

Vindiciae Gallicae.

A DEFENCE OF THE FRENCH REVOLUTION

AND ITS

ENGLISH ADMIRERS,

AGAINST THE ACCUSATIONS OF THE RIGHT HON. EDMUND BURKE, INCLUDING SOME STRICTURES ON THE LATE PRODUCTION OF MONS. DE CALONNE.

INTRODUCTION.

THE late opinions of Mr. Burke furnished more matter of astonishment to those who had distantly observed, than to those who had correctly examined, the system of his former political life. An abhorrence for abstract politics, a predilection for aristocracy, and a dread of innovation, have ever been among the most sacred articles of his public creed. and it was not likely that at his age he should abandon, to the invasion of audacious novelties, opinions which he had received so early, and maintained so long,—which had been fortified by the applause of the great, and the assent of the wise,—which he had dictated to so many illustrious pupils, and supported against so many distinguished opponents. Men who early attain eminence, repose in their first creed, to the neglect of the progress of the human mind subsequent to its adoption; and when, as in the present case, it has burst forth into action, they regard it as a transient madness, worthy only of pity or derision. They mistake it for a mountain torrent that will pass away with the storm that gave it birth: they know not that it is the stream of human opinion *in omne volubilis ævum*, which the accession of every day will swell, and which is destined to sweep into the same oblivion the resistance of learned sophistry, and of powerful oppression.

But there still remained ample matter of astonishment in the Philippic of Mr. Burke.* He might deplore the sanguinary excesses,—he might deride the visionary policy, that seemed to him to tarnish the lustre of the Revolution; but it was hard to suppose that he would exhaust against it every epithet of contumely and opprobrium that language

can furnish to indignation; that the rage of his declamation would not for one moment be suspended, and that his heart would not betray one faint glow of triumph, at the splendid and glorious delivery of so great a people. All was invective: the authors and admirers of the Revolution,—every man who did not execrate it, even his own most enlightened and accomplished friends,—were devoted to odium and ignominy. The speech did not stoop to argument; the whole was dogmatical and authoritative: the cause seemed decided without discussion,—the anathema fulminated before trial.

But the ground of the opinions of this famous speech, which, if we may believe a foreign journalist, will form an epoch in the history of the eccentricities of the human mind, was impatiently expected in a work soon after announced. The name of the author, the importance of the subject, and the singularity of his opinions, all contributed to inflame the public curiosity, which, though it languished in a subsequent delay, has been revived by the appearance, and will be rewarded by the perusal of the work.*

It is certainly in every respect a performance, of which to form a correct estimate would prove one of the most arduous efforts of critical skill

“We scarcely can praise it, or blame it too much.”† Argument, every where dexterous and efficacious, sometimes grave and profound, clothed in the most rich and various imagery, and aided by the most pathetic and picturesque description, speaks the opulence and the powers of that mind, of which age has neither dimmed the discernment, nor en-

* The speech on the Army Estimates, 9th Feb. 1790.—Ed.

* The Reflections on the Revolution in France published in 1790.—Ed.

† Retaliation.—Ed.

feebled the fancy—neither repressed the ardour, nor narrowed the range. Virulent encomiums on urbanity and inflammatory harangues against violence, homilies of moral and religious mysticism, better adapted to the amusement than to the conviction of an incredulous age, though they may rouse the languor of attention, can never be dignified by the approbation of the understanding.

Of the senate and people of France, Mr. Burke's language is such as might have been expected towards a country which his fancy has peopled only with plots, assassinations, and massacres, and all the brood of dire chimeras which are the offspring of a prolific imagination, goaded by an ardent and deluded sensibility. The glimpses of benevolence, which irradiate this gloom of invective, arise only from generous illusion,—from misguided and misplaced compassion. His eloquence is not at leisure to deplore the fate of beggared artisans, and famished peasants,—the victims of suspended industry, and languishing commerce. The sensibility which seems scared by the homely miseries of the vulgar, is attracted only by the splendid sorrows of royalty, and agonises at the slenderest pang that assails the heart of sottishness or prostitution, if they are placed by fortune on a throne.* To the English friends of French freedom, his language is contemptuous, illiberal, and scurrilous. In one of the ebbings of his fervour, he is disposed not to dispute "their good intentions:" but he abounds in intemperate sallies and ungenerous insinuations, which wisdom ought to have checked, as ebullitions of passion,—which genius ought to have disdained, as weapons of controversy.

The arrangement of his work is as singular as the matter. Availing himself of all the privileges of epistolary effusion, in their utmost latitude and laxity, he interrupts, dismisses, and resumes argument at pleasure. His subject is as extensive as political science: his allusions and excursions reach almost every region of human knowledge. It must be confessed that in this miscellaneous and desultory warfare, the superiority of a man of genius over common men is in-

* "The vulgar clamour which has been raised with such malignant art against the friends of freedom, as the apostles of turbulence and sedition, has not even spared the obscurity of my name. To strangers I can only vindicate myself by defying the authors of such clamours to discover one passage in this volume not in the highest degree favourable to peace and stable government: those to whom I am known would, I believe, be slow to impute any sentiments of violence to a temper which the partiality of my friends must confess to be indolent, and the hostility of enemies will not deny to be mild. I have been accused, by valuable friends, of treating with ungenerous levity the misfortunes of the Royal Family of France. They will not however suppose me capable of deliberately violating the sacredness of misery in a palace or a cottage; and I sincerely lament that I should have been betrayed into expressions which admitted that construction."—(*Advertisement to the third edition.*)—ED.

finite. He can cover the most ignominious retreat by a brilliant allusion; he can parade his arguments with masterly generalship, where they are strong; he can escape from an untenable position into a splendid declamation; he can sap the most impregnable conviction by pathos, and put to flight a host of syllogisms with a sneer; absolved from the laws of vulgar method, he can advance a group of magnificent horrors to make a breach in our hearts, through which the most undisciplined rabble of arguments may enter in triumph.

Analysis and method, like the discipline and armour of modern nations, correct in some measure the inequalities of controversial dexterity, and level on the intellectual field the giant and the dwarf. Let us then analyse the production of Mr. Burke, and, dismissing what is extraneous and ornamental, we shall discover certain leading questions, of which the decision is indispensable to the point at issue. The natural order of these topics will dictate the method of reply. Mr. Burke, availing himself of the indefinite and equivocal term 'Revolution,' has altogether reprobated that transaction. The first question, therefore, that arises, regards the general expediency and necessity of a Revolution in France. This is followed by the discussion of the composition and conduct of the National Assembly, of the popular excesses which attended the Revolution, and of the new Constitution that is to result from it. The conduct of its English admirers forms the last topic, though it is with rhetorical inversion first treated by Mr. Burke, as if the propriety of approbation should be determined before the discussion of the merit or demerit of what was approved. In pursuance of this analysis, the following sections will comprise the substance of our refutation.

SECT. I. *The General Expediency and Necessity of a Revolution in France.*

SECT. II. *The Composition and Character of the National Assembly considered.*

SECT. III. *The Popular Excesses which attended, or followed the Revolution.*

SECT. IV. *The new Constitution of France.*

SECT. V. *The Conduct of its English Admirers justified.*

With this reply to Mr. Burke will be mingled some strictures on the late publication of M. de Calonne.* That minister, who has for some time exhibited to the eyes of indignant Europe the spectacle of an exiled robber living in the most splendid impunity, has, with an effrontery that beggars invective, assumed in his work the tone of afflicted patriotism, and delivers his polluted Philippics as the oracles of persecuted virtue. His work is more methodical than that of his

* *De l'Etat de la France.* London, 1790.—ED.

roadjutor.* Of his financial calculations it may be remarked, that in a work professedly popular they afford the strongest presumption of fraud. Their extent and intricacy seem contrived to extort assent from public indolence; for men will rather believe than examine them. His inferences are so outrageously incredible, that most men of sense will think it more safe to trust their own plain conclusions than to enter such a labyrinth of financial sophistry. The only part of his production that here demands reply, is that which relates to general political questions. Remarks on what he has offered concerning them will naturally find a place under the corresponding sections of the reply to Mr. Burke. Its most important view is neither literary nor argumentative: it appeals to judgments more decisive than those of criticism, and aims at wielding weapons more formidable than those of logic. It is the manifesto of a Counter-Revolution, and its obvious object is to inflame every passion and interest, real or supposed, that has received any shock in the establishment of freedom. He probes the bleeding wounds of the sciences, the nobility, the priesthood, and the great judicial aristocracy: he adjures one body by its dignity degraded, another by its inheritance plundered, and a third by its authority destroyed, to repair to the holy banner of his philanthropic crusade. Confident in the protection of all the monarchs of Europe, whom he alarms for the security of their thrones, and, having insured the moderation of a fanatical rabble, by giving out among them the savage *war-whoop* of atheism, he already fancies himself in full march to Paris, not to re-instate the deposed despotism (for he disclaims the purpose, and who would not trust such virtuous disavowals!) but at the head of this army of priests, mercenaries, and fanatics, to dictate, as the tutelary genius of France, the establishment of a just and temperate freedom, obtained without commotion and without carnage, and equally hostile to the interested ambition of demagogues and the lawless authority of kings. Crusades were an effervescence of chivalry, and the modern St. Francis has a knight for the conduct of these crusaders, who will convince Mr. Burke, that the age of chivalry is not past, nor the glory of Europe gone for ever. The *Compte d' Artois*,† that scion worthy of Henry the Great, the rival

of the Bayards and Sidneys, the new mode of French knighthood, is to issue from Turin with ten thousand cavaliers, to deliver the peerless and immaculate Autometta of Austria from the durance vile in which she has so long been immured in the Tuilleries, from the swords of the discourteous knights of Paris, and the spells of the sable wizards of democracy.

SECTION I.

The General Expediency and Necessity of a Revolution in France.

It is asserted in many passages of Mr. Burke's work, though no where with that precision which the importance of the assertion demanded, that the French Revolution was not only in its parts reprehensible, but in the whole was absurd, inexpedient, and unjust; yet he has nowhere exactly informed us what he understands by the term. The 'French Revolution,' in its most popular sense, perhaps, would be understood in England to consist of those splendid events that formed the prominent portion of its exterior,—the Parisian revolt, the capture of the Bastille, and the submission of the King. But these memorable events, though they strengthened and accelerated, could not constitute a political revolution, which must include a change of government. But the term, even when limited to that meaning, is equivocal and wide. It is capable of three senses. The King's recognition of the rights of the States-General to a share in the legislation, was a change in the actual government of France, where the whole legislative and executive power had, without the shadow of an interruption, for nearly two centuries been enjoyed by the crown; in that sense the meeting of the States-General was the Revolution, and the 5th of May was its æra. The union of the three Orders in one assembly was a most important change in the forms and spirit of the legislature; this too may be called the Revolution, and the 23d of June will be its æra. This body, thus united, are forming a new Constitution;* this may be also called a Revolution, because it is of all the political changes the most important, and its epoch will be determined by the conclusion of the labours of the National Assembly. Thus equivocal is the import of Mr. Burke's expressions. To extricate them from this ambiguity, a rapid survey of these events will be necessary. It will prove, too, the fairest and most forcible confutation of his arguments. It will best demonstrate the necessity and justice of all the successive changes in the state of France, which formed what is called the 'Revolution.' It will discriminate legislative acts from popular excesses, and distinguish transient confusion

* It cannot be denied that the production of M. de Calonne is 'eloquent, able,' and certainly very 'instructive' in what regards his own character and designs. But it contains one instance of historical ignorance so egregious, that I cannot resist quoting it. In his long discussion of the pretensions of the Assembly to the title of a 'National Convention,' he deduces the origin of that word from Scotland, where he informs us (p. 328), "On vi donna le nom de Convention Ecossoise; le résultat de ses délibérations fut appellé 'Covenant,' et ceux qui l'avoient souscrit ou qui y adheroient 'Covenanters!'"

† 'Ce digne rejeton du grand Henri.'—Calonne
Un nouveau modèle de la Chevalerie Française.
Ibid. pp. 413—414.

* The *Vindiciæ Galicæ* was published in April 1791.—Ed.

from permanent establishment. It will evince the futility and fallacy of attributing to the conspiracy of individuals, or bodies, a Revolution which, whether it be beneficial or injurious, was produced only by general causes, and in which the most conspicuous individual produced little real effect.

The Constitution of France resembled in the earlier stages of its progress the Gothic governments of Europe. The history of its decline and the causes of its extinction are abundantly known. Its infancy and youth were like these of the English government. The *Champ de Mars*, and the *Wittengamot*,—the tumultuous assemblies of rude conquerors,—were in both countries melted down into representative bodies. But the downfall of the feudal aristocracy happening in France before commerce had elevated any other class of citizens into importance, its power devolved on the crown. From the conclusion of the fifteenth century the powers of the States-General had almost dwindled into formalities. Their momentary re-appearance under Henry III. and Louis XIII. served only to illustrate their insignificance: their total disuse speedily succeeded.

The intrusion of any popular voice was not likely to be tolerated in the reign of Louis XIV.—a reign which has been so often celebrated as the zenith of warlike and literary splendour, but which has always appeared to me to be the consummation of whatever is afflicting and degrading in the history of the human race. Talent seemed, in that reign, robbed of the conscious elevation,—of the erect and manly port, which is its noblest associate and its surest indication. The mild purity of Fenelon,—the lofty spirit of Bossuet,—the masculine mind of Boileau, the sublime fervour of Corneille,—were confounded by the contagion of ignominious and indiscriminate servility. It seemed as if the 'representative majesty' of the genus and intellect of man were prostrated before the shrine of a sanguinary and dissolute tyrant, who practised the corruption of courts without their mildness, and incurred the guilt of wars without their glory. His highest praise is to have supported the stage trick of Royalty with effect: and it is surely difficult to conceive any character more odious and despicable, than that of a puny libertine, who, under the frown of a stumpet, or a monk, issues the mandate that is to murder virtuous citizens,—to desolate happy and peaceful hamlets,—to wring agonising tears from widows and orphans. Heroism has a splendour that almost atones for its excesses: but what shall we think of him, who, from the luxurious and dastardly security in which he wallows at Versailles, issues with calm and cruel apathy his orders to butcher the Protestants of Languedoc, or to lay in ashes the villages of the Palatinate? On the recollection of such scenes, as a scholar, I blush for the prostitution of letters,—as a man, I blush for the patience of humanity.

But the despotism of this reign was preg-

nant with the great events which have signalled our age: it fostered that literature which was one day destined to destroy it. The profligate conquests of Louis have eventually proved the acquisitions of humanity; and his usurpations have served only to add a larger portion to the great body of freemen. The spirit of his policy was inherited by his successor: the rage of conquest, repressed for a while by the torpid despotism of Fleury, burst forth with renovated violence in the latter part of the reign of Louis XV. France, exhausted alike by the misfortunes of one war, and the victories of another, groaned under a weight of impost and debt, which it was equally difficult to remedy or to endure. But the profligate expedients were exhausted by which successive ministers had attempted to avert the great crisis, in which the credit and power of the government must perish.

The wise and benevolent administration of M. Turgot,* though long enough for his

* " Louis XVI. called to his councils the two most virtuous men in his dominions, M. Turgot and M. de Lamoignon Malesherbes. Few things could have been more unexpected than that such a promotion should have been made; and still fewer have more discredited the sagacity and humbled the wisdom of man than that so little good should ultimately have sprung from so glorious an occurrence. M. Turgot appears beyond most other men to have been guided in the exertion of his original genius and comprehensive intellect by impartial and indefatigable benevolence. He preferred nothing to the discovery of truth but the interest of mankind; and he was ignorant of nothing of which he did not forego the attainment, that he might gain time for the practice of his duty. Co-operating with the illustrious men who laid the foundation of the science of political economy, his writings were distinguished from theirs by the simplicity, the geometrical order, and precision of a mind without passion, intent only on the progress of reason towards truth. The character of M. Turgot considered as a private philosopher, or as an inferior magistrate, seems to have approached more near the ideal model of a perfect sage, than that of any other man of the modern world. But he was destined rather to instruct than to reform mankind. Like Bacon (whom he so much resembled in the vast range of his intellect) he came into a court, and like Bacon,—though from far nobler causes,—he fell. The noble error of supposing men to be more disinterested and enlightened than they are, betrayed him. Though he had deeply studied human nature, he disdained that discretion and dexterity without which wisdom must return to her cell, and leave the dominion of the world to cunning. The instruments of his benevolence depended on others: but the sources of his own happiness were independent, and he left behind him in the minds of his friends that enthusiastic attachment and profound reverence with which, when superior attainments were more rare, the sages of antiquity inspired their disciples. The virtue of M. de Lamoignon was of a less perfect but of a softer and more natural kind. Descended from one of the most illustrious families of the French magistracy, he was early called to high offices. He employed his influence chiefly in lightening the fetters which impeded the free exercise of reason; and he exerted his courage and his eloquence in defending the people against oppressive taxation. While he was a minister, he had prepared the means of abolishing arbitrary imprisonment. No part of science or art was

own glory, was too short, and perhaps too early, for those salutary and grand reforms which his genius had conceived, and his virtue would have effected. The aspect of purity and talent spread a natural alarm among the minions of a court; and they easily succeeded in the expulsion of such rare and obnoxious intruders. The magnificent ambition of M. de Vergennes, the brilliant, profuse, and rapacious career of M. de Calonne, the feeble and irresolute violence of M. de Bienville,—all contributed their share to swell this financial embarrassment. The *deficit*, or inferiority of the revenue to the expenditure, at length rose to the enormous sum of 115 millions of livres, or about 4,750,000*l.* annually.* This was a disproportion between income and expense with which no government, and no individual, could long continue to exist.

In this exigency there was no expedient left, but to guarantee the ruined credit of bankrupt despotism by the sanction of the national voice. The States-General were a dangerous mode of collecting it: recourse was, therefore, had to the Assembly of the Notables, a mode well known in the History of France, in which the King summoned a number of individuals, selected, at *his* discretion, from the mass, to advise him in great emergencies. They were little better than a popular Privy Council. They were neither recognised nor protected by law: their precarious and subordinate existence hung on the nod of despotism.

The Notables were accordingly called together by M. de Calonne, who has now the inconsistent arrogance to boast of the schemes which he laid before them, as the model of the Assembly whom he traduces. He proposed, it is true, the equalisation of imposts and the abolition of the pecuniary exemptions of the Nobility and Clergy; and the difference between his system and that of the Assembly, is only in what makes the sole distinction in human actions—its end. *He* would have destroyed the privileged Orders, as obstacles to despotism: *they* have destroyed them, as derogations from freedom. The object of *his* plans was to facilitate fiscal oppression: the motive of *theirs* is to fortify general liberty. *They* have levelled all Frenchmen as men: *he* would have levelled them as slaves. The Assembly of the

foreign to his elegant leisure. His virtue was without effort or system, and his benevolence was prone to diffuse itself in a sort of pleasantry and even drollery. In this respect he resembled Sir Thomas More; and it is remarkable that this playfulness—the natural companion of a simple and innocent mind—attended both these illustrious men to the scaffold on which they were judicially murdered!—MS. Ed.

* For this we have the authority of M. de Calonne himself, p. 56. This was the account presented to the Notables in April, 1787. He, indeed, makes some deductions on account of part of this *deficit* being expirable: but this is of no consequence to our purpose, which is to view the influence of the *present* urgency,—the political, not the financial, state of the question.

Notables, however, soon gave a memorable proof, how dangerous are all public meetings of men, even without legal powers of control, to the permanence of despotism. They had been assembled by M. de Calonne to admire the plausibility and splendour of his speculations, and to veil the extent and atrocity of his rapine: but the fallacy of the one and the profligacy of the other were detected with equal ease. Illustrious orators, who have since found a nobler sphere for their talents, in a more free and powerful Assembly, exposed the plunderer. Detested by the Nobles and Clergy, of whose privileges he had suggested the abolition; undermined in the favour of the Queen, by his attack on one of her favourites (Breteuil); exposed to the fury of the people, and dreading the terrors of judicial prosecution, he speedily sought refuge in England, without the recollection of one virtue, or the applause of one party, to console his retreat. Thus did the Notables destroy their creator. Little appeared to be done to a superficial observer; but to a discerning eye, all was done, for the dethroned authority of Public Opinion was restored.

The succeeding Ministers, uninstructed by the example of their predecessors, by the destruction of public credit, and by the fermentation of the popular mind, hazarded measures of a still more preposterous and perilous description. The usurpation of some share in the sovereignty by the Parliament of Paris had become popular and venerable, because its tendency was useful, and its exercise virtuous. That body had, as it is well known, claimed a right, which, in fact, amounted to a negative on all the acts of the King:—they contended, that the registration of his edicts by them was necessary to give them force. They would, in that case, have possessed the same share of legislation as the King of England. It is unnecessary to descant on the historical fallacy, and political inexpediency, of doctrines, which would vest in a narrow aristocracy of lawyers, who had bought their places, such extensive powers. It cannot be denied that their resistance had often proved salutary, and was some feeble check on the capricious wantonness of despotic exaction: but the temerity of the Minister now assigned them a more important part. They refused to register two edicts for the creation of imposts, averring that the power of imposing taxes was vested only in the national representatives, and claiming the immediate convocation of the States-General of the kingdom: the Minister banished them to Troyes. But he soon found how much the French were changed from that abject and frivolous people, which had so often endured the exile of its magistrates: Paris exhibited the tumult and clamour of a London mob. The Cabinet, which could neither advance nor recede with safety, had recourse to the expedient of a compulsory registration. The Duke of Orleans, and the magistrates who protested against this exe-

crable mockery, were exiled or imprisoned. But all these hacknied expedients of despotism were in vain. These struggles, which merit notice only as they illustrate the progressive energy of Public Opinion, were followed by events still less equivocal. *Lettres de Cachet* were issued against MM. d'Espréménil and Goetslard. They took refuge in the sanctuary of justice, and the Parliament pronounced them under the safeguard of the law and the King. A deputation was sent to Versailles, to entreat his Majesty to listen to sage counsels; and Paris expected, with impatient solicitude, the result. When towards midnight, a body of two thousand troops marched to the palace where the Parliament were seated, and their Commander, entering into the Court of Peers, demanded his victims, a loud and unanimous acclamation replied,—“We are all d'Espréménil and Goetslard!” These magistrates surrendered themselves; and the satellite of despotism led them off in triumph, amid the execrations of an aroused and indignant people. These spectacles were not without their effect: the spirit of resistance spread daily over France. The intermediate commission of the States of Bretagne, the States of Dauphiné, and many other public bodies, began to assume a new and menacing tone. The Cabinet was dissolved by its own feebleness, and M. Neckar was recalled.

