the most mischief, and exterminated the greatest number of the human race. Were it not for the danger of being misled by the want of information, we should readily determine, that under the assumption of christianity it has committed greater ravages than under any other of its dreadful denominations.

But we must not be hasty in deciding this question; as, during the last fifteen centuries, in which we are able to trace with compassionate

* From that association of ideas, which usually connects the *church* with *religion*, I may run the risque of being misunderstood by some readers, unless I advertise them, that I consider no connection as existing between these two subjects; and that where I speak of church *indefinitely*, I mean the government of a state, assuming the name of God, to govern by divine authority; or in other words, *darkening the consciences of men, in order to oppress them.*

In the United States of America, there is strictly speaking, no such thing as a Church; and yet in no country are the people more religious. All sorts of religious opinions are entertained there, and yet no *diversity* among them all; all modes of worship are practised, and yet there is no *schism*; men frequently change their creed and their worship, and yet there is no *apostacy*; they have ministers of religion, but no *priests*. In short, religion is there a *personal* and not a *corporate* concern.

indignation the frenzy of our anceſtors, and contemplate the wandering demon of carnage, conducted by the *croſs* of the Weſt, the lights of hiſtory fail us with regard to the reſt of the world,—we cannot travel with the *creſcent* of the Eaſt, in its unmeaſurable devaſtations from the Euxine to the Ganges; nor tell by what other incantations mankind have been inflamed with the luſt of ſlaughter, from thence to the north of Siberia or to the ſouth of Africa.

Could we form an eſtimate of the lives loſt in the wars and perſecutions of the Chriſtian Church alone, we ſhould find it nearly equal to the number of ſouls now exiſting in Europe. But it is perhaps a mercy to mankind, that we are not able to calculate, with any accuracy, even this portion of human calamities. When Conſtantine ordered that the *hierarchy* ſhould aſſume the name of Chriſt, we are not to conſider him as forming a new weapon of deſtruction; he only changed a name, which had grown into diſrepute, and would ſerve the purpoſe no longer, for one that was gaining an extenſive reputation; it being built on a faith that was likely to meet the aſſent of a conſiderable portion of mankind. The cold-hearted* cruelty of that monarch's character, and

* The report of Zoſimus, reſpecting the motives which induced Conſtantine to embrace Chriſtianity, has not been generally credited, though the circumſtance is probable in itſelf, and the author is conſidered in other reſpects an hiſtorian of undoubted veracity; having written the hiſtory of all the Emperors, down to his own time, which was the beginning of the fifth century. His account is, that Conſtantine could not be admitted into the *old eſtabliſhed church of Ceres* at Eleuſis, on account of the

his embracing the new doctrines with a temper hardened in the slaughter of his relations, were omens unfavourable to the future complexion of the hierarchy; though he had thus coupled it with a name that had hitherto been remarkable for its meekness and humlity. This transaction has therefore given colour to a scene of enormities, which may be regarded as nothing more than the genuine offspring of the *alliance of church and state*.

This fatal deviation from the principles of the first founder of the faith, who declared that his

enormity of his crimes, in the murder of many of his own family. But on his demanding admission, the hierophant cried out with horror, "Be gone, thou parricide, whom the Gods will not pardon." The Christian doctors seized this occasion to administer to the wants of the Emperor, on condition that he would administer to theirs; the bargain was advantageous on both sides; he declared himself a Christian, and took the church under his protection, and they pronounced his pardon.

The fawning servility of the new church and the blunt severity of the old, on that occasion, mark the precise character of the ecclesiastical policy of all ages; and both examples have been followed in numerous instances. The manœuvres of the Pope on the conversion of Clovis, on sanctioning the usurpation of Pepin, and on the coronation of Charlemagne, are among the imitations of the former; the ridiculous chastisment of Henry the second of England, and the numerous anathemas fulminated against whole kingdoms, are proofs of the latter. We may likewise remark, that the conduct of Constantine has been copied in all its essential points by Henry the eighth.

kingdom was not of this world, has deluged Europe in blood for a long ſucceſſion of ages, and carried occaſional ravages into all the other quarters of the globe. The pretence of extirpating the idolatries of ancient eſtabliſhments, and the innumerable hereſies of the new, has been the never-failing argument of princes as well as pontiffs, from the wars of Conſtantine, down to the pitiful, ſtillborn rebellion of Calonne and the Count d'Artois*.

From the time of the converſion of Clovis, through all the Merovingian race, France and Germany groaned under the fury of eccleſiaſtical monſters, hunting down the Druids, overturning the temples of the Roman Polytheiſts, and drenching the plains with the blood of Arians†. The

* See *Expoſition des motifs* des Princes, freres du Roi,—*A declaration of the motives of the King's brothers, for raiſing an army to chaſtiſe the French nation,* publiſhed at Coblentz in January 1792. The firſt article mentioned in reciting the objects of this expedition is, "*pour retablir le reſpect du à la religion Catholique, et à ſes miniſtres.*"

What Chriſtian emperor ever had a better right to eſtabliſh religion than the count d'Artois? His name, to be ſure, is a burleſque upon every poſſible virtue, and a ſatire upon human nature. But why ſhould this hinder him from being an excellent advocate for *la Religion Catholique?*

† Exterminating heretics was a principal object of national ambition. Childebert I. who died in 558, has the following epitaph on his tomb in the Abbey of *St. Germaine des, Prés,* at Paris.

Le ſang des Arriens dont rougirent les plaines,
De montagnes de corps leur pays tout couvert,
Et leurs chefs mis à mort, ſont des preuves certaines
De ce que les François firent ſous Childebert.

wars of Charlemagne againſt the Saxons, the Huns, the Lombards and the Moors, which deſolated Europe for forty years, had for their principal object the extending and purifying of the Chriſtian faith. The cruſades, which drained Europe of its young men at eight ſucceſſive periods, muſt have ſacrificed, including Aſiatics and Africans, at leaſt four millions of lives. The wars of the Guelfs, and Gibelins, or Pope and Anti-pope, ravaged Italy, and involved half Europe in factions for two centuries together. The expulſion of the Moors from Spain depopulated that kingdom, by a war of ſeven hundred years, and eſtabliſhed the inquiſition to interdict the reſurrection of ſociety; while millions of the natives of South America have been deſtroyed by attempting to convert them.

In this enumeration, we have taken no notice of that train of calamities, which attended the reconverſion of the eaſtern empire, and attaching it to the faith of Mahomet; nor of the various havoc, which followed the diſmemberment of the catholic church, by that fortunate ſchiſm, which, by ſome, is denominated the Lutheran hereſy, and by others, the Proteſtant reformation.

But theſe, it will be ſaid, are only general traits of uncivilized character, which we all contemplate with equal horror, and which, among enlightened nations, there can be no danger of ſeeing renewed. It is true, that, in ſeveral countries, the glooms of intolerance ſeem to be pierced by the rays of philoſophy; and we may ſoon expect to ſee Europe univerſally diſclaiming the right of one man to interfere in the religion of another. We may remark, however, *firſt*, that this is far

from being the caſe at this moment; and *ſecondly*, that it is a bleſſing which never can originate from any ſtate-eſtabliſhment of religion. For proofs of the former, we need not penetrate into Spain or Italy, nor recal the hiſtory of the late fanatical management of the war in Brabant,—but look to the two moſt enlightened countries in Europe; ſee the riots at Birminham, and the conduct of the refractory prieſts in France.

With regard to the ſecond remark,—we may as well own the truth at firſt as at laſt, and have ſenſe this year as the next: *The exiſtence of any kind of liberty is incompatible with the exiſtence of any kind of church.* By *liberty*, I mean the enjoyment of equal rights, and by *church* I mean any mode of worſhip declared to be national, or declared to have any preference in the eye of the law.

To render this truth a little more familiar to the mind of any reader who ſhall find himſelf ſtartled with it, we will take a view of the church in a different light from what we have yet conſidered it. We have hitherto noticed only its moſt ſtriking characteriſtics, in which it appears like a giant, ſtalking over ſociety, and wielding the ſword of ſlaughter; but it likewiſe performs the office of ſilent diſeaſe, and of unperceived decay; where we may contemplate it as a canker, corroding the vitals of the moral world, and debaſing all that is noble in man.

If I mention ſome traits which are rather peculiar to the Roman Catholic conſtitution, it is becauſe that is the predominant church in thoſe parts of Europe, where revolutions are ſooneſt expected; and not becauſe it is any worſe, or any better, than any other that ever has or ever can exiſt. I hinted before, and it may not be amiſs

to repeat, that the hierarchy is every where the ſame, ſo far as the circumſtances of ſociety will permit; for it borrows and lends, and interchanges its features, in ſome meaſure, with the age and nation, with which it has to deal, without ever loſing ſight of its object. It is every where the ſame engine of ſtate; and whether it be guided by a Lama or a Mufti, by a Pontifex or a Pope, by a Bramin, a Biſhop or a Druid, it is entitled to an equal ſhare of reſpect.

The firſt great object of the prieſt is to eſtabliſh a belief in the minds of the people, that *he himſelf is poſſeſſed of ſupernatural powers*; and the church at all times has made its way in the world, in proportion as the prieſt has ſucceeded in this particular. This is the foundation of every thing,—the life and ſoul of all that is ſubverſive and unaccountable in human affairs; it is introducing a new element into ſociety; it is the rudder under the water, ſteering the ſhip almoſt directly contrary to the wind that gives it motion.

A belief in the ſupernatural powers of the prieſt, has been inſpired by means, which, in different nations, have been known by different names,—ſuch as aſtrologies auguries, oracles, or incantations. This article once eſtabliſhed, its continuation is not a difficult taſk. For, as the church acquires wealth, it furniſhes itſelf with the neceſſary apparatus, and the trade is carried on to advantage. The impoſition too becomes more eaſy from the authority of precedent, by which the inquiſitive faculties of the mind are benumbed; men believe by preſcription, and orthodoxy is heriditary.

In this manner every nation of antiquity re-

ceived the poiſon in its infancy, and was rendered incapable of acquiring a vigorous manhood, of ſpeaking a national will, or of acting with that dignity and generoſity, which are natural to man in ſociety. The moment that Romulus conſulted the oracles for the building of his city, that moment he interdicted its future citizens the enjoyment of liberty among themſelves, as well as all ideas of juſtice towards their neighbours. Men never act their own opinions, in company with thoſe who can give them the opinions of Gods; and as long as governors have an eſtabliſhed mode of conſulting the auſpices, there is no neceſſity to eſtabliſh any mode of conſulting the people. *Nihil publice ſine auſpiciis nec domi nec militiæ gerebatur**, was the Roman *Magna Charta*; and it ſtood in place of a declaration of the rights of man. There is ſomething extremely impoſing in a maxim of this kind. Nothing is more pious, peaceful, and moderate in appearance; and nothing more ſavage and abominable in its operation. But it is a genuine *church-maxim*, and, as ſuch, deſerves a further conſideration.

One obvious tendency of this maxim is, like the feudal rights, to inculcate radical ideas of inequalities among men; and it does this in a much greater degree. The feudal diſtance between man and man, is perceptible and definite; but the moment you give one member of ſociety a familiar intercourſe with God, you launch him into the region of infinities and inviſibilities; you unfit him, and his brethren, to live together, on any terms but thoſe of ſtupid reverence and of inſolent abuſe.

* *Cicero de divinatione.* Lib. I.

Another tendency is to make men cruel and savage in a preternatural degree. When a person believes that he is doing the immediate work of God, he divests himself of the feelings of a man. And an ambitious general, who wishes to extirpate or to plunder a neighbouring nation, has only to order the priest to do his duty, and set the people at work by an oracle; they then know no other bounds to their frenzy than the will of their leader, pronounced by the priest; whose voice to them is the voice of God. In this case the least attention to mercy or justice would be abhorred as a disobedience to the divine command. This circumstance alone, is sufficient to account for two-thirds of the cruelty of all wars,—perhaps in a great measure for their existence,—and has given rise to an opinion, that nations are cruel in proportion as they are religious. But the observation ought to stand thus, *That nations are cruel in proportion as they are guided by priests*; than which there is no axiom more undeniably without exception.

Another tendency of governing men by oracles, is to make them factious and turbulent in the use of liberty, when they feel themselves in possession of it. In all ancient democracies, the great body of the people enjoyed no liberty at all; and those who were called freemen, exercised it only by starts, for the purpose of *revenging* injuries,—not in a regular constituted mode of *preventing* them: the body politic used liberty as a medicine, and not as daily bread. Hence it has happened, that the histories of ancient democracies, and of modern insurrections, are quoted upon us, to the insult of common sense, to prove that a whole people is not capable of governing itself. The whole of

the reaſoning on this ſubject, from the profound diſquiſitions of Ariſtotle, down to the puny whinings of Dr. Tatham,* are founded on a direct inverſion of hiſtorical fact. It is the *want* of liberty, not the *enjoyment* of it, which has occaſioned all the factions in ſociety from the beginning of time, and will do ſo to the end; it is becauſe the people are *not* habitually free from civil and eccleſiaſtical tyrants, that they are diſpoſed to exerciſe tyranny themſelves. Habitual freedom produces effects directly the reverſe in every particular. For a proof of this, look into America, or, if that be too much trouble, look into human nature, with the eyes of common ſenſe.

When the Chriſtian religion was perverted, and preſſed into the ſervice of government, under the name of the *chriſtian church*, it became neceſſary that its prieſts ſhould ſet up for ſupernatural powers, and inveſt themſelves in the ſame cloak of infallibility, of which they had ſtripped their predeceſſors, the druids and the augurs. This they effected by miracles; for which they gained ſo great a reputation, that they were canonized after death, and have furniſhed modern Europe with a much greater catalogue of ſaints, than could be found in any breviary of the ancients. The polytheiſm of the catholic church, is more ſplendid for the number of its divinities, than that of the

* It may be neceſſary to inform the reader, that Dr. Tatham of Oxford has written a book in defence of royalty and Mr. Burke. As this is the laſt as well as the weakeſt thing againſt liberty that I have met with, it is mentioned in the text for the ſake of widening the graſp of my aſſertion, as well as for heightening the contraſt among all poſſible authors.

Eleusinian; and they are not inferior in point of attributes. The Denis of France is at least equal to the Jupiter of Greece or the Apis of Egypt. As to supernatural powers, the case is precisely the same in both; and the portions of infallibility are dealt out from the pope to the subordinate priests, according to their rank, in such a manner as to complete the harmony of the system.

Cicero has written with as much judgment and erudition on the "corruptions" of the old Roman Church, as Dr. Priestly has on those of the new. But the difficulty is not that the *church* is corrupted by men; it is, that *men* are corrupted by the church; for the very existence of a church, as I have before defined it, is founded on a lie; it sets out with the blasphemy of giving to one class of men the attributes of God; and the practising of these forceries by that class, and the believing of them by another, corrupt and vitiate the whole.

One of the most admirable contrivances of the Christian church, is the business of *confessions*. It requires great reflection to give us an idea of the effects wrought on society by this part of the machinary. It is a solemn recognition of the supernatural powers of the priest, repeated every day in the year, by every human creature above the age of twelve years. Nothing is more natural than for men to judge of every thing around them, and even of themselves, by *comparison*; and in this case, what opinion are the laity to form of their own dignity? When a poor, ignorant, vitious mortal is set up for the *God*, what must be the *man*? I cannot conceive of any person going seriously to a confessional and believing in the equality of rights, or possessing one

moral ſentiment, that is worthy of a rational being*.

Another contrivance of the ſame ſort, and little inferior in efficacy, is the law of *celibacy*, impoſed on the prieſthood, both male and female, in almoſt all church-eſtabliſhments, that have hitherto exiſted. The prieſt is in the firſt place armed with the weapons of moral deſtruction, by which he is made the profeſſional enemy of his fellow men; and then, for fear he ſhould neglect to uſe thoſe weapons,—for fear he ſhould contract the feelings and friendſhips of rational beings, by mingling with ſociety and becoming one of its members,—for fear his impoſitions ſhould be diſcovered by the intimacy of family connexions,—he is interdicted the moſt cordial endearments of life; he is ſevered from the ſympathies of his fellow-creatures, and yet compelled to be with them; his affections are held in the *mortmain* of perpetual inactivity; and, like the

* The following tariff of the prices of abſolution will ſhow what ideas theſe holy fathers have inculcated relative to the proportional degree of moral turpitude in different crimes. It was reprinted at Rome no longer ago than the laſt century.

	£.	s.	d.
For a layman who ſhall ſtrike a prieſt without effuſion of blood	0	5	0
For one layman who ſhall kill another	0	3	3
For murdering a father, mother, wife, or ſiſter	0	5	0
For eating meat in Lent	0	5	5
For him who lies with his mother or ſiſter	0	3	8
For marrying on thoſe days when the church forbids matrimony	2	0	0
For the abſolution of all crimes	2	16	0

dead men of Mezentius, he is lashed to society for tyranny and contamination.

The whole of this management, in selecting, preparing, and organizing the members of the ecclesiastical body, is pursued with the same uniform, cold-blooded hostility, against the social harmonies of life. The subjects are taken from the younger sons of noble families, who, from their birth, are considered as a nuisance to the house, and an outcast from parental attachment. They are then cut off from all opportunities of forming fraternal affections, and educated in a cloister; till they enter upon their public functions, as disconnected from the feelings of the community, as it is designed they shall ever remain from its interests.

I will not mention the corruption of morals, which must result from the combined causes of the ardent passions of constrained celibacy, and the secret interviews of the priest with the women of his charge, for the purpose of confessions: I will draw no arguments from the dissensions sown in families; the jealousies and consequent aberrations of both husband and wife, occasioned by an intriguing stranger being in the secrets of both; the discouragements laid upon matrimony by a general dread of these consequences, in the minds of men of reflection,—effects which are remarkable in all catholic countries; but I will conclude this article by observing the direct influence that ecclesiastical celibacy alone, has had on the population of Europe.

This policy of the church must have produced, at least, as great an effect, in thining society, as the whole of her wars and persecutions. In catholic Europe, there must be near a million of ec-

cleſiaſtics.* This proportion of mankind continuing deducted from the agents of population, for fifteen centuries, muſt have precluded the exiſtence of more than one hundred millions of the human ſpecies.

Should the reader be diſpoſed, on this remark, to liſten to the reply, which is ſometimes made, that Europe is ſufficiently populous; I beg he would ſuſpend his deciſion, till he ſhall ſee what may be ſaid, in the courſe of this work, on protected induſtry; and until he ſhall well conſider the effects of liberty on the means of ſubſiſtence. That reply is certainly one of the axioms of tyranny, and is of kin to the famous wiſh of Caligula, that the whole Roman people had but one neck.

The French have gone as far in the deſtruction of the hierarchy as could have been expected, conſidering the habits of the people, and the preſent circumſtances of Europe. The church in that country was like royalty,—the prejudices in its favour were too ſtrong to be vanquiſhed all at once. The moſt that could be done, was to tear the bandage from the eyes of mankind, break the

* Boulanger, (vol. 7. page 294) computes the ecclesiaſtics in Spain alone, at half a million. I am inclined to think this account exaggerated. If it were exact, and the other catholic countries of Europe poſſeſſed them in as great numbers, in proportion to their population, there muſt be at leaſt three millions and a half. It is true, that in France, the Auſtrian Netherlands, Poland, Sweden, Ireland, and ſome parts of Germany, the proportion is not ſo great; but in Italy, Portugal, and in parts of Germany, it is full equal to what it is in Spain.

charm of inequality, demoliſh ranks and infallibillities, and teach the people that mitres and crowns did not confer ſupernatural powers. As long as public teachers are choſen by the people, are ſalaried and removeable by the people, are born and married among the people, have families to be educated and protected from oppreſſion and from vice,—as long as they have all the common ſympathies of ſociety, to bind them to the public intereſt, there is very little danger of their becoming tyrants by force ; and the liberty of the preſs will prevent their being ſo by craft.

In the United States of America there is no church ; and this is one of the principal circumſtances which diſtinguiſh that government from all others, that ever exiſted ; it enſures the unembarraſſed exerciſe of religion, the continuation of public inſtruction, in the ſcience of liberty and happineſs, and promiſes a long duration to a repreſentative government.

CHAP. III.

THE MILITARY SYSTEM.

Il importoit au maintien de l'autorité du roi, d'entretenir la guerre.

HISTOIRE DE CHARLEMAGNE.

THE church, in all modern Europe, may be conſidered as a kind of ſtanding army; as the members of that community have been, in every nation, the ſureſt ſupporters of arbitrary power, both for internal oppreſſion and for external violence. But this not being ſufficient of itſelf, an additional inſtrument, to be known by the name of the *military ſyſtem*, became neceſſary; and it ſeems to have been expedient to call up another element of human nature, out of which this new inſtrument might be created and maintained. The church was in poſſeſſion of the ſtrongeſt ground that could be taken in the human mind, the *principle of religion*; a principle dealing with things inviſible; and conſequently the moſt capable of being itſelf perverted, and then of perverting the whole mind, and ſubjecting it to any unreaſonable purſuit.

Next to that of religion, and ſimilar to it in moſt of its characteriſtics, is the principle of *honour*. Honour, like religion, is an original, indelible ſentiment of the mind, an indiſpenſable ingredient in our nature. But its object is incapable of preciſe definition; and conſequently, though given us in aid of the more definable feelings of morality, it is capable of total perverſion, of loſing ſight of its own original nature, and

ſtill retaining its name; of purſuing the deſtruction of moral ſentiments, inſtead of being their ornament; of debaſing, inſtead of ſupporting, the dignity of man.

This camelion principle was, therefore, a proper element of impoſition, and was deſtined to make an immenſe figure in the world, as the foundation and ſupport of the military ſyſtem of all unequal governments. We muſt look pretty far into human nature, before we ſhall diſcover the cauſe, why killing men in battle ſhould be deemed, *in itſelf*, an honourable employment. A hangman is univerſally deſpiſed; he exerciſes an office, which not only the feelings, but the policy of all nations, have agreed to regard as infamous. What is it that ſhould make the difference of theſe two occupations, in favour of the former? Surely it is not becauſe the victims in the former caſe are *innocent*, and the latter *guilty*. To aſſert this, would be a greater libel upon human ſocietiy, than I can bring myſelf to utter; it would make the tyranny of opinion the moſt *deteſtable*, as well as the moſt ſovereign of all poſſible tyrannies. But what can it be? It is not, what is ſometimes alleged, that *courage* is the foundation of the buſineſs; that fighting is honourable becauſe it is dangerous; there is often as much courage diſplayed in highway-robbery, as in the warmeſt conflict of armies; and yet it does no honour to the party; a Robin Hood is as diſhonourable a character as a Jack Ketch. It is not becauſe there is any idea of *juſtice* or *honeſty* in the caſe; for, to ſay the beſt that can be ſaid of war, it is impoſſible that more than one ſide can be juſt or honeſt; and yet both ſides of every conteſt are

equally the road to fame; where a diſtinguiſhed killer of men, is ſure to gain immortal honour. It is not *patriotiſm*, even in that ſenſe of the word which deviates the moſt from general philanthropy; for a total ſtranger to both parties in a war, may enter into it on either ſide, as a volunteer, perform more than a vulgar ſhare of the ſlaughter, and be for ever applauded, even by his enemies. Finally, it is not from any *pecuniary advantages* that are ordinarily attached to the profeſſion of arms; for ſoldiers are generally poor, though part of their buſineſs be to plunder.

Indeed, I can ſee but one reaſon in nature, why the principal of honour ſhould be ſelected from all human incentives, and relied on for the ſupport of the military ſyſtem; it is becauſe it was *convenient for the governing power*; that power being in the hands of a ſmall part of the community, whoſe buſineſs was to ſupport it by impoſition. No principle of a permanent nature, whoſe object is unequivocal, and whoſe ſlighteſt deviations are perceptible, would have anſwered the purpoſe. Juſtice, for inſtance, is a principle of common uſe, of which every man can diſcern the application. Should the Prince ſay it was *juſt*, to commence an unprovoked war with his weak neighbours, and plunder their country, the falſhood would be too glaring; all men would judge for themſelves, and give him the lie; and no man would follow his ſtandard, unleſs bribed by his avarice. But honour is of another nature; it is what we all can feel, but no one can define; it is therefore whatever the Prince may chooſe to name it: and ſo powerful is its operation, that all the uſeful ſentiments of life loſe their effect: morality is not only baniſhed

from political cabinets, but generally and profeſſionally from the boſoms of men, who purſue honour, in the profeſſion of arms.

It is common for a King, who wiſhes to make a thing faſhionable, to practiſe it himſelf; and in this he is ſure of general imitation and ſucceſs. As this device is extremely natural, and as the exiſtence of wars is abſolutely neceſſary to the exiſtence of Kings; to give a faſhion to the trade muſt have been a conſiderable motive to the ancient Kings, for expoſing themſelves ſo much as they uſually did in battle. They ſaid, *Let human ſlaughter be honourable*, and honourable it was.

Hence it is, that warriors have been termed heroes; and the eulogy of heroes has been the conſtant buſineſs of hiſtorians and poets, from the days of Nimrod down to the preſent century. Homer, for his aſtoniſhing variety, animation, and ſublimity, has not a warmer admirer than myſelf; he has been for three thouſand years, like a reigning ſovereign, applauded as a matter of courſe, whether from love or fear; for no man with ſafety to his own character can refuſe to join the chorus of his praiſe. I never can expreſs (and his other admirers have not done it for me) the pleaſure I receive from his poems; but in a view of philantrophy, I conſider his exiſtance as having been a ſerious misfortune to the human race. He has given to military life, a charm, which few men can reſiſt, a ſplendour which envelopes the ſcenes of carnage in a cloud of glory, which dazzles the eyes of every beholder, ſteals from us our natural ſenſibilities, in exchange for the artificial, debaſes men to brutes, under the pretext of exalting them to Gods, and obliterates, with the ſame irreſiſtable ſtroke, the moral duties

of life and the true policy of nations. Alexander* is not the only human monſter that has been formed after the model of Achilles; nor Perſia and Egypt the only countries depopulated for no other reaſon than the deſire of rivalling predeceſſors in military fame.

Another device of Princes, to render honourable the profeſſion of arms, was to make it enviable, by depriving the loweſt orders of ſociety of the power of becoming ſoldiers. Excluding the helots of all nations from any part in the glory of butchering their fellow-creatures, has had the ſame effect as in Sparta,—it has ennobled the trade; and this is the true feudal eſtimation, in which this trade has deſcended to us, from our Gothic anceſtors.

At the ſame time that the feudal ſyſtem was furniſhing Europe with a numerous body of nobleſſe, it became neceſſary, for various purpoſes of deſpotiſm, that they ſhould be prevented from mingling with the common maſs of ſociety, that they ſhould be held together by what they call *l'eſprit de corps*, or the corporation ſpirit, and be furniſhed with occupations, which ſhould leave them nothing in common with their fellow men.

* It is not unworthy of remark, that Ariſtotle was the tutor of Alexander, and the moſt ſplendid editor and commentator of Homer. As we muſt judge an author by his works, it is but fair to take into view the *whole* of his works. Conſider, therefore, as a political ſchool-maſter to the world, the forming of his pupil, and the illuſtrating of his poet, are the greateſt fruits of the induſtry of that philoſopher, and have had much more influence on the affairs of nations, than his treatiſe that bears the name of *politics*.

Theſe occupations were offered by the church and the army; and as the former was permanent, it was thought expedient to give permanency to the latter. Thus the military ſyſtem has created the nobleſſe, and the nobleſſe the military ſyſtem. They are mutually neceſſary to each other's exiſtence,—concurrent and reciprocal cauſes and effects, generating and generated, perpetuating each other by interchangeable wants, and both indiſpenſable to the governing power.

Thoſe perſons, therefore, who undertake to defend the nobleſſe as a neceſſary order in the great community of men, ought to be appriſed of the extent of their undertaking. They muſt, in the firſt place, defend *ſtanding armies*, and that too upon principles, not of national prudence, as relative to the circumſtances of neighbours, but of internal neceſſity, as relative only to the organization of ſociety. They muſt, at the ſame time, extend their arguments to the increaſe of thoſe armies; for they infallibly muſt increaſe to a degree beyond our ordinary calculation, or they will not anſwer the purpoſe; both becauſe the number of the nobleſſe, or "the men of the ſword" (as they are properly ſtyled by their friend Burke,) is conſtantly augmenting, and becauſe the influence of the church is on the decline. As the light of philoſophy illuminates the world, it ſhines in upon the ſecrets of government; and it is neceſſary to make the blind as broad as the window, or the paſſengers will ſee what is doing in the cabinet. The means of impoſition muſt be increaſed in the army, in proportion as they are loſt in the church.

Secondly, they muſt vindicate *war*, not merely as an occurrence of fatality, and juſtifiable on the

defenſive; but as a thing of choice, as being the moſt nutritious aliment of that kind of government, which requires privileged orders, and an army: for it is no great figure of ſpeech, to ſay that the nobility of Europe, are always fed upon human gore. They originated in war, they live by war, and without war it would be impoſſible to keep them from ſtarving. Or, to drop the figure entirely, if mankind were left to the peaceable purſuit of induſtry, the titled orders would loſe their diſtinctions, mingle with ſociety, and become reaſonable creatures.

Thirdly, they muſt defend the *honor* of the occupation which is allotted to the nobleſſe. For the age is becoming extremely ſceptical on this ſubject; there are heretics in the world (Mr. Burke calls them athieſts) who affect to diſbelieve that men were made expreſsly for the purpoſe of cutting each other's throats; and who ſay that it is not the higheſt honour that a man can arrive at, to ſell himſelf to another man for life, at a certain daily price, and to hold himſelf in readineſs, night and day, to kill individuals or nations, at home or abroad, without ever inquiring the cauſe. Theſe men ſay, that it is no compliment to the judgment or humanity of a man, to lead ſuch a life; and they do not ſee why a nobleman ſhould not poſſeſs theſe qualities as well as other people.

Fourthly, they muſt prove that all occupations, which tend to *life*, and not to *death*, are diſhonourable and infamous. Agriculture, commerce, every method of augmenting the means of ſubſiſtence, and raiſing men from the ſavage ſtate, muſt be held ignoble; or elſe men of honour will forget themſelves ſo far, as to engage in them;

and then, farewell to distinctions. The National Assembly may then create orders as fast as it has ever uncreated them; it is impossible for nobility to exist in France, or in any other country, unless the above articles are firmly defended by arguments, and fixed in the minds of mankind.

It seems difficult for a man of reflection to write one page on the subject of government, without meeting with some old established maxims, which are not only false, but which are precisely the reverse of truth. Of this sort is the opinion,—that inevitable wars in modern times, have given occasion to the present military system, and that standing armies are the best means of preventing wars. This is what the people of Europe are commanded to believe. With all due deference, however, to their commanders, I would propose a contrary belief, which I will venture to lay down as the true state of the fact: *That the present military system has been the cause of the wars of modern times, and that standing armies are the best, if not the only means of* PROMOTING *wars.* This position has, at least, one advantage over those that are commonly established by governments, that it is believed by him, who proposes it to the assent of others. Men, who cannot command the power of the state, ought to enforce their doctrines by the power of reason.

To apply this maxim to the case now before us; let us ask, *What is war?* and on what propensity in human nature does it rest? For it is to MAN that we are to trace these questions, and not to *Princes*; we must drive them up to *principle*, not stop short at *precedent*; and endeavour to use our sense, instead of parading our learning. Among individual men, or savages acting in a desul-

tory manner, antecedent to the formation of great ſocieties, there may be many cauſes of quarrels and aſſaſſinations; ſuch as love, jealouſy, rapine, or the revenge of private injuries. But theſe do not amount to the idea of war. War ſuppoſes a vaſt aſſociation of men engaged in one cauſe, actuated by one ſpirit, and carrying on a bloody conteſt with another aſſociation in a ſimilar predicament. Few of the motives which actuate private men can apply at once to ſuch a multitude, the greateſt part of which muſt be perſonal ſtrangers to each other. Indeed, where the motives are clearly explained, and well underſtood by the community at large, ſo as to be really felt by the people, there is but one of the ordinary cauſes above mentioned, which can actuate ſuch a body; it is *rapine*, or the hope of enriching themſelves by plunder. There can be then but two circumſtances under which a nation will commence an offenſive war: either the people at large muſt be thoroughly convinced that they ſhall be perſonally rewarded, not only with conqueſt, but with a vaſt ſhare of wealth from the conquered nation, or elſe they muſt be duped into the war by thoſe who hold the reins of government. All motives for national offences are reduced to theſe two, and there can be no more. The ſubject, like moſt others, becomes extremely ſimple, the moment it is conſidered.

And how many of the wars of mankind originate in the firſt of theſe motives? Among civilized nations, none. A people conſiderably numerous, approaching towards ideas of ſober policy, and beginning to taſte the fruits of induſtry, require but little experience to convince themſelves of the following truths.—that no be-

nefit can be derived to the great body of individuals from conqueſt, though it were certain—that this event is always doubtful, and the deciſion to be dreaded,—that nine tenths of the loſſes in all wars are a *clear* loſs to both parties, being ſunk in expences,—that the remaining tenth neceſſarily comes in the hands of the principle managers, and produces a real misfortune even to the victorious party, by giving them maſters at home, inſtead of riches from abroad.

The pitiful idea of feaſting ourſelves on a compariſon of ſuffering, and balancing our own loſſes by thoſe of the enemy, is a ſtratagem of government, a calculation of cabinet arithmetic. Individuals reaſon not in this manner. A diſtreſſed mother in England, reduced from a full to a ſcanty diet, and bewailing the loſs of her ſon, receives no conſolation from being told of a woman in France, whoſe ſon fell in the ſame battle, and that the taxes are equally increaſed in both countries by the ſame war. But Kings, and miniſters, and Generals, and hiſtorians proclaim, as a glorious conteſt, every war which appears to have been as fatal to the enemy as to their own party, though one half of each nation are ſlaughtered in the field, and the other half reduced to ſlavery. This is one of the bare-faced impoſitions with which mankind are perpetually inſulted, and which call upon us, in the name of humanity, to purſue this enquiry into the cauſes of war.

The hiſtory of ancient Rome, from beginning to end, under all its Kings, Conſuls, and Emperors, furniſhes not a ſingle inſtance, after the conqueſt of the Sabines, of what may properly be called a *popular* offenſive war; I mean a war that would have been undertaken by the people, had

they enjoyed a free government, ſo organized as to have enabled them to deliberate before they acted, and to ſuffer nothing to be carried into execution but the national will.

The ſame may be ſaid of modern Europe, after a correſponding period in the progreſs of nations; which period ſhould be placed at the very commencement of civilization. Perhaps after the ſettlement of the Saracens in Spain, the Lombards in Italy, the Franks in Gaul, and the Saxons in England, we ſhould have heard no more of offenſive operations, had they depended on the uninfluenced wiſhes of the people. For we are not to regard as *offenſive* the ſtruggles of a nation for the recovery of liberty.

What an inconceivable maſs of ſlaughter are we then to place to the other account; to dark, unequal government! to the magical powers, poſſeſſed by a few men, of blinding the eyes of the community, and leading the people to deſtruction, by thoſe who are called their fathers and their friends! Theſe operations could not be carried on, for a long time together, in ages tolerably enlightened, without a permanent reſource. As long as the military conditions of feudal tenures remained in full vigour, they were ſure to furniſh the means of deſtruction to follow the will of the ſovereign; but as the aſperities of this ſyſtem ſoftened away by degrees, it ſeems that governments were threatened with the neceſſity of applying to the people at large for voluntary enliſtments, and contributions in money; on which application the purpoſe muſt be declared. This would be too direct an appeal to the conſciences of men on a queſtion of offenſive war, and was, if poſſible, to be avoided. For even the power of the church, pro-

vided there was no queſtion of hereſy, could not be always relied on, to ſtimulate the people to a quarrel with their neighbours of the ſame faith; and ſtill leſs was it ſure of inducing them to part with their money. The expedient, therefore, of ſtanding armies became neceſſary; and perhaps rather on account of the money than the men.—Thus money is required to levy armies, and armies to levy money; and foreign wars are introduced as the pretended occaſion for both.

One general character will apply to much the greater part of the wars of modern times,—they are *political*, and not *vindictive*. This alone is ſufficient to account for their real origin. They are wars of agreement,* rather than of diſſention; and the conqueſt is taxes, and not territory. To carry on this buſineſs, it is neceſſary not only to keep up the military ſpirit of the nobleſſe by titles and penſions, and to keep in pay a vaſt number of troops, who know no other God but their king; who loſe all ideas of themſelves, in contemplating their officers; and who forget the duties of a man, to practiſe thoſe of a ſoldier,—this is but half the

* Whenever the real ſecret hiſtory of the Engliſh and Spaniſh armaments of 1790 ſhall be publiſhed to the world, though it may not furniſh new arguments to men of reflection for diſtruſting political cabinets, it may at leaſt increaſe the number of ſuch men. But this cannot be done with ſafety during the lives of ſome of the principal actors in that aſtoniſhing piece of audacity. I am convinced, that the perſon, who at this moment ſhould do it, would not ſurvive the publication ſo long as pope Ganganelli did the ſuppreſſion of the Jeſuits.

operation: an essential part of the military system is to disarm the people, to hold all the functions of war, as well the arm that executes, as the will that declares it, equally above their reach. This part of the system has a double effect, it palsies the hand and brutalizes the mind: an habitual disuse of physical forces totally destroys the moral; and men lose at once the power of protecting themselves, and of discerning the cause of their oppression.