That Minister, probably upright, and not illiberal, but narrow, pusillanimous, and entangled by the habits of detail* in which he had been reared, possessed not that erect and intrepid spirit,—those enlarged and original views, which adapt themselves to new combinations of circumstances, and sway in the great convulsions of human affairs. Accustomed to the tranquil accuracy of commerce, or the elegant amusements of literature, he was called on to

“Ride in the whirlwind, and direct the storm.”†

He seemed superior to his privacy while he was limited to it, and would have been adjudged by history equal to his elevation had he never been elevated.‡ The reputation of few men, it is true, has been exposed to so severe a test; and a generous observer will be disposed to scrutinize less rigidly the claims of a statesman, who has retired with the applause of no party,—who is detested by the aristocracy as the instrument of their ruin, and despised by the democratic leaders for pusillanimous and fluctuating policy. But

* The late celebrated Dr. Adam Smith always held this opinion of Neckar, whom he had known intimately when a banker in Paris. He predicted the fall of his fame when his talents should be brought to the test, and always emphatically said, “He is but a man of detail.” At a time when the commercial abilities of Mr Eden, the present Lord Auckland, were the theme of profuse eulogy, Dr. Smith characterized him in the same words.

† Addison, *The Campaign*.—Ed.
‡ Major privato visus, dum privatus fuit, et omnium consensu capax imperii, nisi imperasset.—Tacitus, *Hist. lib. i cap 49*

had the character of M Neckar possessed more originality or decision, it could have had little influence on the fate of France. The minds of men had received an impulse, and individual aid and individual opposition were equally vain. His views, no doubt, extended only to palliation, but he was involved in a stream of opinions and events, of which no force could resist the current, and no wisdom adequately predict the termination. He is represented by M de Calonne as the Lord Sunderland of Louis XVI seducing the King to destroy his own power: but he had neither genius nor boldness for such designs.

To return to our rapid survey:—The autumn of 1788 was peculiarly distinguished by the enlightened and disinterested patriotism of the States of Dauphiné. They furnished, in many respects, a model for the future senate of France. Like them they deliberated amidst the terrors of ministerial vengeance and military execution. They annihilated the absurd and destructive distinction of Orders; the three estates were melted into a Provincial Assembly; they declared, that the right of imposing taxes resided ultimately in the States-General of France; and they voted a deputation to the King to solicit the convocation of that Assembly. Dauphiné was emulously imitated by all the provinces that still retained the shadow of Provincial States. The States of Languedoc, of Velay, and Vivarois, the Tiers Etat of Provence, and all the Municipalities of Bretagne, adopted similar resolutions. In Provence and Bretagne, where the Nobles and Clergy, trembling for their privileges, and the Parliaments for their jurisdiction, attempted a feeble resistance, the fermentation was peculiarly strong. Some estimate of the fervour of public sentiment may be formed from the reception of the Count de Mirabeau in his native province, where the burgesses of Aix assigned him a body-guard, where the citizens of Marseilles crowned him in the theatre, and where, under all the terrors of despotism, he received as numerous and tumultuous proofs of attachment as ever were bestowed on a favourite by the enthusiasm of the most free people. M. Caraman, the Governor of Provence, was even reduced to implore his interposition with the populace, to appease and prevent their excesses. The contest in Bretagne was more violent and sanguinary. She had preserved her independence more than any of those provinces which had been united to the crown of France. The Nobles and Clergy possessed almost the whole power of the States, and their obstinacy was so great, that their deputies did not take their seats in the National Assembly till an advanced period of its proceedings.

The return of M. Neckar, and the recall of the exiled magistrates, restored a momentary calm. The personal reputation of the minister for probity, re-animated the credit of France. But the finances were too

unremediably embarrassed for palliatives; and the fascinating idea of the States-General, presented to the public imagination by the unwary zeal of the Parliament, awakened recollections of ancient freedom, and prospects of future splendour, which the virtue or popularity of no minister could banish. The convocation of that body was resolved on; but many difficulties respecting the mode of electing and constituting it remained, which a second Assembly of Notables was summoned to decide.

The Third Estate demanded representatives equal to those of the other two Orders jointly. They required that the number should be regulated by the population of the districts, and that the three Orders should vote in one Assembly. All the committees into which the Notables were divided, except that of which *MONSIEUR* was President, decided against the Third Estate in every one of these particulars. They were strenuously supported by the Parliament of Paris, who, too late sensible of the suicide into which they had been betrayed, laboured to render the Assembly impotent, after they were unable to prevent its meeting. But their efforts were in vain: *M. Neckar*, whether actuated by respect for justice, or desire of popularity, or yielding to the irresistible torrent of public sentiment, advised the King to adopt the propositions of the Third Estate in the two first particulars, and to leave the last to be decided by the States-General themselves.

Letters-Patent were accordingly issued on the 24th of January, 1789, for assembling the States-General, to which were annexed regulations for the detail of their elections. In the constituent assemblies of the several provinces, bailliages, and constabularies of the kingdom, the progress of the public mind became still more evident. The Clergy and Nobility ought not to be denied the praise of having emulously sacrificed their pecuniary privileges. The instructions to the representatives breathed every where a spirit of freedom as ardent, though not so liberal and enlightened, as that which has since presided in the deliberations of the National Assembly. Paris was eminently conspicuous. The union of talent, the rapid communication of thought, and the frequency of those numerous assemblies, where men learn their force, and compare their wrongs, ever make a great capital the heart that circulates emotion and opinion to the extremities of an empire. No sooner had the convocation of the States-General been announced, than the batteries of the press were opened. Pamphlet succeeded pamphlet, surpassing each other in boldness and elevation; and the advance of Paris to light and freedom was greater in three months than it had been in almost as many centuries. Doctrines were universally received in May, which in January would have been deemed treasonable, and which in March had been de-

rided as the visions of a few deluded fanatics.*

It was amid this rapid diffusion of light, and increasing fervour of public sentiment, that the States-General assembled at Versailles on the 5th of May, 1789,—a day which will probably be accounted by posterity one of the most memorable in the annals of the human race. Any detail of the parade and ceremonial of their assembly would be totally foreign to our purpose, which is not to narrate events, but to seize their spirit, and to mark their influence on the political progress from which the Revolution was to arise. The preliminary operation necessary to constitute the Assembly gave rise to the first great question,—the mode of authenticating the commissions of the deputies. It was contended by the Clergy and Nobles, that according to ancient usage, each Order should separately scrutinize and authenticate the commissions of its own deputies. It was argued by the Commons, that, on general principles, all Orders, having an equal interest in the purity of the national representative, had an equal right to take cognizance of the authenticity of the commissions of all the members who composed the body, and therefore to scrutinize them in common. To the authority of precedent it was answered, that it would establish too much; for in the ancient States, their examination of powers was subordinate to the revision of Royal Commissaries,—a subjection too degrading and injurious for the free and vigilant spirit of an enlightened age.

This controversy involved another of more magnitude and importance. If the Orders united in this scrutiny, they were likely to continue in one Assembly; the separate voices of the two first Orders would be annihilated, and the importance of the Nobility and Clergy reduced to that of their individual suffrages. This great revolution was obviously meditated by the leaders of the Commons. They were seconded in the chamber of the Noblesse by a minority eminently distinguished for rank, character, and talent. The obscure and useful portion of the Clergy were, from their situation, accessible to popular sentiment, and naturally coalesced with the Commons. Many who favoured the division of the Legislature in the ordinary arrangements of government, were convinced that the grand and radical reforms, which the situation of France demanded, could only be effected by its union as one Assembly.† So many prejudices were

* The principles of freedom had long been understood, perhaps better than in any country of the world, by the philosophers of France. It was as natural that they should have been more diligently cultivated in that kingdom than in England, as that the science of medicine should be less understood and valued among simple and vigorous, than among luxurious and enfeebled nations. But the progress which we have noticed was among the less instructed part of society.

† "Il n'est pas douteux que pour aujourd'hui

to be vanquished,—so many difficulties to be surmounted, such obstinate habits to be extirpated, and so formidable a power to be resisted, that there was an obvious necessity to concentrate the force of the reforming body. In a great revolution, every expedient ought to facilitate change: in an established government, every thing ought to render it difficult. Hence the division of a legislature, which in an established government, may give a beneficial stability to the laws, must, in a moment of revolution, be proportionably injurious, by fortifying abuse and unnerving reform. In a revolution, the enemies of freedom are external, and all powers are therefore to be united: under an establishment her enemies are internal, and power is therefore to be divided. But besides this general consideration, the state of France furnished others of more local and temporary cogency. The States-General, acting by separate Orders, were a body from which no substantial reform could be hoped. The two first Orders were interested in the perpetuity of every abuse that was to be reformed: their possession of two equal and independent voices must have rendered the exertions of the Commons impotent and nugatory. And a collusion between the Assembly and the Crown would probably have limited its illusive reforms to some sorry palliatives,—the price of financial disembarassment. The state of a nation lulled into complacent servitude by such petty concessions, is far more hopeless than that of those who groan under the most galling despotism; and the condition of France would have been more irremediable than ever.

Such reasonings produced an universal conviction, that the question, whether the States-General were to vote individually, or in Orders, was a question, whether they were or were not to produce any important benefit. Guided by these views, and animated by public support, the Commons adhered inflexibly to their principle of incorporation. They adopted a provisory organization, but studiously declined whatever might seem to suppose legal existence, or to arrogate constitutional powers. The Nobles, less politic or timid, declared themselves a legally constituted Order, and proceeded to discuss the

que pour cette premiere tenue une Chambre Unique n'ait été préférable et peut-être nécessaire; il y avoit tant de difficultés à surmonter, tant de préjugés à vaincre, tant de sacrifices à faire, de si vieilles habitudes à déraciner, une puissance si forte à contenir, en un mot, tant à détruire et presque tout à créer."—"Ce nouvel ordre de choses que vous avez fait eclorre, tout cela vous en êtes bien surs n'a jamais pu naître que de la réunion de toutes les personnes, de tous les sentimens, et de tous les cœurs."—Discours de M. Lally-Tollendal à l'Assemblée Nationale, 31 Août, 1789, dans ses Pièces Justificatives, pp. 105, 106. This passage is in more than one respect remarkable. It fully evinces the conviction of the author, that changes were necessary great enough to deserve the name of a Revolution, and, considering the respect of Mr. Burke for his authority, ought to have weight with him.

great objects of their convocation. The Clergy affected to preserve a mediatorial character, and to conciliate the discordant claims of the two hostile Orders. The Commons, faithful to their system, remained in a wise and masterly inactivity, which tacitly reproached the arrogant assumption of the Nobles, while it left no pretext to calumniate their own conduct, gave time for the increase of the popular fervour, and distressed the Court by the delay of financial aid. Several conciliatory plans were proposed by the Minister, and rejected by the haughtiness of the Nobility and the policy of the Commons.

Thus passed the period between the 5th of May and the 12th of June, when the popular leaders, animated by public support, and conscious of the maturity of their schemes, assumed a more resolute tone. The Third Estate then commenced the scrutiny of commissions, summoned the Nobles and Clergy to repair to the Hall of the States-General, and resolved that the absence of the deputies of some districts and classes of citizens could not preclude them, who formed the representatives of ninety-six hundredths of the nation, from constituting themselves National Assembly.

These decisive measures betrayed the designs of the Court, and fully illustrate that bounty and liberality for which Louis XVI. has been so idly celebrated. That feeble Prince, whose public character varied with every fluctuation in his Cabinet,—the instrument alike of the ambition of Vergennes, the prodigality of Calonne, and the ostentatious popularity of Neckar,—had hitherto yielded to the embarrassment of the finances, and the clamour of the people. The cabal that retained its ascendancy over his mind, permitted concessions which they hoped to make vain, and flattered themselves with frustrating, by the contest of struggling Orders, all idea of substantial reform. But no sooner did the Assembly betray any symptom of activity and vigour, than their alarms became conspicuous in the Royal conduct. The Comte d'Artois, and the other Princes of the Blood, published the boldest manifestoes against the Assembly; the credit of M. Neckar at Court declined every day; the Royalists in the chamber of the Noblesse spoke of nothing less than an impeachment of the Commons for high-treason, and an immediate dissolution of the States; and a vast military force and a tremendous park of artillery were collected from all parts of the kingdom towards Versailles and Paris. Under these menacing and inauspicious circumstances, the meeting of the States-General was prohibited by the King's order till a Royal Session, which was destined for the twenty-second but not held till the twenty-third of June, had taken place. On repairing to their Hall on the twentieth, the Commons found it invested with soldiers, and themselves excluded by the point of the bayonet. They were summoned by the President to a *Tennis-Court*, where they were

reduced to hold their assembly, and which they rendered famous as the scene of their unanimous and memorable oath,—never to separate till they had achieved the regeneration of France.

The Royal Session thus announced, corresponded with the new tone of the Court. Its exterior was marked by the gloomy and ferocious haughtiness of despotism. The Royal Puppet was now evidently moved by different persons from those who had prompted its Speech at the opening of the States. He probably now spoke both with the same spirit and the same heart, and felt as little firmness under the cloak of arrogance, as he had been conscious of sensibility amidst his professions of affection; he was probably as feeble in the one as he had been cold in the other: but his language is some criterion of the system of his prompters. This speech was distinguished by insulting condensation and ostentatious menace. He spoke not as the Chief of a free nation to its sovereign Legislature, but as a Sultan to his Divan. He annulled and prescribed deliberations at pleasure. He affected to represent his will as the rule of their conduct, and his bounty as the source of their freedom. Nor was the matter of his harangue less injurious than its manner was offensive. Instead of containing any concession important to public liberty, it indicated a relapse into a more lofty despotism than had before marked his pretensions. Tithes, feudal and seigniorial rights, he consecrated as the most inviolable property; and of *Lettres de Cachet* themselves, by recommending the regulation, he obviously condemned the abolition. The distinction of Orders he considered as essential to the Constitution of the kingdom, and their present union as only legitimate by his permission. He concluded with commanding them to separate, and to assemble on the next day in the Halls of their respective Orders.

The Commons, however, inflexibly adhering to their principles, and conceiving themselves constituted as a National Assembly, treated these threats and injunctions with equal neglect. They remained assembled in the Hall, which the other Orders had quitted in obedience to the Royal command; and when the Marquis de Brézé, the King's Master of the Ceremonies, reminded them of his Majesty's orders, he was answered by M. Bailly, with Spartan energy,—“The Nation assembled has no orders to receive.” They proceeded to pass resolutions declaratory of adherence to their former decrees, and of the personal inviolability of the members. The Royal Session, which the Aristocratic party had expected with such triumph and confidence, proved the severest blow to their cause. Forty-nine members of the Nobility, at the head of whom was M. de Clermont-Tonnerre, repaired on the 26th of June to the Assembly.* The popular enthusiasm

was inflamed to such a degree, that alarms were either felt or affected, for the safety of the King, if the union of Orders was delayed. The union was accordingly resolved on; and the Duke of Luxembourg, President of the Nobility, was authorised by his Majesty to announce to his Order the request and even command of the King, to unite themselves with the others. He remonstrated with the King on the fatal consequences of this step. “The Nobility,” he remarked, “were not fighting their own battles, but those of the Crown. The support of the monarchy was inseparably connected with the division of the States-General: divided, that body was subject to the Crown; united, its authority was sovereign, and its force irresistible.”* The King was not, however, shaken by these considerations, and on the following day, notified his pleasure in an official letter to the Presidents of the Nobility and the Clergy. A gloomy and reluctant obedience was yielded to this mandate, and the union of the National Representatives at length promised some hope to France.

But the general system of the Government formed a suspicious and tremendous contrast with this applauded concession. New hordes of foreign mercenaries were summoned to the blockade of Paris and Versailles, from the remotest provinces; an immense train of artillery was disposed in all the avenues of these cities; and seventy thousand men already invested the Capital, when the last blow was hazarded against the public hopes, by the ignominious banishment of M. Neckar. Events followed, the most unexampled and memorable in the annals of mankind, which history will record and immortalize, but, on which, the object of the political reasoner is only to speculate. France was on the brink of civil war. The Provinces were ready to march immense bodies to the rescue of their representatives. The courtiers and their minions, pukes and princesses, male and female favourites, crowded to the camps with which they had invested Versailles, and stimulated the ferocious cruelty of their mercenaries, by caresses, by largesses, and by promises. Mean time the people of Paris revolted, the French soldiery felt that they were citizens; and the fabric of Despotism fell to the ground.

These soldiers, whom posterity will celebrate for patriotic heroism, are stigmatized by Mr. Burke as “base hireling deserters,” who sold their King for an increase of pay.†

the moderate party. Of these may be mentioned M. M. Lally, Virtou, and Clermont-Tonnerre, none of whom certainly can be accused of democratic enthusiasm.

* These remarks of M. de Luxembourg are equivalent to a thousand defences of the Revolutionists against Mr. Burke. They unanswerably prove that the division of Orders was supported only as necessary to palsy the efforts of the Legislature against the Despotism.

† Mr. Burke is sanctioned in this opinion by an authority not the most respectable, that of his late countryman Count Dalton, Commander of the

* It deserves remark, that in this number were Noblemen who have ever been considered as of

This position he every where asserts or insinuates: but nothing seems more false. Had the defection been confined to Paris, there might have been some speciousness in the accusation. The exchequer of a faction might have been equal to the corruption of the guards: the activity of intrigue might have seduced the troops cantoned in the neighbourhood of the capital. But what policy, or fortune, could pervade by their agents, or donatives, an army of one hundred and fifty thousand men, dispersed over so great a monarchy as France. The spirit of resistance to uncivic commands broke forth at once in every part of the empire. The garrisons of the cities of Rennes, Bourdeaux, Lyons, and Grenoble, refused, almost at the same moment, to resist the virtuous insurrection of their fellow-citizens. No largesses could have seduced,—no intrigues could have reached so vast and divided a body. Nothing but sympathy with the national spirit could have produced their noble disobedience. The remark of Mr Hume is here most applicable, "that what depends on a few may be often attributed to chance (secret circumstances); but that the actions of great bodies must be ever ascribed to general causes." It was the apprehension of Montesquieu, that the spirit of increasing armies would terminate in converting Europe into an immense camp, in changing our artisans and cultivators into military savages, and reviving the age of Attila and Genghis. Events are our preceptors, and France has taught us that this evil contains in itself its own remedy and limit. A domestic army cannot be increased without increasing the number of its ties with the people, and of the channels by which popular sentiment may enter. Every man who is added to the army is a new link that unites it to the nation. If all citizens were compelled to become soldiers, all soldiers must of necessity adopt the feelings of citizens, and despots cannot increase their army without admitting into it a greater number of men interested in destroying them. A small army may have sentiments different from the great body of the people, and no interest in common with them, but a numerous soldiery cannot. This is the barrier which Nature has opposed to the increase of armies. They cannot be numerous enough to enslave the people, without becoming the people itself. The effects of this truth have been hitherto conspicuous only in the military defection of France, because the enlightened sense of general interest has been so much more diffused in that nation than in any other despotic monarchy of Europe: but they must be felt by all. An elaborate discipline may for a while in Germany debase and brutalize soldiers too much to receive any impressions

from their fellow men: artificial and local institutions are, however, too feeble to resist the energy of natural causes. The constitution of man survives the transient fashions of despotism; and the history of the next century will probably evince on how frail and tottering a basis the military tyrannies of Europe stand.

The pretended seduction of the troops by the promise of increased pay, is in every view contradicted by facts. This increase of pay did not originate in the Assembly, it was not even any part of their policy: it was prescribed to them by the instructions of their constituents, before the meeting of the States*. It could not therefore be the project of any cabal of demagogues to seduce the army: it was the decisive and unanimous voice of the nation; and if there was any conspiracy, it must have been that of the people. What had demagogues to offer? The soldiery knew that the States must, in obedience to their instructions, increase their pay. This increase could, therefore, have been no temptation to them, for of it they felt themselves already secure, as the national voice had prescribed it. It was in fact a necessary part of the system which was to raise the army to a body of respectable citizens, from a gang of mendicant ruffians. An increase of pay must infallibly operate to limit the increase of armies in the North. This influence has been already felt in the Netherlands, which fortune seems to have restored to Leopold, that they might furnish a school of revolt to German soldiers. The Austrian troops have there murmured at their comparative indigence, and have supported their plea for increase of pay by the example of France. The same example must operate on the other armies of Europe: and the solicitations of armed petitioners must be heard. The indigent despots of Germany and the North will feel a limit to their military rage, in the scantiness of their exchequer. They will be compelled to reduce the number, and increase the pay of their armies: and a new barrier will be opposed to the progress of that depopulation and barbarism, which philosophers have dreaded from the rapid increase of military force. These remarks on the spirit which actuated the French army in their unexampled, misconceived, and calumniated conduct, are peculiarly important, as they serve to illustrate a principle, which cannot too frequently be presented to view,—that in the French Revolution all is to be attributed to general causes influencing the whole body of the people, and almost nothing to the schemes and the ascendant of individuals.

But to return to our rapid sketch:—it was at the moment of the Parisian revolt, and of the defection of the army, that the whole power of France devolved on the National Assembly. It is at that moment, therefore, that the discussion commences, whether that

Austrian troops in the Netherlands. In September, 1789, he addressed the Régiment de Ligne, at Brussels, in these terms:—"J'espère que vous n'imiterez jamais ces lâches François qui ont abandonné leur Souverain!"

* Calonne, p. 360

body ought to have re-established and reformed the government which events had subverted, or to have proceeded to the establishment of a new constitution, on the general principles of reason and freedom. The arm of the ancient Government had been palsied, and its power reduced to a mere formality, by events over which the Assembly possessed no control. It was theirs to decide, not whether the monarchy was to be subverted, for that had been already effected, but whether, from its ruins, fragments were to be collected for the reconstruction of the political edifice. They had been assembled as an ordinary Legislature under existing laws. They were transformed by these events into a National Convention, and vested with powers to organize a government. It is in vain that their adversaries contest this assertion, by appealing to the deficiency of forms;* it is in vain to demand the legal instrument that changed their constitution, and extended their powers. Accurate forms in the conveyance of power are prescribed by the wisdom of law, in the regular administration of states: but great revolutions are too immense for technical formality. All the sanction that can be hoped for in such events, is the voice of the people, however informally and irregularly expressed. This cannot be pretended to have been wanting in France. Every other species of authority was annihilated by popular acts, but that of the States-General. On them, therefore, devolved the duty of exercising their *unlimited* trust,† according to their best views of general interest. Their enemies have, even in their invectives, con-

fessed the *subsequent adherence* of the people, for they have inveighed against it as the infatuation of a dire fanaticism. The authority of the Assembly was then first conferred on it by public confidence; and its acts have been since ratified by public approbation. Nothing can betray a disposition to indulge in puny and technical sophistry more strongly, than to observe with M. de Calonne, "that this ratification, to be valid, ought to have been made by France, not in her new organization of municipalities, but in her ancient division of bailliages and provinces." The same *individuals* act in both forms; the approbation of the *men* legitimatizes the government: it is of no importance, whether they are assembled in bailliages or in municipalities.

If this latitude of informality, this subjection of laws to their principle, and of government to its source, are not permitted in revolutions, how are we to justify the assumed authority of the English Convention of 1688? "They did not hold the authority they exercised under any constitutional law of the State." They were not even legally elected, as, it must be confessed, was the case with the French Assembly. An evident, though irregular, ratification by the people, alone legitimatized their acts. Yet they possessed, by the confession of Mr. Burke, an authority only limited by prudence and virtue. Had the people of England given instructions to the members of that Convention, its ultimate measures would probably have departed as much from those instructions as the French Assembly have deviated from those of their constituents; and the public acquiescence in the deviation would, in all likelihood, have been the same. It will be confessed by any man who has considered the public temper of England at the landing of William, that the majority of those instructions would not have proceeded to the deposition of James. The first aspect of these great changes perplexes and intimidates men too much for just views and bold resolutions: it is by the progress of events that their hopes are emboldened, and their views enlarged. This influence was felt in France. The people, in an advanced period of the Revolution, virtually recalled the instructions by which the feebleness of their political infancy had limited the power of their representatives; for they sanctioned acts by which those instructions were contradicted. The formality of instructions was indeed wanting in England; but the change of public sentiment, from the opening of the Convention to its ultimate decision, was as remarkable as the contrast which has been so ostentatiously displayed by M. de Calonne, between the decrees of the National Assembly and the first instructions of their constituents.

We now resume the consideration of this exercise of authority by the Assembly, and proceed to inquire, whether they ought to have reformed, or destroyed their government? The general question of innovation

* "This circumstance is thus shortly stated by Mr. Burke, (p. 242):—I can never consider this Assembly as anything else than a voluntary association of men, who have availed themselves of circumstances to seize upon the power of the State. They do not hold the authority they exercise under any constitutional law of the State. They have departed from the instructions of the people that sent them." The same argument is treated by M. de Calonne, in an expanded memorial of forty-four pages, (314—358), against the pretensions of the Assembly to be a Convention, with much unavailing ingenuity and labour.

† A distinction made by Mr. Burke between the *abstract* and *moral* competency of a Legislature (p. 27), has been much extolled by his admirers. To me it seems only a novel and objectionable mode of distinguishing between a *right* and the *expediency* of using it. But the mode of illustrating the distinction is far more pernicious than a mere novelty of phrase. This moral competence is subject, says our author, to "faith, justice, and fixed fundamental policy:" thus illustrated, the distinction appears liable to a double objection. It is false that the *abstract* competence of a Legislature extends to the violation of faith and justice: it is false that its *moral* competence does not extend to the most fundamental policy. Thus to confound fundamental policy with faith and justice, for the sake of stigmatizing innovators, is to stab the vitals of morality. There is only one maxim of policy truly fundamental—the good of the governed; and the stability of that maxim, rightly understood, demonstrates the mutability of all policy that is subordinate to it.

is an exhausted common-place, to which the genius of Mr. Burke has been able to add nothing but splendour of eloquence and felicity of illustration. It has long been so notoriously of this nature, that it is placed by Lord Bacon among the sportive contests which are to exercise rhetorical skill. No man will support the extreme on either side: perpetual change and immutable establishment are equally indefensible. To descend therefore from these barren generalities to a nearer view of the question, let us state it more precisely:—Was the civil order in France corrigible, or was it necessary to destroy it? Not to mention the extirpation of the feudal system and the abrogation of the civil and criminal code, we have first to consider the destruction of the three great corporations, of the Nobility, the Church, and the Parliaments. These three Aristocracies were the pillars which in fact formed the government of France. The question then of forming or destroying these bodies was fundamental.

There is one general principle applicable to them all adopted by the French legislators,—that the existence of Orders is repugnant to the principles of the social union. An Order is a legal rank, a body of men combined and endowed with privileges by law. There are two kinds of inequality: the one personal, that of talent and virtue, the source of whatever is excellent and admirable in society, the other, that of fortune, which must exist, because property alone can stimulate to labour, and labour, if it were not necessary to the existence, would be indispensable to the happiness of man. But though it be necessary, yet in its excess it is the great malady of civil society. The accumulation of that power which is conferred by wealth in the hands of the few, is the perpetual source of oppression and neglect to the mass of mankind. The power of the wealthy is farther concentrated by their tendency to combination, from which, number, dispersion, indigence, and ignorance equally preclude the poor. The wealthy are formed into bodies by their professions, their different degrees of opulence (called “ranks”), their knowledge, and their small number. They necessarily in all countries administer government, for they alone have skill and leisure for its functions. Thus circumstanced, nothing can be more evident than their inevitable preponderance in the political scale. The preference of partial to general interests is, however, the greatest of all public evils. It should therefore have been the object of all laws to repress this malady; but it has been their perpetual tendency to aggravate it. Not content with the inevitable inequality of fortune, they have superadded to it honorary and political distinctions. Not content with the inevitable tendency of the wealthy to combine, they have embodied them in classes. They have fortified those conspiracies against the general interest, which they ought to have resisted, though they could

not disarm. Laws, it is said, cannot equalize men;—No: but ought they for that reason to aggravate the inequality which they cannot cure? Laws cannot inspire unmixed patriotism: but ought they for that reason to foment that *corporation spirit* which is its most fatal enemy? “All professional combinations,” said Mr. Burke, in one of his late speeches in Parliament, “are dangerous in a free state.” Arguing on the same principle, the National Assembly has proceeded further. They have conceived that the laws ought to create no inequality of combination, to recognise all only in their capacity of citizens, and to offer no assistance to the natural preponderance of partial over general interest.

But, besides the general source of hostility to Orders, the particular circumstances of France presented other objections, which it is necessary to consider more in detail.

It is in the first place to be remarked, that all the bodies and institutions of the kingdom participated in the spirit of the ancient government, and in that view were incapable of alliance with a free constitution. They were tainted by the despotism of which they had been either members or instruments. Absolute monarchies, like every other consistent and permanent government, assimilate every thing with which they are connected to their own genius. The Nobility, the Priesthood, the Judicial Aristocracy, were unfit to be members of a free government, because their corporate character had been formed under arbitrary establishments. To have preserved these great corporations, would be to have retained the seeds of reviving despotism in the bosom of freedom. This remark may merit the attention of Mr. Burke, as illustrating an important difference between the French and English Revolutions. The Clergy, the Peerage, and Judicature of England had imbibed in some degree the sentiments inspired by a government in which freedom had been eclipsed, but not extinguished. They were therefore qualified to partake of a more stable and improved liberty. But the case of France was different. These bodies had there imbibed every sentiment, and adopted every habit under arbitrary power. Their preservation in England, and their destruction in France, may in this view be justified on similar grounds. It is absurd to regard the Orders as remnants of that free constitution which France, in common with the other Gothic nations of Europe, once enjoyed. Nothing remained of these ancient Orders but the name. The Nobility were no longer those haughty and powerful Barons, who enslaved the people, and dictated to the King. The Ecclesiastics were no longer that Priesthood before whom, in a benighted and superstitious age, all civil power was impotent and mute. They had both dwindled into dependants on the Crown. Still less do the opulent and enlightened Commons of France resemble its servile and beggared populace in the sixteenth century. Two hundred years of un-

interrupted exercise had legitimized absolute authority as much as prescription can consecrate usurpation. The ancient French Constitution was therefore no farther a model than that of any foreign nation which was to be judged of alone by its utility, and possessed in no respect the authority of establishment. It had been succeeded by another government; and if France was to recur to a period antecedent to her servitude for legislative models, she might as well ascend to the æra of Clovis or Charlemagne, as be regulated by the precedents of Henry III. or Mary of Medicis. All these forms of government existed only historically.

These observations include all the Orders. Let us consider each of them successively. The devotion of the Nobility of France to the Monarch was inspired equally by their sentiments, their interests, and their habits. "The feudal and chivalrous spirit of fealty," so long the prevailing passion of Europe, was still nourished in their bosoms by the military sentiments from which it first arose. The majority of them had still no profession but war,—no hope but in Royal favour. The youthful and indigent filled the camps, the more opulent and mature partook the splendour and bounty of the Court: but they were equally dependents on the Crown. To the plenitude of the Royal power were attached those immense and magnificent privileges, which divided France into distinct nations, which exhibited a Nobility monopolizing the rewards and offices of the State, and a people degraded to political helotism.* Men do not cordially resign such privileges, nor quickly dismiss the sentiments which they have inspired. The ostentatious sacrifice of pecuniary exemptions in a moment of general fermentation is a wretched criterion of their genuine feelings. They affected to bestow as a gift, what they would have been speedily compelled to abandon as an usurpation; and they hoped by the sacrifice of a part to purchase security for the rest. They have been most justly stiated to be a band of political Janissaries,†—far more valuable to a Sultan than mercenaries, because attached to him by unchangeable interest and indelible sentiment. Whether any reform could have extracted from this body an element which might have entered into the new Constitution is a question which we shall consider when that political system comes under our review. Their existence, as a member of the Legislature, is a question distinct from their preservation as a separate Order, or great corporation, in the State. A senate of Nobles might have been established, though the Order of the Nobility had been destroyed: and England would then have been exactly copied. But it is of the Order that we now speak; for we are now considering the de-

struction of the old, not the formation of the new government. The suppression of the Nobility has been in England most absurdly confounded with the prohibition of titles. The union of the Orders in one Assembly was the first step towards the destruction of a legislative Nobility: the abolition of their feudal rights, in the memorable session of the 4th of August, 1789, may be regarded as the second. They retained after these measures no distinction but what was purely nominal, and it remained to be determined what place they were to occupy in the new Constitution. That question was decided by the decree of the 22d of December, in the same year, which enacted, that the Electoral Assemblies were to be composed without any regard to rank; and that citizens of all Orders were to vote in them indiscriminately. The distinction of Orders was thus destroyed: the Nobility were to form no part of the new Constitution, and were stripped of all that they had enjoyed under the old government, but their titles.

Hitherto all had passed unnoticed, but no sooner did the Assembly, faithful to their principles, proceed to extirpate the external signs of the ranks, which they no longer tolerated, than all Europe resounded with clamours against their Utopian and levelling madness. The "incredible"* decree of the 19th of June, 1790, for the suppression of titles, is the object of all these invectives, yet without that measure the Assembly would certainly have been guilty of the grossest inconsistency and absurdity. An untitled Nobility forming a member of the State, had been exemplified in some commonwealths of antiquity,—such were the Patricians in Rome: but a titled Nobility, without legal privileges, or political existence, would have been a monster new in the annals of legislative absurdity. The power was possessed without the bauble by the Roman aristocracy: the bauble would have been revered, while the power was trampled on, if titles had been spared in France. A titled Nobility is the most undisputed progeny of feudal barbarism. Titles had in all nations denoted offices: it was reserved for Gothic Europe to attach them to ranks. Yet this conduct of our remote ancestors admits explanation; for with them offices were hereditary, and hence the titles denoting them became hereditary too. But we, who have rejected hereditary office, retain an usage to which it gave rise, and which it alone could justify. So egregiously is this recent origin of a titled Nobility misconceived, that it has been even pretended to be necessary to the order and existence of society;—a narrow and arrogant mistake, which would limit all political remark to the Gothic states of Europe, or establish general principles on events that occupy so short a period of history, and manners that have been adopted by so slender a portion of the human race. A titled

* I say *political* in contradistinction to *civil*, for in the latter sense the assertion would have been untrue.

† See Mr. Rous' excellent Thoughts on Government.

* So called by M. de Calonne.

Nobility was equally unknown to the splendid monarchies of Asia, and to the manly simplicity of the ancient commonwealths.* It arose from the peculiar circumstances of modern Europe; and yet its necessity is now erected on the basis of universal experience, as if these other renowned and polished states were effaced from the records of history, and banished from the society of nations. "Nobility is the Corinthian capital of polished states:"—the august fabric of society is deformed and encumbered by such Gothic ornaments. The massy Doric that sustains it is Labour; and the splendid variety of arts and talents that solace and embellish life, form the decorations of its Corinthian and Ionic capitals.

Other motives besides the extirpation of feudality, disposed the French Legislature to the suppression of titles. To give stability to a popular government, a democratic character must be formed, and democratic sentiments inspired. The sentiment of equality which tular distinctions have, perhaps, more than any other cause, extinguished in Europe, and without which democratic forms are impotent and short-lived, was to be revived; and a free government was to be established, by carrying the spirit of equality and freedom into the feelings, the manners, and the most familiar intercourse of men. The badges of inequality, which were perpetually inspiring sentiments adverse to the spirit of the government, were therefore destroyed, as distinctions which only served to unfit the Nobility for obedience, and the people for freedom,—to keep alive the discontent of the one, and to perpetuate the servility of the other,—to deprive the one of the moderation that sinks them into citizens, and to rob the other of the spirit that exalts them into free men. A single example can alone dispel inveterate prejudices. Thus thought our ancestors at the Revolution, when they deviated from the succession, to destroy the prejudice of its sanctity. Thus also did the legislators of France feel, when, by the abolition of titles, they gave a mortal blow to the slavish prejudices which unfitted their country for freedom. It was a practical assertion of that equality which had been consecrated in the Declaration of Rights, but which no abstract assertion could have conveyed into the spirits and the hearts of men. It proceeded on the principle that the security of a revolution of *government* can only arise from a revolution of *character*.

* Aristocratic bodies did indeed exist in the ancient world, but *titles* were unknown. Though they possessed political privileges, yet as these did not affect the *manners*, they had not the same inevitable tendency to taint the public character as tular distinctions. These bodies too being in general open to *property*, or *office*, they are in no respect to be compared to the Nobles of Europe. They might affect the *forms* of a free government as much, but they did not in the same proportion injure the *spirit* of freedom.

To these reasonings it has been opposed, that hereditary distinctions are the *moral treasure* of a state, by which it excites and rewards public virtue and public service, and which, without national injury or burden, operates with resistless force on generous minds. To this I answer, that of *personal* distinctions this description is most true; but that this moral treasury of honour is in fact impoverished by the improvident profusion that has made them hereditary. The possession of honours by that multitude, who have inherited but not acquired them, engrosses and depreciates these incentives and rewards of virtue. Were they purely personal, their value would be doubly enhanced, as the possessors would be fewer while the distinction was more honourable. Personal distinctions then every wise state will cherish as its surest and noblest resource; but of hereditary title,—at least in the circumstances of France,*—the abolition seems to have been just and politic.

The fate of the Church, the second great corporation that sustained the French despotism, has peculiarly provoked the indignation of Mr Buike. The dissolution of the Church as a body, the resumption of its territorial revenues, and the new organization of the priesthood, appear to him to be dictated by the union of robbery and irreligion, to glut the rapacity of stockjobbers, and to gratify the hostility of atheists. All the outrages and proscriptions of ancient or modern tyrants vanish, in his opinion, in comparison with this confiscation of the property of the Gallican Church. Principles had, it is true, been on this subject explored, and reasons had been urged by men of genius, which vulgar men deemed irresistible. But with these reasons Mr. Buike will not deign to combat. "You do not imagine, Sir," says he to his correspondent, "that I am going to compliment this *miserable description of persons* with any long discussion?"† What immediately follows this contemptuous passage is so outrageously offensive to candour and urbanity, that an

* I have been grossly misunderstood by those who have supposed this qualification an assumed or affected reserve. I believe the principle only as qualified by the circumstances of different nations.

† The Abbé Maury, who is not less remarkable for the fury of eloquent declamation, than for the inept parade of historical erudition, attempted in the debate on this subject to trace the opinion higher. Base lawyers, according to him, had insinuated it to the Roman Emperors, and against it was pointed the maxim of the civil law, "Omnia tenes Cæsar imperio, sed non dominio." Louis XIV. and Louis XV. had, if we may believe him, both been assailed by this Machiavelian doctrine, and both had repulsed it with magnanimous indignation. The learned Abbé committed only one mistake. The despots of Rome and France had indeed been poisoned with the idea that they were the immediate proprietors of their subjects' estates. That opinion is execrable and flagitious; but it is not, as we shall see, the doctrine of the French legislators.

honourable adversary will disdain to avail himself of it. The passage itself, however, demands a pause. It alludes to an opinion, of which I trust Mr. Burke did not know the origin. That the Church lands were national property was not first asserted among the Jacobins, or in the Palais Royal. The author of that opinion,—the master of that wretched description of persons, whom Mr. Burke disdains to encounter, was one whom he might have combated with glory,—with confidence of triumph in victory, and without fear or shame in defeat. The author of that opinion was Turgot! a name now too high to be exalted by eulogy, or depressed by invective. That benevolent and philosophic statesman delivered it, in the article "Foundation" of the *Encyclopédie*, as the calm and disinterested opinion of a scholar, at a moment when he could have no object in palliating rapacity, or prompting irreligion. It was no doctrine contrived for the occasion by the agents of tyranny: it was a principle discovered in pure and harmless speculation, by one of the best and wisest of men. I adduce the authority of Turgot, not to oppose the arguments (if there had been any), but to counteract the insinuations of Mr. Burke. The authority of his assertions forms a prejudice, which is thus to be removed before we can hope for a fair audience at the bar of Reason. If he insinuates the flagitiousness of these opinions by the supposed vileness of their origin, it cannot be unfit to pave the way for their reception, by assigning to them a more illustrious pedigree.

But dismissing the genealogy of doctrines, let us examine their intrinsic value, and listen to no voice but that of truth. "Are the lands occupied by the Church the property of its members?" Various considerations present themselves, which may elucidate the subject.

It has not hitherto been supposed that any class of public servants are proprietors.—They are salaried* by the State for the performance of certain duties. Judges are paid for the distribution of justice; kings for the execution of the laws; soldiers, where there is a mercenary army, for public defence; and priests, where there is an established religion, for public instruction. The mode of their payment is indifferent to the question. It is generally in rude ages by land, and in cultivated periods by money. But a territorial pension is no more property than a pecuniary one. The right of the State to regulate the salaries of those servants whom it pays in money has not been disputed: and if it has chosen to provide the revenue of a certain portion of land for the salary of another class of servants, wherefore is its right more disputable, to resume that land, and to establish a new mode of payment?

* "Ils sont ou *salarisés*, ou *mendiants*, ou *voieurs*."—was the expression of M. Mirabeau respecting the priesthood.

in the early history of Europe, before fiefs became hereditary, great landed estates were bestowed by the sovereign, on condition of military service. By a similar tenure did the Church hold its lands. No man can prove, that because the State has intrusted its ecclesiastical servants with a portion of land, as the source and security of their *pensions*, they are in any respect more the proprietors of it, than the other servants of the State are of that portion of the revenue from which they are paid.

The lands of the Church possess not the most simple and indispensable requisites of property. They are not even pretended to be held for the *benefit* of those who enjoy them. This is the obvious criterion between private property and a pension for public service. The destination of the first is avowedly the comfort and happiness of the individual who enjoys it. as he is conceived to be the sole judge of this happiness, he possesses the most unlimited rights of enjoyment, of alienation, and even of abuse. But the lands of the Church, destined for the support of public servants, exhibited none of these characters of property. They were inalienable, because it would have been not less absurd for the priesthood to have exercised such authority over these lands, than it would be for seamen to claim the property of a fleet which they manned, or soldiers that of a fortress they garrisoned.

It is confessed that no individual priest was a proprietor, and that the utmost claim of any one was limited to a possession for life of his stipend. If all the priests, taken individually, were not proprietors, the priesthood, as a body, cannot claim any such right. For what is a body, but an aggregate of individuals? and what new right can be conveyed by a mere change of name? Nothing can so forcibly illustrate this argument as the case of other corporations. They are voluntary associations of men for their own benefit. Every member of them is an absolute sharer in their property: it is therefore alienated and inherited. Corporate property is here as sacred as individual, because in the ultimate analysis it is the same. But the priesthood is a corporation, endowed by the country, and destined for the benefit of others: hence the members have no separate, nor the body any collective, right of property. They are only intrusted with the administration of the lands from which their salaries are paid.*

It is from this last circumstance that the legal semblance of property arises. In charters, bonds, and all other proceedings of law, these salaries are treated with the same formalities as real property. "They are identified," says Mr. Burke, "with the mass of

* This admits a familiar illustration. If a landholder chooses to pay his steward for the collection of his rents, by permitting him to possess a farm *gratis*, is he conceived to have resigned his property in the farm? The case is precisely similar.

private property;" and it must be confessed, that if we are to limit our view to form, this language is correct. But the repugnance of these formalities to legal truth proceeds from a very obvious cause. If estates are vested in the clergy, to them most unquestionably ought to be intrusted the protection of these estates in all contests at law; and actions for that purpose can only be maintained with facility, simplicity, and effect, by the fiction of their being proprietors. Nor is this the only case in which the spirit and the forms of law are at variance respecting property. Scotland, where lands still are held by feudal tenures, will afford us a remarkable example. There, if we extend our views no further than legal forms, the "superior" is to be regarded as the proprietor, while the real proprietor appears to be only a tenant for life. In this case, the vassal is formally stript of the property which he in fact enjoys. In the other, the Church is formally invested with a property, to which in reality it had no claim. The argument of Prescription will appear to be altogether untenable: for prescription implies a certain period during which the rights of property have been exercised; but in the case before us they never were exercised, because they never could be supposed to exist. It must be proved that these possessions were of the nature of property, before it can follow that they are protected by prescription; and to plead the latter is to take for granted the question in dispute.*

When the British Islands, the Dutch Republic, and the German and Scandinavian States, reformed their ecclesiastical establishments, the howl of sacrilege was the only armour by which the Church attempted to protect its pretended property: the age

* There are persons who may not relish the mode of reasoning here adopted. They contend that property, being the creature of civil society, may be resumed by that public will which created it; and on this principle they justify the National Assembly of France. But such a justification is adverse to the principles of that Assembly, for they have consecrated it as one of the first maxims of their Declaration of Rights, "that the State cannot violate property, except in cases of urgent necessity, and on condition of previous indemnification." This defence too will not justify their selection of Church property, in preference of all others, for resumption. It certainly ought in this view to have fallen equally on all citizens. The principle is besides false in the extreme to which it is assumed. Property is indeed in some sense created by an act of the public will: but it is by one of those *fundamental* acts which constitute society. Theory proves it to be essential to the social state. Experience proves that it has, in some degree, existed in every age and nation of the world. But those public acts which form and endow corporations are subsequent and subordinate; they are only *ordinary expedients* of legislation. The property of individuals is established on a *general principle*, which seems coeval with civil society itself: but corporate bodies are instruments fabricated by the legislator for a *specific* purpose, which ought to be preserved while they are beneficial, amended when they are impaired, and rejected when they become useless or injurious.

was too tumultuous and unlettered for discussions of abstract jurisprudence. This howl seems, however, to have fallen into early contempt. The Treaty of Westphalia secularised many of the most opulent benefices of Germany, under the mediation and guarantee of the first Catholic powers of Europe. In our own island, on the abolition of episcopacy in Scotland at the Revolution, the revenues of the Church peaceably devolved on the sovereign, and he devoted a portion of them to the support of the new establishment. When, at a still later period, the Jesuits were suppressed in most Catholic monarchies, the wealth of that formidable and opulent body was everywhere seized by the sovereign. In all these memorable examples, no traces are to be discovered of the pretended property of the Church. The salaries of a class of public servants were resumed by the State, when it ceased to deem their service, or the mode of it, useful. That claim, now so forcibly urged by M de Calonne, was probably little respected by him, when he lent his agency to the destruction of the Jesuits with such peculiar activity and rancour. The sacredness of their property could not have strongly impressed one who was instrumental in degrading the members of that renowned and accomplished society, the glory of Catholic Europe, from their superb endowments to the rank of scanty and beggaly pensioners. The religious horror which the priesthood had attached to spoliation of Church property has long been dispelled; and it was reserved for Mr. Burke to renew that cry of sacrilege, which, in the darkness of the sixteenth century, had resounded in vain. No man can be expected to oppose arguments to epithets. When a definition of sacrilege is given, consistent with good logic and plain English, it will be time enough to discuss it. Till that definition (with the Greek Calends) comes, I should as soon dispute about the meaning of sacrilege as about that of heresy or witchcraft.