It is almost useless to mention the conclusions which every rational mind must draw from these considerations. But though they are too obvious to be mistaken, they are still too important to be passed over in silence; for we seem to be arrived at that epoch in human affairs, when "all useful ideas, and truths the most necessary to the happiness of mankind, are no longer exclusively destined to adorn the pages of a book*." Nations, wearied out with imposture begin to provide for the safety of man, instead of pursuing his destruction.

I will mention as one conclusion, which bids fair to be a practical one, that the way to prevent wars is not merely to change the military system; for that, like the church, is a necessary part of governments as they now stand, and of society as now organized: but the *principle of government* must be completely changed; and the consequence of this will be such a total renovation of society, as to banish standing armies, overturn the military system, and exclude the possibility of war.

Only admit the original, unalterable truth, *that all men are equal in their rights*, and the foundation of every thing is laid; to build the superstructure

* *L'Assemblée Nationae.*

requires no effort but that of natural deduction. The firſt neceſſary deduction will be, that the people will form an equal repreſentative government; in which it will be impoſſible for *orders* or *privileges* to exiſt for a moment; and conſequently the firſt materials for ſtanding armies will be converted into peaceable members of the ſtate. Another deduction follows, That the people will be univerſally armed: they will aſſume thoſe weapons for ſecurity, which the art of war has invented for deſtruction. You will then have removed the *neceſſity* of a ſtanding army by the organization of the legiſlature, and the *poſſibility* of it by the arrangement of the militia; for it is as impoſſible for an armed ſoldiery to exiſt in an armed nation, as for a nobility to exiſt under an equal government.

It is curious to remark how ill we reaſon on human nature, from being accuſtomed to view it under the diſguiſe which the unequal governments of the world have impoſed upon it. During the American war, and eſpecially towards its cloſe, General Waſhington might be ſaid to poſſeſs the hearts of all the Americans. His recommendation was law, and he was able to command the whole power of that people for any purpoſe of defence. The philoſophers of Europe conſidered this as a dangerous criſis to the cauſe of freedom. They *knew* from the example of Cæſar, and Sylla, and Marius, and Alcibiades, and Pericles, and Cromwell, that Waſhington would never lay down his arms, till he had given his country a maſter. But after he did lay them down, then came the miracle,—his virtue was cried up to be more than human; and it is by this miracle of

virtue in him, that the Americans are ſuppoſed to enjoy their liberty at this day.

I believe the virtue of that great man to be equal to any that has ever yet been known; but to an American eye no extraordinary portion of it could appear in that tranſaction. It would have been impoſſible for the General or the army to have continued in the field after the enemy left it; for the ſoldiers were all *citizens*; and if it had been otherwiſe, their numbers were not the hundredth part of the citizens at large, who were all *ſoldiers*. To ſay that he was wiſe in diſcerning the impoſſibility of ſucceſs in an attempt to imitate the great heroes above mentioned, is to give him only the ſame merit for ſagacity which is common to every other perſon who knows that country, or who has well conſidered the effects of equal liberty.

Though infinite praiſe is due to the conſtituent aſſembly of France for the temperate reſolution and manly firmneſs which mark their operations in general; yet it muſt be confeſſed that ſome of their reforms bear the marks of too timorous a hand. Preſerving an heriditary King with a tremenduous accumulation of powers, and providing an unneceſſary number of prieſts to be paid from the national purſe, and furniſhed with the means of rebuilding the half-deſtroyed ruins of the hierarchy, are circumſtances to be pardoned for reaſons which I have already hinted. But the enormous military force, which they have decreed ſhall remain as a permanent eſtabliſhment, appears to me not only unneceſſary, and even dangerous to liberty, but totally and directly ſubverſive of the end they had in view. Their objects were the ſecurity of the frontiers and the tranquility of the

ſtate ; the reverſe of this will be the effect,—not perhaps that this army will be turned againſt the people, or involve the ſtate in offenſive wars. On the contrary, ſuppoſe that it ſimply and faithfully defends the frontiers and protects the people ; this defence and this protection are the evils of which I complain. They tend to weaken the nation, by deadning the ſpirit of the people, and teaching them to look up to others for protection, inſtead of depending on their own invincible arm. A people that legiſlate for themſelves ought to be in the habit of protecting themſelves ; or they will leſe the ſpirit of both. A knowledge of their own *ſtrength* preſerves a temperance in their own *wiſdom*, and the performance of their *duties* gives a value to their *rights*.

This is likewiſe the way to increaſe the ſolid domeſtic force of a nation, to a degree far beyond any ideas we form of a ſtanding army ; and at the ſame time to annihilate its capacity as well as inclination for foreign aggreſſive hoſtilities. The true guarantee of perpetual tranquility at home and abroad, in ſuch a caſe, would ariſe from this truth, which would paſs into an incontrovertible maxim, *that offenſive operations would be impoſſible, and defenſive ones infallible*.

This is undoubtedly the true and only ſecret of exterminating wars from the face of the earth ; and it muſt afford no ſmall degree of conſolation to every friend of humanity, to find this unſpeakable bleſſing reſulting from that equal mode of government, which alone ſecures every other enjoyment for which mankind unite their intereſts in ſociety. Politicians, and even ſometimes honeſt men, are accuſtomed to ſpeak of war as an

uncontroulable event, falling on the human race like a concuſſion of the elements,—a ſcourge which admits no remedy; but for which we muſt wait with trembling preparation, as for an epidemical diſeaſe, whoſe force we may hope to lighten, but can never avoid. They ſay that mankind are wicked and rapacious, and "it muſt be that offences will come." This reaſon applies to individuals; but not to nations deliberately ſpeaking a national voice. I hope I ſhall not be underſtood to mean, that the nature of man is totally changed by living in a free republic. I allow that it is ſtill *intereſted* men and *paſſionate* men, that direct the affairs of the world. But in national aſſemblies, paſſion is loſt in deliberation, and intereſt balances intereſt; till the good of the whole community combines the general will. Here then is a great moral entity, acting ſtill from intereſted motives; but whoſe intereſt it never can be, in any poſſible combination of circumſtances, to commence an offenſive war.

There is another conſideration, from which we may argue the total extinction of wars, as a neceſſary conſequence of eſtabliſhing governments on the repreſentative wiſdom of the people. We are all ſenſible that ſuperſtition is a blemiſh of human nature, by no means confined to ſubjects connected with religion. Political ſuperſtition is almoſt as ſtrong as religious; and it is quite as univerſally uſed as an inſtrument of tyranny. To enumerate the variety of ways in which this inſtrument operates on the mind, would be more difficult, than to form a general idea of the reſult of its operations. In monarchies, it induces men to ſpill their blood for a particular family, or for a particular branch of that family, who happens to

have been born firſt, or laſt, or to have been taught to repeat a certain creed, in preference to other creeds. But the effect which I am going chiefly to notice is that which reſpects the territorial boundaries of a government. For a man in Portugal or Spain to prefer belonging to one of thoſe nations rather than the other, is as much a ſuperſtition, as to prefer the houſe of Braganza to that of Bourbon, or Mary the ſecond of England to her brother. All theſe ſubjects of preference ſtand upon the ſame footing as the turban and the hat, the croſs and the creſcent, or the lily and the roſe.

The boundaries of nations have been fixed for the accommodation of the *government*, without the leaſt regard to the convenience of the people. Kings and miniſters, who make a profitable trade of governing, are intereſted in extending the limits of their dominion as far as poſſible. They have a property in the people, and in the territory that they cover. The country and its inhabitants are to them a farm ſtocked with ſheep. When they call up theſe ſheep to be ſheared, they teach them to know their names, to follow their maſter, and avoid a ſtranger. By this unaccountable impoſition it is, that men are led from one extravagant folly to another,—to adore their King, to boaſt of their nation, and to wiſh for conqueſt,—circumſtances equally ridiculous in themſelves, and equally incompatible with that rational eſtimation of things, which ariſes from the ſcience of liberty.

In America it is not ſo. Among the ſeveral ſtates, the governments are all equal in their force, and the people are all equal in their rights. Were it poſſible for one State to conquer another State, without any expence of money, or of time,

or of blood,—neither of the States, nor a ſingle individual in either of them, would be richer or poorer for the event. The people would all be upon their own lands, and engaged in their own occupations, as before; and whether the territory on which they live were called New York or Maſſachuſetts is a matter of total indifference, about which they have no ſuperſtition. For the people belong not to the government, but the government belongs to the people.

Since the independance of thoſe States, many territorial diſputes have been ſettled, which had riſen from the interference of their ancient charters. The interference of charters is a kind of policy which, I ſuppoſe, every mother country obſerves towards her colonies, in order to give them a ſubject of contention; that ſhe may have the opportunity of keeping all parties quiet by the parental bleſſing of a ſtanding army. But on the baniſhment of foreign control, and all ideas of European policy, the enjoyment of equal liberty has taught the Americans the ſecret of ſettling theſe diſputes, with as much calmneſs as they have formed their conſtitutions. It is found, that queſtions about the boundaries between free States are not matters of intereſt, but merely of form and convenience. And though theſe queſtions may involve a tract of country equal to an European kingdom, it alters not the caſe; they are ſettled as merchants ſettle the courſe of exchange between two commercial cities. Several inſtances have occured, ſince the revolution, of deciding in a few days, by amicable arbitration, territorial diſputes, which determine the juriſdiction of larger and richer tracts of country, than

have formed the objects of all the wars of the two last centuries between France and Germany.

It is needless to spend any time in applying this idea to the circumstances of all countries, where the government should be freely and habitually in the hands of the people. It would apply to all Europe; and will apply to it, as soon as a revolution shall take place in the principle of government. For such a revolution cannot stop short of fixing the power of the State on the basis allotted by nature, the unalienable rights of man; which are the same in all countries. It will eradicate the superstitions about territorial jurisdiction; and this consideration must promise an additional security against the possibility of war.

CHAP. IV.

THE ADMINISTRATION OF JUSTICE.

IT would be a curious speculation, and perhaps as useful as curious, to consider how far the moral nature of man is affected by the organization of society; and to what degree his predominant qualities depend on the nature of the government under which he lives. The adage, *That men are every where the same*, though not wholly false, would doubtless be found to be true only in a limited sense.

I love to indulge the belief, that it is true so far as to enfure permanency to inſtitutions that are good; but not ſo far as to diſcourage us from attempting to reform thoſe that are bad. To conſider it is true in an unlimited ſenſe, would be to ſerve the purpoſes of deſpotiſm; for which this, like a thouſand other maxims, has been invented and employed. It would teach us to ſit down with a gloomy ſatisfaction on the ſtate of human affairs, to pronounce the race of man emphatically "fated to be curſt," a community of ſelf-tormentors and mutual aſſaſſins, bound down by the irreſiſtible deſtiny of their nature to be robbed of their reaſon by prieſts, and plundered of their property by Kings. It would teach us to join with Soame Jenyns, and furniſh new weapons to the oppreſſors, by our manner of pitying the misfortunes of the oppreſſed.

In confirmation of this adage, and as an apology for the exiſting deſpotiſms, it is ſaid, That all men are by nature tyrants, and will exerciſe their tyrannies whenever they find opportunity. Allowing this aſſertion to be true, it is ſurely cited by the wrong party. It is an apology for equal, not for unequal governments; and the weapon belongs to thoſe who contend for the republican principle. If government be founded on the vices of mankind, its buſineſs is to reſtrain thoſe vices in all, rather than to foſter them in a few. The diſpoſition to tyrannize is effectually reſtrained under the exerciſe of the equality of rights; while it is not only rewarded in the few, but invigorated in the many, under all other forms of the ſocial connexion. But it is almoſt impoſſible to decide, among moral propenſities, which of of them belong to nature, and which are the off-

ſpring of habit; how many of our vices are chargable on the permanent qualities of man, and how many reſult from the mutable energies of ſtate.

If it be in the power of a bad goverment to render men worſe than nature has made them, why ſhould we ſay it is not in the power of a good one to render them better? and if the latter be capable of producing this effect in any perceivable degree, where ſhall we limit the progreſs of human wiſdom, and the force of its inſtitutions, in ameliorating, not only the ſocial condition, but the controlling principles of man?

Among the component parts of government, that, whoſe operation is the moſt direct on the moral habit of life, is the Adminiſtration of Juſtice. In this every perſon has a peculiar iſolated intereſt, which is almoſt detached from the common ſympathies of ſociety. It it this which operates with a ſingular concentrated energy, collecting the whole force of the ſtate from the community at large, and bringing it to act upon a ſingle individual, affecting his life, reputation, or property; ſo that the governing power may ſay with peculiar propriety to the miniſter of juſtice, *divide et impera*; for, in caſe of oppreſſion, the victim's cries will be too feeble to excite oppoſition; his cauſe having nothing in common with that of the citizens at large. If, therefore, we would obtain an idea of the condition of men on any given portion of the earth, we muſt pay a particular attention to their judiciary ſyſtem, not in its form and theory, but in its ſpirit and practice. It may be ſaid in general of this part of the civil polity of a nation, that, as it is a ſtream flowing from the common fountain of the government, and muſt be tinged with what-

ever impurities are found in the ſource from whence it deſcends, the only hope of cleanſing the ſtream is by purifying the fountain.

If I were able to give an energetic ſketch of the office and dignity of a rational ſyſtem of juriſprudence, deſcribe the full extent of its effects on the happineſs of men, and then exhibit the perverſions and corruptions attendant on this buſineſs in moſt of the governments of Europe, it would furniſh one of the moſt powerful arguments in favour of a general revolution, and afford no ſmall conſolation to thoſe perſons who look forword with certainty to ſuch an event. But my plan embraces too many ſubjects, to be particular on any; all that I can promiſe myſelf is to ſeize the rough features of ſyſtems, and mark the moral attitudes of man as placed in the neceſſary poſture to ſupport them.

It is generally underſtood, that the object of government, in this part of its adminiſtration, is merely to *reſtrain* the vices of men. But there is another object prior to this: an office more ſacred, and equally indiſpenſable, is to *prevent* their vices, —to correct them in their origin, or eradicate them totally from the adoleſcent mind. The latter is performed by inſtruction, the former by coercion; the one is the tender duty of a father, the other, the unrelenting drudgery of a maſter; but both are the buſineſs of government, and ought to be made concurrent branches of the ſyſtem of juriſprudence.

The abſurd and abominable doctrine, *that private vices are public benefits*, it is hoped will be blotted from the memory of man, expunged from the catalogue of human follies, with the ſyſtems of government which gave it birth. The ground

of this insulting doctrine is, that advantage may be taken of the extravagant foibles of individuals to increase the revenues of the State; as if the chief end of society were, to steal money for the government's purse! to be squandered by the governors, to render them more insolent in their oppressions! it is humiliating, to answer such arguments as these; where we must lay open the most degrading retreats of prostituted logic, to discover the positions on which they are founded. But *Orders* and *Privileges* will lead to any thing: once teach a man, that *some are born to command and others to be commanded*; and after that, there is no camel too big for him to swallow.

This idea of the objects to be kept in view by the system of Justice, involving in it the business of prevention as well as of restriction, leads us to some observations on the particular subject of criminal jurisprudence. Every society, considered in itself as a moral and physical entity, has the undoubted faculty of self-preservation. It is an independent being; and, towards other beings in like circumstances of independence, it has a right to use this faculty of defending itself, without previous notice to the party; or without the observance of any duty, but that of abstaining from offensive operations. But when it acts towards the members of its own family, towards those dependent and defenceless beings that make part of itself, the *right* of coercion is preceded by the *duty* of instruction. It may be safely pronounced, *that a State has no right to punish a man, to whom it has given no previous instruction*; and consequently, any person has a right to do any action, unless he has been informed that it has an evil tendency.

It is true, that, as relative to particular caſes, the having given this information is a thing that the ſociety muſt ſometimes *preſume*, and is not always obliged to *prove*. But theſe caſes are rare, and ought never to form a general rule. This preſumption has, however, paſſed into a general rule, and is adopted as univerſal practice. With what juſtice or propriety it is ſo adopted, a very little reflection will enable us to decide.

The great out-lines of morality are extremely ſimple and eaſy to be underſtood; they may be ſaid to be written on the heart of a man antecedent to his aſſociating with his fellow-creatures. As a ſelf-dependent being he is ſelf-inſtructed; and as long as he ſhould remain a ſimple child of *nature*, he would receive from nature all the leſſons neceſſary to his condition. He would be a complete moral agent; and ſhould he violate the rights of another independent man like himſelf, he would ſin againſt ſufficient light, to merit any puniſhment that the offended party might inflict upon him. But *ſociety* opens upon us a new field of contemplation; it furniſhes man with another claſs of rights, and impoſes upon him an additional ſyſtem of duties; it enlarges the ſphere of his moral agency, and makes him a kind of artificial being, propelling and propelled by new dependencies, in which nature can no longer ſerve him as a guide. Being removed from her rudimental ſchool, and entered in the college of ſociety, he is called to encounter problems which the elementary tables of his heart will not always enable him to ſolve. Society then ought to be conſiſtent with herſelf in her own inſtitutions; if ſhe ſketches the lines of his duty with a variable pencil, too ſlight for his natural perception, ſhe

ſhould lend him her optical glaſſes to diſcern them, if ſhe takes the ferule in one hand, ſhe is bound to uſe the feſcue with the other.

We muſt obſerve farther,—that though ſociety itſelf be a ſtate of nature, as relative to the nation at large,—though it be a ſtate to which mankind naturally recur to ſatisfy their wants and increaſe the ſum of their happineſs,—though all its laws and regulations may be perfectly reaſonable, and calculated to promote the good of the whole,—yet, with regard to an individual member, his having *conſented* to theſe laws, or even choſe to live in the ſociety, is but a *fiction*? and a rigid diſcipline, founded on a fiction, is ſurely hard upon its object. In general it may be ſaid, that a man comes into ſociety by birth; he neither conſents nor diſſents reſpecting his relative condition; he firſt opens his eyes on that ſtate of human affairs in which the intereſts of his moral aſſociates are infinitely complicated; with theſe his duties are ſo blended and intermingled, that nature can give him but little aſſiſtance in finding them out. His morality itſelf muſt be arbitrary; it muſt be varied at every moment, to comprehend ſome local and poſitive regulation; his ſcience is to begin where that of preceding ages has ended; his alpha is their omega; and he is called upon to act by inſtinct what they have but learnt to do from the experience of all mankind. Natural reaſon may teach me not to ſtrike my neighbour without a cauſe; but it will never forbid my ſending a ſack of wool from England, or printing the French conſtitution in Spain. Theſe are poſitive prohibitions, which nature has not written in her book; ſhe has therefore never taught them to her children.

The ſame may be ſaid of all regulations that ariſe from the ſocial compact.

It is a truth, I believe, not to be called in queſtion, that every man is born with an impreſcriptible claim to a portion of the elements; which portion is termed his *birth-right*. Society may vary this right, as to its form, but never can deſtroy it in ſubſtance. She has no control over the man, till he is born; and the right being born with him, and being neceſſary to his exiſtence, ſhe can no more annihilate the one than the other, though ſhe has the power of new-modelling both. But on coming into the world, he finds that the ground which nature had promiſed him is taken up, and in the occupancy of others; ſociety has changed the form of his birth-right; the general ſtock of elements, from which the lives of men are to be ſupported, has undergone a new modification; and his portion among the reſt. He is told that he cannot claim it in its preſent form, as an independent inheritance; that he muſt draw on the ſtock of ſociety, inſtead of the ſtock of nature; that he is baniſhed from the mother and muſt cleave to the nurſe. In this unexpected occurrence he is unprepared to act but *knowledge* is a part of the ſtock of ſociety; and an indiſpenſable part to be allotted in the portion of the claimant is *inſtruction* relative to the new arrangement of natural right. To withhold this inſtruction therefore would be, not merely the omiſſion of a duty, but the commiſſion of a crime; and ſociety in this caſe would ſin againſt the man, before the man could ſin againſt ſociety.

I ſhould hope to meet the aſſent of all unprejudiced readers, in carrying this idea ſtill farther. In caſes where a perſon is born of poor parents,

or finds himself brought into the community of men without the means of subsistence, society is bound in duty to furnish him the means. She ought not only to instruct him in the artificial laws by which property is secured, but in the artificial industry by which it is obtained. She is bound, in *justice* as well as policy, to give him some art or trade. For the reason of his incapacity is, that *she* has usurped his birth-right; and this is restoring it to him in another form, more convenient for both parties. The failure of society in this branch of her duty is the occasion of much the greater part of the evils that call for criminal jurisprudence. The individual feels that he is robbed of his natural right; he cannot bring his process to reclaim it from the great community, by which he is overpowered; he therefore feels authorized in reprisal; in taking another's goods to replace his own. And it must be confessed, that in numberless instances the conduct of society justifies him in this proceeding; she has seized upon his property, and commenced the war against him.

Some, who perceive these truths, say that it is unsafe for society to publish them; but I say it is unsafe not to publish them. For the party from which the mischief is expected to arise has the knowledge of them already, and has acted upon them in all ages. It is the wise who are ignorant of these things, and not the foolish. They are truths of nature; and in them the teachers of mankind are the only party that remains to be taught. It is a subject on which the logic of indigence is much clearer than that of opulence. The latter reasons from contrivance, the former from feeling; and God has not endowed us with

falſe feelings, in things that ſo weightily concern our happineſs.

None can deny that the obligation is much ſtronger on me, to ſupport my life, than to ſupport the claim that my neighbour has to his property. Nature commands the firſt, ſociety the ſecond :—in one I obey the laws of God, which are univerſal and eternal; in the other, the laws of man, which are local and temporary.

It has been the folly of all old governments, to begin every thing at the wrong end, and to erect their inſtitutions on an inverſion of principle. This is more ſadly the caſe in their ſyſtems of juriſprudence, than is commonly imagined. *Compelling* juſtice is always miſtaken for *rendering* juſtice. But this important branch of adminiſtration conſiſts not merely in compelling men to be juſt to each other, and individuals to ſociety,—this is not the whole, nor is it the principal part, nor even the beginning, of the operation. The ſource of power is ſaid to be the ſource of juſtice; but it does not anſwer this deſcription, as long as it contents itſelf with *compulſion*. Juſtice muſt begin by flowing from its ſource; and the firſt as well as the moſt important object is, to open its channels from ſociety to all the individual members. This part of the adminiſtration being well deviſed and diligently executed, the other parts would leſſen away by degrees to matters of inferior conſideration.

It is an undoubted truth, that our duty is inſeparably connected with our happineſs. And why ſhould we deſpair of convincing every member of ſociety of a truth ſo important for him to know? Should any perſon object, by ſaying, that nothing like this, has ever yet been done; I

anſwer, that nothing like this has ever yet been tried. Society has hitherto been curſt with governments, whoſe exiſtence depended on the extinction of truth. Every moral light has been ſmothered under the buſhel of perpetual impoſition; from whence it emits but faint and glimmering rays, always inſufficient to form any luminous ſyſtem on any of the civil concerns of men. But theſe covers are crumbling to the duſt, with the governments which they ſupport; and the probability becomes more apparent, the more it is conſidered, that ſociety is capable of curing all the evils to which it has given birth.

It ſeems that men, to diminiſh the phyſical evils that ſurround them, connect themſelves in ſociety; and from this connection their moral evils ariſe. But the *immediate* occaſion of the moral evils is nothing more than the *remainder* of the phyſical, that ſtill exiſt even under the regulations that ſociety makes to baniſh them. The direct object therefore of the government ought to be, to deſtroy as far as poſſible the remaining quantity of phyſical evils: and the moral would ſo far follow their deſtruction. But the miſtake that is always made on this ſubject is, that governments, inſtead of laying the axe at the root of the tree, aim their ſtrokes at the branches; they attack the moral evils *directly* by vindictive juſtice, inſtead of removing the phyſical by diſtributive juſtice.

There are two diſtinct kinds of phyſical evils; one ariſes from want, or the apprehenſion of want; the other from bodily diſeaſe. The former ſeems capable of being removed by ſociety; the latter is inevitable. But the latter gives no occaſion to moral diſorders; it being the common

lot of all, we all bear our part in silence, without complaining of each other, or revenging ourselves on the community. As it is out of the power of our neighbour's goods to relieve us, we do not covet them for this purpose. The former is the only kind from which moral evils arise; and to this the energies of government ought to be chiefly directed; especially that part which is called the administration of justice.

No nation is yet so numerous, nor any country so populous, as it is capable of becoming. Europe, taken together, would support at least five times its present number, even on its present system of cultivation; and how many times this increased population may be multiplied by new discoveries in the infinite science of subsistence, no man will pretend to calculate. This of itself is sufficient to prove, that society at present has the means of rendering all its members happy in every respect, except the removal of bodily disease. The common stock of the community appears abundantly sufficient for this purpose. By common stock, I would not be understood to mean the goods exclusively appropriated to individuals. Exclusive property is not only consistent with good order among men, but it is conceived by some to be necessary to the existence of society. But the common stock of which I speak consists, first, in *knowledge*, or the improvement which men have made in the means of acquiring a support; and secondly, in the *contributions* which it is necessary should be collected from individuals, and applied to the maintenance of tranquillity in the State. The property exclusively belonging to individuals can only be the surplusage remaining in their hands, after deducting what is neces-

ſary to the real wants of ſociety. Society is the firſt proprieter; as ſhe is the original cauſe of the appropriation of wealth, and its indiſpenſable guardian in the hands of the individual.

Society then is bound, in the firſt place, to diſtribute knowledge to every perſon according to his wants, to enable him to be uſeful and happy; ſo far as to diſpoſe him to take an active intereſt in the welfare of the State. *Secondly*, where the faculties of the individual are naturally defective, ſo that he remains unable to provide for himſelf, ſhe is bound ſtill to ſupport and render him happy. It is her duty in all caſes to induce every human creature, by rational motives, to place his happineſs in the tranquillity of the public, and in the ſecurity of individual peace and property. But *thirdly*, in caſes where theſe precautions ſhall fail of their effect, ſhe is driven indeed to the laſt extremity,—ſhe is to uſe the rod of correction. Theſe inſtances would doubtleſs be rare; and if we could ſuppoſe a long continuance of wiſe adminiſtration, ſuch as a well-organized government would enſure to every nation in the world, we may almoſt perſuade ourſelves to believe that the neceſſity for puniſhment would be reduced to nothing.

Proceeding however on the ſuppoſition of the exiſtence of crimes, it muſt ſtill remain an object of legiſlative wiſdom, to diſcriminate between their different claſſes, and apply to each its proper remedy, in the quantity and mode of puniſhment. It is no part of my ſubject to enter into this inquiry, any farther than ſimply to obſerve, that it is the characteriſtic of arbitrary governments to be jealous of their power. And, as jealouſy is, of all human paſſions, the moſt vindictive and

the leaſt rational, theſe governments ſeek the revenge of injuries in the moſt abſurd and tremenduous puniſhments that their fury can invent. As far as any rule can be diſcovered in their gradation of puniſhments, it appears to be this, That the ſeverity of the penalty is in proportion to the injuſtice of the law. The reaſon of this is ſimple, —the laws which counteract nature the moſt, are the moſt likely to be violated.

The publication, within the laſt half century, of a great number of excellent treatiſes on the ſubject of penal laws, without producing the leaſt effect in any part of Europe, is a proof that no reform is to be expected in the general ſyſtem of criminal juriſprudence, but from a radical change in the principle of government*.

A method of communicating inſtruction to every member of ſociety is not difficult to diſcover, and would not be expenſive in practice. The government generally eſtabliſhes miniſters of juſtice in every part of the dominion. The firſt object of theſe miniſters ought to be, to ſee that every perſon is well inſtructed in his duties and in his rights; that he is rendered perfectly acquainted with every law, in its true ſpirit and tendency, in order that he may know the reaſon of his obedience, and the manner of obtaining redreſs, in caſe

* The compaſſionate little treatiſe of Beccaria, *dei delitti e delle pene*, is getting to be a manual in all languages. It has already ſerved as an introduction to many luminous eſſays on the policy and right of puniſhment, in which the ſpirit of inquiry is purſued much farther than that benevolent philoſopher, ſurrounded as he is by the united ſabres of feudal and eccleſiaſtical tyranny, has dared to purſue it.

he ſhould deem it unjuſt; that he is taught to feel the cares and intereſts of an active citizen, to conſider himſelf as a real member of the ſtate, know that the government is his own, that the ſociety is his friend, and that the officers of the ſtate are the ſervants of the people. A perſon poſſeſſing theſe ideas will never violate the laws, unleſs it be from neceſſity; and ſuch neceſſity is to be prevented by means which are equally obvious.

For the purpoſes of compulſive juſtice it is not enough that the laws be rendered familiar to the people; but the tribunals ought to be near at hand, eaſy of acceſs, and equally open to the poor as to the rich; the means of coming at juſtice ſhould be cheap, expeditious, and certain; the mode of proceſs ſhould be ſimple and perfectly intelligible to the meaneſt capacity, unclouded with myſteries and unperplexed with forms. In ſhort, juſtice ſhould familiariſe itſelf as the well-known friend of every man; and the conſequence ſeems natural, that every man would be a friend to juſtice.

After conſidering what is the duty of ſociety, and what *would be* the practice of a well-organized government, relative to the ſubject of this chapter, it is almoſt uſeleſs to inquire, what *is* the practice of all the old governments of Europe. We may be ſure beforehand, that it is directly the contrary,—that, like all other parts of the ſyſtem, it is the inverſion of every thing that is right and reaſonable. The pyramid is every where placed on the little end, and all ſorts of extraneous rubbiſh are conſtantly brought to prop it up.

Unequal governments are neceſſarily founded in ignorance, and they muſt be ſupported by ignorance; to deviate from their principle would be

voluntary ſuicide. The firſt great object of their policy is to perpetuate that undiſturbed ignorance of the people, which is the companion of poverty, the parent of crimes, and the pillar of the State.

In England, the people at large are as perfectly ignorant of the acts of parliament after they are made, as they poſſibly can be before. They are printed by one man only, who is called the King's printer,—in the old German character, which few men can read,—and ſold at a price that few can afford to pay. But leſt ſome ſcraps or comments upon them ſhould come to the people through the medium of public newſpapers, every ſuch paper is ſtamped with a heavy duty; and an act of parliament is made to prevent men from letting their papers to read*; ſo that not one perſon in a hundred ſees a newſpaper once in a year. If a man at the bottom of Yorkſhire diſcovers by inſtinct that a law is made, which is intereſting for him to know, he has only to make a journey to London, find out the King's printer, pay a halfpenny a page for the law, and learn the Ger-

* As this work may chance to fall into the hands of ſome people who never ſee the acts of parliament (the ſame precautions not being taken to prevent its circulation), it is out of compaſſion to that claſs of readers, that I give this information. It is a duty of humanity to ſave our fellow-creatures from falling into ſnares, even thoſe that are ſpread for them by the government. Therefore: Notice is hereby given to all perſons, to whom theſe preſents ſhall come, that the penalty for letting a newſpaper, within the Kingdom of Great-Britain, is fifty pounds.

man alphabet. He is then prepared to ſpell out his duty.

As to the general ſyſtem of the laws of the land, on which all property depends, no man in the kingdom knows them, and no man pretends to know them. They are a fathomleſs abyſs, that exceeds all human faculties to ſound. They are ſtudied, not to be underſtood, but to be diſputed; not to give information, but to breed confuſion. The man, whoſe property is depending on a ſuit at law, dares not look into the gulph that ſeparates him from the wiſhed-for deciſion; he has no confidence in himſelf, nor in reaſon, nor in juſtice; he mounts on the back of a lawyer, like one of Mr. Burke's heroes of chivalry between the wings of a griffin, and truſts the pilotage of a man, who is ſuperior to himſelf only in the confidence which reſults from having nothing at ſtake.

To penetrate into what are called the courts of juſtice on the continent, and expoſe the general ſyſtem of their adminiſtration in thoſe points which are common to moſt countries in Europe, would be to lay open an inconcievable ſcene of iniquity; it would be,

"*To pour in light on Pluto's drear abodes,*
"*Abhorr'd by men, and dreadful e'en to gods.*"

What are we to do with our ſenſibility, with our honeſt inſtinct of propriety, how refrain from exclamations of horror, while we contemplate a ſet of men, aſſuming the ſacred garb of juſtice, for the uniform and well-known purpoſe of ſelling their deciſions to the higheſt bidder! For a judge to receive a bribe, we ſhould think an indelible ſtain upon his character as a *man*; but what ſhall we ſay of the ſtate of human nature, where it is no diſgrace to him as a *judge?* where it is not

only expected as a matter of courſe, and practiſed without diſguiſe, but is made almoſt a neceſſary part of the judiciary ſyſtem?

Whether the practice of receiving bribes was the original idea on which is founded the *venality of offices* in modern governments, it is not to our purpoſe to inquire. But certain it is, they are concomitant ideas, and co-extenſive practices; and it is deſigned that they ſhould be ſo. In France, before the revolution, the office of judge was not indeed hereditary, like that of king; but it was worſe; it was held up for ſale by the king, and put at auction by the miniſter. As a part of the king's revenue aroſe from the ſale of juſtice, the government ſold all the offices in that department at fixed prices; but the miniſter made the bargains with thoſe who would give him moſt. Thus the ſeats of the judges became objects of ſpeculation, open to all the world; and the man, whoſe conſcience was the beſt fitted to make a profitable trade of deciding cauſes, could afford to give the higheſt price, and was conſequently ſure to be judge.

Juſtice then was a commodity which neceſſarily gave a profit to three ſets of men, before it could be purchaſed by the ſuitor; even ſuppoſing it might have flowed to him in a direct channel. But this was a thing impoſſible; there were other deſcriptions of men, more numerous, if not more greedy, than thoſe of whom we have ſpoken, through whoſe hands it muſt paſs and repaſs, before it could arrive at the client, who had paid his money to the judge. Theſe men, who infeſted the tribunals in all ſtages of the buſineſs, were divided in France, into about ſix claſſes. For want of the preciſe names in Engliſh to deſignate all their official diſtinctions, we ſhall rank the

whole under the great appellation of Lawyers*. But though we here confound them together, as we often do objects at a distance; yet they were not to be so treated by the client. He must address them all distinctly and respectfully, with the same *argumentum ad hominem*, with which he had addressed the judge: as one or more of each class had a necessary part in bringing forward and putting backward every cause that came into court.

Lawyers in France served two important purposes, which it is supposed they do not serve in England: they added considerably to the revenues of the crown by the purchase of their places; and they covered the iniquity of the judges under the impenetrable vail of their own. In a cause of ordinary consequence, there was more writing to be done in France than there is even in England, perhaps by a hundred and fifty pages. The reason of this was, that it was more necessary to involve the question in mysteries and perplexities that should be absolutely inscrutable. For it must never be known, either at the time of trial or ever after, on what point or principle the cause was decided. To answer this end, the multiplying of the different orders of the managers, as well as encreasing the quantity of writing, had an admirable effect; it removed the possibility of fixing a

* *To avoid any suspicion of exaggeration, I will mention by their original names such of these classes as occur to me. There were the* counseiller, avocat, procureur, secretaire, du judge, greffier, huissier-priseur, huissier-audiencier, *with all their clerks, who must likewise all be paid, or the cause would stop in any stage of its progress.*

charge of fraud or miſmanagement on any one of the great fraternity, or of diſcovering, among the formidable piles of papers and parchments that enveloped the myſteries of the trial, in what ſtage the iniquity was introduced.

To call this whole ſyſtem of operations a ſolemn farce, is to give no utterance to our feelings; to ſay it is a ſplendid mockery of juſtice by which individuals are robbed of their property, is almoſt to ſpeak its praiſe.—The reflecting mind cannot reſt upon it a moment, without glancing over ſociety, and bewailing the terrible inroads made upon morals public and private, the devaſtation of principle, the outrage upon nature, the degradation of the laſt particle of dignity by which we recognize our own reſemblance in man.

Its obvious tendency is, by its enormous expence, to bar the door of juſtice againſt the poor, who in ſuch countries are ſure to form the great body of mankind,—to render them enemies to ſociety, by teaching that ſociety is an enemy to them,—to ſtimulate them to crimes both from their own neceſſities, and from the example of their maſters,—and to ſpread over the people at large an incruſtation of ignorance, which excluding all ideas of their duties and their rights, compels them to forget their relation to the human race.