The whole subject is indeed so clear that little diversity of opinion could have arisen, if the question of the inviolability of Church property had not been confounded with the claims of the present incumbents. The distinction, though neither stated by Mr. Burke nor M. de Calonne, is extremely simple. The State is the proprietor of the Church revenues; but its faith, it may be said, is pledged to those who have entered into the Church, for the continuance of the incomes, for which they have abandoned all other pursuits. The right of the State to arrange at its pleasure the revenues of any future priests may be confessed; while a doubt may be entertained, whether it is competent to change the fortune of those to whom it has solemnly promised a certain income for life. But these distinct subjects have been confounded, that sympathy with suffering individuals might influence opinion on a general question,—that feeling for the de-

gradation of its hierarchy might supply the place of argument to establish the property of the Church. In considering this subject distinctly, it cannot be denied, that the mildest, the most equitable, and the most usual expedient of civilized states in periods of emergency, is the reduction of the salaries of their servants, and the superfluous places. This and no more has been done regarding the Church of France. Civil, naval, and military servants of the State are subject to such retrenchments in a moment of difficulty. Neither the reform of a civil office, nor the reduction of a regiment, can be effected without wounding individuals.* But all men who enter into the public service must do so with the implied condition of subjecting their emoluments, and even their official existence, to the exigencies of the State. The great grievance of such derangements is the shock they give to family sentiments. This was precluded in the instance under discussion by the compulsory celibacy of the Romish Church; and when the debts of the clergy are incorporated with those of the State, and their subsistence insured by moderate incomes, though Sensibility may, in the least retrenchment, find somewhat to lament, Justice will, in the whole of these arrangements, discover little to condemn. To the individual members of the Church of France, whose hopes and enjoyments have been abridged by this resumption no virtuous mind will refuse the tribute of its sympathy and its regrets. Every man of humanity must wish, that public exigencies had permitted the French Legislature to spare the income of the present incumbents, and more especially of those whom they still continue in the discharge of active functions. But these sentiments imply no sorrow at the downfall of a great corporation,—the implacable enemy of freedom,—at the conversion of an immense public property to national use,—or at the reduction of a servile and imperious priesthood to humble utility. The attainment of these great objects console us for the portion of evil that was, perhaps, inseparable from it, and will be justly applauded by a posterity too remote to be moved by comparatively minute afflictions.

The enlightened observer of an age thus distant will contemplate with peculiar astonishment the rise, progress, decay and downfall of spiritual power in Christian Europe.† It will attract his attention as an appearance which stands alone in history. Its connection in all stages of its progress with the civil power will peculiarly occupy his mind. He will remark the unpresuming humility by which it gradually gained the favour, and divided the power, of the magistrate,—the

* This is precisely the case of "damnum ab-que injura"

† Did we not dread the ridicule of political prediction, it would not seem difficult to assign its period. Church power (unless some Revolution, auspicious to priesthood, should replunge Europe into ignorance) will certainly not survive the nineteenth century.

haughty and despotic tone in which it afterwards gave law to sovereigns and their subjects,—the zeal with which, in the first desperate moments of decline, it armed the people against the magistrate, and aimed at re-establishing spiritual despotism on the ruins of civil order; and he will point out the asylum which it at last found from the hostilities of Reason in the prerogatives of that temporal despotism, of which it had so long been the implacable foe. The first and last of these periods will prove, that the priesthood are servilely devoted when they are weak: the second and third, that they are dangerously ambitious when strong. In a state of feebleness, they are dangerous to liberty: possessed of power, they are dangerous to civil government itself. But the last period of their progress will be that which will appear to have been peculiarly connected with the state of France.

There can be no protection for the opulence and even existence* of an European priesthood in an enlightened period, but the throne. It forms the only bulwark against the mists of reason: for the superstition which once formed its power is gone. Around the throne therefore they rally; and to the monarch they transfer the devotion which formerly attached them to the Church; while the fierceness of priestly† zeal has been succeeded by the more peaceful sentiments of a courtly and polished servility. Such is, in a greater or less degree, the present condition of the Church in every nation of Europe. Yet it is for the dissolution of such a body that France has been reproached. It might as well be maintained, that in her conquests over despotism, she ought to have spared the strongest fortresses and most faithful troops of her adversary:—for such in truth were the corporations of the Nobility and the Church. The National Assembly have only insured permanence to their establishments, by dismantling the fortresses, and disbanding the troops of their vanquished foe.

In the few remarks that are here made on the Nobility and Clergy of France, we confine ourselves strictly to their *political* and *collective* character: Mr. Burke, on the contrary, has grounded his eloquent apology purely on their *individual* and *moral* character. The latter, however, is totally irrelevant; for we are not discussing what place they ought to occupy in society as individuals, but as a body. We are not considering the demerit of citizens whom it is fit to punish, but the spirit of a body which it is politic to dissolve.

The Judicial Aristocracy formed by the Parliaments, seems still less susceptible of union with a free government. Their spirit and claims were equally incompatible with liberty. They had imbibed a spirit congenial to the authority under which they had acted, and suitable to the arbitrary genius of the laws which they had dispensed; while

* I always understand their corporate existence
† *Odium Theologicum.*

they retained those ambiguous and indefinite claims to a share in the legislation, which the fluctuations of power in the kingdom had in some degree countenanced. The spirit of a corporation was from the smallness of their numbers more concentrated and vigorous in them than in the Nobles and Clergy; and whatever aristocratic zeal is laid to the charge of the Nobility, was imputable with tenfold force to the ennobled magistrates, who regarded their recent honours with an enthusiasm of vanity, inspired by that bigoted veneration for rank which is the perpetual character of upstarts. A free people could not form its tribunals of men who pretended to any control on the legislature. Courts of justice, in which seats were legally purchased, had too long been endured: judges who regarded the right of dispensing justice as a marketable commodity, could neither be fit organs of equitable laws, nor suitable magistrates for a free state. It is vain to urge with Mr. Burke the past services of these judicial bodies. It is not to be denied that Montesquieu is correct, when he states, that under bad governments one abuse often limits another. The usurped authority of the Parliaments formed, it is true, some bulwark against the caprice of the Court. But when the abuse is destroyed, why preserve the remedial evil? Superstition certainly alleviates the despotism of Turkey: but if a rational government could be erected in that empire, it might with confidence disclaim the aid of the Koran, and despise the remonstrances of the Mufti. To such establishments, let us pay the tribute of gratitude for past benefit; but when their utility no longer exists, let them be canonized by death, that their admirers may be indulged in all the plenitude of posthumous veneration.

The three Aristocracies—Military, Sacerdotal, and Judicial—may be considered as having formed the French Government.—They have appeared, so far as we have considered them, incorrigible. All attempts to improve them would have been little better than (to use the words of Mr. Burke) “mean reparations on mighty ruins.” They were not perverted by the accidental depravity of their members; they were not infected by any transient passion, which new circumstances would extirpate: the fault was in the essence of the institutions themselves, which were irreconcilable with a free government.

But, it is objected, these institutions might have been *gradually* reformed:* the spirit of freedom would have silently entered; the progressive wisdom of an enlightened nation would have remedied, in process of time, their defects, without convulsion. To this argument I confidently answer, that these institutions would have destroyed Liberty, before Liberty had corrected their spirit. Power vegetates with more vigour after these gentle prunings. A slender reform

amuses and lulls the people: the popular enthusiasm subsides, and the moment of effectual reform is irremediably lost. No important political improvement was ever obtained in a period of tranquillity. The corrupt interest of the governors is so strong, and the cry of the people so feeble, that it were vain to expect it. If the effervescence of the popular mind is suffered to pass away without effect, it would be absurd to expect from languor what enthusiasm has not obtained. If radical reform is not, at such a moment, procured, all partial changes are evaded and defeated in the tranquillity which succeeds.* The gradual reform that arises from the presiding principle exhibited in the specious theory of Mr. Burke, is belied by the experience of all ages. Whatever excellence, whatever freedom is discoverable in governments, has been infused into them by the shock of a revolution; and their subsequent progress has been only the accumulation of abuse. It is hence that the most enlightened politicians have recognised the necessity of frequently recalling their first principles,—a truth equally suggested to the penetrating intellect of Machiavel, by his experience of the Florentine democracy, and by his research into the history of ancient commonwealths. Whatever is good ought to be pursued at the moment it is attainable. The public voice, irresistible in a period of convulsion, is contemned with impunity, when spoken during the lethargy into which nations are lulled by the tranquil course of their ordinary affairs. The ardour of reform languishes in unsupported tediousness: it perishes in an impotent struggle with adversaries, who receive new strength with the progress of the day. No hope of great political improvement—let us repeat it—is to be entertained from tranquillity; † for its natural operation is to strengthen all those who are interested in perpetuating abuse. The National Assembly seized the moment of eradicating the corruptions and abuses which afflicted their country. Their reform was total, that it might be commensurate with the evil: and no part of it was delayed, because to spare an abuse at such a period was to consecrate it; and as the enthusiasm which carries nations to such enterprises is short-lived, so the opportunity of reform, if once neglected, might be irrevocably fled.

* “Ignore-t-on que c’est en attaquant, en renversant tous les abus à la fois, qu’on peut espérer de s’en voir délivré sans retour; que les réformes lentes et partielles ont toujours fini par ne rien reformer; enfin, que l’abus que l’on conserve devient l’appui et bientôt le restaurateur de tous ceux qu’on croit avoir détruits?” — Adresse aux François, par l’Evêque d’Autun, 11 Février, 1790.

† The only apparent exception to this principle is the case where sovereigns make important concessions to appease discontent, and avert convulsion. This, however, rightly understood, is no exception; for it arises evidently from the same causes, acting at a period less advanced in the progress of popular interposition.

But let us ascend to more general principles, and hazard bolder opinions. Let us grant that the state of France was not so desperately incorrigible. Let us suppose that changes far more gentle,—innovations far less extensive,—would have remedied the grosser evils of her government, and placed it almost on a level with free and celebrated constitutions. These concessions, though too large for truth, will not convict the Assembly. By what principle of reason, or of justice, were they precluded from aspiring to give France a government less imperfect than accident had formed in other states? Who will be hardy enough to assert, that a better constitution is not attainable than any which has hitherto appeared? Is the limit of human wisdom to be estimated in the science of politics alone, by the extent of its present attainments? Is the most sublime and difficult of all arts,—the improvement of the social order,—the alleviation of the miseries of the civil condition of man,—to be alone stationary, amid the rapid progress of every other—liberal and vulgar—to perfection? Where would be the atrocious guilt of a grand experiment, to ascertain the portion of freedom and happiness, that can be created by political institutions?

That guilt (if it be guilt) is imputable to the National Assembly. They are accused of having rejected the guidance of experience,—of having abandoned themselves to the illusion of theory,—and of having sacrificed great and attainable good to the magnificent chimeras of ideal excellence. If this accusation be just,—if they have indeed abandoned experience, the basis of human knowledge, as well as the guide of human action,—their conduct deserves no longer any serious argument: but if (as Mr. Burke more than once insinuates) their contempt of it is avowed and ostentatious, it was surely unworthy of him to have expended so much genius against so preposterous an insanity. But the explanation of *terms* will diminish our wonder. Experience may, both in the arts and in the conduct of human life, be regarded in a double view, either as *finishing models*, or *principles*. An artist who frames his machine in exact imitation of his predecessor, is in the *first sense* said to be guided by experience. In this sense all improvements of human life, have been *deviations* from experience. The first visionary innovator was the savage who built a cabin, or covered himself with a rug. If this be experience, man is degraded to the unimprovable level of the instinctive animals. But in the second acceptation, an artist is said to be guided by experience, when the inspection of a machine discovers to him principles, which teach him to improve it; or when the comparison of many, both with respect to their excellences and defects, enables him to frame one different from any he had examined, and still more perfect. In this latter sense, the National Assembly have perpetually availed them-

selves of experience. History is an immense collection of experiments on the nature and effect of the various parts of various governments. Some institutions are experimentally ascertained to be beneficial; some to be most indubitably destructive, a third class, which produces partial good, obviously possesses the capacity of improvement. What, on such a survey, was the dictate of enlightened experience? Not surely to follow any model in which these institutions lay indiscriminately mingled, but, like the mechanic, to compare and generalize, and, guided equally by experience, to imitate and reject. The process is in both cases the same: the rights and the nature of man are to the legislator what the general properties of matter are to the mechanic,—the first guide,—because they are founded on the widest experience. In the second class are to be ranked observations on the excellences and defects of all governments which have already existed, that the construction of a more perfect machine may result. But experience is the basis of all:—not the puny and trammelled experience of a *statesman by trade*, who trembles at any change in the *tricks* which he has been taught, or the *routine* in which he has been accustomed to move, but an experience liberal and enlightened, which hears the testimony of ages and nations, and collects from it the general principles which regulate the mechanism of society.

Legislators are under no obligation to retain a constitution, because it has been found “tolerably to answer the common purposes of government.” It is absurd to *expect*, but it is not absurd to *pursue* perfection. It is absurd to acquiesce in evils, of which the remedy is obvious, because they are less grievous than those which are endured by others. To suppose that social order is not capable of improvement from the progress of the human understanding, is to betray the inconsistent absurdity of an arrogant confidence in our attainments, and an abject distrust of our powers. If, indeed, the sum of evil produced by political institutions, even in the least imperfect governments, were small, there might be some pretence for this dread of innovation—this horror at any remedy,—which has raised such a clamour over Europe. But, on the contrary, in an estimate of the sources of human misery, after granting that one portion is to be attributed to disease, and another to private vices, it might perhaps be found that a third equal part arose from the oppressions and corruptions of government, disguised under various forms. All the governments that now exist in the world (except that of the United States of America) have been fortuitously formed: they are not the work of art. They have been altered, impaired, improved and destroyed by accidental circumstances, beyond the foresight or control of wisdom. Their parts thrown up against present emergencies formed no systematic whole. It was cer-

tainly not to have been presumed, that these *fortuitous products* should have surpassed the works of intellect, and precluded all nearer approaches to perfection. Their origin without doubt furnishes a strong presumption of an opposite nature. It might teach us to expect in them many discordant principles, many jarring forms, much unmixed evil, and much imperfect good,—many institutions which had long survived their motive, and many of which reason had never been the author, nor utility the object. Experience, *even in the best of them*, accords with such expectations.

A government of art, the work of legislative intellect, reared on the immutable basis of natural right and general happiness, which should combine the excellences, and exclude the defects of the various constitutions which chance has scattered over the world, instead of being precluded by the perfection of any of those forms, was loudly demanded by the injustice and absurdity of them all. It was time that men should learn to tolerate nothing ancient that reason does not respect, and to shrink from no novelty to which reason may conduct. It was time that the human powers, so long occupied by subordinate objects, and inferior arts, should mark the commencement of a new *æra* in history, by giving birth to the art of improving government, and increasing the civil happiness of man. It was time, as it has been wisely and eloquently said, that legislators, instead of that narrow and dastardly *coasting* which never ventures to lose sight of usage and precedent, should, guided by the *polarity* of reason, hazard a bolder navigation, and discover, in unexplored regions, the treasure of public felicity.

The task of the French legislators was, however, less hazardous. The philosophers of Europe had for a century discussed all objects of public *œconomy*. The conviction of a great majority of enlightened men had, after many controversies, become on most questions of general politics, uniform. A degree of certainty, perhaps nearly equal to that which such topics will admit, had been attained. The National Assembly were therefore not called on to make discoveries: it was sufficient if they were not uninfluenced by the opinions, nor exempt from the spirit of their age. They were fortunate enough to live in a period when it was only necessary to affix the stamp of laws to what had been prepared by the research of philosophy. They will here, however, be attacked by a futile common-place. The most specious theory, it will be said, is often impracticable; and any attempt to transfer speculative doctrines into the practice of states is chimerical and frantic. If by "theory" be understood vague conjecture, the objection is not worth discussion: but if by theory be meant inference from the moral nature and political state of man, then I assert, that whatever such theory pronounces to be true, must be practicable; and that whatever on the subject is impracticable, must be false. To resume the illus-

tration from the mechanical arts — geometry, it may be justly said, bears nearly the same relation to mechanics that abstract reasoning does to politics.* The moral forces which are employed in politics are the passions and interests of men, of which it is the province of metaphysics to teach the nature and calculate the strength, as mathematics do those of the mechanical powers. Now suppose it had been mathematically proved, that by a certain alteration in the structure of a machine, its effect would be increased four-fold, would an instructed mechanic hesitate about the change? Would he be deterred, because he was the first to discover it? Would he thus sacrifice his own advantage to the blindness of his predecessors, and the obstinacy of his contemporaries? Let us suppose a whole nation, of which the artisans thus rejected theoretical improvement: mechanics might there, as a *science*, be most profoundly understood, while as an *art*, it exhibited nothing but rudeness and barbarism. The principles of Newton and Archimedes might be taught in the schools, while the architecture of the people might not have reached beyond the cabins of New Holland, or the ship-building of the Esquimaux. In a state of political science somewhat similar has Europe continued for a great part of the eighteenth century.†

All the great questions of general politics had, as we have remarked, been nearly decided, and almost all the decisions had been hostile to established institutions; yet these institutions still flourished in all their vigour. The same man who cultivated liberal science in his cabinet was compelled to administer a barbarous jurisprudence on the bench. The same Montesquieu, who at Paris reasoned as a philosopher of the eighteenth, was compelled to decide at Bourdeaux as a magistrate of the fourteenth century. The apostles of toleration and the ministers of the Inquisition were cotemporaries. The torture continued to be practised in the age of Beccaria: the Bastille devoured its victims in the country of Turgot. The criminal code, even where it was the mildest, was oppressive and savage. The laws respecting religious opinion, even where there was a pretended toleration,

* I confess my obligation for this parallel to a learned friend, who though so justly admired in the republic of letters for his excellent writings, is still more so by his friends for the rich, original, and masculine turn of thought that animates his conversation. But the Continuator of the History of Philip III little needs my praise.

† Mechanics, because no passion or interest is concerned in the perpetuity of abuse, always yield to scientific improvement: politics, for the contrary reason, always resist it. It was the remark of Hobbes, "that if any interest or passion were concerned in disputing the theorems of geometry, different opinions would be maintained regarding them." It has actually happened (as if to justify the remark of that great man) that under the administration of Turgot a financial reform, grounded on a mathematical demonstration, has been derided as visionary nonsense! So much for the sage preference of practice to theory.

outraged the most evident deductions of reason. The true principles of commercial policy, though they had been reduced to demonstration, influenced the councils of no states. Such was the fantastic spectacle presented by the European nations, who, philosophers in theory, and barbarians in practice, exhibited to the observing eye two opposite and inconsistent aspects of manners and opinions. But such a state of things carried in itself the seeds of its own destruction. Men will not long dwell in hovels, with the model of a palace before their eyes.

Such was indeed in some measure the position of the ancient world. But the art of printing had not then provided a channel by which the opinions of the learned pass insensibly into the popular mind. A bulwark then existed between the body of mankind and the reflecting few. They were distinct nations, inhabiting the same country; and the opinions of the one (I speak *comparatively* with modern times) had little influence on those of the other. But that bulwark is now levelled with the ground. The convictions of philosophy insinuate themselves by a slow, but certain progress, into popular sentiment. It is vain for the arrogance of learning to condemn the people to ignorance by reprobating superficial knowledge. The people cannot be profound; but the truths which regulate the moral and political relations of man, are at no great distance from the surface. The great works in which discoveries are contained cannot be read by the people; but their substance passes through a variety of minute and circuitous channels to the shop and the hamlet. The conversion of these works of unproductive splendour into latent use and unobserved activity, resembles the process of nature in the external world. The expanse of a noble lake,—the course of a majestic river, imposes on the imagination by every impression of dignity and sublimity: but it is the moisture that insensibly arises from them which, gradually mingling with the soil, nourishes all the luxurancy of vegetation, and adorns the surface of the earth.

It may then be remarked, that though liberal opinions so long existed with defective establishments, it was not natural that this state of things should be permanent. The philosophers of antiquity did not, like Archimedes, want a spot on which to fix their engines; but they wanted an engine wherewith to move the moral world. The press is that engine, and has subjected the powerful to the wise. The discussion of great truths has prepared a body of laws for the National Assembly: the diffusion of political knowledge has almost prepared a people to receive them; and good men are at length permitted to indulge the *hope*, that the miseries of the human race are about to be alleviated. That hope may be illusive, for the grounds of its enemies are strong,—the folly and villany of men: yet they who entertain it will feel no shame in defeat, and no envy

of the triumphant prediction of their adversaries;—"Meherculè malim cum Platone errare." Whatever be the ultimate fate of the French Revolutionists, the friends of freedom must ever consider them as the authors of the greatest attempt that has hitherto been made in the cause of man. They never can cease to rejoice, that in the long catalogue of calamities and crimes which blacken human annals, the year 1789 presents one spot on which the eye of humanity may with complacency dwell.

SECTION II.

Of the composition and character of the National Assembly.

EVENTS are rarely separated by the historian from the character of those who are conspicuous in conducting them. From this alone they often receive the tinge which determines their moral colour. What is admired as noble pride in Sully, would be execrated as intolerable arrogance in Richelieu. But the degree of this influence varies with the importance of the events. In the ordinary affairs of state it is great, because in fact they are only of importance to posterity, as they illustrate the characters of those who have acted distinguished parts on the theatre of the world. But in events which themselves are of immense magnitude, the character of those who conduct them becomes of far less relative importance. No ignominy is at the present day reflected on the Revolution of 1688 from the ingratitude of Churchill, or the treachery of Sunderland. The purity of Somers, and the profligacy of Spencer, are equally lost in the splendour of that great transaction,—in the sense of its benefits, and the admiration of its justice. No moral impression remains on our mind, but that whatever voice speaks truth, whatever hand establishes freedom, delivers the oracles and dispenses the gifts of God.

If this be true of the deposition of James II. it is far more so of the French Revolution. Among many circumstances which distinguished that event, as unexampled in history, it was none of the least extraordinary, that it might truly be said to have been a Revolution *without leaders*. It was the effect of general causes operating on the people. It was the revolt of a nation enlightened from a common source. Hence it has derived its peculiar character; and hence the merits of the most conspicuous individuals have had little influence on its progress. The character of the National Assembly is of secondary importance indeed: but as Mr. Burke has expended so much invective against that body, a few strictures on his account of it will not be improper.

The representation of the Third Estate was, as he justly states, composed of lawyers, physicians, merchants, men of letters, tradesmen and farmers. The choice was

indeed, limited by necessity; for except men of these ranks and professions, the people had no objects of election, the army and the Church being engrossed by the Nobility. "No vestige of the landed interest of the country appeared in this representation," for an obvious reason;—because the Nobility of France, like the Gentry of England, formed almost exclusively the landed interest of the kingdom. These professions then could only furnish representatives for the *Tiers Etat*. They form the majority of that middle rank among whom almost all the sense and virtue of society reside. Their pretended incapacity for political affairs is an arrogant fiction of statesmen which the history of revolutions has ever belied. These emergencies have never failed to create politicians. The subtle counsellors of Philip II were baffled by the Burgomasters of Amsterdam and Leyden. The oppression of England summoned into existence a race of statesmen in her colonies. The lawyers of Boston, and the planters of Virginia, were transformed into ministers and negotiators, who proved themselves inferior neither in wisdom as legislators, nor in dexterity as politicians. These facts evince that the powers of mankind have been unjustly depreciated,—the difficulty of political affairs artfully magnified, and that there exists a quantity of talent *latent* among men, which ever rises to the level of the great occasions that call it forth.

But the predominance of the profession of the law,—that profession which teaches men "to augur misgovernment at a distance, and snuff the approach of tyranny in every tainted breeze,"*—was the fatal source from which, if we may believe Mr. Burke, have arisen the calamities of France. The majority of the Third Estate was indeed composed of lawyers. Their talents of public speaking, and their professional habits of examining questions analogous to those of politics, rendered them the most probable objects of popular choice, especially in a despotic country, where political speculation was no natural amusement for the leisure of opulence. But it does not appear that the majority of them consisted of the unlearned, mechanical, members of the profession † From the list of the States-General, it would seem that the majority were *provincial advocates*,—a name of very different import from "*country attorneys*," and whose importance is not to be estimated by purely English ideas.

All forensic talent and eminence is here concentrated in the capital: but in France, the institution of circuits did not exist; the provinces were imperfectly united; their laws various; their judicatures distinct, and almost independent. Twelve or thirteen Parliaments formed as many circles of advocates, who nearly emulated in learning and eloquence the Parisian Bar. This dispersion of talent

was in some respect also the necessary effect of the immensity of the kingdom. No liberal man will in England bestow on the Irish and Scottish Bar the epithet "provincial" with a view of disparagement. The Parliaments of many provinces in France, presented as wide a field for talent as the Supreme Courts of Ireland and Scotland. The Parliament of Rennes, for example, dispensed justice to a province which contained two million three hundred thousand inhabitants*—a population equal to that of some respectable kingdoms of Europe. The cities of Bordeaux, Lyons, and Marseilles, surpass in wealth and population Copenhagen, Stockholm, Petersburg, and Berlin. Such were the theatres on which the provincial advocates of France pursued professional fame. A general Convention of the British empire would yield, perhaps, as distinguished a place to Curran and Erskine, and the other eminent and accomplished barristers of Dublin and Edinburgh, as to those of the capital: and on the same principles have the Thourets and Chapelets of Rouen, and Rennes, acquired as great an ascendancy in the National Assembly as the Targets and Camus's of the Parisian Bar.

The proof that this "faculty influence," as Mr. Burke chooses to phrase it, was not injuriously predominant, is to be found in the decrees of the Assembly respecting the judicial order. It must on his system have been their object to have established what he calls "a litigious constitution." The contrary has so notoriously been the case,—all their decrees have so obviously tended to lessen the importance of lawyers, by facilitating arbitrations, by the adoption of juries, by diminishing the expense and tediousness of suits, by the destruction of an intricate and barbarous jurisprudence, and by the simplicity introduced into all judicial proceedings, that their system has been accused of a direct tendency to extinguish the profession of the law. It is a system which may be condemned as leading to visionary excess, but which cannot be pretended to bear very strong marks of the supposed ascendancy of "chicane."

To the lawyers, besides the parochial clergy, whom Mr. Burke contemptuously styles "Country Curates,"† were added, those Noblemen whom he so severely stigmatizes as deserters from their Order. Yet the deputations of the Nobility who first joined the Commons, and to whom therefore that title best belongs, was not composed of men whom desperate fortunes and profligate ambition prepared for civil confusion. In that number were found the heads of the most ancient and opulent families in France,—the Rochefoucaults, the Richelieus, the Montmorencies, the Noailles. Among them was

* See a Report of the Population of France to the National Assembly, by M. Bron de la Tour, Engineer and Geographer to the King, 1790.

† It is hardly necessary to remark that *cure* means *rector*.

* Mr. Burke's Speech on American Affairs, 1775.

† See an accurate list of them in the Supplement to the Journal de Paris, 31st of May, 1789.

M Lally, who has received such liberal praise from Mr. Burke. It will be difficult to discover in one individual of that body any interest adverse to the preservation of order, and the security of rank and wealth.

Having thus followed Mr. Burke in a very short sketch of the classes of men who compose the Assembly, let us proceed to consider his representation of the spirit and general rules which have guided it, and which, according to him, have presided over all the events of the Revolution. "A cabal of philosophic atheists had conspired the abolition of Christianity. A monied interest, who had grown into opulence from the calamities of France, contemned by the Nobility for their origin, and obnoxious to the people by their exactions, sought the alliance of these philosophers; by whose influence on public opinion they were to avenge themselves on the Nobility, and conciliate the people. The atheists were to be gratified with the extirpation of religion, and the stock-jobbers with the spoils of the Nobles and the Church. The prominent features of the Revolution bear evidence of this league of impiety and rapine. The degraded establishment of the Church is preparatory to the abolition of Christianity; and all the financial operations are designed to fill the coffers of the monied capitalists of Paris." Such is the theory of Mr. Burke respecting the spirit and character of the French Revolution. To separate the portion of truth that gives plausibility to his statement from the falsehood that invests it with all its horrors, will however neither be a tedious nor a difficult task.

The commercial or monied interest has in all nations of Europe (taken as a body) been less prejudiced, more liberal, and more intelligent than the landed gentry. Their views are enlarged by a wider intercourse with mankind; and hence the important influence of commerce in liberalizing the modern world. We cannot wonder then that this enlightened class ever prove the most ardent in the cause of freedom, and the most zealous for political reform. It is not wonderful that philosophy should find in them more docile pupils, and liberty more active friends, than in a haughty and prejudiced aristocracy. The Revolution in 1688 produced the same division in England. The monied interest long formed the strength of Whiggism, while a majority of the landed gentlemen long continued zealous Tories. It is not unworthy of remark, that the pamphleteers of Toryism accused the Whigs of the same hostility to religion of which Mr. Burke now supposes the existence in France. They predicted the destruction of the Church, and even the downfall of Christianity itself from the influx of heretics, infidels, and atheists, which the new Government of England protected. Their pamphlets have perished with the topic which gave them birth; but the talents and fame of Swift have preserved his which furnish abundant proof of this co-

incidence in clamour between the enemies of the English, and the detractors of the French Revolution.

That the philosophers, the other party in this unwonted alliance between affluence and literature, in this new union of authors and bankers, did prepare the Revolution by their writings, it is the glory of its admirers to avow*. What the speculative opinions of these philosophers were on remote and mysterious questions is here of no importance. It is not as atheists, or theists, but as political reasoners, that they are to be considered in a political revolution. All their writings, on the subjects of metaphysics and theology, are foreign to the question. If Rousseau has had any influence in promoting the Revolution, it is not by his Letters from the Mountains, but by his Social Contract. If Voltaire contributed to spread liberality in France, it was not by his Philosophical Dictionary, but by his Defences of Toleration. The obloquy of their atheism (if it existed) is personal: it does not belong to the Revolution; for that event could neither have been promoted nor retarded by abstract discussions of theology. The supposition of their conspiracy for the abolition of Christianity, is one of the most extravagant chimeras that ever entered the human imagination. Let us grant their infidelity in the fullest extent: still their philosophy must have taught them that the passions, whether rational or irrational, from which religion arises, could be eradicated by no human power from the heart of man; while their incredulity must have made them indifferent as to what particular mode of religion might prevail. These philosophers were not the apostles of any new revelation that was to supplant the faith of Christ: they knew that the heart can on this subject bear no void, and they had no interest in substituting the Vedam, or the Koran for the Gospel. They could have no reasonable motives to promote any revolution in the popular faith: their purpose was accomplished when the priesthood was disarmed. Whatever might be the freedom of their private speculations, it was not against religion, but against the Church, that their political hostility was directed.

But, says Mr. Burke, the degraded per-
sonary establishment, and the elective con-

* Mr. Burke's remark on the English Free-thinkers is unworthy of him. It more resembles the rant by which priests inflame the languid bigotry of their fanatical adherents, than the calm, ingenuous and manly criticism of a philosopher and a scholar. Had he made extensive inquiries among his learned friends, he must have found many who have read and admired Collins' incomparable tract on Liberty and Necessity. Had he looked abroad into the world, he would have found many who still read the philosophical works of Bolingbroke, not as philosophy, but as eloquent and splendid declamation. What he means by "their successors," I will not conjecture: I will not suppose that, with Dr. Hurd, he regards David Hume as "a puny dialectician from the north!"—yet it is hard to understand him in any other sense.

stitution of the new clergy of France is sufficient evidence of the design. The clergy are to be made contemptible, that the popular reverence for religion may be destroyed, and the way thus paved for its abolition. It is amusing to examine the different aspects which the same object presents to various minds. Mr. Hume vindicates the policy of an opulent establishment, as a bribe which purchases the useful inactivity of the priesthood. They have no longer, he supposes, any temptation to court a dangerous dominion over the minds of the people, because they are independent of it. Had that philosopher been now alive, he must on the same principle have remarked, that an elective clergy and a scantily endowed Church, had a far greater tendency to produce fanaticism than irreligion. If the priests depend on the people, they can only maintain their influence by cultivating those passions in the popular mind, which gave them an ascendant over it: to inflame these passions is their obvious ambition. Priests would be in a nation of sceptics contemptible,—in a nation of fanatics omnipotent. It has not therefore been more uniformly the habit of a clergy that depends on a court, to practise servility, than it would evidently be the interest of a clergy that depends on the people to cultivate religious enthusiasm. Scanty endowments too would still more dispose them to seek a consolation for the absence of worldly enjoyments, in the exercise of a flattering authority over the minds of men. Such would have been the view of a philosopher who was indifferent to Christianity, on the new constitution of the Gallican Church. He never would have dreamt of rendering Religion unpopular by devoting her ministers to activity,—contemptible by compelling them to purity,—or unamiable by divesting her of invidious splendour. He would have seen in these changes the seeds of enthusiasm and not of laxity. But he would have been consoled by the reflection, that the dissolution of the Church as a corporation had broken the strength of the priesthood; that religious liberty without limit would disarm the animosity of sects; and that the diffusion of knowledge would restrain the extravagances of fanaticism.

I am here only considering the establishment of the Gallican Church as an evidence of the supposed plan for abolishing Christianity: I am not discussing its intrinsic merits. I am not personating a philosophic infidel, who, it would appear, must have discerned the tendency of this plan to be directly the reverse of that conceived by Mr. Burke.*

* The theory of Mr. Burke on the subject of religious establishments, I am utterly at a loss to comprehend. He will not adopt the impious reasoning of Mr. Hume, nor does he suppose with Warburton any "alliance between Church and State;" for he seems to conceive them to be originally the same. When he or his admirers translate his statements (pp. 145, 146.) into a series of propositions expressed in precise and unadorned English, they may become the proper objects of

It is in truth rather a fanatical than an irreligious spirit which dictates the organization of the Church of France. A Jansenist party had been formed in the old Parliaments through their long hostilities to the Jesuits and the See of Rome; members of which party have in the National Assembly, by the support of the inferior Clergy, acquired the ascendant in ecclesiastical affairs. Of this number is M. Camus. The new constitution of the Church accords exactly with their dogmas.* The clergy are, according to their principles, to notify to the Bishop of Rome their union in doctrine, but to recognise no subordination in discipline. The spirit of a dormant sect thus revived in a new shape at so critical a period,—the unintelligible subtleties of the Bishop of Ypres thus influencing the institutions of the eighteenth century, might present an ample field of reflection to an enlightened observer of human affairs: but it is sufficient for our purpose to observe the fact, and to remark the error of attributing to the hostile designs of atheism what in so great a degree has arisen from the ardour of religious zeal.

The establishment of the Church has not furnished any evidence of that to which Mr. Burke has attributed so much of the system of the National Assembly. Let us examine whether a short review of their financial operations will supply the defect.†

To the gloomy statement of French finance offered by M. de Calonne, let us oppose the report of M. de la Rochefoucault, from the Committee of Finance, on the 9th of December, 1790, which from premises that appear indisputable, infers a considerable *surplus* revenue in the present year. The purity of that distinguished person has hitherto been arraigned by no party. That understanding must be of a singular construction which could hesitate between the statements of the Duc de la Rochefoucault and M. de Calonne. But without using this *argumentum ad verecundiam*, we remark, that there are radical faults, which vitiate the whole calculations of the latter, and the consequent reasonings of Mr. Burke. They are taken from a year of languishing and disturbed industry, and absurdly applied to the future revenue of

argument and discussion. In their present state they irresistibly remind one of the observations of Lord Bacon:—"Pugnax enim philosophus genus est sophisticum illaqueat intellectum; at illud alterum phantasticum, et tumidum, et quasi poeticum, magis blanditur intellectui. Inest enim homini quædam intellectus ambitio non minor quam voluntatis, præsertim in ingenuis alius et elevatis."—Novum Organum, sect. xlv.

* See the Speech of M. Sieyès on Religious Liberty, where he reproaches the Ecclesiastical Committee with abusing the Revolution for the purpose of reviving the seminary of Port Royal. See also M. Condorcet, Sur l'Instruction Publique.

† It may be remarked, that on the subject of finance I have declined all details. They were not necessary to my purpose, which was to consider the Assembly's arrangements of revenue, more with a view to their supposed political profligacy than to their financial talents.

peaceful and flourishing periods,—from a year in which much of the old revenue of the state had been destroyed, and during which the Assembly had scarcely commenced its new scheme of taxation. It is an error to assert that it was the Assembly that destroyed the former oppressive taxes, which formed so important a source of revenue: these taxes perished in the expunging struggle of the ancient government. No authority remaining in France could have maintained them. Calculations cannot fail of being most grossly illusive, which are formed from a period when many taxes had failed before they could be replaced by new impost, and when productive industry itself, the source of all revenue, was struck with a momentary palsy* Mr. Burke discussed the financial merit of the Assembly before it had begun its system of taxation. It is still premature to examine its general scheme of revenue, or to establish general maxims on the survey of a period which may be considered as an *interregnum* of finance.

The only financial operation which may be regarded as complete is their emission of *assignats*—the paper representative of the national property; which, while it facilitated the sale of that property, should supply the absence of specie in ordinary circulation. On this, as well as most other topics, the predictions of their enemies have been completely falsified. They predicted that no purchasers would be found hardy enough to trust their property on the tenure of a new and insecure establishment. but the national property has in all parts been bought with the greatest avidity. They predicted that the estimate of its value would prove exaggerated: but it has sold uniformly for double and treble that estimate. They predicted that the depreciation of the *assignats* would in effect heighten the price of the necessaries of life, and fall with the most cruel severity on the most indigent class of mankind: the event has however been, that the *assignats*, supported in their credit by the rapid sale of the property which they represented, have kept almost at *par*; that the price of the necessaries of life has lowered; and that the sufferings of the indigent have been considerably alleviated. Many millions of *assignats*, already committed to the flames, form the most unanswerable reply to the objections urged against them. Many purchasers, not availing themselves of that indulgence for gradual payment, which in so immense a sale was unavoidable, have paid the whole price in advance. This has been peculiarly the case in the northern

* Mr. Burke exults in the deficiency confessed by M. Vernet to amount in August, 1790, to eight millions sterling. He follows it with an invective against the National Assembly, which one simple reflection would have repressed. The suppression of the *gabelle* alone accounted for almost half of that deficiency! Its produce was estimated at sixty millions of livres, or about two millions and a half sterling.

† At this moment nearly *one-third*.

provinces, where opulent farmers have been the chief purchasers,—a happy circumstance, if it only tended to multiply that most useful and respectable class of men, who are at once proprietors and cultivators of the ground.

The evils of this emission in the circumstances of France were transient,—the beneficial effects permanent. Two great objects were to be obtained by it;—one of policy, and another of finance. The first was to attach a great body of proprietors to the Revolution, on the stability of which must depend the security of their fortunes. This is what Mr. Burke terms, making them accomplices in confiscation; though it was precisely the policy adopted by the English Revolutionists, when they favoured the growth of a national debt, to interest a body of creditors in the permanence of their new establishment. To render the attainment of the other great object,—the liquidation of the public debt,—improbable, M. de Calonne has been reduced to so gross a misrepresentation, as to state the probable value of the national property at only two *milliards*, (about eighty-three millions sterling,) though the best calculations have rated it at more than double that sum. There is every probability that this immense national estate will speedily disburden France of the greatest part of her national debt, remove the load of impost under which her industry has groaned and open to her that career of prosperity for which she was so evidently destined by the bounty of Nature. With these great benefits, with the acquittal of the public debt, and the stability of freedom, this operation has, it must be confessed, produced some evils. It cannot be denied to have promoted, in some degree, a spirit of gambling; and it may give an undue ascendant in the municipal bodies to the agents of the paper circulation. But these evils are fugitive: the moment that witnesses the extinction of the *assignats*, by the complete sale of the national lands, must terminate them; and that period, our past experience renders probable is not very remote. There was one general view, which to persons conversant with political economy, would, from the commencement of the operation have appeared decisive. Either the *assignats* were to retain their value, or they were not: if they retained their value, none of the apprehended evils could arise: if they were discredited, every fall in their value was a new motive to their holders to exchange them for national lands. No man would retain depreciated paper who could acquire solid property. If a great portion of them should be thus employed, the value of those left in circulation must immediately rise, both because their number was diminished, and their security become more obvious. The failure, as a medium of circulation, must have improved them as an instrument of sale; and their success as an instrument of sale must in return have restored their utility as a medium of circulation. This action and re-action was inevitable, though

the slight depreciation of the *assignats* had not made its effects very conspicuous in France.

So determined is the opposition of Mr. Burke to those measures of the Assembly which regard the finances of the Church, that even monastic institutions have in him found an advocate. Let us discuss the arguments which he urges for the preservation of these monuments of human madness. In support of an opinion so singular, he produces one *moral* and one *commercial* reason:—"In monastic institutions was found a great power for the mechanism of politic benevolence; to destroy any power growing wild from the rank productive force of the human mind, is almost tantamount, in the moral world, to the destruction of the apparently active properties of bodies in the material." In one word, the spirit and the institutions of monachism were an instrument in the hand of the legislator, which he ought to have converted to some public use. I confess myself so far to share the blindness of the National Assembly, that I cannot form the most remote conjecture concerning the various uses which "have suggested themselves to a contriving mind." But without expatiating on them, let us attempt to construct an answer to his argument on a broader basis. The moral powers by which a legislator moves the mind of man are his passions, and if the insane fanaticism which first peopled the deserts of Upper Egypt with anchorites, still existed in Europe, he must attempt the direction of a spirit which humanity forbids him to persecute, and wisdom to neglect. But monastic institutions have for ages survived the spirit which gave them birth; and it is not necessary for any legislature to destroy "that power growing wild out of the rank productive force of the human mind," from which monachism arose. Being, like all other furious and unnatural passions, in its nature transient, it languished in the discredit of miracles and the absence of persecution, and was gradually melted in the sunshine of tranquillity and opulence so long enjoyed by the Church. The soul which actuated monachism had fled: the skeleton only remained to deform society. The dens of fanaticism, where they did not become the recesses of sensuality, were converted into the styes of indolence and apathy. The moral power, therefore, no longer existed; for the spirit by which the legislator could alone have moved these bodies was no more. Nor had any new spirit succeeded which might be an instrument in the hands of legislative skill. These short-lived phrenzies leave behind them an inert product, in the same manner as, when the fury and splendour of volcanic eruption is past for ages, there still remains a mass of *lava* to encumber the soil, and deform the aspect of the earth.†

* Burke, pp. 232—241.

† It is urged by Mr. Burke, as a species of incidental defence of monachism, that there are many modes of industry, from which benevolence would

The sale of the monastic estates is also questioned by Mr. Burke on commercial principles. The sum of his reasoning may be thus expressed:—"The surplus product of the earth forms the income of the landed proprietor; that surplus the expenditure of some one must disperse; and of what import is it to society, whether it be circulated by the expense of one landholder, or of a society of monks? A very simple statement furnishes an unanswerable reply to this defence. The wealth of society is its stock of productive labour. There must, it is true, be unproductive consumers. but, the fewer their number, the greater (all things else being the same) must be the opulence of a state. The possession of an estate by a society of monks establishes, let us suppose forty, unproductive consumers the possession of the same estate by a single landholder only necessarily produces one. It is therefore evident that there is forty times the quantity of labour subtracted from the public stock, in the first case, than there is in the second. If it be objected that the domestics of a landholder are unproductive, let it be remarked that a monastery has its servants, and that those of a lay proprietor are not professionally and perpetually unproductive, as many of them become farmers and artisans, and that, above all, many of them are married. Nothing then can appear, on plain commercial views, more evident than the distinction between lay and monkish landholders. It is surely unnecessary to appeal to the motives which have every where produced statutes of mortmain, the neglect in which the land of ecclesiastical corporations is suffered to remain, and the infinite utility which arises from changes of property in land. The face of those countries where the transfers have been most rapid, will sufficiently prove their benefit. Purchasers seldom adventure without fortune; and the novelty of their acquisition inspires them with the ardour of improvement.