Are theſe to be ranked among the circumſtances which call for a change in the governments of Europe? Or are we to join with Mr. Burke, and lament as an evil of the French revolution, That the ancient ſyſtem "of juriſprudence will no more be ſtudied?" The whining of that good gentleman on this idea, is about as rational, as it would be to lament that the noble ſcience of Heraldry

was in danger of being forgotten; or that men had loſt the myſtical meaning of *Abracadabra*. This word, ſerving as a charm, anſwered the ſame purpoſe in Medicine, as heraldry does in honour; or the old juriſprudence, in juſtice: it rendered men ſuperſtitious; and conſequently, immoral and unhappy.

It is ſo faſhionable in Europe, eſpecially among Engliſhmen, to ſpeak in praiſe of the Engliſh juriſprudence, and to conſider it as a model of perfection, that it may ſeem neceſſary for a perſon to begin with an apology for offering his ideas on that ſubject, if he means to deviate from the opinion ſo generally eſtabliſhed. But inſtead of doing this, I will begin by apologizing for thoſe who at this day ſupport the eſtabliſhed opinion: Your faireſt apology, Gentleman, is, that you underſtand nothing of the matter. To aſſign any other, would be leſs favourable to your characters as honeſt men.

Excluſive of the rules by which the merits of a cauſe are to be decided (and which, if they could be aſcertained, would be the *law*), the mere *form* of bringing a queſtion before a court is of itſelf a ſcience, an art, leſs underſtood, and more difficult to learn, than the conſtruction and uſe of the moſt complicated machine, or even the motions of the heavenly bodies. It is not enough, that the adminiſtration of juſtice (which ought to be as ſimple as poſſible) is ſo involved in perplexity, that none but men of profeſſional ſkill can pretend to underſtand it; but the profeſſors are divided, as in France, into ſeveral diſtinct claſſes; each of which is abſolutely neceſſary to lend a helping hand in every ſtep of the progreſs of a cauſe. This

dark multiplicity of form has not only removed the knowledge of law from the generality of men, but has created such an expence in obtaining justice, that very few ever make the attempt. The courts are effectually shut against the great body of the people, and justice as much out of their reach, as if no laws existed*.

Those who have attempted to purchase justice through the necessary forms have never been known to pronounce eulogies on the courts. But their number has always been so small, that, had they uttered the anathemas that the system deserves, their feeble voice could scarcely have been heard. No man, whose eyes are not blinded by fees or by prejudice, can look upon the enormous mass of writings which accumulate in a cause, without reflecting with indignation on the expence; one hundredth part of which would have been

* *The provision made in the English law, enabling a person to bring his suit* in forma pauperis, *is rather an insult than a real advantage. Certainly, not one person in a hundred, who is deprived of justice in the ordinary course, would ever seek it in this; as, in order to be entitled to it, he must go into court and swear that he has not property enough to prosecute his claim. A young tradesman, and in general every person who wishes to carry on business, or has spirit enough to seek for justice, has a higher interest in establishing a credit among his connexions in business, than in prosecuting any ordinary suit at law. He knows, that to expose his own poverty, especially in a commercial country, would be irretrievable ruin; it would be a* positive *injury; while sitting down with the loss of his right, without bringing his suit, is only a negative injury.*

more than sufficient for every purpose of obtaining justice between the parties. A writer who should give the names and descriptions of the various parts of a process, with the expences annexed to each part, would scarcely gain credit, except with professional men. Several hundred pounds are expended only in writing Bills, Subpœnas, Pleas, Demurrers, Answers, Petitions, Orders, Motions, Amendments, Notices, Reports, &c. in a single cause, where no witness is called.

Let us trace a few of the windings, and see where some of the paths lead which are laid down as necessary to obtaining a decision in Chancery; we shall there find how hundreds, and sometimes thousands of pounds are expended in a cause, before any defence is set up, and where no defence is ever intended to be set up. The suitor begins his incomprehensible operation, by stating his claim, in what is called a *Bill*, which he leaves at a certain office belonging to the court, and obtains an order, called a subpœna, for summoning the defendant. This being done, the court requires the defendant to send an Attorney to write his name at another office of the court. This writing the name, is called an *appearance*; it answers no possible purpose, but that of increasing expences and fees of office, for which it is a powerful engine. For if the defendant does not comply, an expence of thousands of pounds may be made, to compel him. A *capias*, a process for *outlawry*, a commission of *rebellion*, and an order and commission of *sequestration*, are pursued in their proper routine, till he consents to write his name.

If the plaintiff has property to go through this process, he may be said to be able just to keep his ground; and his cause is in every respect

precisely where it was at first. If he has not sufficient property, the cause is loſt for want of fees; and he is no better than if he had never been able to have begun the ſuit.

We will, however, ſuppoſe, that the defendant very good naturedly writes his name; he is then entitled to a certain delay, during which, the court informs him, he muſt plead, demur, or anſwer to the bill. When this time expires, he is intitled to a farther delay of four weeks. But though he is *entitled* to this farther delay, and neither the plaintiff nor the court can refuſe it, ſtill he muſt employ a ſoliciter to make a brief for counſel; and this ſolicitor muſt attend the counſel, and give him and his clerk their fees, for moving the court for this delay, which cannot be refuſed. The counſel muſt attend the court and make the motion; the ſolicitor muſt attend the court, and pay for the order, entry, and copy; and then muſt cauſe it to be ſerved.

At the end of this term of four weeks, the defendant is *entitled* to a farther delay of three weeks; which again cannot be refuſed. But he muſt pay his ſolicitor for drawing and engroſſing a petition for that purpoſe, and the petition muſt be preſented, and anſwered for which he muſt pay; he muſt alſo pay for order, entry, copy and ſervice. At the end of theſe three weeks, he is in the ſame manner *entitled* to a farther delay of two weeks; but the ſame farce muſt be acted over again to obtain it. And a very ſolemn farce it is to the parties, a very pleaſant farce to the officers of the court, and a very ridiculous farce to every body elſe.

If, during all this time, the defendant had ſtopt paying, or the ſolicitor had ſtopt writing, the ſame

proceſs, which was uſed to compel his appearance, muſt have been repeated, to wit, *capias*, *outlawry*, commiſſion of *rebellion*, and *ſequeſtration*. But we have arrived at the time when the defendant is in duty bound to anſwer to the bill; and here, if he does not anſwer, then *capias*, *outlawry*, *rebellion*, and *ſequeſtration* again.

Theſe terms muſt be explained to the reader; and this is the beſt opportunity to do it. For the cauſe ſtill remaining preciſely where it was at firſt, we may ſuppoſe it ſufficiently at reſt, not to move during the explanation. A *capias* is an order, to take the man, and hold him in gaol till he obeys the order of the court; whether it be to write his name, or any thing elſe. The word *outlawry* explains, of itſelf, this horrid engine of the court. A commiſſion of *rebellion* is an order iſſued, after the officer with the capias has ſearched and cannot find the man, and after an outlawry has taken place. It is directed to other perſons, requiring them to take up the man who was guilty of rebellion in refuſing to write his name. But as the officer with the capias, before outlawry, could not find the man, the iſſuing the commiſſion of rebellion *now*, has no other meaning but *fees*. A *ſequeſtration* is taking the whole property of the defendant into the hands of the court. And when this is done, the cauſe is ſoon done alſo; for no eſtate could laſt long there. When the money is gone the proceedings ceaſe.

But let us ſuppoſe that the defendant has complied with all orders thus far, and has put in a good and ſufficient anſwer. Let us leave out of our account all motions, petitions, decrees, orders, &c. for amending the bill, for referring to Maſters the inſufficiency of anſwers, reports upon thoſe anſwers, and farther anſwers, and excep-

tions to Maſters' reports, and orders and decisions relative to them; and, inſtead of inquiring into the expence of theſe, let us go back and aſk what is the uſe of all, or of any part of this proceſs? Thirty thouſand Lawyers (this is ſaid to be the number in the kingdom) are now living on juſt ſuch ſtuff as the proceſs here deſcribed; and I call on them all, to point out the purpoſe that any of it ever ſerved, or ever can ſerve to their clients.

It muſt be remembered, that all the proceedings thus far were to end in three pretended objects,—to compel an appearance; to obtain the *uſual* and *legal* time for the defendant to prepare his anſwer; and to compel him to give his anſwer. For the *appearance*, which is the ſolemn appellation given to the action of writing a name, it would be an inſult to the underſtanding of a child, to tell him that this could be of any ſervice towards forwarding juſtice. Next comes the ſucceſſion of applications and orders, for time to anſwer the bill. The practice of the court, which is the law in this caſe, allows the defendant, firſt a ſhort term, and then the delay of four weeks, three weeks, and two weeks; which in all reckonings, unleſs it be in law, make nine weeks. And if that be a reaſonable time, when divided into three parts, why is it not ſo before it is divided? And if neither the party, nor the court, nor any body elſe, has a right to refuſe that term of time, why might not the defendant take it, without the expence of aſking three times? The remainder of the proceſs goes to compel the defendant to give in an anſwer to the bill. And what is the importance of an anſwer? To ſolve

this question, let us consider the object of the bill, to which the answer is required.

The bill expresses the claim of the plaintiff, and points out the nature of the decree, which he prays may be made in his favour against the defendant. Notice is given to the defendant that such a suit is pending, and that he may appear and show cause why the decree should not be made. Having given this notice, it is not only cruel, but absurd, to think of forcing him to defend himself whether he will or no. One would suppose it little to the purpose, to make the attempt. Why may not the subpœna, which gives notice to the defendant, point out the day, beyond which he cannot give an answer? then, if he chooses to defend, hear him candidly; but if he refuses to come, and does not choose to defend,—proceed in the cause; he is willing that the decree should pass. Can it be reasonable,—can it be any thing short of flat contradiction and nonsense, to compel him to appear, to compel him to ask for a delay, and to compel him to defend? Can his defence be necessary in doing justice to the plaintiff? and, if he will not defend himself, can you make him? Can any one of the whole host of all the professions of the law show the least shadow of use in all this flourish of process thus far, but *fees* on the one hand, and *oppression* on the other?

To proceed through all the forms, to the end of a suit in chancery, would be to write a commentary on many volumes of practice, and would be calling the patience of the reader to a trial, from which it would certainly shrink. but there are parts as much worse than what we have described, as this is worse than common sense. Strip from the administration of justice the forms that

are perfectly useless and oppressive, and counsellors will have much less to do; while the whole order of attornies and solicitors will fall to the ground. If the mysteries of nonsense were out of the way, a counsellor, who was called upon to hazard his reputation on the manner of conducting his clients cause, would no more have it prepared and brought forward by an attorney, than a man of business would hazard his fortune by doing that business through an ignorant agent, which he could more easily do himself. The quantity of writing, really necessary, in a simple and dignified system of practice, is so small, as to be perhaps incredible to those who are acquainted only with the English process.

I have seen the mode of conducting this business in a country, where the common law of England is the general rule of decision, and where the adjudications of Westminster-hall are authorities, as much as they are in Great-Britan. But the laws of that country have stripped legal process of its principal follies, and the consequence is, that the whole profession of attornies and solicitors has vanished, the counsellor does the whole business of his client; and so simple is the operation, that a man may with ease commence and carry through every stage, to final judgment and execution, five hundred causes in a year. And the whole proceedings in all these shall not afford writing enough to employ a single clerk one hour in twenty four. The proceedings and judgments in five hundred causes, in this country, would fill a warehouse. And yet in that country, every allegation is necessary in their declarations and pleadings, which are necessary in Westminster-hall. As they are not paid by the line their declarations

have but one count, and in that count there is no tautology. And so little is the expence of suits, where no more is done than is necessary for justice, that judgment, in a cause where there is no defence, may be obtained for less than ten shillings; and every person employed be fully paid for his service*.

Men who are habituated to the expenses incurred in law-suits in England, will scarcely be persuaded of the extent to which a reform would be carried, on a general destruction of abuses. But let them reflect, that when law proceedings are stripped of every thing, but what the nature of the

* *As this may awaken the curiosity of some of my readers, I will give the details. Suppose a suit to recover money due on Note or Bond: The writ and declaration are incorporated in one instrument; that is, the declaration is contained in the writ. The sheriff is ordered to read this to the defendant, or leave a copy at his dwelling, at least twelve days previous to the sitting of the court. This writ is usually filled up in a well known form, in a printed blank; of which a man may with ease fill a hundred a day. For this the court taxes one shilling and six pence. The sheriff, if he has no travel to the defendant, is paid six-pence for reading the writ to him, and delivering it to the clerk of the court. It is then the duty of the plaintiff, or of his lawyer, (who is both counsellor and solicitor) to attend the court on the first day of the sitting; and then the parties in all causes are called by the crier. For this attendance the court will tax three shillings and four-pence halfpenny: and if the defendant intends to make no defence he will not answer when called; and the clerk thereupon, on the third day after*

ſubject requires, there is no myſtery left. The rational part that remains is ſoon comprehended, and eaſily retained in memory. This would doubtleſs augment the number of ſuits; for it would open the courts to vaſt multitudes of people, againſt whom they are now effectually ſhut. But in proportion as it increaſed the number of law-ſuits, it would diminiſh the quantity of *law-buſineſs*; and the number of lawyers would dwindle to one tenth of what it is at preſent. In the State above alluded to, the number of men ſupported by this profeſſion is to the whole population, as one to 4600. Reduce the lawyers here to that proportion, and there would be left about three thouſand in the kingdom. It is aſſerted, (I know not on what ground) that the preſent number is thirty thouſand. Allowing it to be true, an army of twenty-ſeven thouſand lawyers, on this reform, would find ſome other employment. But whether the reduction would amount to the number here ſuppoſed, or to half of it, is a queſtion of little mo-

calling, if no motion is made by the defendant, enters judgment for the plaintiff; for which he has about two ſhillings; one ſhilling more is paid for a writ of execution, which is in form and effect a fieri facias, *a* capias ad ſatisfaciendum, *and an* elegit: *that is, it goes againſt the goods and chattels of the debtor; and if the ſheriff cannot find thoſe he is to take the body, or the land. Added to theſe coſts, there is a duty of* 1*s.* 6*d. to government. Theſe ſeveral charges are an ample reward for all ſervices rendered.*

Note of the Editor.

When our author obſerves, that *the laws of that country have ſtripped legal proceſs of its principal follies*, he muſt be underſtood as referring

ment. Saving the expence of maintaining twenty or thirty thousand men in an useless occupation, and sending them to profitable business, however important the object may appear, bears no proportion to the advantage of opening the door of justice to the people, and habituating them to an easy and well-known method of demanding their right.

to the New-England States. In New-York, Pennsylvania, and almost every other State of the union, justice is nearly as expensive as in Great Britain. The common law of the mother country has been universally adopted, and the statute books of the British Parliament blindly and servilely copied. When this is the case, and it cannot be controverted, have we reason to look for less expensive litigation in those States than in the island of Great Britain? Can it be expected that the channels of justice will be less corrupt; and that the social rights of individuals will be better protected and defended? In the courts of common pleas, particularly those of New-York, the bill of the plaintiffs attorney alone is seldom less than eight pounds. In the supreme court of the same State, it often times stretches beyond thirty pounds. We have pursued the exterior of society; but its interior economy is fraught with injustice, and to every discerning mind must appear as harbouring the principles of moral destruction. Let us not delude the world, by impressing an opinion, that we have arrived at the summit of perfection in government and laws,—when so many glaring evils are profusely scattered around,—when the laws' delay—the expence of justice—and the in-

There is a ſtrange idea prevalent in England, (it has had its day in America) that it is good policy to raiſe the expences of legal proceedings above the reach of the lower claſſes of people; as it leſſens the number of ſuits. This kind of reaſoning appears too abſurd to ſupport its own weight for a moment; and it would be beneath our ſerious notice, were it not for the reflection, that men of ſuperficial reſearch are perpetually caught by it. The human mind is fitted, from its own indolence, to be dazzled by the glare of a propoſition; and to receive and utter for truth, what it never gives itſelf the trouble to examine. There is no paradox among all the enormities of deſpotiſm, but what finds its advocates from this very circumſtance. We muſt not therefore ſcorn to encounter an argument becauſe it is fooliſh. The buſineſs of ſober philoſophy is often a taſk of drudgery; it muſt ſometimes liſten to the moſt incoherent clamours, which would be unworthy of its attention, did they not form a part of the general din, by which mankind are deafened and miſled.

For a man to bring into court a ſuit that is manifeſtly unjuſt, is a crime againſt the ſtate; to hinder him from bringing one that is juſt, is a crime of the ſtate againſt him. It is a poor compliment to the wiſdom of a nation, to ſuppoſe that no method can be deviſed for preventing the firſt of theſe evils, without running into the laſt; and the laſt is ten times the greateſt of the two. The French, who appear to have been deſtined to give leſſons to the world by the wiſdom of their new

ſolence of office, are as much to be complained of, in moſt of the American States, as under the much execrated ſyſtems of Europe.

inſtitutions, as well as by the folly of their old, have found the ſecret of impoſing a ſmall fine on a vexatious plaintiff; and of eſtabliſhing many other regulations on this ſubject, which effectually ſhut the door of the tribunal againſt the oppreſſor, while it eaſily opens to the feebleſt cry of the oppreſſed.

They have likewiſe eſtabliſhed a method of communicating the knowledge of the laws to every human creature in the kingdom, however ignorant he may be in other reſpects. They are printed and paſted up on public buildings in every town and village, and read and explained by the curate from the pulpit in every pariſh. It is in contemplation likewiſe to inſtitute a general ſyſtem of public inſtruction, on a more uſeful and extenſive plan than has ever yet been deviſed. Several enlightened philoſophers are buſied in theſe reſearches; and ſeveral ſocieties are formed, whoſe object is to diſcover and bring forward the beſt concerted plan for this important purpoſe. In their whole ſyſtem of diſtributing *knowledge* and *juſtice*, they ſeem to be aiming at a degree of perfection which promiſes great ſucceſs. With all my partiality for the inſtitutions of the United States, I ſhould quote them (in compariſon to thoſe of France) with leſs confidence on the ſubject of this chapter, than of any other.

In the adminiſtration of juſtice the American States in general, are too much attached to the Engliſh forms; which ſerve to increaſe the expence and to myſticiſe the buſineſs, to a degree that is manifeſtly inconſiſtent with the dignity of a true republic. But in reſpect to Public Inſtruction, there are ſome circumſtances which deſerve

to be mentioned to their praise. I am going to speak only of the particular State with which I am best acquainted. How many of the others are better regulated in this respect, and how many are worse, I am not accurately informed. This state, (which contains less than 240,000 inhabitants) is divided into about one hundred towns. These are sub-divided into small portions, called school-districts, suitable for the support of small schools. Each of these districts has a drawback on the state treasury for a sum, which bears a proportion to the public taxes paid by the inhabitants of the district, and which is about half equal to the support of a school-master. But this sum can be drawn only on condition, that a school is maintained in the district.*

The following remarkable consequences seem to have resulted from this provision: There is not perhaps in that state, a person of six years old, and of common intellects, who cannot read; and very few, of twelve, who cannot write and cast accounts;—besides the usual books that are found in every family, it is computed that there are in the state about three hundred public libraries, which have been formed by voluntary subscription among the people of the districts and the parishes;—till about the year 1768, which was more than one hundred and thirty years after the settlement of the state, no capital punishment, as I am informed, had been inflicted within its jurisdiction, nor any person convicted of a capital offence; since

* *Besides the small schools above mentioned, there is a considerable number of Academies and grammar-schools in this little Republic; and there is one University*

that period, very few have been convicted, and those few are generally Europeans by birth and education;—there is no extreme poverty in the state, and no extraordinary wealth accumulated by individuals.

It would be absurd to suppose, that Public Instruction is by any means carried to the perfection that it ought to be, in this or any other State in the universe. But this experiment proves, that good morals and equal liberty are reciprocal causes and effects; and that they are both the parents of national happiness, and of great prosperity.

All governments that lay any claim to respectability or justice, have proscribed the idea of *ex-post-facto laws*, or laws made after the performance of an action, constituting that action a crime, and punishing a party for a thing that was innocent at the time of its being done. Such laws would be so flagrant a violation of natural right, that in the French and several of the American State Constitutions they are solemnly interdicted in their Declarations of Rights. This proscription is likewise considered as a fundamental article of English liberty, and almost the only one that has not been habitually violated, within the present century. But let us resort to reason and justice, and ask what is the difference between a violation of this article and the observance of that tremendous maxim of jurisprudence, common to all the nations above mentioned,* *ignorantia legis neminem excusat?*

Most of the laws of society are positive regulations, not taught by nature. Indeed, such only

* *Ignorance of the law is no excuse for the breach of it.*

are applicable to the ſubject now in queſtion. For *ignorantia legis* can have reference only to laws ariſing out of ſociety, in which our natural feelings have no concern; and where a man is ignorant of ſuch a law, he is in the ſame ſituation as if the law did not exiſt. To read it to him from the tribunal, where he ſtands arraigned for the breach of it, is to him preciſely the ſame thing as it would be to originate it at the time by the ſame tribunal, for the expreſs purpoſe of his condemnation. The law till then, as relative to him, is not in being. He is therefore in the ſame predicament that the ſociety in general would be, under the operation of an *ex-poſt-facto* law*. Hence we ought to conclude that, as it ſeems difficult for a government to diſpenſe with the maxim above-mentioned, a free people ought, in their declaration of rights, to provide for univerſal public inſtruction. If they neglect to do this, and mean to avoid the abſurdity of a ſelf-deſtroying policy, by adher-

* *What ſhocking ideas of morals thoſe governments muſt have inculcated, which firſt invented that exemption in penal ſtatutes, called* the benefit of clergy! *To be able to write and read, was at that time an evidence of an uncommon degree of knowledge. Out of reſpect to learning (as it is preſumed) it was therefore enacted, that any perſon convicted of a felony ſhould be pardoned, on ſhowing that he could write his name. As this talent was then chiefly confined to the clerks, or clergy, this circumſtance gave name to the law. The language of the exemption is ſimply this, that thoſe perſons only* who know the law *are at liberty to violate it. There is indeed much reaſon for a diſtinction; but it ſhould have been the other way.*

ing to a syſtem of juſtice which would preſerve a dignity and inſpire a confidence worthy the name of liberty, they ought to reject the maxim altogether; and inſert in their declaration of rights, that inſtruction alone can conſtitute a duty; and that laws can enforce no obedience, but where they are explained.

It is truly hard and ſufficiently to be regretted that any part of ſociety ſhould be obliged to yield obedience to laws, to which they have not literally and perſonally conſented. Such, however, is the ſtate of things; it is neceſſary that a majority ſhould govern. If it be an evil to obey a law to which we have not conſented, it is at leaſt a neceſſary evil; but to compel a compliance with orders which are unknown, is carrying injuſtice beyond the bounds of neceſſity; it is abſurd, and even impoſſible. Laws in this caſe may be avenged, but cannot be obeyed; they may inſpire terror, but can never command reſpect.

CHAP. V.

REVENUE AND EXPENDITURE.

A Nation is ſurely in a wretched condition, when the principal object of its government is the increaſe of its public revenue. Such a ſtate of things is in reality a perpetual warfare between the few individuals who govern, and the great body of the people who labour. Or, to call things by their proper names, and uſe the only language

that the nature of the case will justify, the real occupation of the governors is either to plunder or to steal, as will best answer their purpose; while the business of the people is to secrete their property by fraud, or to give it peaceably up, in proportion as the other party demands it; and then, as a consequence of being driven to this necessity, they slacken their industry, and become miserable through idleness; in order to avoid the mortification of labouring for those they hate.

The art of constructing governments has usually been to organize the Sate in such a manner, as that this operation could be carried on to the best advantage for the administrators; and the art of administring those governments has been, so to vary the means of seizing upon private property, as to bring the greatest possible quantity into the public coffers, without exciting insurrections. Those governments which are called despotic, deal more in open plunder; those that call themselves free, and act under the cloak of what they teach the people to reverence as a constitution, are driven to the arts of stealing. These have succeeded better by theft than the others have by plunder; and this is the principal difference by which they can be distinguished. Under these *constitutional* governments the people are more industrous, and create property faster; because they are not sensible in what manner and in what quantities it is taken from them. The administration, in this case, operates by a compound movement; one is to induce the people to work, and the other to take from them their earnings.

In this view of government, it is no wonder but it should be considered as a curious and com-

plicated machine, too mysterious for vulgar contemplation, capable of being moved by none but experienced hands, and subject to fall in pieces by the slightest attempt at innovation or improvement. It is no wonder that a church and an army should be deemed necessary for its support; and that the double guilt of impiety and rebellion should follow the man who offers to enter its dark sanctuary with the profane light of reason. It is not surprising that kings and priests should be supposed to have derived their authority from God, since it is evidently not given them by men; that they should trace to a supernatural source claims which nature never has recognized, and which are at war with every principle of society.

I constantly bear in mind, that there is a respectable class of men in every country in Europe, who, whether immediately interested in the administration of the governments or not, are conscientiously attached to the old established forms. I know not how much pain it may give them to see exposed to public view the various combinations of iniquity which appear to me to compose the system. But I should pay a real compliment to their sensibility, in supposing that their anguish can be as great on viewing the picture, as mine has been in attempting to draw it; or, that they can shudder as much at the prospect of a change, as I have done in contemplating society under the distortions of its present organization. I see the noble nature of man so cruelly debased,—I see the horse and the dog in so many instances raised to a rank far superior to beings whom I must acknowledge as my fellow-creatures, and whom my heart cannot but embrace with a fraternal affection which must increase with the insults I see

them suffer,—I see the pride of power and of rank mounted to so ungovernable a height in those whom accident has called to direct the affairs of nations,—I see the faculty of reason so completely dormant in both these classes, and morality, the indispensible bond of union among men, so effectually banished by the unnatural combinations, which in Europe are called Society,—that I have been almost determined to relinquish the disagreeable task which I had prescribed to myself in the first part of this work, and, returning to my country, endeavour in the new world to forget the miseries of the old.

But I reflect that the contemplation of these miseries has already left an impression on my mind too deep to be easily effaced.—I am likewise convinced that all the moral evils under which we labour, may be traced without difficulty, to their proper source,—that the spirit of investigation, which the French revolution has awakened in many parts of Europe, is stimulating the people to pursue the enquiry, and will consequently lead them to apply the remedy. Under this prospect, every person who but thinks he can throw the least light upon the subject, is called upon for his assistance; and this duty to his fellow-creatures becomes more imperious, as it is increased by the probability of success.

In considering the subject of *Revenue and Expenditure*, as in other articles that I have treated, I shall confine myself chiefly to the great outlines of the system; only noticing its effect on the moral habits which must be considered as the vital principles of society, and which ought always to be kept in view as the first object of government, both in its original constitution and in every part

of its administration. I was indeed sensible that this subject would require more details; and that it might be useful to form an estimate of the quantity of contributions necessary for any given portion of mankind united in a national interest; as we might thus be convinced how small a revenue would be sufficient for all the purposes of a rational government. But I find myself happily relieved from this part of my task, by the appearance of the second part of the *Rights of Man*, in which this branch of the subject is treated in that perspicuous manner which might be expected from its author; a man whom I consider as a luminary of the age, and one of the greatest benefactors of mankind. Neither my work, nor any other that shall be written for ages to come, will surely find a reader, who will not have read the *Rights of Man*.

Men are gregarious in their nature; they form together in society, not merely from necessity, to avoid the evils of solitude, but from inclination and mutual attachment. They find a positive pleasure in yielding assistance to each other, in communicating their thoughts and improving their faculties. This disposition in man is the source of morals; they have their foundation in nature, and receive their nourishment from society. The different portions of this society, that call themselves nations, have generally established the principle of securing to the individuals who compose a nation, the exclusive enjoyment of the fruits of their own labour; reserving however to the governing power the right to reclaim from time to time so much of the property and labour of individuals as shall be deemed necessary for the public service. This is

the general basis on which *property*, public and private, has hitherto been founded. Nations have proceeded no farther. Perhaps in a more improved state of society, the time will come, when a different system may be introduced; when it shall be found more congenial to the social nature of man to exclude the idea of seperate property, and with that the numerous evils which seem to be entailed upon it. But it is not my intention in this work to enter upon that enquiry.

When the feudal system, with all its ferocities, was in full operation, the superior lord, who represented the power of the state, granted the lands to his immediate vassals, on condition of military service. They engaged to serve in the wars of the lord paramount a certain number of days in the year, at their own expence. Thus they stipulated as to the *quantity* of service; but gave up the right of private judgment, as to the *object of the war*. This is the origin of the revenue system of modern Europe; and it began by debasing the minds of the whole community; as it hurried them into actions, of which they were not to enquire into the justice or propriety. Then came the *socage-tenures*; which were lands granted to another class of vassals, on condition of ploughing the lord's fields and performing his husbandry. This was a more rational kind of service; though, by a shocking perversion of terms, it was called less honorable.

In proportion as war became less productive, and its profits more precarious, than those of husbandry, the tenures upon knight-service were converted into socage-tenures; and finally it was found convenient in most cases, especially in England, to make a commutation of the whole into

money, in certain fixed sums; and this, by its subsequent modifications and extensions, has obtained the name of a land-tax. The feudal revenues of the crown, though they were supposed to be sufficient for the ordinary purposes of government, were capable of being increased on any extraordinary occasion; and such extraordinary occasions were sure to happen, as often as the government chose to draw more money from the people. It began this operation under the name of aids to the king, *subsidia regis*; and, in England (before it was found necessary to work the engine by regular parliaments) various expedients were used to raise from different classes of the community these extraordinary aids. In many cases the authority of the pope was brought in to the assistance of the king, to enable him to levy money for the court. The pope, as head of the church, received a revenue from the people of England through the English clergy; and the king, on certain occasions, agreed with him that he should double his demand; on condition that the additional sum to be raised, should be divided between themselves.*

A perpetual pretext for these additional impositions was always to be found in foreign wars.—Edward the first must subdue the Welch; a long succession of kings made the glory of the British nation to consist in the reduction of Ireland; others, in conquering the tomb of Christ; and others, the crown of France. But in common occurrencies, where the call for money could not be predicated on any national object sufficiently glaring to excite the enthusiasm or rouse the fears

* *Cunningham's History of Taxes, page 6.*

of the people, it was the policy of the king to detach ſome particular claſſes of the community from the common intereſt, and to extort money from them, as from a common enemy. Thus all ſtrangers were heavily taxed on coming into the realm; thus Jews, with all the wealth they poſſeſſed, were declared to be the* abſolute property of the king;* thus, after the religion of the government was changed, the papiſts and non-jurors were taxed double to the profeſſors of the national religion; and thus the king could take a ſavage advantage of the misfortunes of individuals, and ſeize their property, under the title of *wrecks*, *waifs*, *treaſure-trove*, *ſtrays*, *amercements*, and *forfeitures*.

Theſe, and a vaſt variety of other inventions, have been practiſed by the Engliſh government, to legalize partial robberies, and take poſſeſſion of the people's money, without the trouble of aſking for it. But all theſe means were inſufficient to ſupply the unlimited expences of a government founded on orders, privileges, rank, and ignorance. The moſt effectual way to carry on the great buſineſs of revenue was found to be through the intervention of a parliament; and for this purpoſe the farce of repreſentation has been acted over in this country, to much better effect than any ſpecies of fraud or violence has been in any other.

* *In one of the laws of Edward the Confeſſor (which was repeatedly enforced long after the conqueſt, and perhaps is not repealed to this day) the clauſe reſpecting the Jews is in theſe words:* Judæi et omnia ſua ſunt regis; quod in quiſpiam detinuerit eos, vel pecuniam eorum, perquirat rex, ſi vult, tanquam ſuum proprium.

It would be an insult to the understanding of any reader at this day, to describe to him a thing so well known, as the manner in which this game is played between the different branches of the government. The secret is out; and the friends of the system, who used to be occupied in concealing its operation, are now engaged in defending it. The drift of their defence is to change the mode of the deception; and persuade the people by *argument*, to suffer to pass before their eyes in open day-light, scenes which have hitherto been acted only in the dark. The curtain has fallen from their hands; and they now declare that the play can go on without it. This for England, forms a new æra in cabinet politics. While the system remains the same, the scheme for carrying it on is totally new-modelled; and, like other novelties in the course of human improvement, it becomes a proper subject of our investigation.

I have known a juggler, who, after having for a long time excited wonder and drawn money from the multitude, by tricks which were supposed to be the effect of magic, would come forward with an engaging frankness, and declare that there was really nothing supernatural in the art; that it was only the effect of a little experience and attention to physical causes, not beyond the capacity of any one in the company; that, though he had deceived them thus far, he was now ready to undeceive them; and, for another fee, he would go through the same course again, with the explanations. This ingenious confession redoubled their curiosity; the spectators continued their attention, and renewed their contributions.

The government of Great Britain, under king, lords and boroughs, is now defended both in and out of parliament, by arguments unknown to former politicians. As nearly as any words, except the right ones, can expreſs the full force of theſe arguments, they are ſtated by their authors in the following language: "No people ever has been or ever can be capable of knowing what is for their own good, of making their own laws, or of underſtanding them after they are made: as the people of England, during the time of the commonwealth, imbibed a different opinion, it has been thought beſt, eſpecially ſince the laſt revolution, to cheriſh them in their error, in order to come more eaſily at their money. We therefore told them that they were free; that they, as Engliſhmen, ought to be free, becauſe their anceſtors were ſo; that Engliſh liberty was the envy and admiration of the world; that the French were their natural enemies, becauſe they were ſlaves; and it was neceſſary to make a war once in ſeven years, to keep up this idea; that we were ſorry for the increaſing burthen of their taxes; but that was a circumſtance not to be regarded by a free people, as they had the privilege of taxing themſelves, and their taxes were the price of their freedom in church and ſtate; that, we intended to leſſen their burthens as ſoon as the enemies to our religion and to our happy conſtitution were deſtroyed. But now, gentlemen, we ſee you have diſcovered, and we are willing to acknowledge, that this was all a deception: as to liberty, it is but a name; man gives it up on entering into ſociety, in order to enjoy the benefits of being governed; it never was nor ever will be, realized by any nation under heaven; witneſs the horrors

of pretended liberty in France, the daily aſſaſſinations and perpetual robberies which you ſee in Mr. Burke's book from beginning to end; witneſs the late infatuation of the Americans; who, already recovering their ſenſes, and ſick of their boaſted independence,* are now wiſhing to return to the protection of their mother-country, where they could purchaſe their laws ready made by us, who underſtand the buſineſs; as to the church, we are convinced it is no matter on what ſort of religion it is founded, provided it be well connected with the ſtate. We ſhall ſay nothing in future of the *burthen of taxes*, as it has been falſly called, the phraſe itſelf has no longer any meaning; it is now clearly known that public taxes are, in themſelves, a public benefit; every well-wiſher to his country muſt wiſh them to increaſe; and for that purpoſe he will do all in his power to multiply the occaſions for creating them; for it is acknowledged by all good ſubjects, that a national debt is national proſperity, and that we grow rich in proportion to the money we pay out. We are as frank to confeſs, as any caveller is to aſſert, that the Houſe of Commons is not a repreſentation of the people; it has no connection with them, and it is no longer to our purpoſe to ſuppoſe that it has; for the people have nothing to do with the government, except to be governed; but the Houſe of Commons is retained in the ſtate, for the ſame reaſon that the other branches of the legiſlature, and that courts and armies are retained,

* *This is a ſerious argument, uſed by ſeveral writers as well as parliamentary and coffee-houſe orators, to prove that liberty cannot exiſt in any country. See* Dr. Tatham *and others.*

for the ſake of increaſing the wealth and happineſs of the people in the augmentation of the revenue."

Let any perſon look over the whole chaos of writings and ſpeeches that have been publiſhed within the laſt year againſt innovations in the government, and I believe he will ſcarcely find an argument more or leſs than what are here comprized. Now this is clearly a different ground from what has heretofore been taken in this country for the ſupport of the old ſyſtem. It uſed to be thought neceſſary to flatter and deceive; but here every thing is open and candid. Mr. Burke, in a frenzy of paſſion, has drawn away the veil; and ariſtocracy, like a decayed proſtitute, whom painting and patching will no longer embelliſh, throws off her covering, to get a livelihood by diſplaying her uglineſs.

It is hard to pronounce with certainty on the ſucceſs of a project ſo new; but it appears to me extremely improbable that the naked deformities of deſpotiſm can long be pleaſing to a nation ſo enlightened as the one to which theſe arguments are addreſſed. I cannot but think they are ill addreſſed, and that their authors have miſed their policy in ſuffering the people to open their eyes to their true ſituation. It is certain that the Cardinal de Richlieu has given them different advice. He, like moſt other great men, is leſs known by his writings than his actions; but he left a poſthumous work, called a *Political Teſtament*, which has been remarkably neglected by thoſe for whoſe good it was intended; and by none more than by the preſent friends of ariſtocracy in England. That profound politician obſerves, "That ſubjects with knowledge, ſenſe or reaſon, are as monſtrous as a beaſt with an hundred eyes, and

" that such a beast would never bear its burthen " peaceably The people must be hood-winked, " or rather blinded, if you would have them tame " and patient drudges. In short, you must treat " them every way like pack-horses or mules, not " excepting the bells about their necks; which " by their perpetual jingling, may be of use to " drown their cares."

It must be observed, however, that in the business of taxation, which is nearly all the business of a public nature that is done by the government in England; a policy not very different from that of Richlieu has been practised with great success. The aggregate quantity of the revenue raised upon the people has indeed been somewhat known; but the portion paid by each individual, and the time, manner and reason of his paying it, are circumstances enveloped in total darkness. To keep the subject ignorant of these things is the great secret in the modern science of finance. The money he pays to government being incorporated with every thing on which he lives, all that he can know of the matter is, that whether he eats, drinks or sleeps, walks or rides, sees the light or breathes the air,—whatever he does, drains from him a tax; and this tax is to support the luxury of those who tell him they are born to govern. But on which of these functions the tax falls the heaviest—whether the greatest proportion lies upon his bread or his beer, his shoes or his hat, his labours or his pleasures, his virtues or his vices, it is impossible for any man to know. As therefore he cannot dispense with the whole of his animal functions, without ceasing to exist, and as this expedient is not often so eligible as submitting to the impos-

tion, there is no danger but the tax will be collected.

It is difficult to describe, perhaps impossible to conceive, the quantity of evils wrought in society from this mode of collecting revenue by deception; or laying the duty in such a manner, that the people shall not be sensible when or how it is paid. This is extremely unlike that manly principle of mutual confidence on which men unite in society. It is the reverse of that conduct, which, arising from the open integrity of our own hearts, is the guarantee of integrity in others. It is a policy that must have originated from two contending interests in the nation, from a jealousy of their own power in the legislative body, from a knowledge that something was wrong in themselves or in the system, and from a consciousness that one or the other, or both, were unworthy of the confidence of the people by whom they were supported.

I am aware that in the doctrine which I shall labour to establish on this subject, I shall have to encounter the whole weight of opinion of modern times. Men of all parties, and of all descriptions, both the friends and the enemies of equal liberty, seem to be agreed in one point relative to public contributions: *That the tax should be so far disguised, as to render the payment imperceptible at the time of paying it.* This is almost the only point in which the old and new systems agree, in those countries where a change of principle has taken place; it is one of those rare positions, on which theorists themselves have formed but one opinion. It is therefore not without much reflection, and as great a degree of caution as a serious advocate for truth ought ever to observe, that I shall pro-

ceed to examine a position, which, resting on the accumulated experience of mankind, has not yet been shaken by enquiry.

I will begin by acknowledging the force of two observations, which go to the support of the present system, as it applies to most of the existing governments and to the present state of society in Europe: 1. As long as public revenues must remain as great as they now are, and as disproportioned to the abilities of the people, it is absolutely necessary to disguise the taxes on which they depend; otherwise they cannot be collected. 2. As long as these revennes are applied to the purposes to which they now are, it is impossible to collect them but by fraud or violence; and violence has been found by repeated trials, especially in England, not to answer the purpose so well as fraud. While society remains divided into two parties, which are constitutionally opposed to each other, it is impossible but that they must regard each other as enemies, and their conduct must be the dictate of mutual aversion. When the people see that paying money to their governors, is paying it to their enemies, they certainly never can give it with a good will; and when they know that this money serves only to strengthen the hands of their oppressors in forging new weapons of oppression against themselves, they must feel an obligation to withhold it, rather than to pay it. In this case, defrauding the revenue is considered not only as justice to themselves, but as a duty to their children. A tax under these circumstances is more naturally objectionable than the *Dane-gelt*, which was formerly paid in England: that contribution was made by the people, to hire a foreign enemy to leave them in peace; and it always had a tempo-

rary good effect. But a contribution paid to the people's enemies at home, who being few in number, muſt ſoon, if unſupported, fall of themſelves, cannot promiſe even a temporary benefit; the hand of the enemy that receives it, does not ſo much as lay down its weapon while it graſps the money. As long therefore as ſociety continues in its preſent diſordered condition, any arguments drawn from moral propriety muſt be overpowered by the ſtrong voice of neceſſity; for reaſons of nature generally fall in a conflict with reaſons of ſtate.

But as a new order of things begins to make its appearance, and principle is no longer to be borrowed from precedent, we will endeavour to diſcover the ground of the received doctrine relative to taxation; and enquire how far that doctrine is, in itſelf, an object of reform. Out of the ſeventeen millions ſterling which are annually paid into the exchequer in England, but about two millions and a half are levied in direct taxes; that is, in taxes laid in ſuch a manner as to be paid directly to the fiſcal officers by the perſons on whom the burthen falls. Theſe are chiefly comprehended in the taxes on lands and houſes. In France, before the revolution, the proportion of direct taxes was much greater. According to the ſtatement of M. Necker, it was near eight millions ſterling, out of about twenty-four millions and a half, of which the public revenue conſiſted. This is ſomething leſs than a third; while the proportion in England is little more than a ſeventh. Theſe proportions are ſuppoſed by ſome of the moſt approved reaſoners on the ſubject, in each country, particularly M. Necker and Sir John Sinclair, to be as high as it would be prudent to go with direct tax-

ation. The remaining portion of the immenſe revenues in theſe two countries, about ſixteen millions and a half for France, and fourteen and a half for England, was raiſed in the former, and is ſtill raiſed in the latter, by indirect taxation; by cuſtoms, exciſe, and inland duties of various kind, called *taxes on conſumption*. The art of impoſing theſe, ſo as to inſure their collection, is to incorporate the ſum to be raiſed for government with the price of every thing for which men pay their money in the courſe of life. It is the hook within the bait of all our pleaſures, of all our conveniences, and of all our neceſſaries. The hook cannot be ſeparated from the bait, nor the bait from our exiſtence. With regard to individuals, the queſtion is not, ſhall we pay the tax? but, ſhall we exiſt? The continuance of life is a continuance of the tax; and the language of the ſyſtem is, pay the debt to government, or pay the debt to nature.

It is ſaid in ethics, on the ſubject of *neceſſity*, that, ſuppoſing there is no choice of action, there can be no moral agency, and no virtue. We will not enquire into the propriety of the ſuppoſition as it reſpects our relation to the Deity, and our ſubjection to the great laws of nature; but there can be no doubt that the reaſoning is juſt, when applied to the laws of ſociety. Perhaps it is true, that, though I am prompted by the inviſible deſtiny of nature, to do an action for the good of my fellow-creatures, this action is virtuous; but when the neceſſity for this action ariſes directly from the poſitive laws of ſociety, in whoſe favour it is to be performed—when the argument derives its force from the ax held over my neck, no idea of virtue can be annexed to the action; it is merely me-

chanical. On this ground we may eſtabliſh a poſition, which I believe will not be controverted: that the exerciſe of *private judgment* is the foundation of *moral virtue*; and conſequently, that all operations of government carry deſtruction to the latter, in proportion as they deprive us of the former. An arbitrary order impoſed by a maſter, whether it be upon a nation or a ſimple domeſtic ſervant, tends to debaſe the mind, and cruſh that native dignity which is abſolutely neceſſary to the exiſtence of merit, or of ſelf approbation. And the effect that ſuch an order produces on the mind is nearly the ſame, whether the action enforced be right or wrong.

The true object of the ſocial compact is to improve our moral faculties, as well as to ſupply our phyſical wants; and where it fails in the firſt of theſe, it certainly will fail in the laſt. But where the moral purpoſe is attained, there can be no fear but that the phyſical one will be the inſeparable conſequence; place ſociety on this footing, and there will be no aid or duty that the general intereſt can require from individuals, but what every individual will underſtand. His duties, when firſt propoſed, will all be voluntary, and being clearly underſtood to be founded on the good of the whole community, he will find a greater perſonal intereſt in the performance than he would in the violation. There is no poſition more undeniable in my apprehenſion, than that this would always be the caſe with a great majority of any people; and if we ſuppoſe a ſmall portion of refractory perſons, who, from want of original conſent, or from a ſubſequent change of opinion, ſhould refuſe to perform their duties; in this caſe, the opinions of the great majority aſſume the ſhape

of government, and procure a compliance by compulsion and restraint. This is the only sure foundation on which we can ever build the real dignity of society, or the corresponding energy of government. It is establishing the moral relations of men on the moral sense of men; and it is this union alone that can cherish our esteem or command our respect.

On this plan, it is of the utmost importance that the wants of the state should never be disguised, and that the duty of the individual, in supplying those wants, should never be performed by deception. If the state be properly organized, such disguise and deception will be unnecessary; and if we wish to preserve it from degeneration, they will be extremely dangerous; as, by attacking the moral sense of the people, they sap the foundation of the state.

When a company of merchants, or other private men, engage in an enterprise that requires contributions in money, we hear of no difficulties in raising the stipulated sums among the different partners in the company. Every partner makes it his business to understand the nature of the concern; he expects an advantage from the enterprise, and pays his money with the same willingness, as he would pay it in his private business. He would feel himself insulted, if any disguise were thrown upon the subject, to cheat him into his duty. Indeed, when the enterprise has come to an end, or when there is an apprehension of loss, or a suspicion of mismanagement in the agents, it is natural to expect a reluctance in payment, which is only to be overcome by the arts of deception or the compulsion of law. But this is not the case while the company is in a pros-

perous condi ion, and while its members are united by mutual confidence in purſuit of a common intereſt. A nation, whoſe government ſhould be habitually in the hands of the whole community, would always be a company in this proſperous condition; its concerns would be a perpetual and promiſing enterpriſe, in which every individual would find his intereſt and repoſe his confidence. Perſonal protection and public happineſs would be the objects aimed at in the adminiſtration; and theſe would be infallibly attained, becauſe no human accidents could prevent it. There could be no ſuſpicion of miſmanagement in the agents, they being perpetually under the control of the whole people. Every reaſon, therefore, which could induce individuals to with-hold their pecuniary contributions, would be entirely removed; and the ſame motives which influence a man to give his attention and pay his money in his own perſonal concerns, would engage him to do the ſame things in the concerns of the public.

If theſe poſitions are not true, then have I miſconceived the character of the human heart, and the real effects to be wrought on ſociety by a rational ſyſtem of government; but if they are acknowledged to be true, it ought to be an indiſpenſible maxim to aboliſh and avoid every veſtige of indirect taxation. It muſt appear evident, that to raiſe money from the people by any other method, than by openly aſſigning to every one his portion, and then demanding that portion as a direct contribution, is unneceſſary to the object of revenue, and deſtructive to the firſt principles of ſociety. It has long been complained of in England (ſo long that the complaint has almoſt ceaſed to make any impreſſion even on the minds of thoſe who repeat

it) that *the Excise is an odious tax* The reason on which the complaint is founded is what the principle of government would naturally suggest; but it is not the reason which I should assign. The tax is said to be odious, chiefly because it throws a vexatious power into the hands of the revenue officers, to search the houses and inspect the affairs of individuals. As long as the government and the people are two opposite parties in the state, at continual enmity with each other, it is natural that each party should wish to conceal its operations, the better to succeed in their mutual hostility and defence; for secrecy is one of the weapons of war. But if the state consisted of nothing more than one great society composed of all the people, if the government was their will, and its object their happiness, the reasons for secrecy would cease, the intestine war would cease, the parties would cease.

The business of the state and the business of individuals might be safely exposed to all the world. An open generosity of conduct, the reciprocal sign and guarantee of integrity, would mark the character of every member of society, whether acting as a public agent, or as a private citizen.

But the great objection which ought to be made against the excise, is the same as will apply to customs, duties, and all other tricks of a similar kind, by which the money is drained from the people without their knowledge or consent. The whole system of indirect taxation, so universal in Europe, so much extolled by the ablest financiers, as necessary in composing their enormous masses of extorted revenue, is wrong from its foundation, and must be vicious in its practice. It is built on

the great ariſtocratical principle, that men muſt be governed by fraud ; and it can be only neceſſary to that ſyſtem of management which divides the nation into two permanent parties, the party that receives and the party that pays.

The wretched reſource that governments have found in lotteries,* tontines, and annuities upon ſeparate lives, merits the ſevereſt cenſure, and ought to be held up to the execration of mankind, the moment we are ready to reſort to the real principles of our nature, in managing the affairs of nations. A tontine partakes at once of the nature of lotteries and of ſimple life-annuities, and involves in itſelf the principal vices of both. Like a lottery it is founded in the ſpirit of gambling ; and like a life-annuity, it detaches a man from the feelings and intereſts of his friends, of ſociety and of all mankind, except thoſe of the particular claſs of the tontine to which he belongs ; and to them he is rendered, in a literal ſenſe, a mortal enemy.

Borrowing money upon *life-annuities*, as an

* *It was my intention in this place to have noticed, ſomewhat more at large, the pernicious tendency of public lotteries. But the late criſis in the government of France, when the people found it neceſſary to reviſe their Conſtitution, offered an occaſion for making ſome remarks which I thought might be uſeful to them on the buſineſs then lying before them, for which the the Convention was about to be aſſembled. I therefore publiſhed a ſhort Treatiſe on the defects of their Conſtitution in* " A Letter to the National Convention," *in which are particularly treated the ſubject of* lotteries, *that of public* ſalaries, *and ſeveral other matters, which otherwiſe would have come into this Eſſay on Revenue.*

operation of government, has been much more practised in France than in England. The reason of this is well explained by Adam Smith.* It was owing to the superior influence, in that country, of those unnatural distinctions among families, which prevent them from associating with each other on the principles of mutual attachment; principles congenial to the human heart, and no less necessary to individual happiness, than to the good order of society and the prosperity of the state. The pride of birth and the jealousy of rank operate on society like congelation and concussion on a body of water: they freeze up the whole mass, and break it into a thousand pieces; which refuse to unite among themselves, or to answer the purposes which nature has assigned to that element. The genius of aristocracy, by the distinctions of birth, had established in France almost as many ranks as there were families. These were perpetually repelling and repelled, tormented by jealousies, and kept asunder by artificial aversions, which silenced the voice of nature, and counteracted every object of society. A man in this frozen, and repulsive state of things, becomes a proper object for the government to seduce into a selfish hostility against the generous duties of life, by the temptation of life-annuities. An elegant French author describes the annuitant as having subdued every sentiment most dear to the human heart: "He amasses his whole capital upon his own head, makes the king his universal legatee, sells his own posterity at the rate of ten per cent. disinherits his brothers, nephews, friends, and sometimes his own children. He never marries;

*_Wealth of Nations_, Book V. Chap. III.

he vegetates, till the return of the quarter day, and enquires with eagerneſs in the morning whether he is ſtill alive; his whole exerciſe of body and mind conſiſts in going once in three months to the notary at the corner of the ſtreet to ſign his receipt, and obtain a certificate, that he is not yet dead." The officers of government know very well the advantages derived from long humid winters and epidemical diſeaſes; and they muſt delight in the winnings of the game thus played by the public treaſury in partnerſhip with death.*

I am ſenſible that all theſe maxims, which go to a change of ſyſtem in the collection of revenue, are deſtined to reſt merely in ſpeculation, in all

*For a more lively and affecting picture than I ſhould be able to give, of the evils ariſing from this ſyſtem, the reader is referred to the ſhort ſketch, drawn by the above author, Mr. Mercier; the following is a part of it:—

"But how is it poſſible that a wiſe government could throw open the gate to theſe numerous and incredible diſorders, which are the offspring of annuities on lives? The bands between parents and children broken, idleneſs penſioned, celibacy authoriſed, ſelfiſhneſs triumphant, cruelty reduced into ſyſtem and practice; ſuch are the ſmalleſt evils which ariſe from theſe annuities. Is it not from theſe perſonal and excluſive enjoyments, theſe additional incentives to ſelf-love, that parents, friends and citizens are no longer known? Friendſhip, love, tenderneſs, paternal affection, all are ſacrificed to annuities!

The young women who have paſſed the age of being marriageable, are, in Paris, innumerable; they have ſigned contracts on annuities, and that prevents their ſigning contracts of marriage; for the firſt re-

countries ſtill afflicted with unnatural plans of government; for ſo they muſt reſt, till a total change of principle ſhall have taken place. But let it not be ſaid that, on this account, the hints here given, are uſeleſs. If they are founded in truth and reaſon, the French Republic will ſoon be able to adopt them. By the time that its government ſhall be permanently ſettled, its public debt will doubtleſs be very conſiderably reduced. Its neceſſary revenue will then be ſo ſmall, compared with what it hitherto has been, the people will be ſo far elevated to the dignity of freemen, and accuſtomed to the duties of citizens, that they will find a ſenſible pleaſure, rather than a ſervile taſk, in paying their contributions to the ſtate. This reaſoning may likewiſe be thought worthy of conſideration in the United States of America; where perhaps it may be followed by the ſame effects. With reſpect to other countries, we muſt wait. A reformation of ſo deep a nature muſt be preceded by a perfect regeneration of ſociety; ſuch as can only be expected from a radical change of principle in the government.

I am ſenſible that men, whoſe experience in the management of public affairs has taught them to judge with ſeverity on the various perverſities of human nature, will find many obvious objections to a theory ſo different from that on which their practiſe has been founded. If I do not an-

fection which they can make muſt be on the inevitable miſery of the children, who might be the offspring of ſuch a knot.

A contract on annuities always iſolates an individual, and prevents the fulfilment of the duties of citizenſhip."

ticipate all their arguments in form, I certainly mean to do it in ſubſtance; for I am not unappriſed of their weight. Where the revenue is to be raiſed only for *honeſt* purpoſes, and where it is to be kept within a moderate compaſs, ſo that the taxes are to be no more than what a well-organized community would be willing to lay upon itſelf, all arguments againſt raiſing the whole by direct taxation are reducible to theſe two points: the *improvident* temper of one claſs of men, and the unreaſonable *ſelfiſhneſs* of others, have always rendered it difficult to obtain from them their contributions by direct and open means. The firſt of theſe claſſes comprehends many of the poor labouring people in the great towns. Theſe people are in the habit of ſpending all they can earn, if not for the neceſſaries of life, at leaſt for ſuperfluous or vicious gratifications. They never provide for a future want, even their own; much leſs would they think of providing for the wants of the ſtate. As it is vain to aſk for money where it does not exiſt, no tax can be collected by applying directly to that claſs of men. It is therefore thought beſt to mingle the tax with their meat and drink; and, ſince they will ſpend all their money for theſe, let a part of it go to the ſtate.

To this argument ſeveral anſwers may be offered: *firſt*, it is in a great meaſure owing to the inherent defects of the government, that ſuch a claſs of improvident men is found in any ſociety. That men of good intellects and ſound conſtitutions ſhould be inattentive to the means of procuring happineſs, is certainly contrary to the analogy of nature. Indeed we overlook the cauſe when we go back to nature for it; there is no doubt but it is always to be found in their relative ſituation

in the social state. It is the want of early instruction, or the want of proper objects of emulation to stimulate the mind to a sense of its own dignity, as relative to the society in which it has to act. When the man is taught to know and feel that he never can rise above the condition of a beast of burthen, he acts at least a consistent part, perhaps even a wise part, in blunting his feelings, and beating down his mind to the level of his destination. But it is not necessary to suppose that persons in general, who are found in the class above described, have to go through the same process of reasoning, and then of killing their reason, in order to arrive at this condition. Such indeed must have been the origin of the business in the first instance; but afterwards, the greater part are *born* in this element of apathy; they are surrounded all their lives by no other examples but beings of this sort; and they never have a thought or a wish beyond their present situation. Their only object is to banish all thought and stifle every wish; and whether they perish under the walls of an alehouse, or in a king's ship, or on the king's gallows, is to them a matter of perfect indifference.

Such is the deplorable condition of a numerous class of beings whom monarchs and ministers must recognize as their fellow-creatures; and if they are called more *vitious* than their rulers, it is because we have perverted the meaning of the word. But I am not finding fault with *men* of any particular description whatever. In this drama of human misery, in which so many distorted characters are acted, our moral faculties are warped and fitted to the part assigned us; and we perform it without scruple or enquiry. The judge upon the bench is scarcely more to blame, than the stupid

felon he condemns. The oppreſſors and the oppreſſed, of every denomination, are in general, juſt as wicked and juſt as abſurd as the ſyſtem of government requires. In mercy to them all, let the ſyſtem be changed, let ſociety be reſtored, and human nature retrieved.

Thoſe who compoſe the middle claſſes of mankind, the claſſes in which the ſemblance of nature moſt reſides, are called upon to perform this talk. It is true that, as reaſon is ſlow in returning to the mind from which it has been ſo fatally baniſhed, it will require ſome time to bring the men, who now fill the two extremes in the wretched ſcale of rank, to a proper view of their new ſtation of citizens. Minds that have long been cruſhed under the weight of privilege and pride, or of miſery and diſpair, are equally diſtant from all rational ideas of the dignity of man. But even theſe claſſes may be brought back by degrees to be uſeful members of the ſtate; and there would ſoon be no individual, but would find himſelf happier from the change. Place government on the wiſdom of the whole people, and they will always have wiſdom enough to conduct it.

Second, under this natural organization of the ſtate, ſhould there remain a ſmall number of improvident men, unable to perform the duties of active citizens, there would be many reaſons for excuſing them from any part of the public burthen. It is probable that very few inſtances would be found, where the inability did not ariſe from mental or bodily defects; in which caſe, their claim on ſociety for ſupport, would take place of any claim that ſociety could have upon them for the payment of a tax. In addition to theſe, we may ſuppoſe a few others, who, from

accidental losses, or other misfortunes to which separate property is liable, might be unable to answer the demand of the collector; these the government would naturally excuse. If, after these, there should remain another class, who, wantonly regardless of their own happiness and of their social duties, should be found without the means of payment, (which is a supposition I admit only for the sake of argument) the loss to the state would be very trifling in omitting to collect from them. It would bear no comparison to the infinite mischiefs that proceed from the system of disguise.

As to the other point of objection, arising from the unreasonable *selfishness* of some sorts of people, which makes it difficult to come at their money by any direct application to their persons, it deserves a farther consideration. But to give it a full discussion would lead to a new range of speculation into human nature, extending to a length which I fear would be disproportionate to the limits assigned to this chapter. I cannot be satisfied with the common opinions we have entertained in regard to the effect that *property* would naturally have upon the human mind. I say *naturally*, not in contradiction to the *social* state, but in contradiction to the *unnatural* state, in which government, founded on conquest or accident, has hitherto placed mankind. A natural state of society, or a nation organized as human reason would dictate, for the purpose of supplying the greatest quantity of our physical wants, with the corresponding improvement of our moral faculties, has never yet been thoroughly tried. It must be confessed therefore that the opinions we have formed of the human heart stand a chance of being eroneous; as they have been formed under the disguise of im-

preſſions which do not belong to its nature. The picture of man could not have been fairly drawn while he ſat with a veil upon his face. Theſe facts being premiſed, if we wiſh to come at his genuine character, the hiſtory of his actions muſt be received with particular caution; as but little reliance can be had upon their teſtimoney. The labyrinths of error in which he has been forced to wander, the deluſive tapers with which he has been conducted, and the load of abuſes under which he has had to ſtruggle, muſt have dimmed his underſtanding and debaſed his moral powers, to a degree that cannot yet be accurately known. He riſes into light, aſtoniſhed at what he is, aſhamed at what he has been, and unable to conjecture at what he may arrive.

Some general traits, however, may be diſcovered in his character, and recognized as the genuine ſtamp of nature. Among theſe may be reckoned a certain deſire in every individual of obtaining the good opinion of his fellow-creatures.—Some degree of diſtinction, at leaſt ſo far as to acquire an individuality of character among his equals, and merit their reſpect and confidence, is doubtleſs natural to man; and whatever, in a true ſenſe, is natural, is, in the ſame ſenſe, laudable. A man, without the artificial aid that ſociety gives him, has but two reſources on which he can rely for obtaining this reſpect; theſe are his *phyſical* and his *moral powers*. By the cultivation of one or both of theſe, he renders himſelf uſeful, and merits the diſtinction that he wiſhes. Property, which is called, perhaps with ſufficient accuracy, the creature of ſociety, is ſecured to individuals, only for their private benefit; or at moſt as a pledge of their attachment to the community, by

which it is guaranteed. It is not expected, on the true principles of society, that an individual should dispose of any part of his own property to the benefit of the public. So much of it as the public requires in contributions, is demanded as a right; it belongs to the state by the nature of the social contract, in return for the guarantee of the rest. It cannot be intended therefore that this should be the way in which a man should use his property, to procure to himself respect; neither is it so in fact. The reliance he has upon it, for the purpose of respect, is founded on a different principle. Except such proportion as is necessary in supplying his personal wants, the possessor makes use of his property as a sign, or as a substitute, for personal merit. Indeed so far as his property is the fruit of his own exertions, it is not an unnatural indication of abilities; and even where it has descended to him from his ancestors, it is not a more unreasonable ground of pretension, than hereditary titles of any other description.

On this principle, it is easy to trace the beginnings of a deviation from a rational estimate of things, in our attachment to property. A government which had been founded in violence, and was to be carried on for the exclusive benefit of a small proportion of the community, must have been under the necessity, at all times, of supporting itself by imposition. This circumstance goes at once to the discouragement and the disuse of the *moral powers* of individuals; as they must cease to be cultivated, the moment they cease to be respected. As the nation, at the same time, grew more numerous, and the success of war and other great operations were found to depend less on *bodi-*

ly ſtrength, this too began to loſe its eſtimation, and could no longer be relied on, as a title to reſpect. A natural reſource therefore, by which to eſcape from theſe unnatural reſtrictions, was found in a veneration for external and fallacious ſigns of merit, appropriated to individuals. This was the origin of all hereditary titles of honour; and it muſt likewiſe have been the origin, at leaſt in a great meaſure, of our exceſſive attachment to property.

There is another point of view in which this theory may be placed, that will ſhow it to be ſtill more probable. In the ſame proportion as this veneration for property offered a reſource to individuals, on their giving up the natural right of cultivating their perſonal talents, it alſo became a neceſſary engine in the hands of the government. It is eaſy to perceive, that, in a ſyſtem where every thing depends on hereditary rank, the perſon placed at the head ought always to be entitled to the greateſt ſhare of reſpect. And where ſhould a king ſeek for this, but in exterior pomp? Neither wiſdom nor ſtrength can be made hereditary, but titles and property may. It was abſolutely requiſite that thoſe qualities, in which the king might be rivalled or ſurpaſſed by his ſubjects, ſhould be brought into diſrepute; and that all mankind ſhould fix their admiration on thoſe in which he could excel. Governments of this kind are ſure to be adminiſtered in ſuch a manner, that the king ſhall always be the richeſt man in the nation; and they generally go farther, and make other men rich in proportion to their ſervility to him. It is thus that the order of nature is inverted, and names are ſubſtitued for things. The ſimple uſes of *property* are converted into the ſplen-

did magnificence of *wealth*. This becomes the great and almoſt univerſal object of human ambition; it excites the gaze and veneration of all claſſes of men. Individuals are really not to be blamed, nor their judgment to be called in queſtion, for this manner of eſtimating things. Exterior pomp is, in fact, more uſeful to them, than perſonal qualifications. It indeed often takes place of all the ſolid enjoyments of life; and it never can be ſtrange that it ſhould do ſo, as long as it procures that reſpect, the deſire of which is doubtleſs among the ſtrongeſt paſſions of our nature. We never hear of a man committing ſuicide for the want of bread, but it is often done for the want of a coach.

Such is the paſſion, and ſuch, I believe, is the *origin* of the inordinate paſſion for property, in the preſent ſtate of manners. The greater part of rational men agree that theſe things are wrong; they agree that the general taſte and ſentiments of mankind, on this ſubject, are eroneous; and they wiſh they could be changed. The only point in which I differ from theſe men in opinion is, that I have no doubt but theſe things *will* be changed. I think we diſcern the radical cauſe of the evil; I think that cauſe will ſoon be removed; and the remedy will inevitably follow; becauſe it is nothing more than a ſimple operation of nature, recovering herſelf from reſtraint. I am not preaching a moral lecture on the uſe of riches, or the duty of charity; I am endeavouring to point out the means by which the neceſſity for ſuch lectures may be ſuperceded. A duty that runs contrary to habit, is hard to be enforced, either by perſuaſion or by law. Rectify our habits, and our duties will rarely be omitted.

Good men in all civilized nations, have taken unwearied pains, and given themſelves real grief of heart, in cenſuring the vices and recommending the duties of mankind, relative to the uſe and abuſe of property. Their labours have doubtleſs done ſome good; for we may readily conceive that the quantity of miſery in the world is not ſo great as it might have been without them. But theſe men have not penetrated to the root of the evil; or rather, they have overlooked it; and the remedies they have propoſed have always been partial, unpromiſing, and without ſucceſs. They lay the blame to the natural propenſities of the human heart, and call upon individuals for reformation. Whereas, the fault lies not ſo deep, nor is the cure to be looked from individuals, even with reſpect to themſelves. Habit is the ape of nature; it aſſumes her appearance, and palms its vices upon her. And as the univerſal habit with reſpect to the ſubject now in queſtion has ariſen out of unnatural and degrading ſyſtems of government, a reformation can be expected, only from referring back to nature for a change of thoſe ſyſtems; and there is no doubt but this remedy will be effectual.

Eſtabliſh government univerſally on the individual wiſhes and collected wiſdom of the people, and it will give a ſpring to the moral faculties of every human creature; becauſe every human creature muſt find an intereſt in its welfare. It muſt afford an ample ſubject for contemplation and exertion; which cannot fail to give a perpetual improvement to the mind, and elevate the man to a more exalted view of himſelf, as an active member of that ſocial ſtate, where virtue has a ſcope for expanſion, and merit is ſure to be rewarded.

Being thus reſtored to nature, every thing is eaſy and progreſſive; the individual looks to himſelf for his title to reſpect, the moment he becomes habituated to believe and know that this is the only title that will anſwer his purpoſe. The idea of relying on the glare of exterior pomp, whether it be of wealth or hereditary rank, muſt be regarded as what it really is in fact, the effort of a weak mind to cover its own weakneſs. Such efforts being reſented by the people, as attempts to impoſe upon their underſtanding, they muſt fall into diſrepute and be laid aſide. They cannot be uſeful, they cannot be kept in countenance, in a ſociety founded on the baſis of human reaſon.

It is difficult to conceive to what an extent this circumſtance would operate on the character of the human mind, with reſpect to its attachment to property. If the preſent ſyſtems of government are unnatural, I am convinced that this part of the human character is unnatural; and a change in the former muſt produce a change in the latter. One of the uſes of property, that of procuring reſpect would be entirely cut off. And it muſt be conſidered that this is the uſe that has generally had the moſt powerful effect upon the mind; becauſe it is immoderate and unbounded. It is well known that rivals in the diſplay of wealth are among the moſt jealous rivals in the world; and that there is uſually no limit to the deſires of a man on this ſubject, when they once paſs the limit of his real or expected wants.

One ſimple fact, with reſpect to the French nation, is almoſt ſufficient of itſelf to ſupport the opinion I here advance. But I thought it neceſſary, before adducing that fact, to recur to theoretical principles; in order to ſhew that both the

fact and the opinion are founded in nature, and therefore may be trusted, so far as they go, as the foundation of a practical system. It is well known that the national character of that people within four years has undergone almost a total change, with regard to the estimation of exterior marks of distinction, of every kind. What is called rank, arising from hereditary titles, had formerly as great an influence in the country, as at court; it was held as sacred in the most sequestered walks of life, where actions obey the impulses of the heart, as in the most brilliant assembly, where they are regulated by a Master of Ceremonies. It is impossible for wealth itself in any nation to be more respected than titles were in France among all classes and descriptions of people. Their veneration for king was proverbial through the world; and this was only a sample of their universal respect for every thing that bore the name of hereditary tokens of rank. Their adoration of these distinctions could scarcely be considered as the effect of habit; it had so far wound itself into the native character and soul of a Frenchman, that it could not be distinguished from an element of his nature. But the change of government, like a chymical analysis, has separated the dross of habit from the gold of nature; it has melted off the courtier and shewed us the man.

This is not all. *The brilliance of wealth* has likewise in that country lost its former value; it being no longer considered, either by the proprietors or by others, as capable of commanding respect. I know it will be said, in answer to this, That it is owing to a temporary circumstance; that the great body of the people, who have taken the government into their own hands, are envious

towards the rich, and are aiming to reduce all men to a level in regard to property. The plaineſt reply to this aſſertion which has often been repeated is, *that it is not true.* No people ever ſhewed a more ſacred regard to private property than the French have uniformly done, during the whole revolution. And, as if to put calumny to the bluſh, and baffle all theories of ſophiſtry againſt a popular reclamotion of rights, this regard to private property has been in proportion to the irregularity of their movements, and the opportunity for pillage. It is to be wiſhed that governments themſelves would learn a leſſon of honour from theſe examples of anarchy inſtead of employing venal writers to abuſe them.

It cannot be denied, that in all other parts of Europe there are two diſtinct purpoſes to which property is applied—a reſource againſt phyſical wants, and a reſource for perſonal reſpect. It cannot be denied, that in France it has already ceaſed, in a great meaſure, to anſwer the laſt of theſe purpoſes, The cauſe of this is perfectly natural, and I have no doubt that it muſt be permanent. The ſame effect will be produced in other countries, by placing the government on the ſolid baſis of reaſon, inſtead of propping it up on the tottering foot-ſtool of impoſition.

I am aware that my argument is ſtill expoſed to one objection, from thoſe readers who are acquainted with the preſent ſtate of ſociety in *America.* It will be ſaid, that the people of the United States manifeſt a great attatchment to property, conſidered as *wealth*, and merely for the purpoſe of parade; that, though their government is American, their manners are European. To this I reply, in the firſt place, that the charge is true

only in a limited ſenſe. The influence of riches in that country, even on the minds of thoſe who poſſeſs them, is by no means ſo great as it is in Europe. But this anſwer will not be completely ſatisfactory to the objector, neither is it ſo to me. We muſt acknowledge the fact to exiſt, at leaſt in a conſiderable degree, and endeavour to ſearch out the cauſe. The people of that country have been always accuſtomed to borrow their maxims, as well as their manners, from the various nations of Europe, from which they emigrated; in the trading towns, many of the preſent inhabitants are really Europeans, having been in the country but a ſhort time; and emigration is perpetually ſupplying all parts of the States with new adventures; faſhions, and a taſte for expenſive modes of living, are imported with other merchandiſe. In the article of public ſalaries, the governments themſelves have been too much guided by European ideas; which ſuppoſe it neceſſary that public officers ſhould envelope themſelves in pomp and ſplendor, in order to inſpire a veneration for the laws. For though ſalaries in general were fixed at the revolution on a ſcale ſo low as to bear little proportion to what was common in Europe, and though in ſome inſtances they have been ſince reduced, yet they are ſtill ſo high as to bear little proportion to what they ought to be. Theſe things have a great effect on the general maxims of life in that country. But theſe things can never apply to Europe: and, on a change of government and manners in the old world, they will ceaſe to apply to the new.

The Americans cannot be ſaid as yet to have formed a national character. The political part of their revolution, aſide from the military, was

not of that violent and convulsive nature that shakes the whole fabric of human opinions, and enables men to decide which are to be retained as congenial to their situation, and which should be rejected as the offspring of unnatural connections. Happily, the weight of oppression there had never been so great, nor of so long a duration, as to have distorted in any extravagant degree the moral features of man. He recognized himself as the same being, under the new system as the old; for the change of form had not been so perceptible as to require a great change of principle. Under these circumstances, the people continued most of their ancient maxims, though they were a mixture of foreign and domestic; and, as habit is a coin current in all countries, it is not surprising that whatever had received the stamp of authority in polished nations of Europe, should be adopted without scruple by the offspring of those nations in America.

The circumstance of their not being invested with what is called national character, though hitherto a subject of regret, will in future be much in their favour. The public mind being open to receive impressions from abroad, they will be able to profit by the practical lessons which will now be afforded them from the change of system in this quarter of the world. It will be found there, as it is now found in France, that the display of wealth will cease to be challenged as an emblem or substitute for personal talents; and it will be coveted every where, in a less degree than at present; as it will fail to gratify the passion for respect. It may be farther remarked, that this is not the only circumstance in which the state of society in America will be essentially benefited by a change of manners in Europe.

But it must be confessed, after all, that this is a theory to which it is hard to gain proselytes; especially among that class of men, whose knowledge of the world has taught them a caution which shuns the allurements of audacious speculation. And, since it must be referred to experience, to that I trust the argument. I profess nothing more in this work, than to contemplate the *effects* that a general revolution will produce on the affairs of nations. But in contemplating these, it is essential that we should be apprised of the corresponding change that will necessarily be wrought on the character of man; in order that, being prepared for the event, he may think of such arrangements as shall be likely to prevent his relapsing into the errors which have cost him so much misery.