No doubt can be entertained that the estates possessed by the Church will increase immensely in their value. It is vain

rather rescue men than from monastic quiet. This must be allowed, in one view, to be true. But, though the laws *must permit* the natural progress which produces this species of labour, does it follow, that they ought to *create* monastic seclusion? Is the existence of one source of misery a reason for opening another? Because noxious drudgery must be *tolerated*, are we to *sanction* compulsory mirth? Instances of similar *bad* reasoning from what society *must suffer* to what she *ought to enact*, occur in other parts of Mr. Burke's production. We in England, he says, do not think ten thousand pounds a year worse in the hands of a bishop than in those of a baronet or a 'squire. Excessive inequality is in both cases an enormous evil. The laws *must permit* property to grow as the course of things effect it: but ought they to add a new factitious evil to this natural and irremediable one? They cannot avoid inequality in the income of *property* because they must permit property to distribute itself: but they can remedy excessive inequalities in the income of *office*, because the *income* and the *office* are their *creatures*;

to say that they will be transferred to Stock-jobbers. Situations, not names, are to be considered in human affairs. He that has once tasted the indolence and authority of a landholder, will with difficulty return to the comparative servility and drudgery of a monied capitalist. But should the usurious habits of the immediate purchaser be inveterate, his son will imbibe other sentiments from his birth. The heir of the stock-jobbing Alpheus may acquire as perfectly the habits of an active improver of his patrimonial estate, as the children of Cincinnatus or Cato.

To aid the feebleness of these arguments, Mr. Burke has brought forward a panegyric enumeration of the objects on which monastic revenue is expended. On this masterpiece of fascinating and magnificent eloquence it is impossible to be too lavish of praise. It would have been quoted by Quintilian as a splendid model of rhetorical common-place. But criticism is not our object, and all that the display of such powers of oratory can on such a subject suggest, is embodied in a sentiment which might perhaps have served as a characteristic motto to Mr. Burke's production :

Addit invalidæ robor Facundia causæ.

SECTION III.

Popular excesses which attended the Revolution

THAT no great revolutions can be accomplished without excesses and miseries at which humanity revolts, is a truth which cannot be denied. This unfortunately is true in a peculiar manner of those Revolutions, which, like that of France, are strictly popular. Where the people are led by a faction, its leaders find no difficulty in the re-establishment of that order, which must be the object of their wishes, because it is the sole security of their power. But when a general movement of the popular mind levels a despotism with the ground, it is far less easy to restrain excess. There is more resentment to satiate and less authority to control. The passion which produced an effect so tremendous, is too violent to subside in a moment into serenity and submission.

The attempt to punish the spirit that actuates a people, if it were just, would be vain, and if it were possible, would be cruel. No remedies are therefore left but the progress of instruction,—the force of persuasion,—the mild authority of opinion : and these though infallible are of slow operation. In the interval which elapses before a calm succeeds the boisterous moments of a revolution, it is vain to expect that a people nursed to barbarism by their oppressors, and which has ages of oppression to avenge, will be punctiliously generous in their triumph,

nicely discriminative in their vengeance, & cautiously mild in their mode of retaliation. "They will break their chains on the heads of their oppressors."*

Such was the state of France ; and such were the obvious causes of scenes which the friends of freedom deplore as tarnishing her triumphs. They feel these evils as men of humanity : but they will not bestow this name on that womanish sensibility, towards which, even in the still intercourse of private life, love is not unmingled with indulgence. The only humanity which, in the great affairs of men, claims their respect, is that manly and expanded sentiment, which fixes its steady eye on the means of general happiness. The sensibility which shrinks at present evil, without extending its view to future good, is not a virtue, for it is not a quality beneficial to mankind. It would arrest the arm of a surgeon in amputating a gangrened limb, or the hand of a judge in signing the sentence of a parricide. I do not say (God forbid!) that a crime may be committed for the attainment even of a good end. such a doctrine would shake morals to their centre. The man who would erect freedom on the ruins of morals neither understands nor loves either. But the case of the French Revolutionists is totally different. Has any moralist ever pretended, that we are to decline the pursuit of a good which our duty prescribes to us, because we foresee that some partial and incidental evil would arise from it? But the number of the French leaders against whom such charges have been insinuated is so small, that supposing (what I do not believe) its truth, it only proves that some corrupt and ambitious men will mix with all great bodies. The question with respect to the rest, is reducible to this:—Whether they were to abstain from establishing a free government, because they foresaw that it could not be effected without confusion and temporary distress, or to be consoled for such calamities by the view of that happiness to which their labours were to give ultimate permanence and diffusion? A Minister is not conceived to be guilty of systematic immorality, because he balances the evils of the most just war with the advantages of that national security which is produced by the reputation of spirit and power:—neither ought the patriot, who balancing the evils of transient anarchy against the inestimable good of established liberty, finds the last preponderate in the scale.

Such, in fact, has ever been the reasoning of the leaders in those insurrections which have preserved the remnant of freedom that still exists among mankind. Holland, England, and America, must have reasoned thus; and the different portions of liberty which they enjoy, have been purchased by the endurance of far greater calamities than have been suffered by France. It is unnecessary

* The eloquent expression of Mr. Curran in the Irish House of Commons.

to appeal to the wars which for almost a century afflicted the Low Countries: but it may not be so to remind England of the price she paid for the establishment of the principles of the Revolution. The disputed succession which arose from that event, produced a destructive civil war in Ireland, two rebellions in Scotland, and the consequent slaughter and banishment of thousands of citizens, with the widest confiscation of their properties;—not to mention the continental connections and the foreign wars into which it plunged us, and the necessity thus imposed upon us of maintaining a standing army, and accumulating an enormous public debt.*

The freedom of America was purchased by calamities still more inevitable. The authors of it must have foreseen them; for they were not contingent or remote, but ready in a moment to burst on their heads. Their case is most similar to that of France, and best answers one of Mr. Burke's most triumphant arguments. They enjoyed *some* liberty, which their oppressors did not attack, and the object for which they resisted, was conceded in the progress of the war: but like France, after the concessions of her King, they refused to acquiesce in an imperfect liberty, when a more perfect one was within their reach. They pursued what Mr. Burke,—whatever were then his sentiments,—on his present system, must reprobate as a speculative and ideal good. They sought their beloved independence through new calamities, and the prolonged horrors of civil war. Their resistance, from that moment, "was against concession, and their blows were aimed at a hand holding forth immunity and favours." Events have indeed justified that noble resistance: America has emerged from her struggle into tranquility and freedom,—into affluence and credit; and the authors of her Constitution have constructed a great permanent experimental answer to the sophisms and declamations of the detractors of liberty.

But what proportion did the price she paid for so great blessing bear to the transient misfortunes which have afflicted France? The extravagance of the comparison shocks every unprejudiced mind. No series of events in history have probably been more widely, malignantly, and systematically exaggerated than the French commotions. An enraged, numerous, and opulent body of exiles, dispersed over Europe, have possessed themselves of every venal press, and filled the public ear with a perpetual buzz of the crimes and horrors that were acting in France. Instead of entering on a minute scrutiny, of which the importance would neither exalt the tediousness, nor reward the toil, let us content ourselves with opposing one gene-

ral fact to this host of falsehoods:—*no commercial house of importance has failed in France since the Revolution!* How is this to be reconciled with the tales that have been circulated? As well might the transfers of the Royal Exchange be quietly executed in the ferocious anarchy of Gondar, and the peaceful opulence of Lombard-street flourish amidst hordes of Galla and Agows.* Commerce, which shrinks from the breath of civil confusion, has resisted this tempest, and a mighty Revolution has been accomplished with less commercial derangement than could arise from the bankruptcy of a second-rate house in London or Amsterdam. The manufacturers of Lyons, the merchants of Bourdeaux and Marseilles, are silent amidst the lamentations of the Abbé Maury, M. de Calonne, and Mr. Burke. Happy is that people whose commerce flourishes in ledgers, while it is bewailed in orations; and remains untouched in calculation, while it expires in the pictures of eloquence. This unquestionable fact is, on such a subject, worth a thousand arguments, and to any mind qualified to judge, must expose in their true light those execrable fabrications, which have sounded such a 'senseless yell' through Europe.

But let us admit for a moment their truth, and take as a specimen of the evils of the Revolution, the number of lives which have been lost in its progress. That no possibility of evil may remain, let us surpass in an exaggerated estimate the utmost audacity of falsehood: let us make a statement, from which the most frontless hireling of M. de Calonne would shrink. Let us for a moment suppose, that in the course of the Revolution twenty thousand lives have been lost. On the comparison of even this loss with parallel events in history, is there anything in it from which a manly and enlightened humanity will recoil? Compare it with the expenditure of blood by which in ordinary wars so many pernicious and ignoble objects are fought. Compare it with the blood spilt by England in the attempt to subjugate America: and if such be the guilt of the Revolutionists of France, for having, at the *hazard* of this evil, sought the establishment of freedom, what new name of obloquy shall be applied to the Minister of England, who with the *certainty* of a destruction so much greater, attempted the establishment of tyranny?

The illusion which prevents the effects of these comparisons, is not peculiar to Mr. Burke. The massacres of war, and the murders committed by the sword of justice, are disguised by the solemnities which invest them: but the wild justice of the people has a naked and undisguised horror. Its slightest motion awakens all our indignation: while murder and rapine, if arrayed in the gorgeous disguise of acts of state, may with impunity stalk abroad. We forget that the

* Yet this was only the combat of reason and freedom against one prejudice,—that of hereditary right; whereas the French Revolution is, as has been sublimely said by the Bishop of Autun, "Le premier combat qui se soit jamais livré entre tous les Principes et toutes les Erreurs!"

* Abyssinian tribes — Ed

evils of anarchy must be short-lived, while those of despotism are fatally permanent.

Another illusion has, particularly in England, favoured the exaggeration of the exiles;—we judge of France by our own situation, instead of comparing her conduct with that of other nations in similar circumstances. With us “the times may be moderate, and therefore ought to be peaceable:”* but in France the times were not moderate, and could not be peaceable. Let us correct these illusions of *moral optics* which make near objects so disproportionately large. Let us place the scene of the French Revolution in a remote age, or in a distant nation, and then let us calmly ask our own minds, whether the most reasonable subject of wonder be not its unexampled mildness, and the small number of individuals crushed in the fall of so vast a pile.

Such are the general reflections suggested by the disorders of the French Revolution. Of these, the first in point of time, as well as of importance, was the Parisian insurrection and the capture of the Bastille. The mode in which that memorable event is treated by Mr. Burke, is worthy of notice. It occupies no conspicuous place in his work; it is only obscurely and contemptuously hinted at as one of those examples of successful revolt, which have fostered a mutinous spirit in the soldiery. “They have not forgot the taking of the King’s castles in Paris and Marseilles. That they murdered with impunity in both places the governors, has not escaped their minds.”† Such is the courtly circumlocution by which Mr. Burke designates the Bastille—“*the King’s castle at Paris!*” such is the ignominious language in which he speaks of the summary justice executed on the titled ruffian who was its governor, and such is the apparent art with which he has thrown into the back-ground invective and asperity, that, had they been prominent, would have provoked the indignation of mankind! “Je sais,” says Mounier, in the language of that frigid and scanty approbation that is extorted from an enemy, “qu’il est des circonstances qui légitiment l’insurrection, et je mets dans ce nombre celles qui ont causé le siège de la Bastille.”‡

But the admiration of Europe and of posterity, is not to be estimated by the penurious applause of M. Mounier, nor repressed by the insidious hostility of Mr. Burke. It will correspond to the splendour of an insurrection, as much ennobled by heroism as it was justified by necessity, in which the citizens of Paris,—the unwarlike inhabitants of a voluptuous capital,—listening to no voice but that of the danger which menaced their representatives, their families, and their country, and animated, instead of awed, by the host of disciplined mercenaries which invested them on every side, attacked with a gallantry and success equally

incredible, a fortress formidable from its strength, and tremendous from its destination, and changed the destiny of France. To palliate or excuse such a revolt, would be abject treachery to its principles. It was a case in which revolt was the dictate of virtue, and the path of duty; and in which submission would have been the most dastardly baseness, and the foulest crime. It was an action not to be excused, but applauded,—not to be pardoned, but admired. I shall not therefore descend to vindicate acts of heroism, which history will teach the remotest posterity to revere, and of which the recital is destined to kindle in unborn millions the holy enthusiasm of freedom.

Commutations of another description followed, partly arising from the general causes before stated, and partly from others of more limited and local operation. The peasantry of the provinces, buried for so many ages in the darkness of servitude, saw but indistinctly and confusedly, in the first dawn of liberty, the boundaries of their duties and their rights. It was no wonder that they should little understand that freedom which so long had been remote from their views. The name conveyed to their ear a right to reject all restraint, to gratify every resentment, and to attack all property. Ruffians, mingling with the deluded peasants, in hopes of booty, inflamed their ignorance and prejudices, by forged authorities from the King and the Assembly for their licentiousness. Many country houses were burnt, and some obnoxious persons were assassinated. but one may without excessive scepticism doubt, whether they had been the mildest masters whose *chateaux* had undergone that fate, and the peasants had to avenge those silent gounding oppressions which formed almost the only intercourse of the rich with the indigent, and which, though less flagrant than those of Government, were perhaps productive of more intolerable and diffused misery.

But whatever was the demerit of these excesses, they can by no process of reasoning be made imputable to the National Assembly, or the leaders of the Revolution. In what manner were they to repress them? If they exerted against them their own authority with rigour, they must have provoked a civil war: if they invigorated the police and tribunals of the deposed government,—besides incurring the hazard of the same calamity,—they put arms into the hands of their enemies. Placed in this dilemma, they were compelled to expect a slow remedy from the returning serenity of the public mind, and from the progress of the new government towards consistence and vigour.*

* If this statement be candid and exact, what shall we think of the language of Mr. Burke, when he speaks of the Assembly as “authorising treasons, robberies, rapes, assassinations, slaughters, and burnings, throughout all their harassed land” (p. 58). In another place (p. 200) he connects the legislative extinction of the Order of Nobles with the popular excesses committed against individual

† Jun. 1
1 Επιστόλ. &c. p. 24.

† Burke, p. 307

That the conduct of the populace of Paris towards them should not have been the most decorous and circumspect,—that it should have been frequently irregular and tumultuous, was, in the nature of things inevitable. But the horrible picture which Mr. Burke has drawn of that “stern necessity” under which this “captive” Assembly votes, is neither justified by this concession, nor by the state of facts. It is the overcharged colouring of a fervid imagination. Those to whom he alludes as driven away by assassins,—M M Lally and Mounier,—might, surely, have remained with perfect safety in an Assembly in which such furious invectives are daily belled forth with impunity against the popular leaders. No man will deny, that that member of the minority enjoyed liberty of speech in its utmost plenitude, who called M Mirabeau “*le plus vil de tous les assassins.*” The terms of the lamp-post and bayonet have hitherto been visionary. Popular fury has hitherto spared the most furious declaimers of Aristocracy; and the only “decree,” so far as I can discern, which has even been pretended to have been materially influenced by the populace, is that respecting the prerogatives of war and peace. That tumult has frequently derogated from the dignity which ought to distinguish the deliberations of a legislative assembly, is not to be denied. But that their debates have been tumultuous, is of little importance, if their decisions have been independent. Even in this question of war and peace, “the highest bidder at the auction of popularity”* did not succeed. The scheme of M Mirabeau, with few amendments, prevailed, while the more “splendidly popular” propositions, which vested in the legislature alone the prerogative of war and peace, were rejected.

We are now conducted by the course of these strictures to the excesses committed at Versailles on the 5th and 6th of October, 1789. After the most careful perusal of the voluminous evidence before the Châtelet, of the controversial pamphlets of M. M. d’Orleans and Mounier, and of the official report of M. Chabroud to the Assembly, the details of the affair seem to me so much involved in obscurity and contradiction, that they afford little on which a candid mind can with confidence pronounce. They afford, indeed, to frivolous and puerile adversaries the means of convicting Mr. Burke of some minute errors. M. Miomandre, the sentinel at the Queen’s gate, it is true, survives; but it is no less true, that he was left for dead by his assassins. On the comparison of evidence it seems probable, that the Queen’s chamber was not broken into,—“that the asylum of beauty and Majesty was not profaned.”†

Noblemen, to load the Assembly with the accumulated obloquy;—a mode of proceeding more remarkable for controversial dexterity than for candour.

* Burke, p. 353.

† The expression of M. Chabroud. Five witnesses assert that the ruffians did not break into

But these slight corrections palliate little the atrocity, and alter not in the least the general complexion, of these flagitious scenes.

The most important question which the subject presents is, whether the Parisian populace were the instruments of conspirators, or whether their fatal march to Versailles was a spontaneous movement, produced by real or chimerical apprehensions of plots against their freedom. I confess that I incline to the latter opinion. Natural causes seem to me adequate to account for the movement. A scarcity of provision is not denied to have existed in Paris. The dinner of the body-guards might surely have provoked the people of a more tranquil city. The maledictions poured forth against the National Assembly, the insults offered to the patriotic cockade, the obnoxious ardour of loyalty displayed on that occasion, might have awakened even the jealousy of a people whose ardour had been sated by the long enjoyment, and whose alarms had been quieted by the secure possession, of liberty. The escape of the King would be the infallible signal of civil war: the exposed situation of the Royal residence was therefore a source of perpetual alarm. These causes, operating on that credulous jealousy which is the malady of the public mind in times of civil confusion, seeming hostility and conspiracy on every side, would seem sufficient ones. The apprehensions of the people in such a period torture the most innocent and frivolous accidents into proofs of sanguinary plots.—witness the *war of conspiracies* carried on by the contending factions in the reign of Charles the Second. The participation of Queen Mary in Babington’s plot against Elizabeth, is still the subject of controversy. We, at the present day, dispute about the nature of the connection which subsisted between Charles the First and the Catholic insurgents of Ireland. It has occupied the labour of a century to separate truth from falsehood in the Rye-house Plot,—the views of the leaders from the schemes of the inferior conspirators,—and to discover that Russell and Sydney had, indeed, conspired a revolt, but that the underlings alone had plotted the assassination of the King.

It may indeed be said, that ambitious leaders availed themselves of the inflamed state of public feeling—that by false rumours, and exaggerated truths, they stimulated the revenge, and increased the fears of the populace,—that their emissaries, mixing with the mob, and concealed by its confusion, were to execute their flagitious purposes, and fanatics, as usual, were the dupes of hypocrites. Such are the accusations which have been made against M. M. d’Or-

the Queen’s chamber. Two give the account followed by Mr. Burke, and to give this preponderance its due force, let it be recollected, that the whole proceedings before the Châtelet were *ex parte*. See Procédure Crimelle fait au Châtelet de Paris, &c., 1790.

leans and Mirabeau. The defence of profli-gate ambition is not imposed on the admirers of the French Revolution; and to become the advocate of individuals were to forget the dignity of a discussion that regards the rights and interests of an emancipated nation. Of their guilt, however, I will be bold to say no evidence was collected, by the malignant activity of an avowedly hostile tribunal, which, for a moment, would have suspended their acquittal by an English jury. It will be no mean testimony to the innocence of M Mirabeau, that an opponent, not the mildest in his enmity, nor the most candid in his judgment, confessed, that he saw no serious ground of accusation against him *

The project is attributed to them, of intimidating the King into a flight, that there might be a pretext for elevating the Duke of Orleans to the office of Regent. But the King could have had no rational hopes of escaping, † for he must have traversed two hundred miles of a country guarded by a people in arms, before he could reach the nearest frontier of the kingdom. The object was too absurd to be pursued by conspirators, to whom talent and sagacity have not been denied by their enemies. That the popular leaders in France did, indeed, desire to fix the Royal residence at Paris, it is impossible to doubt the name, the person, and the authority of the King, would have been their formidable weapons in the hands of most adversaries. The peace of their country,—the stability of their freedom, called on them to use every measure that could prevent their enemies from getting possession of that “Royal Figure” The name of the King would have sanctioned foreign powers in supporting the aristocracy. Their interposition, which *now* would be hostility against the King and kingdom, would *then* have been only regarded as aid against rebellion. Against all these dreadful consequences there seemed only one remedy,—the residence of the King at Paris. Whether that residence is to be called a “captivity;” or any other harsh name, I will not hesitate to affirm, that the Parliament of England would have merited the gratitude of their country, and of posterity, by a similar prevention of the escape of Charles I. from London. Fortunate would it have been for England if the person of James II. had been retained while his authority was limited. She would then have been circumstanced as France is now. The march to Versailles seems to have been the spontaneous movement of an alarmed populace. Their views, and the suggestions of their leaders, were probably bounded by procuring the King to change his residence to Paris; but the collision of armed multitudes terminated in unforeseen excesses and execrable crimes.

* Discours de M. l'Abbé Maury dans l'Assemblée Nationale, 1 Octobre, 1790.

† The circumstances of his late attempt [the flight to Varennes—Ed.] sanction this reasoning.

In the eye of Mr. Burke, however, these crimes and excesses assume an aspect far more important than can be communicated to them by their own insulated guilt. They form, in his opinion, the crisis of a revolution,—a far more important one than any mere change of government,—in which the sentiments and opinions that have formed the manners of the European nations are to perish. “The age of chivalry is gone, and the glory of Europe extinguished for ever” He follows this exclamation by an eloquent eulogium on chivalry, and by gloomy predictions of the future state of Europe, when the nation that has been so long accustomed to give her the tone in arts and manners is thus debased and corrupted. A cavalier might remark that ages, much more near the meridian fervour of chivalry than ours, have witnessed a treatment of queens as little gallant and generous as that of the Parisian mob. He might remind Mr. Burke, that in the age and country of Sir Philip Sidney, a Queen of France, whom no blindness to accomplishment,—no malignity of detraction, can reduce to the level of Marie Antoinette, was, by “a nation of men of honour and cavaliers;” permitted to languish in captivity and expire on a scaffold, and he might add, that the manners of a country are more surely indicated by the systematic cruelty of a sovereign than by the licentious frenzy of a mob. He might remark, that the mild system of modern manners which survived the massacres with which fanaticism had for a century desolated, and almost barbarised Europe, might, perhaps, resist the shock of one day's excesses committed by a delirious populace. He might thus, perhaps, oppose specious and popular topics to the declamation of Mr. Burke.