A chapter which treats on the system of abuses so generally adopted in *raising* a revenue, can scarcely be closed with satisfaction to the reader, without some reflections on the corresponding abuses which are found in the *application*. I shall say nothing of high salaries, civil list, peace establishment, and the other enormities on which privileged orders and senseless places depend. These will so soon fall, with the wretched plans of government they support, that it really seems like an ungenerous triumph, to wish to hasten their fate. When the business of government shall be conducted, like other business, on the principles of common sense, it will be paid for, like other business, in proportion to the service performed. And unless this proportion be strictly observed in the payment, these principles will not long be observed in the service. But our observations in this place, on the application of revenue, will

chiefly be confined to the ſubject of Public Debts. This ſubject becomes more important at this time, not merely on account of the preſent magnitude of thoſe debts in moſt of the ſtates of Europe, but as relative to the principle on which they are contracted and ſupported. Should this principle be found to be dangerous to liberty, and ſuitable only to a vicious form of government, it will furniſh matter of deep reflection to a nation that wiſhes to eſtabliſh its affairs on the baſis of reaſon and nature.

Here we muſt take a review of that mode of anticipation, which is common to moſt of the modern governments of Europe, and known by the name of the *funding ſyſtem*. This invention (for ſo the art of funding is ſometimes called) has received from the hands of different writers, a conſiderable degree of cenſure, as well as much unqualified and injudicious praiſe. Indeed, when conſidered with reference to its wide ſweep of attending circumſtances, it preſents itſelf to the mind under a variety of aſpects, and forms altogether a ſtupendous object of meditation; having produced effects that have far ſurpaſſed the limits of previous calculation or belief. In politics and war, it has changed the face of Europe. With regard to other concerns, both of nations and individuals, its effects have been various, contradictory, deluſive, and incapable of accurate eſtimation. It has aſtoniſhingly multiplied the force and activity of trade; but it has increaſed in an equal degree the quantity of uſeleſs and deſtructive ſpeculation. It has converted commerce into a weapon of war; and it has made of that tremendous calamity an alluring inſtrument of commerce. It has brought theſe two occupations, ſo

extremely oppoſite in their nature, to a cordial coalition and mutual ſupport; and thus by the aid of both, it facilitates every project of ambition in the government; till it familiariſes the public mind to a ſerious acquieſcence in a paradox, which muſt have excited the ridicule of any age accuſtomed only to common calculation, That the more a nation is debilitated and exhauſted, the more ſplendid and powerful it grows. Indeed the ſyſtem is replete with ſo much apparent good, attended with its ſolid weight of evils, that we may be thought to incur the guilt of partiality or inattention, ſhould we fail to qualify our cenſure with ſome degree of approbation.

But the queſtion, Whether the ſyſtem of funding ought to be admitted in all its latitude, can be decided only by ſtriking the balance of good and evil in the effects that it muſt from its nature produce. And I think, on conſidering the ſubject as relative to a free republic, the balance will be found much more on the ſide of the evil, than it is when applied to the old plans of government.

The benefits, to be derived from the ſyſtem, are of two kinds;—*commercial*, as it facilitates the buſineſs of individuals, and *political*, as it aids the government in the great operations of war. It is well known, or it is univerſally believed, that the public debt in England, being funded on the baſis of mortgaging the national revenue for its intereſt, has created a prodigious maſs of capital in the hands of trade. By furniſhing men with a kind of ſtock, which they are ſure of turning into money at any moment they chooſe, it enables them to vary their operations with ſuch facility, as to ſeize many advantages in domeſtic and foreign markets, which muſt otherwiſe paſs without effect. It is in a great

meaſure to this circumſtance, that many perſons (perhaps without a due conſideration of cauſes) have attributed the flouriſhing ſtate of commerce in this kingdom. Indeed, ſince it is found that commerce has increaſed with the augmentation of taxes, the argument in favour of unlimited funding has become ſo ſeducing, that the paradox has ariſen almoſt to a ſoleciſm; it is ſaid that public inſolvency is public wealth, and the national debt is itſelf a nationl benefit.

The advantages of a *political* nature, which are derived from the principle of funding, conſiſt in eſtabliſhing ſuch an unqueſtionable credit, that the government can at all times borrow, without the means or the intention, or even the promiſe of payment. This credit anſwers all the purpoſe of an inexhauſtible treaſury, on which the government may draw at any moment, and to any amount. It is eaſy to conceive the immenſe facility thus given to the meaſures of adminiſtration. It enables them to begin, on the ſhorteſt notice and with the greateſt ſecrecy, the moſt expenſive operations, and then to purſue them to any extent; and this without conſulting the wiſhes of the nation. It precludes the neceſſity of accumulating a national treaſure by previous taxation and œconomy; a meaſure which muſt always be attended with the diſadvantage of loſing the uſe of the money, from the time it is hoarded, until it is expended. It likewiſe avoids the neceſſity of another operation no leſs to be dreaded by officers of government in general; I mean a ſudden augmentation of taxes, by which the people ſhould be called upon to ſupport the expences of the year, within the year. A meaſure which, if not ſometimes impoſſible, would often be hazardous to the repu-

tation of miniſters, and to the ſucceſs of extraordinary enterpriſes.

Such is the general ſummary of the advantages derived from the Funding Syſtem; and this opens to our view the train of evils with which they are contraſted. Theſe I fear will be too numerous to be particularly noticed, and too great to be readily conceived. In the hands of an adminiſtration, I will not ſay *corrupt*, but an adminiſtration whoſe intereſt is in any meaſure different from that of the nation at large, this ſyſtem is the moſt dangerous inſtrument that can be imagined: as it is an inſtrument of incalculable force, and may be always wielded without oppoſition. This from the nature of the ſubject muſt be the caſe; becauſe the expences of any projected enterpriſe being charged on poſterity, the party moſt intereſted in making the oppoſition, is not in being at the time, and cannot be heard in its remonſtrance. Thus, in the buſineſs of war, which is the principal object in the funding ſyſtem, it enables governments to hire men to ſlaughter each other with more than their own ſwords. They wring out of the hard earnings of future generations the means of deſtroying the preſent. Here is a double violence which the generation, that goes to war by the aid of funding, commits on the age that is to follow. It precludes the exiſtence of one part of ſociety, by deſtroying thoſe who ſhould have been their progenitors; and it charges the portion of poſterity, that eſcapes into exiſtence, with the expences of killing the fellows of their anceſtors. And theſe expences they muſt pay under the cruel diſadvantages of being deprived of half their natural reſources, by a diminution of their natural numbers.

As military operations are now conducted, every man killed or deſtroyed in war, coſts to the nation upwards of a thouſand pounds ſterling. This calculation is taken from a view of the laſt war in which England was engaged. The nation expended in that war, as ſtated by Sir John Sinclair,* ſomething more than 139 millions. No financier has calculated with any accuracy *the number of lives* that it coſt on the part of Great Britain, in battles, hoſpitals, and priſons; probably it did not exceed 139 thouſand. So that the people of this country are now conſoling themſelves for the loſs of their friends and relations, by paying for their execution at the rate of a thouſand pounds a head. Other jobs performed in ſuch a wholeſale manner are generally charged at a cheaper rate; but this is more expenſive than the buſineſs of a like nature, which is done in the formality of detail, at the Old Bailey and Newgate.

It requires but a ſlight obſervation on the character of the times in different ages, to ſhow that the object of war, and the ſpirit with which it is conducted, have been altogether different, within the preſent century, from what they were in more remote periods of modern hiſtory. In the maritime nations of Europe, the object of war has changed from religion to commerce; from a point of honour among kings, to a point of profit among merchants, miniſters and generals. Theſe ſubjects have nothing in their nature ſufficiently animating to rouſe the enthuſiaſm of a whole nation to ſuch a degree, as to render it ſafe for the projector of a war to apply to the people for their immediate ſupport. Therefore, to find the means

*Hiſt. of the Revenue, Part III. page 95.

of carrying it on, they resort to a principle congenial to the object of the war; and it becomes supported, as it is projected, in the spirit of commerce. But, as all offensive wars, in every possible circumstance, can only be maintained by deceiving the people, the government in this case recurs to a commercial deception, and induces them to undertake the burthen, on condition that the weight of it be shifted off to a future period. Such is the origin of funding; and it has evidently risen out of the necessity that governments were under, of changing the principle of deception, in order to conform to the spirit of the times.

As an engine of state, the funding system has completely taken place of religious enthusiasm; and mankind have been hurried on to their own destruction by the former, within the two last ages, with as little prudence and as much delusion, as they were by the latter, in the twelfth century. Indeed, I see no reason why a genuine crusade could not have been undertaken, even by the government of Great Britain within the last fifty years, and carried on to any extent, by the aid of the funding system. For the principle of the system is such as to prevent men from enquiring into the object of the war; as every inducement to such enquiry is almost completely taken away, with respect to every class of society. One class, by the previous operation of the same system in the increase of taxes, are rendered so wretched in their domestic condition, that they are glad to engage as soldiers in any cause, for the sake of the pay, so pitifully small as the pay of a soldier is; another class, and one that has great influence on the public opinion, is composed of generals, contractors, ministers and secretaries, with all their

dependants, who are sure to make a profitable job of any war, however it be conducted, and whatever be its object; another class consists of idle speculators in the funds, whose chance of gain increases with the jostling of public affairs, and especially with the augmentation of the debt; while the rest of the community, who cannot be rendered active by the allurements of private profit, are rendered passive by deferring the payment of the loss.

From the time when the predatory spirit, which led the northern Barbarians to ravage the south of Europe, had subsided, and given place to its natural offspring, in the establishment of feudal monarchy, the history of this quarter of the world begins to assume a consistent shape; and it offers itself to our contemplation, as relative to the spirit of nations, under three successive aspects. These are the spirit of hierarchy, the spirit of chivalry, and the spirit of commerce. Out of these different materials the genius of the government has forged instruments of oppression almost equally destructive. It has never failed to cloud the minds of the nation with some kind of superstition, conformable to the temper of the times. In one age it is the superstition of religion, in another the superstition of honour, in another the superstition of public credit.

The deplorable use that has been made of the last of these, during the present century in England, and for a much longer period in some other governments, has induced many persons to regret that the spirit of commerce has ever become predominant over that of chivalry and that of the church. They see a contracted meanness in the one, which ill compares with the open enthusiasm

of the other two. But before we find fault with what ſeems to be the order of nature in theſe events, we ought to conſider the effects that it has and will produce, in the progreſs of ſociety and morals. Chivalry and hierachy taught us to believe that all men who did not pay homage to the ſame monarch, or uſe the ſame mode of worſhip with ourſelves, were our natural enemies, and ought to be extirpated. The ſpirit of commerce has brought us acquainted with thoſe people; we find them to be like other men, and that they are really uſeful to us in ſupplying our wants. As their exiſtence and their proſperity are found to be advantageous to us in a commercial point of view, we ceaſe to regard them as enemies; and refuſe to go and kill them, unleſs we are hired to do it. But as commerce may deal in human ſlaughter as well as in other things, when ever the government will offer us more money for deſtroying our neighbours than we can get by other buſineſs, we are ready to make enemies of our beſt friends, and to go to war, as we go to market, on a calculation of profit.

This is the true ſpirit of commerce, as relative to war. But as this ſpirit has made us better acquainted with all foreign nations, and with ourſelves, it has excited a diſpoſition for enquiry into the moral relations of men, with a view to political happineſs. The reſult of this enquiry is now beginning to appear. It has already convinced us that there can be no poſſible caſe in which one nation can be the *natural* enemy of another; and this leads us to diſcover the cauſe why they have been *factitious* enemies. The whole is found to be a fatal deception perpetually impoſed upon each nation by its own government, for the private be-

nefit of its adminiſtrators. The ſame ſpirit of enquiry is now leading the people to change the form of their governments, that ſociety may be reſtored to its proper foundation, the general happineſs of the great community of men.

On examining the ſucceſſion of principles which mark the character of the times through theſe different periods, it appears that, when the ſpirit of commerce had become predominant, the only engine of ſtate, which could be relied upon to excite the people to war, was the eſtabliſhment of a national credit by funding the national debts. And we ſhould not be wide from the truth in aſſerting, that to the funding ſyſtem alone the principal commercial nations of Europe are to attribute the wars of the preſent century, as well as the enormous debts under which they have learned to ſtruggle.

Such have been the effects of funding, under the old forms of governments; and having aſcertained the principles on which it has operated in producing theſe effects, we ſhall be better able to determine whether it be admiſſible in the policy of a free republic. In this great criſis of human affairs, it behoves mankind to probe the wounds of nature to the bottom, and remove every excreſcence which might prevent a perfect cure.

Men of contemplative minds, as well as thoſe of practical knowledge, have now become ſo generally agreed in the neceſſity of the funding ſyſtem, that, though they diſcern the evils to which it muſt expoſe a nation, I fear it is one of the laſt of their eſtabliſhed maxims that they will be willing to ſubject to the ſeverity of diſcuſſion. The univerſal opinion is that a ſtate cannot exiſt without a national credit; unleſs it put itſelf to the

disadvantage of hoarding up money, and keeping a treasure in reserve. And this latter measure, besides the inconvenience above-mentioned, of losing the use of the capital while it lies inactive, would throw into the hands of the executive government, the same dangerous power which is entrusted to them by the means of credit. In this respect their reasoning is just; and perhaps a full treasury would be the greatest evil of the two.

But after all, what is the advantage of a national credit? I mean in the sense in which it is generally understood, the facility of raising a capital on long annuities, by a mortgage of revenue. Shall we not find on an investigation of this very simple question, that the advantage derived from such a credit (even supposing it never to be abused) can only be applicable to the old systems of government? Will it not appear that it is an advantage totally unnecessary to a rational and manly administration, conducted by the wishes of a free and enlightened people? I am supposing, and it is but fair to suppose, that such a people will always understand their own interest. Or, at least, if they make a mistake, it will be the mistake of the nation, not of the ministers; they will never suffer an enterprise to be undertaken, but what is agreeable to the majority of the active citizens. This people will never engage in any offensive war. Indeed, as soon as the surrounding nations adopt the same change of government, the business of war will be forgotten; but in the interval, previous to this event, a real republic cannot stand in need of funds, as a preparative for war, unless it be invaded. It is even safer without funds; because they might be a temptation to the officers of government to counteract the spirit of

the republic. In case such a people be really attacked by an enemy, then it is that the force of society may be seen and calculated. But the calculation does not turn on the cabinet-rules of royal arithmetic; the power of the republic for the purpose of defence does not depend on a national credit, in the sense above-mentioned, or the facility of borrowing money; the government, in making up its estimate of resistance, never asks, How many soldiers have we in pay? And how many recruits can we inlist or impress?—But of how many men does the nation consist? Armies start into being by a spontaneous impulse; every citizen feels the cause to be his own, and presents his person, or his provisions and his arms, not as an offering to a tyrannical master, of whose intentions he would be suspicious, but as a defence of his own family and property. The enemy being repulsed, whatever inequalities may be found to have arisen in this emulous contribution, are liquidated and settled on a general scale of justice.

Even supposing the war to be of long continuance, and to require sums of money beyond the voluntary contributions, and beyond the power of prudent taxation for the time; (which indeed, in a wealthy and well-regulated republic, would be an extraordinary thing, and I believe never would occur) in such a case, the justice of the cause, and the natural magnanimity which habitual freedom inspires, would be a sufficient guarantee for loans, at home or abroad. It is true in nature, and the truth must prove itself beyond contradiction to the world, as soon as it shall have opportunity to judge, that a great people accustomed to exercise their rights, would never violate their duties.

Injuſtice may be expected from governments founded in uſurpation; it is their natural character, the tenure on which they hold their authority. They never can be juſt, unleſs the deviate from their principle. What is called their *penal juſtice*, as well as their *pecuniary juſtice*, is only the fruit of their fears; and ought to be regarded only as an evidence of their conſtitutional weakneſs. As every thing they do, muſt be done by the force of money, it is neceſſary that they ſhould eſtabliſh a character for mercantile punctuality, to ſerve as a ſubſtitue for the quality of juſtice, which quality the nature of their exiſtence denies them. The reverſe of this is the caſe with governments founded in reaſon and nature, where all the people have an active intereſt. Juſtice there is the firſt article in the ſocial compact; and as neither policy nor principle can ever admit of a deviation from this, the event is not to be expected.

This is the kind of national credit that is proper for a free republic. It is involved in the natnre of their ſyſtem, and ſpurns thoſe extraneous aids which artificial credits have required. I ſhould conſider it as a circumſtance dangereus to the progreſs of ſociety, if the new republics, which are to riſe out of the ruins of theſe antiquated maſſes of error, ſhould retain the two great principles of finance, on which much of that error has been ſupported. To raiſe the revenue by *diſguiſing the taxes*, and to force a public credit by *dint of funding*, have been equally neceſſary to the ancient ſyſtem; and it appears to me that they would be equally deſtructive to the new.

How the national debts that now exiſt in ſeveral countries, are to be diſpoſed of, under a change of government, is indeed a queſtion of ſerious

magnitude. Probably that of France will be nearly extinguiſhed by the ſale of the national domains. That of Spain, and thoſe of moſt other catholic countries, may be balanced in the ſame way. In ſome proteſtant nations, where the debts and the domains have loſt their relative proportion, the caſe will be widely different. But, whatever may be the fate of the debts, I am as clear that they ought not, as I am that they will not, impede the progreſs of liberty.

E N D.

A

LETTER

TO THE

NATIONAL CONVENTION

OF

FRANCE,

On the defects in the Conſtitution of 1791, *and the extent of the amendments which ought to be applied.*

LONDON, *September* 16, 1792.

GENTLEMEN,

THE time is at laſt arrived, when the people of France, by reſorting to their own proper dignity, feel themſelves at liberty to exerciſe their embarraſſed reaſon, in eſtabliſhing an equal government. The preſent criſis in your affairs, marked by the aſſembling of a National Convention, bears nearly the ſame relation to the laſt four years of your hiſtory, as your whole revolution bears to the great accumulated maſs of modern improvement. Compared therefore with all that is paſt, it is perhaps the moſt intereſting portion of the moſt important period that Europe has hitherto ſeen.

Under this impreſſion, and with the deepeſt ſenſe of the magnitude of the ſubject which is to engage your attention, I take a liberty which no ſlight motives could warrant in a ſtranger, the liberty of offering a few obſervations on the buſineſs that lies before you. Could I ſuppoſe however, that any apology were neceſſary for this intruſion, I ſhould not rely upon the one here mentioned. But my intentions require no apology; I demand to be heard, as a right. Your cauſe is that of human nature at large; you are the repreſentatives of mankind; and though I am not literally one of your conſtituents, yet I muſt be bound by your decrees. My happineſs will be ſeriouſly affected by your deliberations; and in them I have an intereſt which nothing can deſtroy. I not only conſider all mankind as forming but one great family, and therefore bound by a natural ſympathy to regard each other's happineſs as making part of their own; but I contemplate the French nation at this moment as ſtanding in the place of the whole. You have ſtepped forward with a gigantic ſtride to an enterprize which involves the intereſt of every ſurrounding nation; and what you began as juſtice to yourſelves, you are called upon to finiſh as a duty to the human race.

I believe no man cheriſhes a greater veneration, than I have uniformly done, for the National Aſſembly who framed the conſtitution, which I now preſume your conſtituents expect you to reviſe. Perhaps the merits of that body of men will never be properly appreciated. The greateſt part of their exertions were neceſſarily ſpent on objects which cannot be deſcribed; and which from their nature can make no figure in hiſtory. The enormous weight of abuſes they had to overturn, the

quantity of prejudice with which their functions called then to contend, as well in their own minds as in thoſe of all the European world, the open oppoſition of intereſts, the ſecret weapons of corruption, and the unbridled fury of deſpairing faction—theſe are ſubjects which eſcape our common obſervation, when we contemplate the labors of that Aſſembly. But the legacy they have left to their country in their deliberative capacity will remain a laſting monument to their praiſe; and though while ſearching out the defective parts of their work, without loſing ſight of the difficulties under which it was formed, we may find more occaſion to admire its wiſdom, than to murmur at its faults; yet this conſideration ought not to deter us from the attempt.

The great leading principle, on which their conſtitution was meant to be founded, is *the equality of rights.* This principle being laid down with ſuch clearneſs, and aſſerted with ſo much dignity in the beginning of the code, it is ſtrange that men of clear underſtandings ſhould fail to be charmed with the beauty of the ſyſtem which nature muſt have taught them to build on that foundation. It ſhows a diſpoſition to counteract the analogy of nature, to ſee them at one moment, impreſſing this indelible principle on our minds, and with the next breath declaring, That France ſhall remain a monarchy,—that it ſhall have a king, hereditary, inviolable, clothed with all the executive, and much of the legiſlative power, commander in chief of all the national force by land and ſea, having the initiative of war, and the power of concluding peace;—and above all, to hear them declare that, "The nation will provide for the ſplendour of the throne," granting in their

legiſlative capacity to that throne more than a million ſterling a year, from the national purſe, beſides the rents of eſtates which are ſaid to amount to half as much more.

We muſt be aſtoniſhed at the paradoxical organization of the minds of men who could ſee no diſcordance in theſe ideas. They begin with the open ſimplicity of a rational republic, and immediately plunge into all the labyrinths of royalty; and a great part of the conſtitutional code is a practical attempt to reconcile theſe two diſcordant theories. It is a perpetual conflict between principle and precedent,—between the manly truths of nature, which we all muſt feel, and the learned ſubtilties of ſtateſmen, about which we have been taught to reaſon.

In reviewing the hiſtory of human opinions, it is an unpleaſant conſideration to remark how ſlow the mind has always been in ſeizing the moſt intereſting truths; although, when diſcovered, they appear to have been the moſt obvious. This remark is no where verified with more circumſtances of regret, than in the progreſs of your ideas in France relative to the inutility of the kingly office. It was not enough that you took your firſt ſtand upon the high ground of natural right; where, enlightened by the ſun of reaſon, you might have ſeen the coulds of prejudice roll far beneath your feet—it was not enough that you began by conſidering royalty, with its well-known ſcourges, as being the cauſe of all your evils,—that the kings of modern Europe are the authors of war and miſery, that their mutual intercourſe is a commerce of human ſlaughter,—that public debts and private oppreſſions, with all the degrading vices that tarniſh the face of nature, had

their origin in that ſpecies of government which offers a premium for wickedneſs, and teaches the few to trample on the many ;—it was not enough that you ſaw the means of a regeneration of mankind in the ſyſtem of equal rights, and that in a wealthy and powerful nation you poſſeſſed the advantage of reducing that ſyſtem to immediate practice, as an example to the world and a conſolation to human nature. All theſe arguments, with a variety of others which your republican orators placed in the ſtrongeſt point of light, were inſufficient to raiſe the public mind to a proper view of the ſubject.

It ſeems that ſome of your own philoſophers had previouſly taught, that royalty was neceſſary to a great nation. Monteſquieu, among his whimſical maxims about laws and government, had informed the world that a limited monarchy was the beſt poſſible ſyſtem, and that a democracy could never flouriſh, but in a ſmall tract of country. How many of your legiſlators believed in this doctrine, how many acted from temporiſing motives, wiſhing to baniſh royalty by ſlow degrees, and how many were led by principles leſs pardonable than either, it is impoſſible to determine. Certain it is, that republican ideas gained no ground upon the monarchial in your conſtituent aſſembly, during the laſt ſix months of their deliberations. It is likewiſe certain that the majority of that aſſembly took much pains to prevent the people from diſcovering the cheat of royalty, and to continue their ancient veneration, at leaſt for a while, in favour of certain principles in government which reaſon could not approve.

It is remarkable that all the perfidy of your king, at the time of his flight, ſhould have had ſo

little effect in opening the eyes of ſo enlightened a people as the French. His flight, and the inſulting declaration which he left behind him, were ſufficient not only to give the lie to the fiction, with which common ſenſe has always been put to the bluſh, and to which your aſſembly had attempted to give a ſanction, *that kings can do no wrong*, but they were ſufficient to ſhow, at leaſt to all who would open their eyes, that the buſineſs of government required no ſuch officer. There is no period during your revolution, if there is any to be found in the hiſtory of France, when buſineſs went on with more alacrity and good order, than during the ſuſpenſion of the royal functions in the interval from the time that the king was brought back to the capital in June, till the completion of the conſtitution in September. Every thing went right in the kingdom, except within the walls of the aſſembly. A majority of that body was determined to make an experiment of a limited monarchy. The experiment has been made. Its duration has indeed been ſhort, being leſs than eleven months; but, although in ſome reſpects it has been almoſt as fatal to the cauſe of liberty as any ſyſtem could have been within the time, yet in other reſpects it has done more good than all the reaſonings of all the philoſophers of the age could have done in a much longer time: it has taught them a new doctrine, which no experience can ſhake, and which reaſon muſt confirm, *that kings can do no good*. So that, if the queſtion were now to be agitated by the people of France, as it may be by you in their behalf, whether they will have a king or not, I ſhould ſuppoſe the following would be the ſtate of the calculation: A certain quantity of evils are to be expected from the regal office; and

theſe evils are of of two claſſes, *certain* and *probable*. The *certain* evils are, 1. The million and a half ſterling a year drawn from the people to "ſupport the ſplendour of the throne;" 2. A great variety of enormous ſalaries paid to miniſters at home, to ambaſſadors abroad, and to biſhops in the church; while the only buſineſs of theſe men and their ſalaries is to ſupport the fiction, that kings can do no wrong. It will always coſt more to ſupport this fiction, than it would to ſupport the whole national government without it. 3. The worſt of all the certain evils is, that a great part of the million and a half will be ſpent in bribery and corruption among the members of the legiſlature, to increaſe the power of the throne, and the means of oppreſſion. If the money, after it is extorted from the people, could be thrown into the ſea, inſtead of being paid to the king and his ſatellites, the evil would be trifling; in that caſe the wickedneſs would ceaſe with the firſt act of injuſtice; while in this it multiplies the weapons of deſtruction againſt themſelves. It creates a perpetual ſcrambling for power, rewards knavery in the higher ranks, encourages falſehood in others, and corrupts the morals of the whole. This it is that debaſes and vilifies the general maſs of mankind, and brings upon them the inſulting remarks of many men, who even wiſh them well, *that the people are unfit for liberty*.

Among the *probable* evils reſulting from the kingly office, the principal one, and indeed the only one that need to be mentioned, is the chance of its being held by a *weak or a wicked man*.—When the office is hereditary, it is ſcarcely to be expected but that this ſhould always be the caſe. Conſidering the birth and education of princes,

the change of finding one with practical common ſenſe is hardly to be reckoned among poſſible events; nor is the probability leſs ſtrong againſt their having virtue. The temptations to wickedneſs ariſing from their ſituation are too powerful to be reſiſted. The perſuaſive arts of all their flatterers, the companions of their youth, the miniſters of their pleaſures, and every perſon with whom they ever converſe, are neceſſarily employed to induce them to increaſe their revenue, by oppreſſing the people, whom they are taught from their cradle to conſider as beaſts of burthen. And what muſt almoſt inſure the triumph of wickedneſs is their tempers, is the idea that they act totally and forever without reſtraint. This is an allurement to vice that even men of ſenſe could ſcarcely reſiſt. Impreſs it on the mind of any man that he *can do no wrong*, and he will ſoon convince you of your miſtake.

Take this general ſummary of the evils ariſing from hereditary monarchy, under any reſtrictions that can be propoſed, and place it on one ſide of the account,—and ſtate, on the other ſide, the truth which I believe no man of reflection will hereafter call in queſtion, *that kings can do no good*, and the friends of liberty will no longer be in doubt which way you will decide the queſtion relative to that part of your conſtitution.

I cannot feel eaſy in diſmiſſing this part of my ſubject, without offering ſome remarks on that general vauge idea which has long been floating about in the world, that a people under certain circumſtances are unfit for liberty. You know in what inſulting language this obſervation has been perpetually applied to the French during the courſe of the revolution. Some have ſaid that they

were too *ignorant* to form a government of their own, others that they were too *poor*, others that they were too *numerous*, and others that they were too *vitious*. I will not descend to the examination of the particular parts of this charge, nor of the whole as applied to the French, or to any other particular people; I will only remark on the general observation, as applicable to any possible nation existing in a state of nature. By a state of nature I mean a state of peace; where the intention is, as a nation, to live by industry at home, not by plunder from abroad.

I think Montesquieu has said, that virtue must be the foundation of a republican government. His book is not now by me, or I would try to discover what he means by virtue. If he means those moral habits by which men are disposed to mutual justice and benevolence, which is the common idea of virtue, it cannot be the foundation of a republican government, or of any government. These qualities require no restraints: the more general their influence should be among any people, the less force would be necessary in their government; and could we suppose a nation in which they should exist in a perfect degree, that nation would require no government at all. It is the vices, not the virtues of men which are the objects of restraint, and the foundation of government. The expression of the general will, operating on the mind of an individual, serves with him as a substitute for virtue. This general will may always be expressed by a nation in any possible circumstances; and, if the nation be in a state of nature, this expression will always be *moral virtue*, according to their ideas of the word; and it will

always *tend* to moral virtue, in the moſt extenſive ſenſe in which we have yet been able to define it.

It has been ſaid, that man differs from man, as much as man from beaſt; it is ſaid alſo to be fit, that the wiſe and virtuous ſhould make laws for the ignorant and vitious. It is not to my purpoſe to call in queſtion the firſt of theſe aſſertions; but the ſecond, plauſible as it is, I muſt totally deny; at leaſt in the ſenſe in which it is generally underſtood. That ſome men in the ſame ſociety ſhould be wiſer and better than others, is very natural; and it is as natural, that the people ſhould chooſe ſuch to repreſent them in the formation of laws. But in this caſe the laws originate from the people at large, ignorant and vitious as they are; and the repreſentatives are only the organs by which their will is declared. This is not the ſenſe in which the aſſertion is intended. It is meant, that if kings were always wiſe and good, or if a band of nobles were always wiſe and good, it would be beſt that they ſhould be the hereditary legiſlators. This is the ſenſe in which I deny the aſſertion, becauſe it is contrary to the analogy of nature. It being a ſubject on which we cannot look for experience, we muſt reaſon only from analogy; and it appears extremely evident to me, that, were a ſucceſſion of the wiſeſt and beſt men that ever have, or ever will be known, to be perpetuated in any country as independent legiſlators for the people, the happineſs and government of the nation would be greatly injured by it. I am confident that any people, whether virtuous or vitious, wiſe or ignorant, numerous or few, rich or poor, are the beſt judges of their own wants relative to the reſtraint of laws, and would always ſupply thoſe wants better than they could be ſupplied by others.

In expreſſing theſe ideas on the peace and happineſs to be expected from a free republic, I have been often accuſed of holding too favourable an opinion of human nature. But it appears to me, that the queſtion, whether men, on any given portion of the earth, are able to make their own laws, does not depend in the leaſt on their moral character. It has no relation to their ſtate of improvement or their ſtate of morals. The only previous enquiry is, What is the object to be aimed at in the government? If it be the good of the whole community, the whole can beſt know the means of purſuing it; if it be to exalt a few men at the expence of all the reſt, the deciſion, perhaps, may take a different turn.

A republic of beavers or of monkies, I believe, could not be benefited by receiving their laws from men, any more than men could be in being governed by them. If the Algerines or the Hindoos were to ſhake off the yoke of deſpotiſm, and adopt ideas of equal liberty, they would that moment be in a condition to frame a better government for themſelves, than could be framed for them by the moſt learned ſtateſmen in the world. If the great Mr. Locke, with all his wiſdom and goodneſs, were to attempt the taſk, he would probably ſucceed as ill as he did in his conſtitution for the colony of South-Carolina.

Colonies have always been teazed and tormented more or leſs (and probably always will be as long as colonies ſhall exiſt) by the overweening wiſdom of the mother-country, in making their laws and conſtitutions. This is often done without any wiſh to tyrannize, and ſometimes with the beſt intentions to promote the good of the people. The misfortune more frequently

lies in the legiſlator's not knowing the wants and wiſhes of the people, than in any wanton deſire to counteract them. The ſure and only characteriſtic of a good law is, *that it be the perfect expreſſion of the will of the nation*; its excellence is preciſely in proportion to the univerſality and freedom of conſent. And this definition remains the ſame, whatever be the character of the nation, or the object of the law. Every man, as an individual, has a will of his own, and a manner of expreſſing it. In forming theſe individuals into ſociety, it is neceſſary to form their wills into a government; and in doing this, we have only to find the eaſieſt and cleareſt mode of expreſſing their wills in a national manner. And no poſſible diſadvantages relative to their ſtate of morals or civilization can render this a difficult taſk.

I have gone into theſe arguments, not merely to prove that the *French* are fit for liberty, who are certainly at this moment the moſt enlightened nation in Europe, but to ſhow that the calumny contained in the contrary aſſertion need not be repeated againſt any other nation, who ſhould make the like exertions, and whoſe pretenſions, in this reſpect, might appear more queſtionable in the eye of faſhionable remark.

But it will be ſaid, I am too late with all theſe obſervations on the neceſſity of proſcribing royalty from your conſtitution. The cauſe is already judged in the minds of the whole people of France; and their wiſhes will ſurely be the rule of your conduct. I ſuppoſe that, without being reminded of your duty by a ſtranger, one of your firſt reſolutions would be, to declare a republic, to fix a national anathema on every veſtige of regal power, and endeavour to wipe out from the hu-

man character the ſtain which it received, with its veneration for kings and hereditary claims. But it requires much reflection to be well aware to what extent this duty ſhould carry you. There are many vices in your conſtitution, which though not opparently connected with the king, had their origin in regal ideas. To purify the whole code from theſe vices, and to purge human nature from their effects, it will be neceſſary to reſort to many principles which appear not to have ſtruck the minds of the firſt aſſembly.

You will permit me to hint at ſome of the great outlines of what may be expected from you, under the peculiar advantages with which you meet to form a glorious republic. Although many of my ideas may be perfectly ſuperfluous, being the ſame as will occur to every member of your body, yet it is poſſible that ſome of them may ſtrike the mind in a new point of light, and lead to reflections which would not riſe from any other quarter. Should this be the caſe in the ſmalleſt degree it ought to be conſidered, both by you and me, as an ample reward for our pains, in writing and in reading this letter.

On conſidering the ſubject of government, when the mind is once ſet looſe from the ſhackles of royalty, it finds itſelf in a new world. It riſes to a more extenſive view of every circumſtance of the ſocial ſtate. Human nature aſſumes a new and more elevated ſhape, and diſplays many moral features, which, from having been always diſguiſed, were not known to exiſt. In this caſe, it is a long time before we acquire a habit of tracing effects to their proper cauſes, and of applying the eaſy and ſimple remedy to thoſe vices of our nature which ſociety requires us to reſtrain.

This, I apprehend, is the source of by far the greatest difficulties with which you have to contend. We are so much used, in government, to the most complicated systems, as being necessary to support those impositions, without which it has been supposed impossible for men to be governed, that it is an unusual task to conceive of the simplicity to which the business of government may be reduced, and to which it must be reduced, if we would have it answer the purpose of promoting happiness.

After proscribing royalty, with all its appendages, I suppose it will not be thought necessary in France to support any other errors and superstitions of a similar complection; but that undisguised reason in all things will be preferred to the cloak of imposition. Should this be the case, you will conceive it no longer necessary to maintain a *national church*. This establishment is so manifestly an imposition upon the judgment of mankind, that the constituent assembly must have considered it in that light. It is one of those monarchial ideas, which pay us the wretched compliment of supposing that we are not capable of being governed by our own reason. To suppose that the people of France are to learn the mode of worshipping God from the decrees of the council of Trente, is certainly as absurd as it would be to appeal to such a council to learn how to breathe, or to open their eyes. Neither is it true, as is argued by the advocates of this part of your constitution, that the preference there given to one mode of worship by the payment of the catholic priests, from the national purse, to the exclusion of others, was founded on the idea of the property supposed to have been possessed by that church,

and which by the assembly was declared to be thenceforward the property of the nation.

The church, in this sense of the word, signifies nothing but a *mode of worship*; and to prove that a mode can be the proprietor of lands, requires a subtilty of logic that I shall not attempt to refute. The fact is, the church considered as an *hierarchy*, was always necessary to the support of royalty; and your assembly, with great consistency of design, wishing to preserve something of the old fabric, preserved something of this necessary prop. But as the fabric is now overturned, the prop may be safely taken away. I am confident that monarchy and hierarchy will be buried in the same grave; and that in France they will not survive the present year.

I know that it is asserted and believed by some well-wishers to society, that religion would be lost among men, if they were to banish all legal establishments with regard to the manner of exercising it. I should not be so perfectly convinced as I am of the absurdity of this opinion, were it not easy to discover how it came to be introduced. It is an idea, as I believe, purely political; and it had its origin in the supposed necessity of governing men by fraud,—of erecting their credulity into an hierarchy, in order to sustain the despotism of the state. I hold religion to be a natural propensity of the mind, as respiration is of the lungs. If this be true, there can be no danger of its being lost: and I can see no more reason for making laws to regulate the impression of Deity upon the soul, than there would be, to regulate the action of light upon the eye, or of air upon the lungs. I should presume therefore, that, on stripping this subject of all the false covering which une-

qual governments have thrown upon it, you will make no national proviſion for the ſupport of any claſs of men, under the mock pretence of maintaining the worſhip of God. But you will leave every part of the community to nominate and pay their own miniſters in their own way. The mode of worſhip which they will thus maintain, will be the moſt conducive to good order, becauſe it will be that in which the people will believe.

Much has been ſaid, ſince the beginning of your revolution, on the difference between the buſineſs of framing conſtitutions, and that of ordinary legiſlation. Indeed I am afraid that either too much or too little has been inculcated on this ſubject; becauſe it appears to me, that the doctrine now received is not that which the ſubject would naturally ſuggeſt. It teaches us to conſider thoſe laws that are called *conſtitutions*, in a light ſo ſacred, as to ſavour too much of the old leaven of veneration for precedent; and every degree of ſuch veneration is ſo much taken from the chance of improvement. To ſuppoſe that our predeceſſors were wiſer than ourſelves is not an extraordinary thing, though the opinion may be ill-founded; but to ſuppoſe that they can have left us a better ſyſtem of political regulations than we can make for ourſelves, is to aſcribe to them a degree of diſcernment to which our own bears no compariſon; it ſuppoſes them to have known our condidition by prophecy better than we know it by experience.

There was not only a degree of arrogance in your firſt aſſembly, in ſuppoſing that they had framed a conſtitution, which for a number of years would require no amendment; but they betrayed a great degree of weakneſs in imagining

that the ridiculous barriers with which they fenced it round would be sufficient to restrain the powerful weight of opinion, and prevent the people from exercising the irresistible right of innovation, whenever experience should discover the defects of the system. It is partly to these barriers, as well as to the inherent vices of the constitution, that we are to attribute the late insurrections in Paris. If we would trace the causes of popular commotions, we should always find them to have originated in a previous unjust restraint.

I would not however be understood to mean that there should be no distinction between the constitutional code, and other occasional laws. There is room for a considerable difference, both as to the mode of expressing them, and as to the formalities proper to be observed in repealing or amending them. I will offer some remarks on a plan for amendments towards the close of my letter. With regard to the general complection of the code, it ought to be as simply expressed and easy to be understood as possible; for it ought to serve not only as a guide to the legislative body, but as a political grammar to all the citizens. The greatest service to be expected from it is, that it should concentrate the maxims, and form the habits of thinking, for the whole community. For this purpose, it is not sufficient that it be purified from every vestige of monarchy, and hierarchy, with all the impositions and inequalities which have sprung insensibly from these ideas; but it should contemplate the whole circle of human propensities, and cut off the temptations and opportunities for degenerating into those evils which have so long afflicted mankind, and from which we are now but beginning to arise.

After laying down the great fundamental principle *that all men are equal in their rights*, it ought to be the invariable object of the social compact to insure the exercise of that equality, by rendering them as equal in all sorts of enjoyments, as can possibly be consistent with good order, industry, and the reward of merit. Every individual ought to be rendered as *independent* of every other individual as possible; and at the same time as *dependent* as possible on the whole community. On this undeniable maxim, I think the following positions ought to be founded and guaranteed in the constitutional code:

First, The only basis of representation in the government should be *population*; territory and property, though absurdly stated by your first assembly as making part of the basis of representation, have no interest in it. Property, in itself, conveys no right to the possessor, but the right of enjoying it. To say that it has the right of claiming for itself the protection of society, is absurd; because it is already protected, or it would not be property. It is the *person*, not the property, that exercises the will, and is capable of enjoying happiness; it is therefore the person, for whom government is instituted, and by whom its functions are performed. The reason why property has been considered as conveying additional rights to the possessor in matters of government, is the same as has blinded the understandings of men relative to the whole order of nature in society. It is one of those appendages of monarchy and oligarchy, which teaches that the object of government is to increase the splendour of the few, and the misfortunes of the many. And every step that such governments take has a tendency to

counteract the equality of rights, by deſtroying the equality of enjoyments.

Second, If you take population as the only baſis of repreſentation in the departments, the next ſtep will be, to declare every independent man to be an active citizen. By an independent man, I mean every man whom the laws do not place under the control of another, by reaſon of nonage or domeſticity. The laws of France, in my opinion, have always placed the period of majority by ſeveral years too late; that is, later than nature has placed it. This however, was of little conſequence in a political view, as long as the government remained deſpotic; but now, when the rights of man are reſtored, and government is built on that foundation, it is of conſequence to encreaſe as far as poſſible the number of active citizens. And for this purpoſe I ſhould ſuppoſe the period of majority ought to be placed at leaſt as early as the age of twenty years. To make this change in France would be attended with many advantages. It would increaſe the ſtock of knowledge, and of induſtry, by inſpiring young men with early ideas of independence, and the neceſſity of providing for themſelves by ſome uſeful employment: it would be a great inducement to early marriages, and, by that means, increaſe population, and encourage purity of morals.

I am likewiſe fully convinced that the aſſembly was wrong in ſuppoſing that a ſtate of domeſticity ought to deprive a man of the rights of a freeman. This is a relick of thoſe ideas which the ancient government has inſpired. Where a ſervant is abſolutely dependent on the caprice of a maſter for his place, and conſequently for his bread, there is indeed much force in the argument, that he can

have no political will of his own; and will give his suffrage as directed by the master. But when every man shall be absolutely free to follow any profession, every kind of useful industry being equally encouraged and rewarded; and especially when every man shall be well instructed in his duties and his rights, which will certainly be the consequence of the system you have now begun,—such arguments will fall to the ground with the system which they support. The servant and his master, though not equal in property or in talents, may be perfectly so in freedom and in virtue. Wherever the servant is more dependent on the master, than the master on the servant, there is something wrong in the government. The same remarks I believe may be repeated, with little variation, in the case of insolvent debtors, another class of men disfranchised by the first assembly.

Third, The manner in which citizenship may be acquired or lost, is a subject which ought to be considered by you; as your predecessors have left in it some room for improvement. Their regulation was indeed a liberal one, compared with what other governments have done; but not so, when compared with what the subject required. I am confident that when society shall be placed on the right footing, the citizens of any one state will consider those or any other state as their brothers and fellow citizens of the world; and in this case, when those who are called foreigners come to settle among them, a mere declaration of their intention of residence will be sufficient to entitle them to all the rights which the natives possess. I was anxious that the French should set the example in this species of liberality, as they have done in

so many other good things; and I still believe that on reviewing the subject, you will do it.

But according to your constitution there are many ways in which the rights of citizens may be lost, for one of which I can see no reason; it is naturalization in a foreign country. This is so manifestly illiberal and unjust, that I am almost sure it will be altered. It is an old feudal idea of allegiance; and goes upon the supposition that fidelity to one country is incompatible with our duty to another. When a citizen of one state is complimented with the freedom of another, it is generally an acknowledgment of his merit; but your constituent assembly considered it as an object of punishment. Many of your citizens have been naturalized in America; but the American governments certainly did not foresee that this act of theirs would disfranchise those gentlemen at home. You have lately conferred the rights of a French citizen on George Washington. If he should accept the honour you have thus done him, and the American constitution were in this respect the same as your own, he must immediately be turned out of office, and for ever disfranchised at home.

Fourth, You will doubtless consider the important subject of the *frequency of popular elections*, as claiming a farther deliberation. It is an article on which too much reflection cannot be bestowed. It influences the habits of the people and the spirit of the government in a variety of ways, that escape our common observation. I mentioned before, that one of the first objects of society is to render every individual perfectly dependent on the whole community. The more completely this object is attained, the more perfect will be the equality of enjoyments and the happiness of the state. But

of all individuals, thoſe who are ſelected to be the organs of the people, in making and in executing the laws, ſhould feel this dependence in the ſtrongeſt degree. The eaſieſt and moſt natural method of effecting this purpoſe is, to oblige them to recur frequently to the authors of their official exiſtence, to depoſit their powers, mingle with their fellows, and wait the deciſion of the ſame ſovereign will which created them at firſt, to know whether they are again to be truſted.

There are doubtleſs ſome limits to this frequency of election, beyond which it would be hurtful to paſs; as every ſubject has a medium between two vitious extremes. But I know of no office, in any department of ſtate, that need to be held for more than one year, without a new election. Moſt men, who give in to this idea with reſpect to the legiſlative, are accuſtomed to make an exception with regard to the executive, and particularly with regard to that part which is called the judiciary. I am aware of all the arguments that are uſually brought in ſupport of theſe exceptions; but they appear to me of little weight, in compariſon to thoſe in favour of univerſal annual elections. Power always was, and always muſt be, a dangerous thing. I mean, power collected from the great maſs of ſociety, and delegated to a few hands; for it is only in this ſenſe that it can properly be called power. The phyſical forces of all the individuals of a great nation cannot be brought to act at once upon a ſingle object; and the ſame may be ſaid of their moral forces. It is neceſſary therefore that the exerciſe of theſe ſhould always be performed by delegation; the moral in legiſlation, the phyſical in execution. This is the proper definition of national power; and in this ſenſe

it is neceſſarily dangerous; becauſe ſtrictly ſpeaking, it is not exerciſed by thoſe whoſe property it is, and for whoſe good it is intended to operate. It is in the nature of this kind of truſt to invert in ſome meaſure the order of things; it apparently ſets the ſervant above the maſter, and diſpoſes him to feel a kind of independence which ought never to be felt by any citizen, particularly one who is charged with a public function.

It has ever been the tendency of government to divide the ſociety into two parties,—the governors and the governed. The miſchiefs ariſing from this are almoſt infinite. It not only diſpoſes each party to view the other with an eye of jealouſy and diſtruſt, which ſoon riſe to acts of ſecret or open enmity, but it effectually corrupts the morals of both parties, and deſtroys the vital principles of ſociety; it makes government the trade of the few, ſubmiſſion the drudgery of the many, and falſehood the common artifice of the whole. To prevent this, I would have no man placed in a poſition in which he can call himſelf governor, for a moment longer than while he performs the duties of his truſt to the ſatisfaction of his fellow citizens, nor even then, but for a ſhort period. He ſhould feel at all times as though he were ſoon to change places with any one of his neighbours, whom he now ſees ſubmiſſive to his authority.

But to anſwer this purpoſe, the frequent return of elections is not of itſelf ſufficient. I am fully of the opinion, that with regard to all diſcretionary officers, there ought to be an excluſion by rotation. Thoſe functions that are purely miniſterial, ſuch as thoſe of ſheriffs, conſtables, clerks of courts, regiſters, &c. perhaps may form exceptions; but legiſlators, executive counſellors, judges

and magiſtrates of every deſcription, ſhould not only feel their dependence on the people by an annual election, but ſhould frequently mingle with them by an excluſion from office. The effect of this would be, not what is often aſſerted, that no one would underſtand government, but the contrary, that every one would underſtand it. This would form a prodigious ſtimulus to the acquiſition of knowledge among all deſcriptions of men, in all parts of the country. Every man of ordinary ability would be not only capable of watching over his own rights, but of exerciſing any of the functions by which the public ſafety is ſecured. For whatever there is in the art of government, whether legiſlative or executive, above the capacity of the ordinary claſs of what are called well informed men, is ſuperfluous and deſtructive, and ought to be laid aſide. The man who is called a *politician*, according to the practical ſenſe of the word in modern Europe, exerciſes an office infinitely more deſtructive to ſociety than that of a highwayman. The ſame may be ſaid, in general, of the *financier*; whoſe art and myſtery, on the funding ſyſtem of the preſent century, conſiſts in making calculations to enable governments to hire mankind to butcher each other, by drawing bills on poſterity for the payment.

I would therefore ſuggeſt the propriety of your reviewing the article of biennial elections, as inſtituted by your firſt aſſembly, and of your making them annual; and the ſame term, if not the ſame manner of election, ought to extend to all executive officers, whoſe functions are in any manner diſcretionary. I think it would likewiſe be eſſential, that no office of this deſcription ſhould be held by one man, more than two years

in any term of four years. This would send into the departments, and into every part of the empire, at frequent periods, some thousands of men with practical knowledge of public business; it would at least be the means of doubling the number of such well-instructed men; and, by holding out the inducement to others to qualify themselves to merit the confidence of their fellow citizens, it would multiply the number of men of theoretical knowledge, at least ten fold. All these men will be watchful guardians of the public safety. But these are not all the advantages of frequent elections. They habituate the people to the *business* of election, and enable them to carry it on with order and regularity, like their daily labour; they habituate the candidates to be gratified with the public confidence, or to be disappointed in the expectation of obtaining it; so that their success or disappointment ceases to make that deep impression on their minds, which it otherwise would do. It is thus that you would cut off an infinite source of that intrigue and corruption, which are foretold with so much horror by those who have not well studied the effects of a well organized popular government. But another method, not less effectual, to prevent the arts of scrambling for power and places, will be hinted at in the following article.

Fifth, Among the fatal misconceptions of things which monarchy has entailed upon us, and which are extremely difficult to eradicate from the mind, must be reckoned that prevalent opinion, that all governments should gratify their agents with *enormous salaries*. This idea has usually been more particularly applied in favour of the executive officers of government and their dependants; and it

had its origin in the antecedent principles, that government divides the people into two diſtinct claſſes, and that the ſame quantity of buſineſs, coming within the verge of one of theſe claſſes, muſt be paid for at a higher price than it would be, within that of the other; though it ſhould be performed by the ſame man, and required the ſame exertion of talents. Your conſtitution is ſilent as to the quantity of ſalary that ſhall be paid to any particular officer; it only ſays that "the nation ſhall provide for the ſplendour of the throne," (which indeed is a declaration of war againſt the liberties of the people) but the authors of that conſtitution, in their legiſlative capacity, after providing for that ſplendour with a ſum ſufficient to purchaſe the majority of almoſt any corps of ſeven hundred legiſlators, went on to provide for the ſplendour of the miniſters. They gave to one, if my memory does not deceive me, one hundred and fifty thouſand livres, and one hundred thouſand to each of the reſt. This on an average is about three times more than ought to have been given, unleſs the object were to carry on the government by intriguing for places.

I mention this article, not on the ſcore of œconomy. That conſideration, however weighty it may appear, is one of the leaſt that can ſtrike the mind on the ſubject of public ſalaries. The evil of paying too much is pregnant with a thouſand miſchiefs. It is almoſt ſufficient of itſelf to defeat all the advantages to be expected from the inſtitution of an equal government. The general rule to be adopted in this caſe, (which perhaps is all that can be ſaid of it in the conſtitution) appears to me this, *That ſo much, and no more, ſhall be given for the performance of any public function,*

as ſhall be ſufficient to induce ſuch men to undertake it whoſe abilities are equal to the taſk. If this rule were ſtrictly obſerved, it is rational to conclude, that there would be no more contention or intrigue among candidates to obtain places in the government, than there is among manufacturers, to find a market for their goods. This concluſion becomes more probably juſt, when we conſider that your intention is to cut off from the ſervants of the public all hopes of obtaining the public money by any indirect and fraudulent meaſures. When there ſhall be no more civil liſt, or livre rouge, no more miniſterial patronage in church or ſtate, no more ſale of juſtice or purchaſe of oppreſſion, or any kind of perquiſite of office, but the candidate ſhall be aſſured, that all the money he ſhall receive, will be the ſimple ſum promiſed by the legiſlature, that ſum being no more than the work is honeſtly worth, he will accept or relinquiſh the moſt important truſt, as he would an ordinary occupation.

This ſingle circumſtance of ſalaries, being wiſely guarded on every ſide, would, in the courſe of its operation, almoſt change the moral face of government. It would ſilence all the clamours againſt the republican principle, and anſwer many of the faſhionable calumnies againſt the character of the human heart.

There is another queſtionable opinion now extant, even in republican countries; which, as it has made ſome figure in France, and is connected with the ſubject of ſalaries, I will mention in this place. It is ſuppoſed to be neceſſary, for the energy of government, that its officers ſhould aſſume a kind of external pomp and ſplendour, in order to dazzle the eye, and inſpire the public

mind with a veneration for their authority. As this pomp cannot be supported without some expence, the supposed necessity for assuming it is always offered as a reason for high salaries; and, allowing the first position to be true, the consequence is certainly reasonable and just. If we are to be governed only by deception, it is right that we should pay for this deception. But the whole argument is wrong; that is, if we allow monarchy and hierarchy to be wrong; it is a badge of that kind of government which is directly the reverse of republican principles, or the government of reason. I do not deny, that this official pomp has in a great measure the effect which is intended from it; it imposes on the unthinking part of mankind, and has a tendency to secure their obedience. This effect, however, is not so great as that of simplicity, and the native dignity of reason would be; but on the moral habits of society, its operation is more pernicious than at first view we are ready to imagine. So far as the people are caught by the imposition, it leads them to wrong ideas of themselves, of their officers, and of the real authority of laws. This is a fatal deviation from the true design of government; for its principal object certainly ought to be, to rectify our opinions, and improve our morals.

For my own part, when I see a man in private life assuming an external splendour, for the sake of gaining attention, I cannot but feel it an insult offered to my understanding; because it is saying to me, that I have not discernment enough to distinguish his merit, without this kind of *ecce signum*. And when an officer of government exhibits himself in the foppery of a puppet, and is drawn by six or eight horses, where two would be really

more convenient to himself, I am grieved at the insult offered to the nation, and at their stupidity in not perceiving it. For the language of the mummery is simply this, That the officer cannot rely upon his own personal dignity as a title to respect, nor the laws be trusted to their own justice, to insure their execution. It is a full acknowledgment on his part, that the government is bad, and that he is obliged to dazzle the eyes of the people, to prevent their discovering the cheat. When a set of judges on the bench take the pains to shroud their heads and shoulders in a fleece of horse-hair, in order to resemble the bird of wisdom, it raises a strong suspicion, that they mean to palm upon us the emblem for the reality.

It is essential to the character of a free republic, that every thing should be reduced to the standard of reason; that men and laws should depend on their own intrinsic merit, and that no shadow of deception should ever be offered to the people; as it cannot fail to corrupt them, and pave the way to oppression. I make these remarks, not that they will form an article proper to enter into your constitution, but to remove every appearance of argument in favour of high salaries. And I think the constitution ought to contain a general declaration, *that every public salary should be restricted to a sum not more than sufficient to reward the officer for his labour*; which sum must, of course, be left to be fixed by the legislature.

Sixth, There appears to me to be an error of doctrine in France, with respect to the relation which ought to subsist between the representative, and his immediate constituents. It is said, that when a representative is once chosen, and sent to the assembly, he is no longer to be considered as

repreſenting the people of the particular department which ſent him, but of the nation at large; and therefore, during the term for which he is choſen, he is not accountable to the people who choſe him, but is to be controuled, removed or ſuſpended, only by the national aſſembly. This appears to have been eſtabliſhed, in order to get rid of a contrary doctrine, which was found to be inconvenient; which was, that a delegate ſhould be bound at all times to follow the *inſtructions* of his conſtituents; as thereby all the advantages to be expected from diſcuſſion and deliberation would be loſt. If the firſt of theſe be an error, as I believe it is, it may be eaſily avoided, without running into the laſt. When the delegate receives inſtructions, which prove to be contrary to the opinion which he afterwards forms, he ought to preſume that his conſtituents, not having had the advantage of hearing the national diſcuſſion, are not well informed on the ſubject, and his duty is to vote according to his conſcience. It is to be ſuppoſed that, for his own ſake, he will explain to them his motives; but if for this, or any other circumſtance, they ſhould be diſſatisfied with his conduct, they have an undoubted right at any time to recal him, and nominate another in his place. This will tend to maintain a proper relation between the repreſentative and the people, and a due dependence of the former upon the latter. Beſides, when a man has loſt the confidence of his fellow-citizens of the department, he is no longer their repreſentative; and when he ceaſes to be theirs, he cannot in any ſenſe be the repreſentative of the nation; ſince it is not pretended that he can derive any authority, but through his own conſtituents. This, however, cannot deprive the

assembly of its right to expel or suspend a member for any refractory conduct, which may be deemed an offence against the state.

Seventh, The article of *inviolability*, as applied to the members of the assembly, or to any other officers of the state, is worthy of re-consideration. But before it be again decided in the affirmative, you ought to take a general view of that interesting subject of *imprisonment for debt*. It is a species of civil cruelty which all modern governments have borrowed from the Roman law, which considered a debtor as a criminal, and committed the care of his punishment into the hands of the creditor, lending the public prison as an instrument of private vengeance. It is a disgrace to the wisdom of a nation, and can never be allowed in a well regulated state. If no citizen should be arrested or deprived of his liberty, for debt, there would be no need of making an exception in favour of the officers of government; and thus you would remove a distinction which must always appear unjust.

Eighth, You will scarcely think that your duty is discharged, so as to satisfy your own minds on the establishment of a constitution, from which the friends of humanity will anticipate a total regeneration of society, until you shall have given a farther declaration on the subject of penal law. All men of reflection are agreed, that punishments in modern times have lost all proportion to the crimes to which they are annexed, even on that scale of barbarous justice by which they were introduced. Few, however, have had the wisdom to discover, or the boldness to declare, the true cause of the evil; and while we remain ignorant of the cause, it is no wonder that we fail in find-

ing the remedy. In the glooms of meditation on the miſeries of civilized life, I have been almoſt led to adopt this concluſion, That ſociety itſelf is the cauſe of all crimes; and, as ſuch, it has no right to puniſh them at all. But, without indulging the ſeverity of this unqualified aſſertion, we may venture to ſay, that every puniſhment is a new crime; though it may not in all caſes be ſo great as would follow from omitting to puniſh.

There is a manifeſt difference between *puniſhment* and *correction*; the latter, among rational beings, may always be performed by inſtruction; or at moſt by ſome gentle ſpecies of reſtraint. But puniſhment, on the part of the public, ariſes from no other ſource but a jealouſy of power. It is a confeſſion of the inability of ſociety, to protect itſelf againſt an ignorant or refractory member. When there are factions in a ſtate, contending for the ſupreme command, the pains inflicted by each party are ſummary; they often precede the crime; and the factions wreak their vengeance on each other, as a prevention of expected injuries. Something very ſimilar to this is what perpetually takes place in every nation, in what is called a ſtate of tranquility and order. For government has uſually been nothing more than a regulated faction. The party which governs, and the party which reluctantly ſubmits to be governed, maintain a continual conflict; and out of that conflict proceed the crimes and the puniſhments, or, more properly ſpeaking, the puniſhments and the crimes. When we ſee the power of the nation ſeizing an individual, dragging him to a tribunal, pronouncing him worthy of death, and then going through the ſolemn formalities of execution, it is natural to aſk, what is the meaning

of all this? It certainly means, that the nation is in a ſtate of civil war; and even in that barbarous ſtage of war, when it is thought neceſſary to put all priſoners to death. In deciding the queſtion, whether a particular criminal ſhould be put to death, I never would aſk what is the nature of his offence; it has nothing to do with the queſtion; I would ſimply enquire, what is the condition of the ſociety. If it be in a ſtate of internal peace, I would ſay it was wicked and abſurd to think of inflicting ſuch puniſhment. To plead that there is a neceſſity for that deſperate remedy, proves a want of energy in the government, or of wiſdom in the nation.

When men are in a ſtate of war, with the enemy's bayonets pointed at their breaſts, or when they are in the heat of a revolution, encompaſſed by treaſon, and tormented by corruption, there is an apology for human ſlaughter; but when you have eſtabliſhed a wiſe and manly government, founded on the moral ſenſe, and invigorated by the enlightened reaſon of the people, let it not be ſullied by that timid vengeance, which belongs only to tyrants and uſurpers. I could with that your conſtitution might declare, not merely what it has already declared, that the penal code ſhall be reformed, but, that within a certain period after the return of peace, *the puniſhment of death ſhall be aboliſhed.* It ought likewiſe to enjoin it on the legiſlative body to ſoften the rigour of puniſhments in general, till they ſhall amount to little more than a tender paternal correction. Whoever will look into the human heart, and examine the order of nature in ſociety, muſt be convinced, that this is the moſt likely method of preventing the commiſſion of crimes. But,

Ninth, In order to be conſiſtent with yourſelves in removing thoſe abuſes which have laid the foundation of all offences againſt ſociety, both in crimes and puniſhments, you ought to pay a farther attention to the neceſſity of *public inſtruction*. It is your duty, as a conſtituent aſſembly to eſtabliſh a ſyſtem of government that ſhall improve the morals of mankind. In raiſing a people from ſlavery to freedom, you have called them to act on a new theatre; and it is a neceſſary part of your buſineſs, to teach them how to perform their parts. By diſcovering to a man his rights, you impoſe upon him a new ſyſtem of duties. Every Frenchman, born to liberty, muſt now claim, among the firſt of his rights, the right of being inſtructed in the manner of preſerving them. This the ſociety has no authority to refuſe; and to fail of enjoining it on the legiſlative body, as a part of its conſtant care, would be to counteract the principles of the revolution, and expoſe the whole ſyſtem to be overturned.

From what the conſtitution has already declared on this head, and from the diſpoſition of the two laſt aſſemblies, I have no doubt but conſiderable attention will be paid to it; but I wiſh in this place to recommend it to a more particular conſideration, as a ſubject connected with criminal law. It is certain that no obedience can be rationally expected from any man to a law which he does not know. It is not only unjuſt, but abſurd and even impoſſible, to enforce his obedience. It is therefore but half the buſineſs of legiſlators to make good laws; an indiſpenſable part of their duty is to ſee that every perſon in the ſtate ſhall perfectly underſtand them. The barbarous maxim of juriſprudence, *That ignorance of the law is*

no excuſe to the offender, is an inſolent apology for tyranny, and ought never to diſgrace the policy of a rational government. I think therefore it would do honour to your conſtitution, and ſerve as a ſtimulus to your legiſlature and to your magiſtrates, in the great duty of inſtruction, to declare, *That knowledge is the foundation of obedience, and that laws ſhall have no authority but where they are underſtood.*

Tenth, Since I am treating of morals, the great object of all political inſtitutions, I cannot avoid beſtowing ſome remarks on the ſubject of *public lotteries*. It is a ſhocking diſgrace to modern governments, that they are driven to this pitiful piece of knavery, to draw money from the people. But no circumſtance of this kind is ſo extraordinary, as that this policy ſhould be continued in France, ſince the revolution; and that a ſtate lottery ſhould ſtill be reckoned among the permanent ſources of revenue. It has its origin in deception; and depends for its ſupport, on raiſing and diſappointing the hopes of individuals, on perpetually agitating the mind with unreaſonable deſires of gain, on clouding the underſtanding with ſuperſtitious ideas of chance, deſtiny, and fate, on diverting the attention from regular induſtry, and promoting a univerſal ſpirit of gambling, which carries all ſorts of vices into all claſſes of people. Whatever way we look into human affairs, we ſhall ever find, that the bad organization of ſociety is the cauſe of more diſorders than could poſſibly ariſe from the natural temper of the heart. And what ſhall we ſay of a government, that avowedly ſteps forward with the inſolence of an open enemy, and creates a new vice for the ſake of loading it with a tax? What right has ſuch a government to puniſh our follies?

And who can look without diſguſt on the impious figure it makes, in holding the ſcourge in one hand, and the temptation in the other? You cannot heſitate to declare in your conſtitution, that all ſtate lotteries ſhall be for ever aboliſhed.

Eleventh, As yours is the firſt nation in the world, that has ſolemnly renounced the horrid buſineſs of conqueſt, you ought to proceed one ſtep farther and declare, that you will have no more to do with *colonies*. This is but a neceſſary conſequence of your former renunciation. For colonies are an appendage of conqueſt; and to claim a right to the one would be claiming a perpetual, or reiterated right to the other. Suppoſing your colonies were to declare independence, and ſet up a government of their own, (which your own principles and the firſt laws of nature declare they have a right to do) in that caſe, the ſame pretences which you now have to hold them under your control, would certainly juſtify you in reconquering and ſubjecting them. But it would be a mere waſte of argument, to prove that you have no *right* to retain a ſovereignty over them; and if I could bring myſelf to pay ſo ill a compliment to your juſtice, as to ſuppoſe that you could wiſh to violate a right, for the ſake of what is called *policy*, it would be eaſy to ſhow, that to maintain foreign poſſeſſions, is in all caſes as impolitic, as it is unjuſt and oppreſſive. Policy, in this reſpect, can have no other object but the advantages of trade; and it may be laid down as a univerſal poſition, that whatever ſolid advantages can flow to the mother-country from the trade of her colonies, would neceſſarily flow to her, if they were independent ſtates. The experience of mankind has not yet enabled us even to ſuppoſe a caſe, in which it

would be otherwiſe. Whatever is free and mutually advantageous in trade, would be natural, and would be carried on by each party for its own intereſt: whatever is unnatural and forced, muſt be ſecured by means that will probably leſſen the quantity of the whole; but at all events, the coſt of maintaining it will for ever exceed the profits. This is not only found to be true, from the experience of every nation which has maintained colonies abroad; but the nature of the ſubject requires that it ſhould always be the caſe. It is a theory, for the proof of which no experience could have been neceſſary; and it is to the pride of kings, and the miſtaken rapacity of governments, to the falſe glare of extended ſovereignty, and the deſire of providing predatory places for the ſycophants of courts, that we are to attribute the train of calamities which has tormented the maritime nations of Europe, in maintaining colonies for the monopoly of trade. And where are we to look for reaſon and reformation, but to France? The Engliſh and other governments, to ſupport a conſiſtency of character, and fill up the meaſure of their ſins, are faithful only to this one point, that the more they are convinced of the truth, the more obſtinate is their perſeverance in error.

I cannot but think it unneceſſary, if not impertinent, to enter into farther arguments to prove, that juſtice, policy, and the true principles of commerce, require you to ſet the example to the world, of declaring your colonies abſolutely free and independent ſtates, and of inviting them to form a government of their own. The example would ſoon be followed by other nations; if not from reaſon and from choice, at leaſt from the more imperious argument of neceſſity.

Twelfth, I cannot close my letter, without some reflections on the policy of maintaining any thing like what is called *a standing army in time of peace*, which seems to have been the intention of your first assembly. Such a force would have many fatal effects on the spirit of a republican government, without answering any good purpose that can be expected from it. According to your own principles, you will have no more to do with foreign wars, unless you are invaded; and it is probable, that the present is the last invasion that will ever be formed against France. But, be that as it may, a standing military force is the worst resource that can be found for the defence of a free republic. In this case, the strength of the army is the weakness of the nation. If the army be really strong enough to be relied on for defence, it not only imposes upon the people a vast unnecessary expence, but it must be a dangerous instrument, in the hands of dangerous men; it may furnish the means of civil wars, and of the destruction of liberty. If, on the contrary, it be not sufficient for external defence, it will only serve to disappoint the people. Being taught to believe that they have an army, they will cease to trust in their own strength, and be deceived in their expectations of safety.

But the greatest objection against a standing army is, the effect it would have on the political sentiments of the people. Every citizen ought to feel himself to be a necessary part of the great community, for every purpose to which the public interest can call him to act; he should feel the habits of a citizen and the energies of a soldier, without being exclusively destined to the functions of either. His physical and moral powers should

be kept in equal vigour; as the diſuſe of the former would be very ſoon followed by the decay of the latter. If it be wrong to truſt the legiſlative power of the ſtate for a number of years, or for life, to a ſmall number of men; it is certainly more prepoſterous to do the ſame thing with regard to military power. Where the wiſdom reſides, there ought the ſtrength to reſide, in the great body of the people; and neither the one nor other ought ever to be delegated, but for ſhort periods of time, and under ſevere reſtrictions. This is the way to preſerve a temperate and manly uſe of both; and thus, by truſting only to themſelves, the people will be ſure of a perpetual defence againſt the open force, and the ſecret intrigues of all poſſible enemies at home and abroad.

Thirteenth, After tracing the outlines of your conſtitution, according to your preſent ideas, and proclaiming it in the moſt ſolemn manner, as the foundation of law and right, it will ſtill be vain to think of reſtraining the people from making alterations and amendments, as often as experience ſhall induce them to change their opinions. The point you have to aim at in this, is to agree upon a method in which amendments can be made, without any of thoſe extraordinary exertions, which would occaſion unneceſſary inſurrections. The more eaſy and expeditious this method ſhall appear, the leſs likely it will be to provoke diſorders, and the better it will anſwer the purpoſe, provided it always refers the ſubject to the real wiſhes of the people. I would propoſe, therefore, (on the preſumption that your legiſlative body ſhall be choſen only for one year at a time) that every annual national aſſembly ſhall have power to *propoſe*, and the next ſucceeding one *adopt* and *ratify*, any

amendments that they shall think proper in the constitutional code. But it should always be done under this restriction, *that the articles to be proposed by any one assembly, should be agreed to, and published to the people in every department, within the first six months of the session of that assembly.* This would give time to the people to discuss the subject fully, and to form their opinions, previous to the time of electing their members to the next assembly. The members of the new assembly, when they should come together, would thus be competent to declare the wishes of the people on the amendments proposed, and would act upon them as they should think proper. The same power of *proposing* and then of *adopting* would be continued from year to year with perfect safety to the constitution, and with the probability of improvement.

Thus, gentlemen, I have given a hasty sketch of some leading ideas, that lay with weight upon my mind, on a subject of much importance to the interests of a considerable portion of the human race. If they should be thought of no value, they will of course occupy but little of your attention, and therefore can do no injury. If I have said any thing from which a useful reflection shall be drawn, I shall feel myself happy in having rendered some service to the most glorious cause that ever engaged the attention of mankind.

JOEL BARLOW.

A

L E T T E R

ADDRESSED

TO THE PEOPLE OF PIEDMONT,

On the advantages of the French Revolution, and the neceſſity of adopting its principles in Italy.

ADVERTISEMENT.

THIS Letter was written at Chambery in Savoy, in December 1792, at the requeſt of thoſe members of the National Convention, who were then in that country, for the purpoſe of organiſing the department of Mont Blanc. It was printed in French at Grenoble, and in Italian at Nice, and ſent from thoſe places into Piedmont, and other parts of Italy, during that winter.

It will occur to the reader of the Engliſh copy, which now appears for the firſt time in print, that the defection of Dumourier, in April 1793, the violent factions which diſtracted the Convention, and the ſubſequent civil commotions in many parts of France, occupied the attention of the republicans the remainder of that year. Their operations againſt the league of foreign enemies (which was now augmented by the addition of England, Holland, Spain, and Naples) were confined for that campaign to the defence of the frontiers; and they were thus prevented from puſhing the

extenſive advantages which they had gained the year before.

This circumſtance relieved the king of Sardinia from the deſpair in which he had been plunged. It gave him time to augment his forces and repair his fortifications. It gave him arguments againſt the French and the principles of the revolution, and thus enabled him in ſome degree to unite his people in favour of the ſyſtem of deſpotiſm to which they had been accuſtomed; for it muſt be confeſſed, that the manner in which the French affairs were conducted that year, had a ſtrong tendency to excite a diſreliſh to their cauſe in the minds of diſtant or ignorant obſervers. In addition to all theſe advantages, he received a ſubſidy from England, to enable him to defend his own dominions; by the aid of which he has ſince obtained a large body of auxiliary troops from Tirol, Milan, and Tuſcany.

Theſe unexpected events produced a remarkable change in the relative ſituation of the French and Piedmonteſe, from the cloſe of the firſt campaign to the cloſe of the ſecond. But the third is now opened with as much advantage to the French as the moſt ardent republican could expect. The troops deſtined for the invaſion of Italy this year, did not amount to more than one tenth of the military force that they now have in motion on the continent. Yet theſe have already paſſed the Alps in three different directions, and are at this time maſters of a conſiderable part of Piedmont. It is probable that this campaign will eſtabliſh the revolution in that country, but unhappily with more expence of blood than was expected from former appearances. Could the ſame force have been employed there the laſt year,

under the circumſtances that then exiſted, we may preſume it would have met but little oppoſition ; and the writer might have had the ſatiſfaction of ſeeing that his letter had produced ſome effect in promoting the cauſe of liberty and happineſs in that intereſting part of the world.

JULY 15, 1794.

☞ *The notes in this edition were not publiſhed in the former ones.*

A

LETTER, &c.

CHAMBERY, *December* 27, 1792.

CITIZENS OF PIEDMONT,

YOU occupy one of the ſtrongeſt frontiers of a country which nature ſeems to have deſtined to be the happieſt in Europe. But a number of imperious circumſtances, of which you have been rather the victims than the authors, have for many centuries inverted the order of things, and deprived you of thoſe advantages which ought to attend your ſituation. I am a ſtranger in this part of the world; Italy is known to me only from its hiſtory, and your preſent condition only from diſtant obſervation and report. It is not probable that I ſhall ever have the pleaſure of ſeeing you or any part of your country. You muſt, therefore, acquit me of entertaining any deſire to miſlead you, as I can have no poſſible intereſt in addreſſing you this letter, but the intereſt the human heart naturally takes in uttering the truth on a very important ſubject. You are my fellow-creatures; as ſuch I love you, and cheriſh the ties which ought to be mutual between us. You are in a condition which appears to me to call upon you to burſt the bands of ſlavery; in this view, I am ready to hail you as brothers, and wiſh to aid you in your work.