But the subject itself is, to an enlarged thinker, fertile in reflections of a different nature. That system of manners which arose among the Gothic nations of Europe, and of which chivalry was more properly the effusion than the source, is without doubt one of the most peculiar and interesting appearances in human affairs. The moral causes which formed its character have not, perhaps, been hitherto investigated with the happiest success: but, —to confine ourselves to the subject before us,—chivalry was certainly one of the most prominent of its features and most remarkable of its effects. Candour must confess, that this singular institution was not admirable only as the corrector of the ferocious ages in which it flourished; but that in contributing to polish and soften manners it paved the way for the diffusion of knowledge and the extension of commerce, which afterwards, in some measure, supplanted it. Society is inevitably progressive. Commerce has overthrown the “feudal and chivalrous system” under whose shade it first grew; while learning has subverted the superstition whose opulent endowments had first fostered it. Peculiar circumstances connected with the manners

of chivalry favoured this admission of commerce and this growth of knowledge, while the sentiments peculiar to it, already enfeebled in the progress from ferocity and turbulence, were almost obliterated by tranquillity and refinement. Commerce and diffused knowledge have, in fact, so completely assumed the ascendant in polished nations, that it will be difficult to discover any relics of Gothic manners, but in a fantastic exterior, which has survived the generous illusions through which these manners once seemed splendid and seductive. Their *direct* influence has long ceased in Europe; but their *indirect* influence, through the medium of those causes which would not perhaps have existed but for the mildness which chivalry created in the midst of a barbarous age, still operates with increasing vigour. The manners of the middle age were, in the most singular sense, compulsory: enterprising benevolence was produced by general fierceness,—gallant courtesy by ferocious rudeness, and artificial gentleness resisted the torrent of natural barbarism. But a less incongruous system has succeeded, in which commerce, which unites men's interests, and knowledge, which excludes those prejudices that tend to embroil them, present a broader basis for the stability of civilized and beneficent manners.

Mr Burke, indeed, forbodes the most fatal consequences to literature from events, which he supposes to have given a mortal blow to the spirit of chivalry. I have ever been protected from such apprehensions by my belief in a very simple truth,—“that diffused knowledge immortalizes itself.” A literature which is confined to a few, may be destroyed by the massacre of scholars and the conflagration of libraries: but the diffused knowledge of the present day could only be annihilated by the extirpation of the civilized part of mankind.

Far from being hostile to letters, the French Revolution has contributed to serve their cause in a manner hitherto unexampled. The political and literary progress of nations has hitherto been simultaneous, the period of their eminence in arts has also been the era of their historical fame, and no example occurs in which their great political splendour has been subsequent to the Augustan age of a people. But in France, which is destined to refute every abject and arrogant doctrine that would limit the human powers, the ardour of a youthful literature has been infused into a nation tending to decline, and new arts are called forth when all seemed to have passed their zenith. She enjoyed one Augustan age, fostered by the favour of despotism: she seems about to witness another, created by the energy of freedom.

In the opinion of Mr. Burke, however, she is advancing by rapid strides to ignorance and barbarism.* “Already,” he informs us, “there appears a poverty of conception, a

coarseness and vulgarity in all the proceedings of the Assembly, and of all their instructors. Their liberty is not liberal. Their science is presumptuous ignorance. Their humanity is savage and brutal.” To animadvert on this modest and courteous picture belongs not to the present subject. and *impressions* cannot be disputed, more especially when their grounds are not assigned. All that is left to us to do, is to declare opposite impressions with a confidence authorised by his example. The proceedings of the National Assembly of France appear to me to contain models of more splendid eloquence, and examples of more profound political research, than have been exhibited by any public body in modern times. I cannot therefore augur, from these proceedings, the downfall of philosophy, or the extinction of eloquence.

Thus various are the aspects which the French Revolution, not only in its influence on literature, but in its general tenor and spirit, presents to minds occupied by various opinions. To the eye of Mr. Burke, it exhibits nothing but a scene of horror: in his mind it inspires no emotion but abhorrence of its leaders, commiseration for their victims, and alarms at the influence of an event which menaces the subversion of the policy, the arts, and the manners of the civilized world. Minds who view it through another medium are filled by it with every sentiment of admiration and triumph,—of admiration due to splendid exertions of virtue, and of triumph inspired by widening prospects of happiness.

Nor ought it to be denied by the candour of philosophy, that events so great are never so unmixed as not to present a double aspect to the acuteness and exaggeration of contending parties. The same ardour of passion which produces patriotic and legislative heroism becomes the source of ferocious retaliation, of visionary novelties, and of precipitate change. The attempt were hopeless to increase the fertility, without favouring the rank luxuriance of the soil. He that on such occasions expects unmixed good, ought to recollect, that the economy of nature has invariably determined the equal influence of high passions in giving birth to virtues and to crimes. The soil of Attica was observed to produce at once the most delicious fruits and the most virulent poisons. It was thus with the human mind; and to the frequency of convulsions in the ancient commonwealths, they owe those examples of sanguinary tumult and virtuous heroism, which distinguish their history from the monotonous tranquillity of modern states. The passions of a nation cannot be kindled to the degree which renders it capable of great achievements, without involving the commission of violence and crime. The reforming ardour of a senate cannot be inflamed sufficiently to combat and overcome abuses, without hazarding the evils which arise from legislative temerity. Such are the immutable laws, which are more properly to be regarded as libels on our nature than as

* Burke, p. 118.

charges against the French Revolution. The impartial voice of History ought, doubtless, to record the blemishes as well as the glories of that great event: and to contrast the delineation of it which might have been given by the specious and temperate Toryism of Mr. Hume, with that which we have received from the repulsive and fanatical invectives of Mr. Burke, might still be amusing and instructive. Both these great men would be averse to the Revolution, but it would not be difficult to distinguish between the undisguised fury of an eloquent advocate, and the well-dissembled partiality of a philosophical judge. The passion of the latter would only *feel* the excesses which have dishonoured the Revolution; but the philosophy of the former would instruct him, that our sentiments, raised by such events so much above their ordinary level, become the source of guilt and heroism unknown before,—of sublime virtues and splendid crimes.

SECTION IV.

*New Constitution of France.**

A DISSERTATION approaching to completeness on the new Constitution of France, would, in fact, be a vast system of political science. It would include a development of the principles that regulate every portion of government. So immense an attempt is little suited to our present limits. But some remarks on the prominent features of the French system are exacted by the nature of our vindication. They will consist chiefly of a defence of their grand theoretic principle, and their most important practical institution.

The principle which has actuated the legislators of France has been, "that the object of all legitimate government is the assertion and protection of the natural rights of man." They cannot indeed be absolved from some deviations† from it;—few, indeed, compared with those of any other body of whom history has preserved any record, but too many for their own glory, and for the happiness of the human race. This principle, however, is the basis of their edifice, and if it be false, the structure must fall to the ground. Against this principle, therefore, Mr. Burke has, with great judgment, directed his attack. Appeals to natural right are, according to him, inconsistent and preposterous. A complete abdication and surrender of all natural right is made by man

in entering into society; and the only rights which he retains are created by the compact which holds together the society of which he is member. This doctrine he thus explicitly asserts:—"The moment," says he "you abate any thing from the full rights of men each to govern himself, and suffer any artificial positive limitation on those rights from that moment the whole organization of society becomes a consideration of convenience." "How can any man claim under the conventions of civil society rights which do not so much as suppose its existence,—which are absolutely repugnant to it?"* To examine this doctrine, therefore, is of fundamental importance. To this effect it is not necessary to enter into any elaborate research into the metaphysical principles of politics and ethics. A full discussion of the subject would indeed demand such an investigation:—the origin of natural rights must have been illustrated, and even their existence proved against some theorists. But such an inquiry would have been inconsistent with the nature of a publication, the object of which is to enforce conviction on the people. We are besides absolved from the necessity of it in a controversy with Mr. Burke, who himself recognises, in the most ample form, the existence of those natural rights.

Granting their existence, the discussion is short. The only criterion by which we can estimate the portion of natural right surrendered by man on entering into society is the *object* of the surrender. If more is claimed than that object exacts, what was an *object* becomes a *pretext*. Now the object for which a man resigns any portion of his natural sovereignty over his own actions is, that he may be protected from the abuse of the same dominion in other men. Nothing, therefore, can be more fallacious than to pretend, that we are precluded in the social state from any appeal to natural right.‡ It remains in

* Burke, pp. 88—89. To the same purpose is his whole reasoning from p. 86. to p. 92.

† It might, perhaps, not be difficult to prove, that far from a *surrender*, there is not even a *diminution* of the natural rights of men by their entrance into society. The existence of some union, with greater or less permanence and perfection of public force for public protection (the essence of government), might be demonstrated to be coeval and co-extensive with man. All theories, therefore, which suppose the actual existence of any state antecedent to the social, might be convicted of futility and falsehood.

‡ "Trouver une forme d'association qui défende et protège de toute la force commune la personne et les biens de chaque associé, et par laquelle chacun, s'unissant à tous, n'obéisse pourtant qu'à lui-même et reste aussi libre qu'auparavant!" —Rousseau, Contrat Social, livre I. chap. vi. I am not intimidated from quoting Rousseau by the derision of Mr. Burke. Mr. Hume's report of his literary secrets seems most unfaithful. The sensibility, the pride, the fervour of his character, are pledges of his sincerity; and had he even commenced with the fabrication of paradoxes, for attracting attention, it would betray great ignorance of human nature to suppose, that in the ar

* I cannot help exhorting those who desire to have accurate notions on the subject of this section, to peruse and study the delineation of the French constitution which with a correctness so admirable has been given by Mr. Christie.—(Letters on the Revolution in France, London, 1791. Ed.)

† I particularly allude to their colonial policy; but I think it candid to say, that I see in their full force the difficulties of that embarrassing business.

its full integrity and vigour, if we except that portion of it which men have thus mutually agreed to sacrifice. Whatever, under *pretence* of that surrender, is assumed beyond what that object rigorously prescribes, is an usurpation supported by sophistry,—a despotism varnished by illusion. It follows that the surrender of right must be equal in all the members of society, as the object is to all precisely the same. In effect, society, instead of destroying, realizes and substantiates equality. In a state of nature, the equality of right is an impotent theory, which inequalities of strength and skill every moment violate. As neither natural equality nor the equality of the sum of right surrendered by every individual is contested, it cannot be denied that the remnant spared by the social compact must be equal also. Civil inequalities, or, more correctly, civil distinction, must exist in the social body, because it must possess organs destined for different functions: but political inequality is equally inconsistent with the principles of natural right and the object of civil institution *

Men, therefore, only retain a right to a share in their own government, because the exercise of the right by one man is not inconsistent with its possession by another. This doctrine is not more abstractedly evident than it is practically important. The slightest deviation from it legitimatizes every tyranny. If the only criterion of governments be the supposed convention which forms them, all are equally legitimate; for the only interpreter of the convention is the usage of the government, which is thus posterously made its own standard. Governors must, indeed, abide by the maxims of the constitution they administer; but what that constitution is must be on this system immaterial. The King of France is not permitted to put out the eyes of the Princes of the Blood; nor the Sophi of Persia to have recourse to *lettres de cachet*. They must tyrannize by precedent, and oppress in reverent imitation of the models consecrated by

dour of contest, and the glory of success, he must not have become the dupe of his own illusions, and a convert to his own imposture. It is, indeed, not improbable, that when rallied on the eccentricity of his paradoxes, he might, in a moment of gay effusion, have spoken of them as a sport of fancy, and an experiment on the credulity of mankind. The Scottish philosopher, inaccessible to enthusiasm, and little susceptible of those depressions and elevations—those agonies and raptures, so familiar to the warm and wayward heart of Rousseau, neither knew the sport into which he could be relaxed by gaiety, nor the ardour into which he could be exalted by passion. Mr. Burke, whose temperament is so different, might have experimentally known such variation, and learnt better to discriminate between effusion and deliberate opinion.

* "But as to the share of power, authority, and direction which each individual ought to have in the management of a state, that I must deny to be among the direct original rights of man in civil society." This is evidently denying the existence of what has been called *political*, in contradistinction to *civil* liberty.

the usage of despotic predecessors. But if they adhere to these, there is no remedy for the oppressed, since an appeal to the rights of nature were treason against the principles of the social union. If, indeed, any offence against precedent, in the kind or degree of oppression, be committed, this theory may (though most inconsistently) permit resistance. But as long as the forms of any government are preserved, it possesses, in the view of justice (whatever be its nature) equal claims to obedience. This inference is irresistible; and it is thus evident, that the doctrines of Mr. Burke are doubly refuted by the fallacy of the logic which supports them, and the absurdity of the conclusions to which they lead.

They are also virtually contradicted by the laws of all nations. Were his opinions true, the language of laws should be *permissive*, not *restrictive*. Had men surrendered all their rights into the hands of the magistrate, the object of laws should have to announce the portion he was pleased to return them, not the part of which he is compelled to deprive them. The criminal code of all nations consists of prohibitions; and whatever is not prohibited by the law, men every where conceive themselves entitled to do with impunity. They act on the principle which this language of law teaches them, that they retain rights which no power can impair or infringe,—which are not the boon of society, but the attribute of their nature. The rights of magistrates and public officers are truly the creatures of society. they, therefore, are guided not by what the law does not prohibit, but by what it authorises or enjoins. Were the rights of citizens equally created by social institution, the language of the civil code would be similar, and the obedience of subjects would have the same limits.

This doctrine, thus false in its principles, absurd in its conclusions, and contradicted by the avowed sense of mankind, is, lastly, even abandoned by Mr. Burke himself. He is betrayed into a confession directly repugnant to his general principle:—"Whatever each man can do without trespassing on others, he has a right to do for himself; and he has a right to a fair portion of all that society, with all its combinations of skill and force, can do for him." Either this right is universal, or it is not.—if it be universal, it cannot be the offspring of a convention; for conventions must be as various as forms of government, and there are many of them which do not recognise this right, nor place man in this condition of just equality. All governments, for example, which tolerate slavery neglect this right; for a slave is neither entitled to the fruits of his own industry, nor to any portion of what the combined force and skill of society produce. If it be not universal it is no right at all; and can only be called a *privilege* accorded by some governments, and withheld by others. I can discern no mode of escaping from this di-

lemma, but the avowal that these civil claims are the remnant of those "metaphysic rights" which Mr. Burke holds in such abhorrence; but which it seems the more natural object of society to protect than destroy.

But it may be urged, that though all appeals to natural rights be not precluded by the social compact, and though their integrity and perfection in the civil state may *theoretically* be admitted, yet as men unquestionably may refrain from the exercise of their rights, if they think their exertion unwise, and as government is not a scientific subtlety, but a *practical* expedient for general good, all recourse to these elaborate abstractions is frivolous and futile; and that the grand question is not the source, but the tendency of government,—not a question of right, but a consideration of expediency. Political forms, it may be added, are only the *means* of insuring a certain portion of public felicity: if the *end* be confessedly obtained, all discussion of the theoretical aptitude of the *means* to produce it is nugatory and redundant.

To this I answer, first, that such reasoning proves too much, and that, taken in its proper extent, it impeaches the great system of morals, of which political principles form only a part. All morality is, no doubt, founded on a broad and general expediency; and the sentiment—

"Ipsa utilitas justi prope mater et æqui,"*

may be safely adopted, without the reserve dictated by the timid and inconstant philosophy of the poet. Justice is expediency, but it is expediency speaking by general maxims, into which reason has consecrated the experience of mankind. Every general principle of justice is demonstrably expedient; and it is this utility alone that confers on it a moral obligation. But it would be fatal to the existence of morality, if the utility of every particular act were to be the subject of deliberation in the mind of every moral agent. Political principles are only moral ones adapted to the civil union of men. When I assert that a man has a right to life, liberty, &c. I only mean to enunciate a moral maxim founded on the general interest, which prohibits any attack on these possessions. In this primary and radical sense, all rights, natural as well as civil, arise from expediency. But the moment the moral edifice is reared, its basis is hid from the eye for ever. The moment these maxims, which are founded on an utility that is paramount and perpetual, are embodied and consecrated, they cease to yield to partial and subordinate expediency. It then becomes the perfection of virtue to consider, not whether an action be useful, but whether it be right.

The same necessity for the substitution of general maxims exists in politics as in morals. Those precise and inflexible principles, which yield neither to the seductions of passion, nor to the suggestions of interest, ought to be the guide of public as well as

private morals. "Acting according to the natural rights of men," is only another expression for acting according to those general maxims of social morals which prescribe what is right and fit in human intercourse. We have proved that the social compact does not alter these maxims, or destroy these rights; and it incontestably follows, from the same principles which guide all morality, that no expediency can justify their infraction.

The inflexibility of general principles is, indeed, perhaps more necessary in political morals than in any other class of actions. If the consideration of expediency be admitted, the question recurs,—Who are to judge of it? The appeal is never made to the *many* whose interest is at stake, but to the *few*, whose interest is linked to the perpetuity of oppression and abuse. Surely that judge ought to be bound down by the strictest rules, who is undeniably interested in the decision. and he would scarcely be esteemed a wise legislator, who should vest in the next heir to a lunatic a discretionary power to judge of his sanity. Far more necessary, then, is obedience to general principles, and maintenance of natural rights, in politics than in the morality of common life. The moment that the slightest infraction of these rights is permitted through motives of *convenience*, the bulwark of all upright politics is lost. If a small convenience will justify a little infraction, a greater will expiate a bolder violation: the Rubicon is past. Tyrants never seek in vain for sophists: pretences are multiplied without difficulty and without end. Nothing, therefore, but an inflexible adherence to the principles of general right can preserve the purity, consistency, and stability of a free state.

If we have thus successfully vindicated the first theoretical principle of French legislation, the doctrine of an absolute surrender of natural rights by civil and social man, has been shown to be deduced from inadequate premises,—to conduct to absurd conclusions, to sanctify the most atrocious despotism, to outrage the avowed convictions of men, and, finally, to be abandoned, as hopelessly untenable by its own author. The existence and perfection of these rights being proved, the first duty of lawgivers and magistrates is to assert and protect them. Most wisely and auspiciously then did France commence her regenerating labours with a solemn declaration of these sacred, inalienable, and imprescriptible rights,—a declaration which must be to the citizen the monitor of his duties, as well as the oracle of his rights and by a perpetual recurrence to which the deviations of the magistrate will be checked, the tendency of power to abuse corrected, and every political proposition (being compared with the end of society) correctly and dispassionately estimated. To the juvenile vigour of reason and freedom in the New World,—where the human mind was unincumbered with that vast mass of usage and prejudice, which

* Horace, lib. ii. Sat. 3.—ED.

so many ages of ignorance had accumulated, to load and deform society in Europe,—France owed this, among other lessons. Perhaps the only expedient that can be devised by human wisdom to keep alive public vigilance against the usurpation of partial interests, is that of perpetually presenting the general right and the general interest to the public eye. Such a principle has been the Polar Star, by which the National Assembly has hitherto navigated the vessel of the state, amid so many tempests howling destruction around it.

There remains a much more extensive and complicated inquiry, in the consideration of their political institutions. As it is impossible to examine all, we must limit our remarks to the most important. To speak then generally of their Constitution, it is a preliminary remark, that the application of the word "democracy" to it is fallacious and illusive. If that word, indeed, be taken in its etymological sense, as the "power of the people," it is a democracy; and so are all legitimate governments. But if it be taken in its historical sense, it is not so; for it does not resemble those governments which have been called democracies in ancient or modern times. In the ancient democracies there was neither representation nor division of powers: *the rabble legislated, judged and exercised every political authority*. I do not mean to deny that in Athens, of which history has transmitted to us the most authentic monuments, there did exist some feeble control. But it has been well remarked, that a multitude, if it was composed of Newtons, must be a mob: their will must be equally unwise, unjust, and irresistible. The authority of a corrupt and tumultuous populace has indeed by the best writers of antiquity been regarded rather as an ochlocracy than a democracy,—as the despotism of the rabble, not the dominion of the people. It is a degenerate democracy: it is a febrile paroxysm of the social body which must speedily terminate in convalescence or dissolution. The new Constitution of France is almost directly the reverse of these forms. It vests the legislative authority in the representatives of the people, the executive in an hereditary First Magistrate, and the judicial in judges, periodically elected, and unconnected either with the legislature or with the Executive Magistrate. To confound such a constitution with the democracies of antiquity, for the purpose of quoting historical and experimental evidence against it, is to recur to the most paltry and shallow arts of sophistry.

In discussing it, the first question that arises regards the mode of constituting the legislature; the first division of which, relating to the right of suffrage, is of primary importance. Here I most cordially agree with Mr. Burke* in reprobatng the impotent and preposterous qualification by which the Assembly has disfranchised every citizen

who does not pay a direct contribution equivalent to the price of three days' labour. Nothing can be more evident than its inefficacy for any purpose but the display of inconsistency, and the violation of justice. These remarks were made at the moment of the discussion; and the plan* was combated in the Assembly with all the force of reason and eloquence by the most conspicuous leaders of the popular party;—MM. Mirabeau, Target, and Petion, more particularly distinguishing themselves by their opposition. But the more timid and prejudiced members of it shrunk from so bold an innovation in political systems as justice. They fluctuated between their principles and their prejudices and the struggle terminated in an illusive compromise,—the constant resource of feeble and temporizing characters. They were content that little practical evil should in fact be produced; while their views were not sufficiently enlarged to perceive, that the inviolability of principles is the palladium of virtue and of freedom. Such members do not, indeed, form the majority of their own party; but the aristocratic minority, anxious for whatever might dishonour or embarrass the Assembly, eagerly coalesced with them, and stained the infant Constitution with this absurd usurpation.

An enlightened and respectable antagonist of Mr. Burke has attempted the defence of this measure. In a Letter to Earl Stanhope, it is contended, that the spirit of this regulation accords exactly with the principles of natural justice, because, even in an unsocial state, the pauper has a claim only on charity, and he who produces nothing has no right to share in the regulation of what is produced by the industry of others. But whatever be the justice of disfranchising the unproductive poor, the argument is, in point of fact, totally misapplied. Domestic servants are excluded by the decree though they subsist as evidently on the produce of their own labour as any other class, and to them therefore the argument of our acute and ingenious writer is totally inapplicable † But it is the consolation of the consistent friends of freedom, that this abuse must be short-lived, the spirit of reason and liberty, which has achieved such mighty victories, cannot long be resisted by this puny foe. The number of primary electors is at present so great, and the importance of their single votes so proportionally little, that their interest in resisting the extension of the right of suffrage is insignificantly small. Thus much have I spoken of the usurpation of the rights of s. f.

* See the Procès Verbaux of the 27th and 29th of October, 1789, and the Journal de Paris, No. 301, and Les Révolutions de Paris, No. 17, p. 73.

† It has been very justly remarked, that even with reference to taxation, all men have equal rights of election. For the man who is too poor to pay a direct contribution, still pays a tax in the increased price of his food and clothes. It is besides to be observed, that life and liberty are more sacred than property, and that the right of suffrage is the only shield that can guard them.

frage, with the ardour of anxious affection, and with the freedom of liberal admiration. The moment is too serious for compliment; and I leave untouched to the partisans of despotism, their monopoly of blind and servile applause *

I must avow, with the same frankness, equal disapprobation of the admission of territory and contribution as elements entering into the proportion of representation.† The representation of land or money is a monstrous relic of ancient prejudice: men only can be represented; and population alone ought to regulate the number of representatives which any district delegates.