I preſume in the firſt place, and I think I am not deceived, that you are diſcontented with your

present situation. I believe you are convinced that you cannot be happy, as a people, while the powers of your government remain as they now are, as relative to the church, the state, and the army. If this be true, you must wish for a change; provided such change can be within your power, and provided you are convinced that it would be for your advantage. Let us examine these two points: whether you are able to effect a revolution in your government; and if you are, whether you would be benefited by it.—For it is not my wish to hurry you into measures, of which you cannot see the issue, and for which you are not prepared.

I. *Are you able to effect a revolution in your government?*

The question need never be asked of any people, when considered with reference to themselves only, without regard to their neighbours. A whole people is essentially sovereign. They can at all times do as they please with their own affairs, unless they are overpowered by surrounding nations. It is the people who support the government as it now is; and the same sovereign people can at any time change its form, and support it in whatever manner it shall please them best. The question has no difficulty in it, but when viewed with reference to the interest which other governments may have in preventing a revolution in their neighbourhood.

The enquiry, pursued in this connection, becomes more extensive; especially when applied to a country of small dimensions, and to a nation less powerful than some of its neighbours. Such is Piedmont. Had you been called upon seven years ago to look into your affairs, and take the government into your own hands, you must have considered it as a dangerous experiment. Even

ſuppoſing the weight of your ſufferings to have been as great then as they are now, and ſuppoſing you had been poſſeſſed of the ſame information which you have ſince drawn from the progreſs of liberty in Europe, it would ſcarcely have been prudent for you to have engaged in ſo daring an enterpriſe. All the tyrants in your neighbourhood would have brought forward their armies of ſlaves to cruſh the rebellion. The French court would have been, at that time, as much your enemy as the French nation is now your friend. And the houſe of Auſtria, with all the ſubdiviſions of its power in Italy, poſted at your gates, would have united with that of Bourbon, to have guaranteed your king in every poſſible extent of his oppreſſion.

Under theſe diſadvantages your ſtruggles for liberty might have been vain; they might even have produced a new injury, inſtead of relieving you from the old. But the ground is now changed; the duty you owe to yourſelves is clearly pointed out by the natural current of events; and the work you have to do, in eſtabliſhing a perfect and undiſturbed liberty, is in my opinion much eaſier than you imagine. France is at this time, not only the moſt powerful nation in Europe, but when engaged, as ſhe now is, in defence of liberty, ſhe is a match for all the other powers of Europe, when united in defence of tyranny. France is now your natural friend, the friend of all people and the enemy of all tyrants. She is indeed the only friend you have as a nation in this part of the world. France has brought liberty to your doors; and ſhe invites you, in the name of all that is dear to you as men, in the name of all that can bind you to the intereſts of human nature in general, to accept the bleſſing at her hands. She has done more; ſhe

has taught you and all other people how public happineſs is to be acquired and preſerved. She has addreſſed herſelf to the great principles of reaſon which are common to all men; ſhe has cleared away the maſs of prejudice, of falſe doctrine, of ſuperſtition in the ſcience of morals; a maſs which the complicated abuſes of tyranny, continued for many centuries, had accumulated on the human mind. She has laid down and clearly defined the rights and duties of man and of citizens, explained the great doctrine of equality, the true deſign of government, the nature of the truſt to be repoſed in public officers, as ſervants of the people, by whom they are created and by whom they are paid. She has taught you a great practical truth, which is too conſoling to be rejected, and too clear to be called in queſtion, *that you are the ſovereigns in your own country*; that you have not, that you cannot have a maſter, unleſs you chooſe to give up your reaſon, and renounce the character of men; that for any man to call himſelf your ſovereign is a blaſphemy againſt God the ſovereign of nature, and againſt men the proprietors of the earth.

Obligations of gratitude are due to the French nation from you, and from every people in Europe. She has conquered liberty for all men, and laid the foundation for univerſal public felicity. Other nations have only to build the ſuperſtructure, of which the model is given them in the conſtitution of this great republic.

But let us not amuſe ourſelves with words, nor reſt the argument on theoretical principles, however inconteſtible they may be. Let us ſpeak of facts that are paſſing before our eyes, and call to mind the events of the great year that is now draw-

ing to a close. You have seen the principal tyrants and the most formidable armies of Europe, combined and marching in the full career of promised victory against the liberties of France.—These armies after sweeping over half of Europe and famishing whole countries in their way to the French frontiers, have there been cut to pieces by a handful of freemen, and driven out of their country. Liberty has marched on the heels of the fugitives; the arch tyrant of Austria, at the head of this fatal conspiracy of kings, has lost the finest part of his dominions; many of the subaltern princes of the empire have lost the whole of theirs, and are now beggars abroad among their brother brigands, who are in expectation of the same inevitable fate. The standard of liberty has reached the borders of the Rhine by the miscarriage of the same combination which has brought it to the summit of the Alps.

All the crowned heads in Europe are now covered with thorns. The man of Turin, who calls himself your king, has been forced to relinquish one half of the usurpations of his ancestors, and is now menacing you with destruction for fear you should reclaim the rest. The Dutchy of Savoy and the county of Nice, more fortunate than you, have been the first to cast off his yoke, and are now ready to assist you with their arms to follow their example. The pope and the other Italian despots, are occupied in restraining the spirit of liberty at home; so that no one of the neighbouring powers is in a condition to take any considerable part in your affairs, except the French; and the French are wishing to give you every aid that you may ask.

Under these circumstances, we need no longer enquire whether you are able to effect a revolution; the more natural question is, are you able to resist it? It is true, the French have renounced all ideas of conquest, and have declared that they will never make war against the liberty of any people. But you will observe that this principle contains in itself a declaration of war against all tyrants who are hostile to the liberty of France; especially against those whose vicinity renders them dangerous to the internal peace of the new republic, by fostering its fugitive traitors, and being the centre of new conspiracies against the rights of man. The court of Turin comes under this description. It is hostile to the liberties of France; it has been so from the beginning; the nature of its external connections and of its internal constitution requires that it should be so to the end. The court of Turin must, therefore, be overturned; the government of your country must be changed, and its powers restored to you, to whom they naturally belong.

This is a simple view of facts, which may serve to indicate the present crisis of your affairs, of which it is proper that you should be apprised; that by a due consideration of the causes you may not be astonished at the effects. I make known to you my opinion, with all the frankness that the solemnity of the subject demands; and it seems almost impossible that you should fail to turn the consequences to your advantage.

II. The more important question to be discussed is, *Whether you will be benefited by a revolution in your government?*

Many of you will doubtless consider this enquiry as superfluous, because your condition can

ſcarcely be rendered worſe, and the means of rendering it better are ſo obvious that they cannot eſcape the ſlighteſt obſervation. But thoſe of you who are accuſtomed to reflect on the principles of liberty will pardon the ſimplicity of the enquiry, in favour of the great maſs of the people whom it is our duty to inſtruct. There has been ſo much falſehood and folly impoſed on that claſs of mankind, in order to debaſe and brutalize their minds to the level of their condition, that their ignorance has become preter natural; it is almoſt neceſſary to begin their inſtruction by informing them that they are human creatures. But, citizens of Italy, deſcendants of Brutus and Cato, this ſtate of degradation is not the condition deſigned for man. The God of equal liberty has allotted you a different birthright; you are now invited to reclaim your inheritance, to take poſſeſſion of your portion among your brethren, to enjoy it in peace, and reſtore harmony to the great family of men.

You have been fatally miſinformed with reſpect to the nature of the French revolution, and the events that have attended it. Your religous teachers and your political maſters have an intereſt in deceiving you. They unite their efforts for this purpoſe; they blind your eyes, as you blind the eyes of a mill-horſe, that he may not ſee his harneſs, nor conſider the weight he draws. If the mill-horſe could know that he has only a feeble child for a conductor, and that he is made to go conſtantly round in the ſame ſmall circle, ſo that he cannot hope to come nearer his journey's end; eſpecially if he could look into the neighbouring fields and ſee the other horſes enjoying their liberty, he would ſoon revolt againſt his little deſpot, he would grow diſcouraged with the ſame unpro-

miſing round of fatigue, and refuſe to do his work. It is for this reaſon that you blind his eyes. My friends, the ſame arts are uſed with you. The clergy and the nobles of your country, with a man at their head whom they call a king, do nothing but live upon your labours. They cannot ſupport their luxury by any other means than by keeping you conſtantly at work. They know that if you were to be informed of their weakneſs and of your own ſtrength, you would refuſe to be their drudges. They are ſenſible that the moment you open your eyes, you will ſee that they are but men, that all men are equal in their rights, that they have no more right or power to be kings and lords over you, than you have to be kings and lords over them; and that in conſequence of this, you would immediately overturn that abominable ſyſtem of public robbery which they call a government, and eſtabliſh a new and equal government, which ſhould ſecure to every man the fruits of his own labours, protect the innocent, puniſh the guilty, and inſtruct every member of ſociety in his duties and his rights.

This is preciſely what the people of France have done; and the performance of this great work, ſo neceſſary to the happineſs of mankind, is called the French revolution. It is the knowledge of this revolution which your court and clergy wiſh to conceal from you, leſt you ſhould follow the example. They prevent the French newſpapers from coming into your country; they forbid the reading of all books that treat of this revolution, and all converſation on that or any other political ſubject; they have ſhut up the popular theatres at Turin, and left open none but that of the nobility, from which the citizens are

excluded ; they have ſuppreſſed the great univerſity of that capital, called *the Univerſity of the Provinces*, which uſed to bring ſtudents from all parts of Italy, and a conſiderable emolument to the town ; they have doubled the number of their ſpies, and increaſed the powers of the police.

All this is to keep you ignorant of the French revolution, that you may not be diſpoſed to follow the example. Obſerve the inſult offered to your underſtanding. If the example were bad, your good ſenſe would teach you to ſhun it ; it would need only to be known, to be deſpiſed ; and it ought to be explained to all people, that they might learn to avoid ſuch a dangerous innovation. If it be good, it ought to be taught by your teachers, and imitated by all the world. But be aſſured that the very caution they uſe to prevent your coming to the knowledge of the fact, is a proof that ſuch a revolution would be an advantage to you and a diſadvantage to them.

But this is not all ; they have invented a thouſand falſehoods to ſupply the place of truth. They have told you lies, in order to excite your enmity againſt your beſt friends, and to rouſe you to war againſt thoſe principles which ought to be as dear to you as to the French ; becauſe they are the principles of equal liberty and national happineſs, applicable to all people. They have told you that the French nation is a race of robbers, aſſaſſins, and atheiſts ; that they have overturned the religion of their country, waged war againſt all property and againſt the lives of its owners. Theſe are impudent falſehoods which never could have been impoſed upon you for a moment, had you been permitted to judge for yourſelves.

With regard to religion, I only requeſt you to look into the firſt principles of liberty, as declared by the national aſſembly. You will find them conformable to the ſyſtem of the catholic faith, as taught by the apoſtles and recognized in your country, before the church was connected with the civil government, and before the miniſters of the altar became the tyrants of the ſtate. The French conſtitution has declared, that all men ſhall be free to worſhip God in their own way, and to follow the dictates of their conſcience. If any man ſhall tell you that this is deſtroying your religion, he is a liar, and not worthy to be your teacher. The goſpel of Jeſus Chriſt preaches to you in the ſtrongeſt language the great doctrine of equality; that all men are equal in the ſight of God, and that you ſhall call no man your maſter upon earth.—This is the very language of the French revolution. But its authors have gone farther; and, to ſilence all cavillers who could perſuade you or others that they have deſtroyed the catholic religion, they have done more to maintain it than any legiſlative body ever did before; they have ordained that the prieſts and biſhops, choſen by the people, ſhall be ſalaried and paid out of the national purſe.

It is true, they have ſuppreſſed thoſe haunts of idleneſs, hypocriſy, and vice, known by the name of monaſteries and convents. This is an advantage to religion, inſtead of being againſt it; for religion teaches men to do good, and to labour for their living; but theſe inſtitutions teach them to do nothing, and live upon the labours of others. Be aſſured, therefore, that the French have done nothing to the diſadvantage of religion; but, on the contrary, they have done much to maintain it

in its native purity and independence. But I intreat you in the ſincerity of my heart not to receive this fact on the ſtrength of my aſſertion, or that of any other man; but to look into their conduct and judge for yourſelves.

You have been likewiſe taught to believe that the French have violated private property. This is a malicious calumny, which every ſtep of their revolution will contradict, the moment you become acquainted with it. In all the decrees of the national aſſembly, in all the irregular movements and inſurrections of the people, whatever was the object, you will find they have paid a moſt ſacred regard to individual property. Their conduct in this reſpect has been more laudable within the laſt three years than that of any other government in Europe. The ſame thing may be obſerved with regard to the private morals of the people; they are eſſentially better than they formerly were. There have been leſs inſtances of theft and robbery in France ſince the revolution, than at any former period; and probably leſs, in proportion to its population, than in any of the neighbouring countries during the ſame period.

With regard to the national aſſembly, I will give you ſome inſtances of their inviolable principle of preſerving the property of individuals amidſt the ſhock of the revolution. The abuſes of the ancient government had created thouſands of uſeleſs offices in every department of ſtate, in the *law*, the *finance*, and the *king's houſehold*,—the ſame as you ſee at Turin. Theſe offices were ſuppoſed to have been purchaſed and paid for by thoſe who held them; though many of them had been given gratis through favour and intrigue. On the regeneration of the government and of the

nation by the revolution, it was neceſſary that theſe deſtructive ſinecures ſhould be ſuppreſſed; and the aſſembly, conſidering them as the property of the holders, purchaſed up this property and paid the proprietors the full prices they had given or were ſuppoſed to have given for their places. This act of juſtice was certainly not neceſſary to the revolution. It muſt therefore be conſidered as a mark of that national dignity which forbids the violation of any kind of private property, however ſlender the title by which it is claimed.

Another inſtance may be obſerved in the public debt. It is well known that the public debt of France, as well as that of Piedmont, was contracted by a wicked and infamous court, the greater part of it for the worſt of purpoſes. It was in part contracted to ſupport the vices of a horde of men and women at Verſailles, who were a diſgrace to human nature, and whom the nation was under no obligation to maintain; it was in part contracted to carry on foreign wars and conqueſts, the expreſs purpoſe of which was to rivet the chains of the people at home. But as the creditors in general were not to be blamed for theſe things, they were declared to be the proprietors of the debt; and the nation aſſumed upon itſelf the payment, without any diminution. This muſt ever be remembered as an act of ſovereign magnanimity and of diſintereſted protection to the property of individuals; an act to which they were not conſtrained by any neceſſity or previous obligation. A royal bankruptcy might have been declared, without affecting the future credit of the nation; and the revolution would have ſuffered no delay, but would have been facilitated by proceeding on this principle. Inſtead of doing this, the

people have voluntarily taken an immenſe burden on themſelves, even under the humiliating circumſtance of giving a ſanction to all the extravagance of the two laſt centuries, and paying at this day, under the rigid economy of a republic, for thoſe ſplendid palaces, gardens, and water-works, which inſult the poverty of millions, and ſtare the nation in the face with the unpuniſhed crimes of a race of execrated kings.

The act of the aſſembly declaring the church lands to be the property of the nation, the ſuppreſſion of tithes and other feudal claims, have been often mentioned as violations of property. Thoſe who really conſider them in this light are weak men, or they have not examined the ſubject; thoſe who perſuade you to think ſo, without believing it themſelves, are wicked men, and not to be truſted. As to the church lands, this act of the aſſembly did not change the property of them at all. They belonged to the nation before.—What the aſſembly did, was to change the mode of paying the clergy, equalize their ſalaries, and reduce the number of eccleſiaſtics. That laborious and more uſeful claſs of the clergy, who before were ſtarving upon a beggarly pittance, have had their ſalaries raiſed; that idle and overgrown claſs, who, without doing any duty, were living in the ſtyle of princes and tyrants, have been reduced to a moderate income. All are now choſen by the people, and all paid by the nation. With regard to the feudal claims, they were founded in uſurpation. The landlords and nobles, to whom they were attributed, had no right to them or property in them, any more than the king of Sardinia has property in you, or in the people of Jeruſalem, of which he likewiſe ſtyles himſelf king. Theſe

feudal claims were mere badges of ſervitude, which the eſtabliſhment of equal liberty and the abolition of hereditary titles rendered it neceſſary to deſtroy. The nation has in all inſtances ſhowed itſelf able to diſtinguiſh between the empty ſuperſtition of pomp, which ſerves only to debaſe mankind, and the ſolid principles of ſociety on which the revolution is founded.

You have heard it likewiſe aſſerted that the French revolution has been marked with cruelty and murder. This is unfortunately true. But it has likewiſe been marked with treachery, with bribery, with perjury, with all the complicated wiles of expiring deſpotiſm. All the cruelty, all the crimes of every name or denomination, that have attended this revolution, have proceeded from royalty, the adherents of royalty, and the refractory prieſts. The court of Verſailles had been for ages a ſchool of falſehood and deceit; and the execution of the penal laws ſerved as a public exhibition of torture, to familiarize the people with the moſt ſanguinary puniſhments. If the court of Turin and the laws of Piedmont are any better, it is happier for you; you will have the leſs wickedneſs to combat in the courſe of your revolution. But I fear in ſome reſpects they are worſe. Theſe circumſtances in France had trained up in all parts of the kingdom a numerous claſs of men verſed in every art of treachery and perfidy. In this ſituation of things the great maſs of the people, who are naturally honeſt and good, ſet themſelves ſeriouſly to work in the buſineſs of the revolution; which might have been carried on with the greateſt harmony; as it had nothing in view but the welfare of the whole. But theſe deceitful men, being enemies of the revolution,

and finding that they could not oppose it by open force, assumed the mask of patriotism, and brought themselves into places of trust in every department of the legislative and executive power. The effect of this was that these good people found themselves deceived and betrayed in every stage of their affairs, from the beginning of the revolution in 1789, till the tenth of August, 1792. Being surrounded by traitors, and not knowing whom to trust even with the execution of their own vengeance, it was natural and sometimes necessary that they should assume this terrible task upon themselves. In some instances indeed this popular vengeance has been ill directed, and has fallen on innocent heads. But these instances are rare.*

The limits, I prescribe to my letter, will not allow of my entering into details on a subject so intricate and extensive. This, however, may be relied on as an undeniable truth, that nothing is more humane, generous and just, than the general spirit of the revolution; and whatever particular acts may seem to contravene these principles, those acts are chargeable upon its enemies, and not upon its friends.

But to arrive at the subject the most interesting for your immediate consideration, let us follow

* *This was written previous to the establishment of the* Revolutionary Tribunal. *It is indeed to be regretted that that institution was deferred to so late a period; as it was calculated to prevent a more tumultuous mode of exercising popular vengeance. But it is more to be regretted that such a tribunal became necessary at all, and especially that it has been sometimes used by the leaders as an instrument of party rage, without an honest regard to the good of the cause.*

the courſe of the revolution in a geographical ſenſe, and paſs with it from France to Piedmont. The revolution in this journey has ſtopped to winter in Savoy, from whence I write this letter; and before we mount the Alps, it is natural to make a pauſe, to contemplate the country where we are. Here is a people who lately made part of yourſelves, and who are now ſeparated from you, rather on account of their vicinity to France, than for any particular intereſt different from your own. For, in the great cauſe of liberty, the intereſts of all people are the ſame. It is the cauſe of tyranny that has made them enemies; it is the impoſition and falſehood of thoſe who would live on other men's labours, that have occaſioned all the wars of every nation in the world. The people of Savoy were certainly under no obligation to be governed by the king of Jeruſalem; though they had groaned under his yoke for many generations. Their late conduct in declaring their own ſovereignty and independence, aboliſhing hereditary titles, and eſtabliſhing a government of their own on the principles of equal liberty, is a ſubject which muſt ſtrike your minds in a very intereſting point of view. Your tyrants will repreſent it as a crime which ought to excite your indignation; and they will call on you to take up arms and ruſh headlong into a deſtructive war, to aſſiſt them in reducing this country again to their obedience. They are now preparing their forces, augmenting their armies, borrowing money abroad and extorting it from the hand of induſtry at home, for this deteſtable purpoſe. You are to be taken from your farms and your ſhops, and enrolled in the regiments of death. If you are unwilling to engage in this new kind of ſlavery, you are to be

ſeized upon like ſo many felons, dragged from your wives and children, and tortured into diſcipline under the laſh of a military officer. Your families are to be left to periſh in poverty, while you perhaps are ſlaughtered in the field.

But before you ſuffer yourſelves to be driven to this deſperate buſineſs, I intreat you to reſort to your own reaſon, and exerciſe the right of judging for yourſelves. Conſider the nature of the enterpriſe, and the object you have in view.—Who are the people on whom you are going to let fall this terrible ſtroke of vengeance? What is their crime? Are they not your brothers and friends? Have they not acted as you would have done in the ſame ſituation? And ought you not rather at this moment to follow their example, than to be the inſtruments of their deſtruction and your own? Let us attend to this enquiry before it be too late.

The people of Savoy, as to their local poſition ſtand in the ſame relation to France as you ſtand in to Italy. They and you are poſted in the marches of theſe two great fractions of the continent.—As long as this part of Europe is governed by tyrants, perpetually contending for dominion on each ſide of the Alps, theſe poſitions expoſe you both to the inroads of all parties. You cannot avoid being inſulted by foreign armies in their paſſage through your country, although you have no intereſt in their quarrels. Your hiſtory is full of examples of this kind, from the days of Hannibal, down to that infamous war of the Spaniſh ſucceſſion, which involved your country in blood and held half Europe in arms for many years together; a war in which you had no other concern, than that of being the victims of foreign diſputes.

The face of your country bears the inſulting marks of this unfortunate poſition in which you are placed. It is covered with fortifications. As if nature had not thrown rocks and mountains enough in your way, you have been forced to create them by the hand of art, to encompaſs your towns with walls, and disfigure your fields with towers and caſtles. Your agriculture has been ill-conducted, your manufactures neglected; all the uſeful arts have been forced to yield to a general ſyſtem of defence againſt the enemies of your neighbours, when you had no enemies of your own.

In this ſituation, what is to be done? You cannot change the poſition which nature has given to your country. Your only reſource is to change the policy of Europe from war to peace. You are more peculiarly intereſted in the perpetual peace of Europe than any other people on earth. This is a weighty conſideration, a truth which your tyrants cannot deny. It is the knowledge of this truth which has influenced the people of Savoy in their late change of government. It is in this point of view that they have contemplated the French revolution; with this they have adopted it themſelves, and wiſh to extend it to you, whoſe ſituation ſo nearly reſembles their own. With this view you ought to wiſh to extend it to all the ſtates of Italy, to Spain, and to the circles of the empire, from whence it would travel through Europe and through the world.

The principles of this revolution are thoſe of univerſal peace; and it is impoſſible that it ſhould fail to produce the effect, becauſe it takes away every motive for national hoſtility, and teaches the people of all countries to regard each other as friends and fellow-citizens of the world. Eſtab-

liſh equal liberty among the people, and inſtruct them in the duties that ariſe from that ſituation as the French are about to do; you will then find that the buſineſs of tyrants has ceaſed, and the race is forever extinct. Purge the earth of its tyrants, and it will no more be tormented with war.

The conduct of the people of Savoy in uniting themſelves to the French republic deſerves a farther conſideration. This was a meaſure incidental to their geographical poſition on the French ſide of the Alps; and the arguments which induced them to it, do not apply to you. It is probable for the purpoſes of civil government you will henceforward be two diſtinct people. But this ſtep of theirs cannot be conſidered by you as an act of hoſtility, or a breach of friendſhip. They are certainly not leſs your friends ſince they have ceaſed to be your fellow-ſubjects. It is an eſſential quality of a French citizen to be the friend of all people, eſpecially of thoſe in his neighbourhood, whoſe peace and happineſs will always be neceſſary to his own.

The eſſence of tyranny is to counteract the economy of nature, the eſſence of liberty is to promote it. Nature has ſaid that the French and the Savoyards ſhould be one people; but tyranny has ſaid that the Savoyards and the Piedmonteſe ſhould be one people. Conſult your hiſtory, and ſee what torrents of blood have been ſhed to cement this unnatural union. Come and view the condition of this unfortunate people; poſſeſſing one of the fineſt countries in the world, and deprived of the means of improving it; ſubjected for ages to a race of weak and impolitic princes, who, fixing their reſidence on the other

ſide of the Alps, have paid no other attention to this part of their dominions, than to keep the people in poverty and ignorance, in order to ſecure their obedience. A military force, ſent from your country, has been maintained here to inſult the inhabitants, by exerciſing the police in every town and village. The ſenate of Savoy, which was formerly a legiſlative body, has been long ſince reduced to the ſimple functions of a judiciary tribunal, and its members appointed by the king. He has prevented the working of the mines of iron, lead, and coals, with which the country abounds; he has prevented the eſtabliſhment of any one of the different manufactures to which the inhabitants are peculiarly invited by the abundance of raw materials, by their numerous currents of water, by their vicinity to France, and the convenient navigation of the Iſere and the Rhone; he has diſcouraged their agriculture by the ſhackles he has laid upon their commerce, even in the interior of his own dominions; for the trade between Piedmont and Savoy has been ſubjected to the ſame pernicious regulations and impoſitions which exiſt between rival nations among the moſt jealous deſpots of Europe; he has interpoſed his authority between parents and the duties they owe their children, by diſcouraging the education of youth, ſo far as to oblige thoſe who are deſined for the learned profeſſions to perform their ſtudies at Turin.*

* *There are in Savoy ſix different colleges of education, which have exiſted for ſeveral centuries, and have been excluſively appropriated to thoſe ſtudies which have been known in catholic Europe by the name*

It would be tedious to recount to you all the inſtances of folly and cruelty exerciſed by your government againſt the people of this country.—One general complaint, which appears to be well founded, is, that all your kings, eſpecially the one from whom they have now revolted, have ſhown an humiliating diſtinction in their treatment of you and them. The Savoyards have been treated as your ſlaves, as well as the ſlaves of your common maſter. Their hard earnings have been drained from them, to increaſe the wealth and population of Piedmont. You muſt obſerve, however, that this was not deſigned as an advantage to you, neither has it been ſo in fact. It was done to facilitate the collection of the king's revenue. You have been made the inſtruments of drawing money from theſe people, for no other reaſon than it was more eaſy to draw it immediately from you, than from them, by the tyrants of Turin.

of Theology. This was a neceſſary precaution of the government; as, without diſtributing theſe inſtitutions in all the principal towns, and rendering this ſort of inſtruction eaſy and cheap, it would have been impoſſible to have initiated a ſufficient number of men to keep the people in that ſtate of ignorance which was neceſſary for their continuance in ſlavery.

Within a few years there has been eſtabliſhed in the college of Chambery a profeſſorſhip in law, and another in medicine, but under this reſtriction, that two years reſidence here ſhould be reckoned for one year at the univerſity of Turin. And no man could practiſe law or medicine within the king's dominions, until he had taken his degrees at Turin.

The condition of these people was perhaps no worse than yours. You have in your country more wealth than they, but you have infinitely more of real indigence. You were both taxed as high as you could bear*; and your taxes were imposed in the most arbitrary manner. The king could augment or vary them any day at his pleasure. The Savoyard was poor, but he was not miserable; he was not insulted by the display of luxury passing before his eyes, though he was

* *The population of the principality of Piedmont is reckoned at four millions. The amount of the public revenue arising from that principality is only 22 million livres of Piedmont, equal to £1,100,000 sterling, forming an average of 5s. 6d. a head. This is exclusive of* dimes *and other ecclesiastical taxes, which answer to the tithes and poor-rates in England. The public taxes in England, exclusive of these, form an average of about 55s. a head. Yet the people of Piedmont are, if possible, more distressed with taxes than the people of England; although their soil is naturally more fertile, and their country more abundant in materials for manufactures. Their situation indeed is not so favourable for commerce, but it is not unfavourable. By this comparison we may judge of the cruel, uncreating influence of a government which can so completely destroy the native energy of man.*

The Dutchy of Savoy, whose population is 424,000 *used to pay annually into the treasury at Turin about three million livres of Piedmont, equal to £150,000 sterling. This was the utmost that the hand of despotism could collect from a people whom it deprived of the means of improving the advantages which nature had given them.*

ſenſible that he ſupported a ſet of infamous courtiers beyond the mountains, who riot on the labours of mankind.

The effect of tyranny has uſually been to vitiate the morals of ſociety, and deſtroy that energy of mind which is natural to man in a ſtate of freedom. The people of Savoy exhibit a remarkable exception to this rule. They retain a ſingular purity of morals, and a firmneſs of character, which the weight of a long and complicated tyranny has not been able to debaſe. They have long witneſſed the vices and indured the injuſtice of their maſters, without learning to be vicious or unjuſt.—They have felt the inconvenience of that unnatural combination of things which cut them off from the country to which they really belonged; and bound them to a diſtant lord. But almighty liberty has at laſt diſſolved the chain, and reſtored them to nature and to France.

The moral character of this people, which renders them ſo worthy of our eſteem, has likewiſe fitted them for the enjoyment of the liberty to which they have been ſo ſuddenly born. No people, riſing at once from ſlavery to a ſtate of equality and independence, ever conducted themſelves with ſo much dignity and moderation.—They roſe, like the infant Hercules, to the vigour of manhood in a ſingle day. They ſhowed themſelves maſters of the whole ſyſtem of government, the moment they became maſters of themſelves. They have committed no blunders; they have taken no retrograde ſteps; they have loſt no time in idle diſputes, and uſeleſs etiquette. Their National Convention, which was the firſt repreſentative body that ever was heard of in the country, and conſiſted of ſix hundred and fifty mem-

bers, organiſed itſelf and finiſhed its ſeſſions in nine days; during which time it did more buſineſs than any body of men under like circumſtances could be expected to perform in ſo many months. But there is one fact more remarkable than all the reſt, a fact which hiſtory will announce to the admiration of the lateſt ages: the revolution in Savoy has not yet coſt a ſingle drop of blood. It has been attended with no acts of violence, no tumultuous meetings, no neceſſity for the intervention of military force. The force of reaſon has conducted the whole operation; and the ſacred energy of liberty has proved itſelf to be the ſource and guarantee of the moral attributes of man.

Such is the condition of this reſpectable people; and ſuch is the point of view in which you are to conſider the late meaſures they have taken to reclaim and ſecure their rights. From this conſideration you will naturally turn your attention to yourſelves, and contemplate the duties you are called upon to perform. For the time is faſt approaching when you can no longer be the idle ſpectators of the triumphs of liberty. Although the revolution in Savoy is hitherto free from the violence of war, it depends on you to ſay whether it ſhall coutinue ſo to the end of another year. It is in your power at this moment to declare that the Alps ſhall never more re-echo the ſound of a cannon, nor their majeſtic ſtreams be ſtained with human blood. Your deſtiny calls you either to pronounce the ſentence of miſery and ſlaughter upon thouſands of yourſelves and of your neighbours who will follow your example, or to declare the immediate emancipation, peace and happineſs of all the ſtates of Italy.

This is doubtleſs a ſerious commiſſion, as it renders you reſponſible for the fate of ſo conſiderable a portion of your fellow-creatures. But obſerve the limits as well as the extent of your power. Though you hold the balance of great benefits and of great diſaſters, which the preſent ſtate of affairs is ready to offer to your country; though you are able by the aſſiſtance of France to riſe as one man and reclaim your own ſovereignty, eſtabliſh your own liberty and provide for the future tranquility of this part of Europe; though by a contrary conduct you may fight the battles of your tyrant againſt the friends of your peace; yet remember, you cannot long impede the progreſs of liberty. Her cauſe is that of reaſon and of God; ſhe will not liſten to any capitulation with deſpotiſm; the monſter muſt be driven beyond the Adriatic, and baniſhed from the face of the earth, Italy muſt be free; ſhe cannot wear her chains much longer; it would be glorious for you to be the firſt in this regeneration of ſociety in that ancient garden of the world. Such a meaſure would be an example of virtue to your children, a conſolation to the ſhades of your anceſtors, who for a long ſucceſſion of ages have paſſed away in the clouds of prejudice, without knowing the means of happineſs, or perceiving the dignity of man.

Your king has joined the coalition of deſpots againſt the people of all nations. Their arms are directed againſt France; but their hoſtility is really againſt their own ſubjects. What cauſe of quarrel had the king of Hungary, or the elector of Brandenburgh with the people of France? None. Their jealouſy was againſt the people of Hungary, of Auſtria, of Brabant, and of Brandenburgh. They ſaw that theſe nations were about to reclaim

the rights of man and to caſt off the yoke of oppreſſion, as the French had done. They, therefore, to retain their unjuſt power at home, concluded that it was beſt to ſtrike the revolution at its root, and conquer Germany in France. They knew, if they could ſubdue the French, and completely vanquiſh the ſpirit of liberty in that country, that all the people of Europe would ſhrink beneath their chains, and their maſters might probably ſleep upon their thrones for another half century.

Such was the policy of your maſter. You cannot ſuppoſe that, as king of Jeruſalem or prince of Piedmont, he had any ground or colour of diſpute with the French nation. That nation had no concern with him, nor with any part of his dominions. They were occupied in their own affairs, at peace with all the world, and declared that they meant to remain ſo. He entered into the war with them for no other purpoſe but to keep you in ſubjection. The war was againſt you, and is ſtill to be carried on againſt you the next campaign. He intends to make you his ſoldiers to fight his own battles againſt yourſelves, although he orders you to point your cannon againſt the French.

This is the true ſtate of the caſe. The whole of this war on the part of your monarch is maintained by deceiving you. Indeed the whole buſineſs of monarchy is deception; kings muſt govern by deception, as long as they govern at all; for it is impoſſible for one man to tyrannize over a whole people, but by deceiving them. I have no particular diſlike to your king, any more than to all others; he is probably no worſe than kings in general. They hold an office that is perfectly uſeleſs in ſociety, and exceedingly deſtructive to the peace

and happineſs of mankind. In this view they ought to be deteſted by every man, and rejected by every nation.

France has been forced into the field, to encounter this infamous combination of robbers, this war of all crimes againſt the principles of all virtue. She has undertaken the defence of human nature. She has aſſumed a new kind of tactique unknown to the art of war, and irreſiſtible to the armies of kings. She has armed herſelf in the panoply of reaſon; her manifeſto is the rights of man, her ſword the pledge of peace. In this ſpecies of warfare we need not be aſtoniſhed at her ſucceſs. What people can reſiſt the hand that comes to break their chains? The armies of liberty are every where triumphant, while their ſtandards are ſcarcely ſtained with blood. Victory completes her work, before they arrive to celebrate the conqueſt; and the entrance of the French troops into the conquered country is regarded by the people rather as the proceſſion of a civic feaſt, than as the dreaded violence of war. Their general, inſtead of puniſhing the new recovered citizens with confiſcation, impriſonment, and death, meets them in their popular ſocieties, and invites them to form their primary aſſemblies. The forts and garriſons which he erects to ſecure his conqueſts, are printing preſſes and reading clubs.

Such is the war in which the illuſtrious monarch of Turin is engaged. Theſe are the armies he expects you to encounter in the field. If you wiſh to know in what manner the combat ought to be conducted, you may learn it from the people of Savoy, whoſe example in this reſpect, as in many others, is worthy to be followed by every nation. You may learn it likewiſe from the people of

Nice, from thoſe of Hainault, Flanders, Brabant, Malines, Antwerp, Guelderland, Namur, Liege, Spires, and Mayence; all provinces, principalities, or independent ſtates, conquered to liberty within the laſt three months. As I have kept no complete regiſter of theſe conqueſts, perhaps the above liſt may be incomplete. But it matters not; if it were complete for to-day, perhaps it would not be ſo for to-morrow. This advice is intended for the inſtruction of the people; if your king ſhould deem it inconſiſtent with his warlike character to follow the ſame advice, he can take a leſſon from the battle of Gemmappe.

The French army deſtined for your deliverance will probably not paſs the Alps till the ſpring. You have the remainder of the winter to deliberate on the part you have to act. You can by that time decide whether you will receive them as enemies or as friends. In the latter caſe, you have only to ſtudy the principles of a republican government, ſend away your tyrants, and prepare yourſelves to give leſſons of liberty to all the Italian ſtates. The troops of Auſtria, which are now about to enter your territories from Milan and Tuſcany, under pretence of aiding you againſt the French, will flee before them, as they have done in the Low Countries, the moment you manifeſt your intention of doing your own buſineſs in a peaceable way.

But, after a due conſideration of the circumſtances which I have endeavoured to detail, ſhould you conclude to regard the French people as your enemies, and to meet their armies in the field, I ſhall tremble for the conſequences of your unfortunate deciſion. Thouſands among you muſt fall the victims of the infamous cauſe of your ty-

rent, which cannot be ſupported. On that day, I beg you would call to mind the honeſt advice of a ſtranger, who now ſpeaks to you the words of truth; who has been a ſteady obſerver of the riſe and progreſs of liberty in America and in France; and, who, from theſe advantages is able to eſtimate the force of its principles, and predict the triumph of its arms.

I adviſe you above all things to be cautious of the troops in the pay of Auſtria, who are marching to join your army. You cannot be ſo blinded by your leaders as to ſuppoſe that this band of ruffians is brought into your country to render ſervice to you. They are deſigned to keep you in ſubjection, and to take from you the freedom of your choice in the great queſtion, Whether you will adopt the principles of the French revolution? They will be poſted in your rear, to act againſt you, if you ſhould refuſe to act againſt the French. Your poſition may ſeem a critical one, placed in the interval between two contending powers; but, remember that one is an army of freemen, the other a horde of ſlaves; on one ſide is the permanent force of a nation, whoſe means are inexhauſtible, on the other the accidental hirelings of a deſpot whoſe ſceptre is falling from his hands; from one you have the offer of equal liberty and perpetual peace, from the other a continuance of your ſlavery, an augmentation of your burthens, and certainty of future wars.

Italy is deſtined to form one great republic. The boundaries which nature has given it are peculiarly ſuited to this purpoſe; and as long as we follow nature, in politics as well as morals, we are ſure to be in the right. Politicians, who have not well conſidered the effects of liberty, are alarm-

ed at the extenſion of the French republic, fearing it will become too powerful for its neighbours. For this reaſon the union of Savoy is mentioned as a ſubject of jealouſy to other nations. The enemies of your liberty will not fail to make uſe of this to excite your fears and provoke your reſentment. Men who reaſon in this manner have formed their maxims on thoſe deſpotic ſyſtems of government to which they have been accuſtomed. They are maxims which can no longer apply to nations, when maſters of their own actions, and at liberty to govern themſelves by the collected wiſdom of the great body of the people. A nation in this condition will never diſturb the peace of its neighbours in any manner whatever. Its intereſt, on the contrary, will be to promote the peace and proſperity of every country in the world.

When a nation is governed by one man, like Piedmont, or by a few families, like the ancient ariſtocracy of Rome, and ſeveral modern ones in Italy, the intereſt of thoſe who govern, is to extend their dominions; becauſe it augments their perſonal revenue and adds to the weight of their influence over the people, whom they conſider as their property.—For this reaſon they make war; for this reaſon they form treaties of alliance to guarantee each other in their conqueſts, and in the property which they have in the people.—In purſuance of this policy, the prince of Piedmont, in the courſe of that long Spaniſh war which I have mentioned, purchaſed with the blood and treaſure of your nation, the title of king of Sardinia; and at the cloſe of the war, he obtained from the houſes of Auſtria and Bourbon, and from the king of England, a guarantee of the poſſeſſion.

It is eaſy to conceive that a ſyſtem of robbery and murder of this kind, carried on through all Europe for centuries together, muſt be reduced to ſome certain rules. Theſe rules by a miſapplication of terms, are called the *law of nations*.* It is rather the law of deſpots, who know no law but their own fears. It has likewiſe been neceſſary to eſtabliſh ſome general ideas of what is called the *balance of power* among the ſtates of Europe, requiring that each ſtate ſhould be reſtrained to certain fixed limits. On this principle, when any particular power endeavours to extend its limits, it is natural to tax that power with ambitious views, and to regard it as an object of jealouſy. This reaſoning is perfectly juſt when applied to regal and ariſtocratical dominions; but under the reign of liberty the argument has loſt its ground; dominion itſelf is at an end; and all the technical terms in the ſcience of politics have changed their meaning; and as we muſt begin the ſcience anew, it is to be regretted that we are not furniſhed with new words, to expreſs our ideas with more preciſion than we can with the old.

If all the nations of Europe were as free as the French, and every individual member of ſociety were equally independent of every other individual, the queſtion reſpecting the boundaries of any particular government would become in a great meaſure indifferent, both to the people of that government and to all their neighbours. No perſon would

* *We may hope ſoon to ſee the* law of nations *eſtabliſhed on different principles; that is, on principles as different from what it has been, as the intereſt of nations is different from that of thoſe perſons who have uſually governed them.*

have any intereſt in extending or contracting the territorial limits of a ſtate. They would be eſtabliſhed purely on the principle of convenience for the adminiſtration of the interior concerns of the people, and by the free conſent of all parties. And whenever it ſhould be found more convenient to change them, they might be extended or contracted on the ſame principle, without injury to any perſon, and without exciting the jealouſy of any nation.

I could cite you many inſtances from the United States of America, in which this theory has been carried into practice; which would prove to you that the doctrine I here advance, as one of the effects of liberty, is not chimerical. But an inſtance more ſtriking to you, and which will form an epoch in the hiſtory of Europe, is the conduct of the national convention of France on the propoſition of Savoy to be united to that republic. Here we ſee a ſovereign people, uninfluenced by any fears, hopes, or connections from abroad, deliberating in the moſt ſolemn manner, whether they will extend their territorial boundaries, by the admiſſion of ſeven new provinces, inhabited by four hundred thouſand freemen who had ſent their deputies to ſolicit an union.* To raiſe a queſtion on a propoſition of this kind is certainly a new thing in politics. Louis XIV. would have carried on a war for half a century, and ſacrificed twice that number of his own ſubjects, to have made ſuch

* *The ſeven provinces which formed the Dutchy of Savoy, now united to France, under the name of the department of* Mont Blanc, *were Savoy proper, Genevois, Carouge, Chablois, Fauchigny, Tarentaiſe, and Maurienne.*

an acquiſition to his dominions. But the members of the convention who deliberated on this queſtion had no perſonal intereſt to ſerve, no ambition to gratify. It was merely a queſtion of national convenience, whether the frontiers of the republic ſhould remain fixed on the limits of Dauphiny and Lyonnois, or be extended to the Alps which appear to be the natural boundary of France.

The latter opinion prevailed; but it was rather on account of the preſent circumſtances of Italy than of France. Italy is ſtill governed by deſpots; and it is to be expected, that as long as they remain in power, they will continue the war they have undertaken againſt the French. To prevent their incurſions, it was neceſſary to oppoſe them the barrier of the Alps. But if Italy were as free as France, all cauſes of hoſtility between them would be for ever removed. It would be ſcarcely poſſible in the courſe of human events, that they would ever more have any ground of contention. In that caſe it would be perfectly indifferent, as to perſonal intereſt, both to the French and the Savoyards, whether they ſhould form one people, or two, or ten.—And whatever reſolution they ſhould take, as moſt convenient to themſelves, would never excite your jealouſy or reſentment.

No people has more to gain by this pacific ſyſtem than thoſe of Piedmont. You inhabit a fertile country, productive of all the moſt neceſſary articles of life; ſeveral of which are in great demand among your neighbours. All that is wanting to render you happy is to be maſters of the fruits of your own labours at home, to be ſecured againſt war, and to have a free circulation of the objects of commerce.

These three things are now within your reach; they would follow as a necessary consequence of adopting the principles of the French revolution, and establishing the liberties of Italy.

With the most ardent wishes to render you service, in the present solemn crisis of your affairs, I have written you this letter. If it should answer no other purpose, it will at least serve as a testimony to my conscience, that I have endeavoured to do my duty, and to merit the title which I claim, that of your sincere and disinterested friend.

JOEL BARLOW.

THE

CONSPIRACY

OF

KINGS;

A POEM:

Addreſſed to the Inhabitants of Europe, from another quarter of the world.

" But they, in ſooth, muſt *reaſon*. Curſes light
" On the proud talent! 'twill at laſt undo us.
" When men are gorged with each abſurdity
" Their ſubtil wits can frame, or we adopt,
" For every novelty they'll fly to ſenſe,
" And we muſt fall before the idol, Faſhion."

PREFACE.

THE following little poem was publiſhed in London, in February 1792. It happened that two of the principal conſpirators, the emperor Leopold, and the king of Sweden, died in a few weeks after. The oppoſite effects, produced by the death of theſe two perſons, are very remarkable. From a view of the general character of the king of Sweden, and of the particular tranſactions of the laſt year of his life, there can be no doubt but he was de-

termined to go any lengths with the powers which were then confederating againſt the liberty of France; and it is a conſolation to human nature, that the violent death of our ſceptred mad-man has ſaved the people of Sweden from thoſe horrid ſcenes of ſlaughter which now involve moſt of the neighbouring nations.

The character of Leopold, in ſome of its leading traits, was directly the reverſe of that of Guſtavus. The latter was prodigal of wealth, and exceſſively eager for what is called military fame, without the capacity or the means of acquiring it; the former was affectedly pacific, moderate in moſt of his vices, and remarkable for nothing but his avarice. He had ſenſe enough to ſee that nothing was to be gained by a war with France; his avarice, had he lived, would have been a ſufficient guarantee againſt that event: and his death may be conſidered as the immediate cauſe of the war.

The treaty of Pilnitz was doubtleſs fabricated in the court of Paris. The emperor agreed to it, for the purpoſe of duping the king of Pruſſia into meaſures which might ſecure the obedience of the people of Brabant, whom he had pacified the year before by a cruel deception. His deſign was likewiſe to deceive the emigrant princes, who were then deceiving him; and to exhibit ſuch a menacing appearance, as, according to his calculation, would induce the French people to ſet down quietly under a limited monarchy; well knowing that, if they did this, their government would ſoon degenerate into a deſpotiſm, which would continue to give countenance to the general principle that had ſo long enſlaved the nations of Europe.

That he never intended, or had relinquiſhed the intention, of executing the conditions of the

treaty of Pilnitz by going to war with France, is evident from the following considerations: the French constitution was ratified, and the revolution supposed to be finished, in September 1791. A war, to overturn that constitution, certainly ought not to have been deferred beyond the insuing spring; and as it would require an army of two or three hundred thousand men, the winter must have been occupied in making the preparations. Leopold died suddenly, about the first of March. At that time no preparations had been made for offensive hostilities. The number of troops sent from Austria into the Low Countries, during the autumn and winter, was not more than was stipulated to be maintained there, and were scarcely sufficient to enforce the despotism to which he had destined that unhappy people. Before the death of Leopold, the French emigrants at Coblentz began to despair. The hopes they had built on the treaty of Pilnitz had nearly vanished; the princes had an army of forty thousand gentlemen to maintain; Louis was carrying on too great a system of corruption at home, to be able to supply them with money from the *civil list*; they had exhausted their credit in all the merchantile towns in Europe; and Leopold, considering them in the character of beggars, began to treat them as troublesome guests; for none of the objects of their demands could be flattering to his favourite passion. At last, to their great satisfaction, the emperor died; and his system with regard to France was either never understood by his own ministers, or it was laid aside, in compliance with the predominant passions of his son; which happened to be for war, expence, and unqualified despotism.

This young man began his career by a ſolemn declaration to all the powers of Europe, that he ſhould follow preciſely the ſyſtem of his father, with reſpect to the affairs of France. This declaration might be underſtood to mean the open and avowed ſyſtem, preſcribed by the treaty of Pilnitz, or the ſecret and unexplained ſyſtem, which was to avoid the war. It was univerſally underſtood, as it was doubtleſs meant, in favour of the avowed ſyſtem; whoſe object, announced in the treaty, was "*to ſupport the rights of crowns.*"

From this moment, a ſpirit of hoſtility was provoked by the court of Vienna, and encouraged by the French ambaſſador there, who, like their other ambaſſadors of that day, was betraying the nation, to ſerve the king; till, on the 20th of April, war was declared by the National Aſſembly. In this war the deſpots of Europe will try their ſtrength, and will probably ſoon be exhauſted.

Paris, July 12, 1793.

THE

CONSPIRACY

OF

KINGS.

ETERNAL Truth, thy trump undaunted lend,
People, and prieſts, and courts, and kings, attend;
While, borne on weſtern gales from that far ſhore
Where Juſtice reigns, and tyrants tread no more,
Th' untainted voice that no diſſuaſion awes,
That fears no frown, and ſeeks no blind applauſe,
Shall tell the bliſs that Freedom ſheds abroad,
The rights of Nature, and the gift of God.
Think not, ye knaves, whom meanneſs ſtyles the great,
Drones of the church and harpies of the ſtate,—
Ye, whoſe curſt fires, for blood and plunder fam'd,
Sultans, or kings, or czars, or emp'rors nam'd,
Taught the deluded world their claims to own,
And raiſe the creſted reptiles to a throne,—
Ye, who pretend to your dark hoſt was given
The lamp of life, the myſtic keys of heaven;
Whoſe impious arts with magic ſpells began,
When ſhades of ign'rance veil'd the race of man;
Who change, from age to age, the ſly deceit,
As ſcience beams, and virtue learns the cheat;
Tyrants of double powers, the ſouls that blind,
To rob, to ſcourge, and brutalize mankind,—

Think not I come to croak with omen'd yell
The dire damnations of your future hell,
To bend a bigot or reform a knave,
By op'ning all the ſcenes beyond the grave.
I know your cruſted ſouls: while one defies,
In ſceptic ſcorn, the vengeance of the ſkies,
The other boaſts,—I ken thee, power divine,
But fear thee not; th' avenging bolt is mine.
No! 'tis the preſent world that promps the ſong,
The world we ſee, the world that feels the wrong,
The world of *men*, whoſe arguments ye know,
Of men, long curb'd to ſervitude and woe,
Men, rous'd from ſloth, by indignation ſtung,
Their ſtrong hands loos'd, and found their fearleſs tongue;
Whoſe voice of thunder, whoſe deſcending ſteel,
Shall ſpeak to ſouls, and teach dull nerves to feel.
Think not (ah no! the weak deluſion ſhun,
Burke leads you wrong, the world is not his own),
Indulge not once the thought, the vap'ry dream,
The fool's repaſt, the mad-man's thread-bare theme,
That nations, riſing in the light of truth,
Strong with new life and pure regenerate youth,
Will ſhrink from toils ſo ſplendidly begun,
Their bliſs abandon and their glory ſhun,
Betray the truſt by Heav'n's own hand conſign'd,
The great concentred ſtake, the intereſt of mankind.
Ye ſpeak of kings combin'd, ſome league that draws
Europe's whole force, to ſave your ſinking cauſe;
Of fancy'd hoſts by myriads that advance
To cruſh the untry'd power of new-born France.
Miſguided men! theſe idle tales deſpiſe;
Let one bright ray of reaſon ſtrike your eyes;

Show me your kings, the ſceptred horde parade,—
See their pomp vaniſh! ſee your viſions fade!
Indignant MAN reſumes the ſhaft he gave,
Diſarms the tyrant and unbinds the ſlave,
Diſplays the unclad ſkeletons of kings,*
Spectres of power, and ſerpents without ſtings.
And ſhall mankind,—ſhall France, whoſe giant might
Rent the dark veil, and dragg'd them forth to light,
Heed now their threats in dying anguiſh toſt?
And ſhe who fell'd the monſter, fear the ghoſt?
Bid young Alcides, in his graſp who takes,
And gripes with naked hand the twiſting ſnakes,
Their force exhauſted, bid him proſtrate fall,
And dread their ſhadows trembling on the wall.

But grant to kings and courts their ancient play,
Recal their ſplendour and revive their ſway;
Can all your cant and all you cries perſuade
One power to join you in your wild cruſade?
In vain ye ſearch to earth's remoteſt end;
No court can aid you, and no king defend.

Not the mad knave who Sweden's ſceptre ſtole,
Nor ſhe, whoſe thunder ſhakes the northern pole;
Nor Frederic's widow'd ſword, that ſcorns to tell
On whoſe weak brow his crown reluctant fell.
Not the tri-ſceptred prince, of Auſtrian mould,
The ape of wiſdom and the ſlave of gold,
Thereſa's ſon, who, with a feeble grace,
Juſt mimics all the vices of his race;
For him no charm can foreign ſtrife afford,
Too mean to ſpend his wealth, too wiſe to truſt his ſword.

* *Oſſa vides regum vacuis exhauſta medullis.*
JUVENAL, *Sat.* 8.

Glance o'er the Pyrenees,—but you'll disdain
To break the dream that soothes the monk of Spain.
He counts his beads, and spends his holy zeal
To raise once more th' inquisitorial wheel,
Prepares the faggot and the flame renews,
To roast the French, as once the Moors and Jews;
While abler hands the busy task divide,
His queen to dandle and his state to guide.
Yet ask great Pitt to join your desp'rate work,—
See how his annual aid confounds the Turk!
Like a war-elephant his bulk he shows,
And treads down friends, when frighten'd by his foes.
Where then, forsaken villains, will ye turn?
Of France the outcast and of earth the scorn;
What new-made charm can dissipate your fears?
Can Burke's mad foam, or Calonne's house of peers?*
Can Artois' sword, that erst near Calpe's wall,
Where Crillon fought and Elliott was to fall,
Burn'd with the fire of fame, but harmless burn'd,
For sheath'd the sword remain'd, and in its sheath return'd!†

* *M. de Calonne, at an immense labour, and by the aid of his friends in England, has framed a constitution for France, after the English model; the chief ornament of which is that "Corinthian capital of polished society," a house of peers. It is said that, after debates and altercations which lasted six months, he has persuaded the emigrant princes to agree to it. It only remains now for him and them to try on this new livery upon the French nation.*

† *Among the disadvantages attending the lives of princes, must be reckoned the singular difficulties with*

Oh Burke, degenerate ſlave! with grief and ſhame
The Muſe indignant muſt repeat thy name.
Strange man, declare,—ſince, at creation's birth,
From crumbling chaos ſprang this heav'n and earth,

which they have to ſtruggle in acquiring a military reputation. A duke of Cumberland, in order to become an Alexander, had to ride all the way to Culloden, and back again to London. Louis the fourteenth was obliged to ſubmit to the fatigue of being carried on board of a ſplendid barge, and rowed acroſs the Rhine, about the ſame time that the French army croſſed it; and all this for the ſimple privilege of being placed above the Macedonian in the temple of Fame, and of cauſing this achievement to be celebrated, as more glorious than the paſſing of the Granicus: as may be ſeen on that modeſt monument in the Place Vendome *in Paris.*

The count d'Artois has purchaſed, at a ſtill dearer rate, the fame of being ſtyled "le digne rejeton du grand Henri," *and of being deſtined to command all the armies of Europe in re-eſtabliſhing the monarchy of France. This champion of Chriſtendom ſet out at the age of twenty-five, and travelled by land with a princely equipage, from Paris to Gibraltar; where he arrived juſt in time to ſee, at a convenient diſtance, Elliott's famous bonfire of the floating batteries. He then returned, covered with glory, by the way of Madrid; and arrived at Verſailles, amidſt the careſſes of the court and the applauſes of all Europe. The accompliſhment of this arduous enterpriſe has deſervedly placed him, in point of military fame, at the head of all the preſent branches of the illuſtrious houſe of Bourbon.*

Since wrecks and outcaſt relics ſtill remain,
Whirl'd ceaſeleſs round confuſion's dreary reign,
Declare, from all theſe fragments, whence you ſtole
That genius wild, that monſtrous maſs of ſoul;
Where ſpreads the wideſt waſte of all extremes,
Full darkneſs frowns, and heav'n's own ſplendour beams;
Truth, error, falſehood, rhetoric's raging tide,
And pomp and meanneſs, prejudice and pride,
Strain to an endleſs clang thy voice of fire,
Thy thoughts bewilder and thy audience tire.
Like Phœbus' ſon, we ſee thee wing thy way,
Snatch the looſe reins, and mount the car of day,
To earth now plunging plough thy waſting courſe,
The great ſublime of weakneſs and of force.
But while the world's keen eye, with generous glance,
Thy faults could pardon and thy worth enhance,
When foes were huſh'd, when juſtice dar'd commend,
And e'en fond freedom claim'd thee as a friend,
Why, in a gulph of baſeneſs, ſink forlorn,
And change pure praiſe for infamy and ſcorn?
And didſt thou hope, by thy infuriate quill
To rouſe mankind the blood of realms to ſpill?
Then to reſtore, on death devoted plains,
Their ſcourge to tyrants, and to man his chains?
To ſwell their ſouls with thy own bigot rage,
And blot the glories of ſo bright an age?
Firſt ſtretch thy arm, and, with leſs impious might,
Wipe out the ſtars, and quench the ſolar light:
"*For heav'n and earth,*" the voice of God ordains,
"*Shall paſs and periſh, but my word remains,*"

Th' eternal WORD, which gave, in ſpite of thee,
REASON to man, that bids the man be free.
Thou could'ſt not hope: 'twas heav'n's returning grace,
In kind compaſſion to our injur'd race,
Which ſtripp'd that foul, ere it ſhould flee from hence.
Of the laſt garb of decency or ſenſe.
Left thee its own foul horrors to diſplay,
In all the blackneſs of its native day,
To ſink at laſt, from earte's glad ſurface hurl'd,
The ſordid ſov'reign of the letter'd world.
In ſome ſad hour, ere death's dim terrors ſpread,
Ere ſeas of dark oblivion whelm thy head,
Reflect, loſt man,—If thoſe, thy kindred knaves,
O'er the broad Rhine whoſe flag rebellious waves,
Once draw the ſword; its burning point ſhall bring
To thy quick nerves a never-ending ſting;
The blood they ſhed thy weight of woe ſhall ſwell,
And their grim ghoſts for ever with the dwell.*
Learn hence, ye tyrants, ere ye learn too late,
Of all your craft th' inevitable fate.
The hour is come, the worlds incloſing eyes
Diſcern with rapture where its wiſdom lies;
From weſtern heav'ns th' inverted orient ſprings,
The morn of man, the dreadful night of kings.
Dim, like the day-ſtruck owl, ye grope in light,
No arm for combat, no reſource in flight;
If on your guards your lingering hopes repoſe,
Your guards are men, and men you've made your foes;

* *See Note at the end.*

If to your rocky ramparts ye repair,
* De Launay's fate can tell your fortune there.
No turn, no ſhift, no courtly arts avail,
Each maſk is broken, all illuſions fail;
Driv'n to your laſt retreat of ſhame and fear,
One counſel waits you, one relief is near:
By worth internal, riſe to ſelf-wrought fame,
Your equal rank, your human kindred claim;
'Tis reaſon's choice, 'tis wiſdom's final plan,
To drop the monarch and aſſume the man.
Hail MAN, exalted title! firſt and beſt,
On God's own image by his hand impreſt,
To which at laſt the reas'ning race is driven,
And ſeeks anew what firſt it gain'd from heaven.
O MAN, my brother, how the cordial flame
Of all endearments kindles at the name!
In every clime, thy viſage greets my eyes,
In every tongue thy kindred accents riſe;
The thought expanding ſwells my heart with glee,
It finds a friend, and loves itſelf in thee.
Say then, fraternal family divine,
Whom mutual wants and mutual aids combine,
Say from what ſource the dire deluſion roſe,
That ſouls like ours were ever made for foes;
Why earth's maternal boſom, where we tread,
To rear our manſions and receive our bread,

* *De Launay was the laſt governor of the Baſtile. His well-known exit, ſerving as a warning to others, ſaved the lives of many commanders of fortreſſes in different parts of France, during the firſt ſtages of the revolution. It may probably have the ſame ſalutary effect in other countries, whenever the agents of deſpotiſm in thoſe countries find the people are determined to be free.*

Should bluſh ſo often for the race ſhe bore,
So long be drench'd with floods of filial gore;
Why to ſmall realms for ever reſt confin'd
Our great affections, meant for all mankind.
Though climes divide us; ſhall the ſtream or ſea,
That forms a barrier 'twixt my friend and me,
Inſpire the wiſh his peaceful ſtate to mar,
And meet his falchion in the ranks of war?
Not ſeas, nor climes, nor wild ambition's fire
In nations' minds could e'er the wiſh inſpire;
Where equal rights each ſober voice ſhould guide,
No blood would ſtain them, and no war divide.
'Tis dark deception, 'tis the glare of ſtate,
Man ſunk in titles, loſt in ſmall and great;
'Tis rank, diſtinction, all the hell that ſprings
From thoſe prolific monſters, courts and kings.
Theſe are the vampires nurs'd on nature's ſpoils;
For theſe with pangs the ſtarving peaſant toils,
For theſe the earth's broad ſurface teems with grain,
Theirs the dread labours of the devious main;
And when the waſted world but dares refuſe
The gifts oppreſſive and extorted dues,
They bid wild ſlaughter ſpread the gory plains,
The life-blood guſhing from a thouſand veins,
Erect their thrones amid the ſanguine flood,
And dip their purple in the nation's blood.
The gazing crowd, of glittering ſtate afraid,
Adore the power their coward meanneſs made;
In war's ſhort intervals, while regal ſhows
Still blind their reaſon and inſult their woes.
What ſtrange events for proud proceſſions call!
See kingdoms crowding to a birth-night ball!
See the long pomp in gorgeous glare diſplay'd,
The tinſel'd guards, the ſquadron'd horſe parade;

See heralds gay, with emblems on their veſt,
In tiſſu'd robes, tall, beauteous pages dreſt;
Amid ſuperior ranks of ſplendid ſlaves,
Lords, dukes and princes, titulary knaves,
Confus'dly ſhine their croſſes, gems and ſtars,
Sceptres and globes and crowns and ſpoils of wars.
On gilded orbs ſee thundering chariots roll'd,
Steeds, ſnorting fire, and champing bitts of gold,
Prance to the trumpet's voice; while each aſſumes
A loftier gait, and lifts his neck of plumes.
High on a moving throne, and near the van,
The tyrant rides, the choſen ſcourge of man;
Clarions and flutes and drums his way prepare,
And ſhouting millions rend the troubled air;
Millions, whoſe ceaſeleſs toils the pomp ſuſtain,
Whoſe hour of ſtupid joy repays an age of pain.
Of theſe no more. From orders, ſlaves and kings,
To thee, O MAN, my heart rebounding ſprings,
Behold th' aſcending bliſs that waits thy call,
Heav'n's own bequeſt, the heritage of all.
Awake to wiſdom, ſeize the proffer'd prize;
From ſhade to light, from grief to glory riſe.
Freedom at laſt, with reaſon in her train,
Extends o'er earth her everlaſting reign;
See Gallia's ſons, ſo late the tyrant's ſport,
Machines in war and ſycophants at court,
Start into men, expand their well-taught mind,
Lords of themſelves and leaders of mankind.
On equal rights their baſe of empire lies,
On walls of wiſdom ſee the ſtructure riſe;
Wide o'er the gazing world it towers ſublime,
A modell'd form for each ſurrounding clime.
To uſeful toils they bend their nobleſt aim,
Make patriot views and moral views the ſame,

Renounce the wiſh of war, bid conqueſt ceaſe,
Invite all men to happineſs and peace,
To faith and juſtice rear the youthful race,
With ſtrength exalt them and with ſcience grace,
Till truth's bleſt banners, o'er the regions hurl'd,
Shake tyrants from their thrones, and cheer the waking world.

In northern climes, where feudal ſhades of late
Chill'd every heart and palſied every ſtate,
Behold, illumin'd by th' inſtructive age,
That great phenomenon, a ſceptred ſage.
There Staniſlaus unfurls his prudent plan,
Tears the ſtrong bandage from the eyes of man,
Points the progreſſive march, and ſhapes the way,
That leads a realm from darkneſs into day.

And deign, for once, to turn a trancient eye
To that wide world that ſkirts the weſtern ſky;
Hail the mild morning, where the dawn began,
The full fruition of the hopes of man.
Where ſage experience ſeals the ſacred cauſe;
And that rare union, liberty and laws,
Speaks to the reas'ning race: to freedom riſe
Like them be equal, and like them be wiſe.

NOTE ON MR. BURKE.

[*Referring to page 247.*]

* SOME of the author's friends in England, although they join with him in censuring the writings of Mr. Burke on the French revolution, are of opinion that the picture here drawn of that writer is too highly coloured; or at least, that the censure is so severe as to lose the effect that it might otherwise produce. It is impossible to say what effect, or whether any, has or will be produced by this poem; but, out of respect to the opinion above stated, it may be proper to make some observations on the effect that has already followed from the writing of Mr. Burke. I speak not of what has taken place in England; where it is supposed that, contrary to his intentions and those of the government that set him at work, his malicious attack upon liberty has opened a discussion which cannot be closed until the whole system of despotism, which he meant to support, shall be overturned in that country. The present war with France is doubtless the last piece of delusion that a set of hereditary tyrants will ever be able to impose upon the people of England,

But this subject opens a field of contemplation far more serious and extensive on the continent of Europe; where, if Mr. Burke can view without horror the immensity of the mischiefs he has done, he will show himself worthy of much higher attributes of wickedness than have yet been ascribed to him. It is a painful task to traverse such a wide scene of slaughter and desolation as now involves the nations of Europe, and then to lay it all to the charge of a single individual; especially when we consider that individual as having, for a long time

before, enjoyed the confidence of all good men, and having at laſt betrayed it from the worſt and vileſt motives; as he had eſtabliſhed his previous reputation by ſpeaking the language of liberty, and profeſſing himſelf to be the friend of national felicity. But it is not from a tranſitory diſguſt at his deteſtible principles, it is from deliberate obſervation and mature conviction, that I ſtate it as an hiſtorical fact, That the preſent war, with all its train of calamities, muſt be attributed almoſt excluſively to the pen of Mr. Burke.

There is a peculiar combination of circumſtances which threw this power into his hands, and which ought to be duly conſidered, before we come to a deciſion on the ſubject. The people of England had enjoyed for ſeveral ages a much greater portion of liberty than any other people in Europe. This had raiſed them to a great degree of eminence in many reſpects. At the ſame time that it rendered them powerful as a nation, it made them ſober, induſtrious, and perſevering, as individuals; it taught them to think and ſpeak with a certain air of dignity, independence, and preciſion, which was unknown in other countries. This circumſtance could not fail to gain the admiration of foreigners, and to excite a perpetual emulation among themſelves. England has therefore produced more than her proportion of the illuſtrious men of modern times, eſpecially in politics and legiſlation, as theſe affairs came within the reach of a larger claſs of men in that country than in any other.

In a nation where there is an enormous civil liſt at the diſpoſal of the crown, and a conſtitutional ſpirit of liberty kept alive in the people, we muſt neceſſarily expect to find two parties in the

government. In such a case, as the king is sure to carry all the measures that he dares to propose, the party in favour of the people are called the *opposition*; and it being always a minority, it gives occasion for great exertion of talents, and is supposed to be the nurse of every public virtue. Such has been the composition of the English government ever since the last revolution. The opposition has been the school of great men; its principal disciples have been the apostles of liberty; and their exertions have made the British name respectable in every part of the world. Mr. Burke had been for many years at the head of this school; and from the brilliant talents he discovered in that conspicuous station, he rendered himself universally respected. His eloquence was of that flowery and figurative kind, which attracted great admiration in foreign countries; where it was viewed, for the most part, through the medium of a translation; so that he was considered, at least in every country out of England, as the ablest advocate of liberty that then existed in Europe. Even kings and tyrants, who hated the cause, could not withhold their veneration from the man.

Under these impressions, their attention was called to the great event of the French revolution. It was a subject which they did not understand, a business in which they had no intention to interfere; as it was evidently no concern of theirs. But viewed as a speculative point, it is as natural for kings as for other persons to wait till they learn what great men have said, before they form their opinion. Mr. Burke did not suffer them to remain long in suspense; but, to enlighten their understandings and teach them how to judge, he came forward with his "*Reflections on the Revolu-*

tion in France;" where, in his quality of the political ſchool-maſter of his age, in his quality of the profeſſed enemy of tyrants, the friend of the people, and the moſt enlightened leader of the moſt enlightened nation in Europe, he tells them that this revolution is an abominable uſurpation of a gang of beggarly tyrants; that its principle is atheiſm and anarchy; that its inſtruments are murders, rapes, and plunders; that its object is to hunt down religion, overturn ſociety, and deluge the world in blood. Then, in the whining cant of ſtate-piety, and in the cowardly inſolence of perſonal ſafety, he calls upon the principal ſovereigns of Europe to unite in a general confederation, to march into France, to interfere in the affairs of an independent power, to make war with the principles which he himſelf had long laboured to ſupport, to overturn the nobleſt monument of human wiſdom, and blaſt the faireſt hopes of public happineſs that the world had ever ſeen.

Copies of his book were ſent in great profuſion by the courts of London and Paris to the other courts of Europe; it was read by all men of letters, and by all men of ſtate, with an avidity inſpired by the celebrity of the author and the magnitude of the ſubject; and it produced an effect which, in other circumſtances, would have appeared almoſt miraculous; eſpecially when we conſider the intrinſic character of the work. M. de Calonne, about the ſame time, publiſhed a book of much more internal merit; a book in which falſehood is clothed in a more decent covering; and in which there is more energy and argument, to excite the champions of deſpotiſm to begin the work of deſolation. But Calonne wrote and ap-

peared in his true character. It was known that he had been a robber in France, and was now an exile in England; and, while he herded with the Engliſh robbers at St. James's, he wrote to revenge himſelf upon the country whoſe juſtice he had eſcaped. His writings, therefore, had but little weight; perhaps as little as Mr. Burke's would have had, if his real object had been known.

But this illuſtrious hypocrite poſſeſſed every advantage for deception. He palmed himſelf upon the world as a volunteer in the general cauſe of philanthropy. Giving himſelf up to the frenzy of an unbridled imagination, he conceives himſelf writing tragedy, without being confined to the obvious laws of fiction; and taking advantage of the recency of the events, and of the ignorance of thoſe who were to read his rhapſodies, he peoples France with aſſaſſins, for the ſake of raiſing a hue-and-cry againſt its peaceable inhabitants; he paints ideal murders, that they may be avenged by the reality of a wide extended ſlaughter; he tranſforms the mildeſt and moſt generous people in Europe into a nation of monſters and atheiſts, "heaping mountains upon mountains, and waging war with heaven," that he may intereſt the conſciences of one part of his readers, and cloak the hypocriſy of another, to induce them both to renounce the character of men, while they avenge the cauſe of God.

Such was the firſt picture of the French revolution preſented at once to the eyes of all the men who held the reins of government in the ſeveral ſtates of Europe; and ſuch was the authority of the author by whom it was preſented, that we are not to be aſtoniſhed at the effect. The emigrant princes, and the agents of the court of the Thuil-

leries, who were then beſieging the anti-chambers of miniſters in every country, found a new ſource of impudence in this extraordinary work. They found their own invented fictions confirmed in their fulleſt latitude, and a rich variety of ſuperadded falſehood, of which the moſt ſhameleſs ſycophant of Louis or of Condé would bluſh to have been the author. With this book in their hands, it was eaſy to gain the ear of men already prediſpoſed to liſten to any project which might rivet the chains of their fellow creatures.

Theſe arguments, detailed by proper agents, induced ſome of the principal ſovereigns of Europe to agree to the treaty of Pilnitz; then the death of Leopold, as I have ſtated in the preface, unhappily removed the great obſtacle to the execution of that treaty, and the war of Mr. Burke was let looſe, with all the horrors he intended to excite. And what is the language proper to be uſed in deſcribing the character of a man, who, in his ſituation, at his time of life, and for a penſion of only fifteen hundred pounds a year, could ſit down deliberately in his cloſet and call upon the powers of earth and hell to inflict ſuch a weight of miſery on the human race? When we ſee Alexander depopulating kingdoms and reducing great cities to aſhes, we tranſport ourſelves to the age in which he lived, when human ſlaughter was human glory; and we make ſome allowance for the ravings of ambition. If we contemplate the frightful cruelties of Cortez and Pizarro, we view their characters as a compoſition of avarice, and fanaticiſm; we ſee them inſatiable of wealth, and mad with the idea of extending the knowledge of their religion. But here is a man who calls himſelf a philoſopher, not remarkable for his avarice,

the delight and ornament of a numerous ſociety of valuable friends, reſpected by all enlightened men as a friend of peace and preacher of humanity, living in an age when military madneſs has loſt its charms, and men begin to unite in ſearching the means of avoiding the horrors of war; this man, wearied with the happineſs that ſurrounds him, and diſguſted at the glory that awaits him, renounces all his friends, belies the doctrines of his former life, bewails that the military ſavageneſs of the fourteenth century is paſt away, and, to gratify his barbarous wiſhes to call it back, conjures up a war, in which at leaſt two millions of his fellow creatures muſt be ſacrificed to his unaccountable paſſion. Such is the condition of human nature, that the greateſt crimes have uſually gone unpuniſhed. It appears to me, that hiſtory does not furniſh a greater one than this of Mr. Burke; and yet all the conſolation that we can draw from the detection, is to leave the man to his own reflections, and expoſe his conduct to the execration of poſterity.

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