The next consideration that presents itself is, the nature of those bodies into which the citizens of France are to be organized for the performance of their political functions. In this important part of the subject, Mr. Burke has committed some fundamental errors: it is more amply, more dexterously, and more correctly treated by M. de Calonne; of whose work this discussion forms the most interesting part. These assemblies are of four kinds:—Municipal, Primary, Electoral, and Administrative

To the Municipalities belong the care of preserving the police, and collecting the revenue within their jurisdiction. An accurate idea of their nature and object may be formed by supposing the *country* of England uniformly divided, and governed, like its cities and towns, by magistracies of popular election

The Primary Assemblies, the first elements of the commonwealth, are formed by all citizens, who pay a direct contribution, equal to the price of three days' labour, which may be averaged at half-a-crown sterling. Their functions are purely electoral. They send representatives, in the proportion of one to every hundred adult citizens, to the Assembly of the *Department* directly, and not through the medium of the District, as was originally proposed by the Constitutional Committee, and has been erroneously stated by Mr. Burke. They send, indeed, representatives to the Assembly of the District, but it is for the purpose of choosing the Administrators of such District, not the Electors of the Department. The Electoral Assemblies of the Departments elect the members

* "He who freely magnifies what has been nobly done, and fears not to declare as freely what might have been done better, gives you the best covenant of his fidelity His highest praise is not flattery, and his plainest advice is praise."—*Areopagitica*

† Montesquieu, I think, mentions a federative republic in Lycia, where the proportion of representatives deputed by each state was in a *ratio* compounded of its population and its contribution. There might be some plausibility in this institution among confederated independent states; but it is grossly absurd in a commonwealth, which is vitally one. In such a state, the contribution of all being proportioned to their capacity, it is relatively equal; and if it can confer any political claims, they must be derived from equal rights.

of the legislature, the judges, the administrators, and the bishop of the Department. The Administrators are every where the organs and instruments of the executive power.

Against the arrangement of these Assemblies, many subtle and specious objections are urged, both by Mr. Burke and the exiled Minister of France. The first and most formidable is, "the supposed tendency of it to dismember France into a body of confederated republics" To this there are several unanswerable replies. But before I state them, it is necessary to make one distinction:—these several bodies are, in a certain sense, independent, in what regards subordinate and inferior regulation; but they are not independent in the sense which the objection supposes,—that of possessing a separate will from that of the nation, or influencing; but by their representatives, the general system of the state. Nay, it may be demonstrated, that the legislators of France have solicitously provided more elaborate precautions against this dismemberment than have been adopted by any recorded government.

The first circumstance which is adverse to it is the minuteness of the divided parts. They are too small to possess a separate force. As elements of the social order, as particles of a great political body, they are something, but, as insulated states, they would be impotent. Had France been separated into great masses, each might have been strong enough to claim a separate will, but, divided as she is, no body of citizens is conscious of sufficient strength to feel their sentiments of any importance, but as constituent parts of the general will. Survey the Primary, the Electoral, and the Administrative Assemblies, and nothing will be more evident than their impotence in individuality. The Municipalities, surely, are not likely to arrogate independence. A forty-eight thousandth part of the kingdom has not energy sufficient for separate existence; nor can a hope arise in it of influencing, in a direct and dictatorial manner, the councils of a great state. Even the Electoral Assemblies of the Departments do not, as we shall afterwards show, possess force enough to become independent confederated republics.

Another circumstance, powerfully hostile to this dismemberment, is the destruction of the ancient Provincial division of the kingdom. In no part of Mr. Burke's work have his arguments been chosen with such infelicity of selection as in what regards this subject. He has not only erred; but his error is the precise reverse of truth. He represents as the harbinger of discord, what is, in fact, the instrument of union. He mistakes the cement of the edifice for a source of instability and a principle of repulsion. France was, under the ancient government, an union of provinces, acquired at various times and on different conditions, and differing in constitution, laws, language, manners, privileges, jurisdiction, and revenue. It had the exterior of a simple monarchy, but

was in reality an aggregate of independent states. The monarch was in one place King of Navarre, in another Duke of Brittany, in a third Count of Provence, in a fourth Dauphin of Vienne. Under these various denominations he possessed, at least nominally, different degrees of power, and he certainly exercised it under different forms. The mass composed of these heterogeneous and discordant elements, was held together by the compressing force of despotism. When that compression was withdrawn, the provinces must have resumed their ancient independence,—perhaps in a form more absolute than as members of a federative republic. Every thing tended to inspire *provincial* and to extinguish *national* patriotism. The inhabitants of Brittany, or Guienne, felt themselves linked together by ancient habitudes, by congenial prejudices, by similar manners, by the relics of their constitution, and the common name of their country; but their character as members of the French Empire, could only remind them of long and ignominious subjection to a tyranny, of which they had only felt the strength in exaction, and blessed the lenity in neglect. These causes must have formed the provinces into independent republics; and the destruction of their provincial existence was indispensable to the prevention of this dismemberment. It is impossible to deny, that men united by no previous habitude (whatever may be said of the policy of the union in other respects) are less qualified for that union of will and force, which produces an independent republic, than provincials, who were attracted by every circumstance towards local and partial interests, and from the common centre of the national system. Nothing could have been more inevitable than the independence of those great provinces, which had never been moulded into one empire; and we may boldly pronounce, in direct opposition to Mr. Burke, that the new division of the kingdom was the only expedient that could have prevented its dismemberment into a confederacy of sovereign republics.

The solicitous and elaborate division of powers, is another expedient of infallible operation, to preserve the unity of the body politic. The Municipalities are limited to minute and local administration; the Primary Assemblies solely to election; the Assemblies of the District to objects of administration and control of a superior class; and the Assemblies of the Departments possess functions purely electoral, exerting no authority legislative, administrative, or judicial.

But whatever danger might be apprehended of the assumption of power by these formidable Assemblies, they are biennially renewed; and their fugitive nature makes systematic usurpation hopeless. What power, indeed, can they possess of dictating to the National Assembly? or what interest can

the members of that Assembly have in obeying the mandates of those whose tenure of power is as fugitive and precarious as their own? The provincial Administrators have that amount of independence which the constitution demands; while the judges, who are elected for six years, must feel themselves independent of constituents, whom three elections may so radically and completely change. These circumstances, then,—the minuteness of the divisions, the dissolution of Provincial ties, the elaborate distribution of powers, and the fugitive constitution of the Electoral Assemblies,—seem to form an insuperable barrier against the assumption of such powers by any of the bodies into which France is organized, as would tend to produce the federal form.

The next objection to be considered is peculiar to Mr. Burke. The subordination of elections has been regarded by the admirers of the French lawgivers as a masterpiece of their legislative wisdom. It seemed as great an improvement on representative government, as representation itself was on pure democracy. No extent of territory is too great for a popular government thus organized; and as the Primary Assemblies may be divided to any degree of minuteness, the most perfect order is reconcilable with the widest diffusion of political right. Democracies were supposed by philosophers to be necessarily small, and therefore feeble,—to demand numerous assemblies, and to be therefore venal and tumultuous. Yet this great discovery, which gives force and order in so high a degree to popular governments, is condemned and denied by Mr. Burke. An immediate connection between the representative and the primary constituent, he considers as essential to the idea of representation. As the electors in the Primary Assemblies do not immediately elect their lawgivers, he regards their rights of suffrage as nominal and illusory.*

It will in the first instance be remarked, from the statement which has already been given, that in stating three interposed elections between the Primary Electors and the Legislature, Mr. Burke has committed a most important error, in point of fact. The original plan of the Constitutional Committee was indeed agreeable to the statement of Mr. Burke:—the Primary Assemblies were to elect deputies to the District,—the District to the Department.—and the Department to the National Assembly. But this plan was represented as tending to introduce a vicious complexity into the system, and, by making the channel through which the national will passes into its public acts too circuitous, to

Legislature as insolently corrupt as that of a neighbouring nation. I only mean to assert, that they cannot possess such a power as will enable them to dictate instructions to their representatives as authoritatively as sovereigns do to their ambassadors; which is the idea of a confederated republic.

* Burke, pp. 270—272.

* I do not mean that their voice will not be there respected: that would be to suppose the

aufeible its energy under pretence of breaking its violence; and it was accordingly successfully combated. The series of three elections was still preserved for the choice of Departmental Administrators; but the Electoral Assemblies in the Departments, who are the immediate constituents of the Legislature, are directly chosen by the Primary Assemblies, in the proportion of one elector to every hundred active citizens.*

But,—to return to the general question, which is, perhaps, not much affected by these details,—I profess I see no reason why the right of election is not as susceptible of delegation as any other civil function,—why a citizen may not as well delegate the right of choosing lawgivers, as that of making laws. Such a gradation of elections, says Mr. Burke, excludes responsibility and substantial election, since the primary electors neither can know nor bring to account the members of the Assembly. This argument has (considering the peculiar system of Mr. Burke) appeared to me to be the most singular and inconsistent that he has urged in his work. Representation itself must be confessed to be an infringement on the most perfect liberty; for the best organized system cannot preclude the possibility of a variance between the popular and the representative will. Responsibility, strictly speaking, it can rarely admit; for the secrets of political fraud are so impenetrable, and the line which separates corrupt decision from erroneous judgment so indiscernibly minute, that the cases where the deputies could be made properly responsible are too few to be named as exceptions. Their dismissal is the only punishment that can be inflicted; and all that the best constitution can attain is a high probability of union between the constituent and his deputy. This seems attained in the arrangements of France. The Electors of the Departments are so numerous, and so popularly elected, that there is the highest probability of their being actuated in their elections, and re-elections, by the sentiments of the Primary Assemblies. They have too many points of contact with the general mass to have an insulated opinion, and too fugitive an existence to have a separate interest. This is true of those cases, where the merits or demerits of can-

didates may be supposed to have reached the Primary Assemblies: but in those far more numerous cases, where they are too obscure to obtain that notice, but by the polluted medium of a popular canvass, this delegation of the franchise is still more evidently wise. The peasant, or artisan, who is a Primary Elector, knows intimately among his equals, or immediate superiors, many men who have information and honesty enough to choose a good representative, but few who have genius, leisure, and ambition for the situation themselves. Of Departmental Electors he may be a disinterested, deliberate, and competent judge: but were he to be complimented, or rather mocked, with the direct right of electing legislators, he must, in the tumult, venality, and intoxication of an election mob, give his suffrage without any possible just knowledge of the situation, character, and conduct of the candidates. So unfortunately false, indeed, seems the opinion of Mr. Burke, that this arrangement is the only one that substantially, and in good faith, provides for the exercise of deliberate discrimination in the constituent.

This hierarchy of electors was, moreover, obtruded on France by necessity. Had they rejected it, they would have had only the alternative of tumultuous electoral assemblies, or a tumultuous Legislature. If the primary electoral assemblies had been so divided as to avoid tumult, their deputies would have been so numerous as to have made the national assembly a mob. If the number of electoral assemblies had been reduced to the number of deputies constituting the Legislature, each of them would have been too numerous. I cannot perceive that peculiar unfitnes which is hinted at by Mr. Burke in the right of *personal* choice to be delegated.* It is in the practice of all states delegated to great officers, who are intrusted with the power of nominating their subordinate agents. It is in the most ordinary affairs of common life delegated, when our *ultimate* representatives are too remote from us to be within the sphere of our observation. It is remarkable that M. de Calonne, addressing his work to a people enlightened by the masterly discussions to which these subjects have given rise, has not, in all the fervour of his zeal to criminate the new institutions, hazarded this objection. This is not the only instance in which the Ex-Minister has shown more respect to the nation whom he addresses, than Mr. Burke has paid to the intellect and information of the English public.†

* For a charge of such fundamental inaccuracy against Mr. Burke, the Public will most justly and naturally expect the highest evidence. See the Décret sur la nouvelle Division du Royaume. Art 17, and the Procès Verbal of the Assembly for the 22d Dec., 1789. If this evidence should demand any collateral aid, the authority of M. de Calonne (which it is remarkable that Mr. Burke should have overlooked) corroborates it most amply. "On ordonne que chacune de ces Assemblées (Primaires) nommera un électeur à raison de 100 citoyens actifs". . . "Ces cinquantes mille électeurs (des Départemens) choisis de deux ans en deux ans par les Assemblées Primaires," p. 360. The Ex-Minister, indeed, is rarely to be detected in any departure from the solicitous accuracy of professional detail.

* Burke, p. 271.

† Though it may, perhaps, be foreign to the purpose, I cannot help thinking one remark on this topic interesting. It will illustrate the difference of opinion between even the Aristocratic party in France and the rulers of England. M. de Calonne (p. 383.) rightly states it to be the unanimous instruction of France to her representatives, to enact the equal admissibility of all cit-

Thus much of the elements of the legislative body. Concerning that body, thus constituted, various questions remain. Its unity or division will admit of much dispute. It will be deemed of the greatest moment by the zealous admirers of the English constitution, to determine whether any semblance of its legislative organization could have been attained by France, if good, or ought to have been pursued by her, if attainable. Nothing has been asserted with more confidence by Mr. Burke than the facility with which the fragments of the long subverted liberty of France might have been formed into a British constitution: but of this general position, he has neither explained the mode, nor defined the limitations. Nothing is more favourable to the popularity of a work than these lofty generalities which are light enough to pass into vulgar currency, and to become the maxims of a popular creed. Proclaimed as they are by Mr. Burke, they gratify the pride and indolence of the people, who are thus taught to speak what gains applause, without any effort of intellect, and imposes silence, without any labour of confutation; but touched by definition they become too simple and precise for eloquence,—too cold and abstract for popularity. It is necessary to inquire with more precision in what manner France could have assimilated the remains of her ancient constitution to that of the English Legislature. Three modes only seem conceivable—the preservation of the three Orders distinct; the union of the Clergy and Nobility in one upper chamber; or some mode of selecting from these two Orders a body like the House of Lords. Unless the insinuations of Mr. Burke point to one or other of these schemes, I cannot divine their meaning.

The first mode would neither have been congenial in spirit nor similar in form to the constitution of England:—convert the Convocation into an integrant and co-ordinate branch of our Legislature, and some faint semblance of structure might be discovered. But it would then be necessary to arm our Clergy with an immense mass of property, rendered still more formidable by the concentration of great benefices in the hands of a few, and to bestow on this clerico-military aristocracy, in each of its shapes of Priest and Noble, a separate and independent voice. The Monarch would thus possess three negatives,—one avowed and disused, and two latent and in perpetual activity,—on the single voice which impotent and illusive formality had yielded to the Third Estate.

zens to public employ! England adheres to the Test Act! The arrangements of M. Neckar for elections to the States-General, and the scheme of MM. Mounier and Lally-Tollendal for the new constitution, included a representation of the people nearly exact. Yet the idea of it is regarded with horror in England! The highest Aristocrates of France approach more nearly to the creed of general liberty than the most popular politicians of England.

Even under the reign of despotism the second plan was proposed by M. de Calonne,*—that the Clergy and Nobility should form an Upper House, to exercise conjointly with the King and the Commons the legislative authority. That such a constitution would have been diametrically opposite in its spirit and principles to that of England, will be evident to those who reflect how different were the Nobility of each country. In England they are a small body, united to the mass by innumerable points of contact, receiving from it perpetually new infusions, and returning to it, undistinguished and unprivileged, the majority of their children. In France they formed an immense caste, insulated by every barrier that prejudice or policy could raise. The Nobles of England are a senate of two hundred: the Noblesse of France were a *tribe* of two hundred thousand. Nobility is in England only hereditary, so far as its professed object—the support of an hereditary senate—demands. Nobility in France was as widely inheritable as its real purpose—the maintenance of a privileged *caste*—prescribed. It was therefore necessarily descendible to all male children. The Noblesse of France were at once formidable from the immense property of their body, and dependent from the indigence of their patrician rabble of cadets, whom honour inspired with servility, and servility excluded from the path to independence. To this formidable property were added the revenues of the Church, monopolized by some of their children; while others had no patrimony but their sword. If these last were generous, the habits of military service devoted them, from loyalty,—if they were prudent, the hope of military promotion devoted them, from interest, to the King. How immense therefore and irresistible would the Royal influence have been over electors, of whom the majority were the servants and creatures of the Crown? What would be thought in England of a House of Lords, which, while it represented or contained the whole landed interest of the kingdom, should necessarily have a majority of its members septennially or triennially nominated by the King? Yet such a one would still yield to the French Upper House of M. de Calonne: for the monied and commercial interests of England, which would continue to be represented by the Commons, are important and formidable, while in France they are comparatively insignificant. The aristocracy could have been strong only against the people,—impotent against the Crown.

There remains only the selection of ar.

* See his Lettre au Roi, 9th February 1789. See also Sur l'Etat de France, p. 167. It was also, as we are informed by M. de Calonne suggested in the *Cahiers* of the Nobility of Metz and Montargis. It is worthy of incidental. The proposition of such radical changes by the Nobility, is incontestable evidence of the general conviction that a total change was necessary, and is an unanswerable reply to Mr. Burke and M. de Calonne.

Upper House from among the Nobility and Clergy: and to this there are insuperable objections. Had the right of thus forming a branch of the Legislature by a single act of prerogative been given to the King, it must have strengthened his influence to a degree terrible at any,—but fatal at this period. Had any mode of election by the provinces, or the Legislature, been adopted, or had any control on the nomination of the Crown been vested in them, the new dignity would have been sought with an activity of corruption and intrigue, of which, in such a national convulsion, it is impossible to estimate the danger. No general principle of selection, such as that of opulence or antiquity, would have remedied the evil; for the excluded and degraded would have felt that nobility was equally the patrimony of all. By the abolition of nobility, no one was degraded; for to “degrade” is to lower from a rank that continues to exist in society.

So evident indeed was the impossibility of what Mr. Burke supposes to have been attainable, that no party in the Assembly suggested the imitation of the English model. The system of his oracles in French politics,—MM Lally and Mounier,—approached more near to the constitution of the American States. They proposed a Senate to be chosen for life by the King, from candidates offered to his choice by the provinces. This Senate was to enjoy an absolute negative on legislative acts, and to form the great national court for the trial of public delinquents. In effect, such a body would have formed a far more vigorous aristocracy than the English Peerage. The latter body only preserves its dignity by a wise disuse of its power. But the Senate of M. Mounier would have been an aristocracy moderated and legalized, which, because it appeared to have less independence, would in fact have been emboldened to exert more. Deriving their rights equally with the Lower House from the people, and vested with a more dignified and extensive trust, they would neither have shrunk from the conflict with the Commons nor the King. The permanence of their authority must have given them a superiority over the former;—the speciousness of their cause over the latter: and it seems probable, that they would have ended in subjugating both. Let those who suppose that this Senate would not have been infected by the “corporation spirit,” consider how keenly the ancient judicatures of France had been actuated by it.

As we quit the details of these systems, a question arises for our consideration of a more general and more difficult nature,—Whether a simple representative legislature, or a constitution of mutual control, be the best form of government? * To examine

* This question, translated into familiar language, may perhaps be thus expressed,—“Whether the vigilance of the master, or the squabbles of the servants, be the best security for faithful service!”

this question at length is inconsistent with the object and limits of the present publication (which already grows insensibly beyond its intended size); but a few general principles may be hunted, on which the decision of the question chiefly depends.

It will not be controverted, that the object of establishing a representative legislature is to collect the general will. That will is one: it cannot, therefore, without a solecism, be *doubly* represented. Any absolute* negative opposed to the national will, decisively spoken by its representatives, is null, as an usurpation of the popular sovereignty. Thus far does the abstract principle of representation condemn the division of the legislature.

All political bodies, as well as all systems of law, foster the preponderance of partial interests. A controlling senate would be most peculiarly accessible to this contagious spirit: a representative body itself can only be preserved from it by those frequent elections which break combinations, and infuse new portions of popular sentiments. Let us grant that a popular assembly may sometimes be precipitated into unwise decision by the seductions of eloquence, or the rage of faction, and that a controlling senate might remedy this evil: but let us recollect, that it is better the public interest should be occasionally mistaken than systematically opposed.

It is perhaps susceptible of proof, that these governments of balance and control have never existed but in the vision of theorists. The fairest example will be that of England. If the two branches of the Legislature, which it is pretended control each other, are ruled by the same class of men, the control must be granted to be imaginary. The great proprietors, titled and untitled, possess the whole force of both Houses of Parliament that is not immediately dependent on the Crown. The Peers have a great influence in the House of Commons. All political parties are formed by a confederacy of the members of both Houses. The Court party, acting equally in both, is supported by a part of the independent aristocracy;—the Opposition by the remainder of the aristocracy, whether peers or commoners. Here is every symptom of collusion,—no vestige of control. The only case indeed, where control could arise, is where the interest of the Peerage is distinct from that of the other great proprietors. But their separate interests are so few and paltry, that the history of England will not afford one undisputed instance.†

* The suspensive veto vested in the French King is only an appeal to the people on the conduct of their representatives. The voice of the people clearly spoken, the negative ceases.

† The rejection of the Peerage Bill of George the First is urged with great triumph by De Lolme. There it seems the Commons rejected the Bill, purely actuated by their fears, that the aristocracy would acquire a strength, through a limitation of the number of Peers, destructive of the balance of their respective powers. It is un-

Through a diversity of members and interests," if we may believe Mr. Burke, "general liberty had as many securities as there were separate views in the several orders." If by "general liberty" be understood the power of the collective body of these orders, the position is undeniable: but if it means,—what it ought to mean,—the liberty of mankind, nothing can be more false. The higher class in society,—whether their names be nobles, bishops, judges, or possessors of landed and commercial wealth,—has ever been united by common views, far more powerful than those petty repugnancies of interest to which this variety of description may give rise. Whatever may be the little conflicts of ecclesiastical with secular, or of commercial with landed opulence, they have the one common interest of preserving their elevated place in the social order. There never was, and never will be, in civilized society, but two grand interests,—that of the rich and that of the poor. The privileges of the several orders among the former will be guarded, and Mr. Burke will decide that general liberty is secure! It is thus that a Polish Palatine and the Assembly of Jamaica profanely appeal to the principles of freedom. It is thus that Antiquity, with all her pretended political philosophy, cannot boast one philosopher who questioned the justice of servitude,—nor with all her pretended public virtue, one philanthropist who deplored the misery of slaves.

One circumstance more concerning the proposed Legislature remains to be noticed,—the exclusion of the King's Ministers from it. This "Self-denying Ordinance" I unequivocally disapprove. I regard all disfranchisement as equally unjust in its principle, destructive in its example, and impotent in its purpose. Their presence would have been of great utility with a view to business, and perhaps, by giving publicity to their opinions, favourable on the whole to public liberty. The fair and open influence of a Government is never formidable. To exclude them from the Legislature, is to devote them to the purposes of the Crown, and thereby to enable them to use their indirect and secret influence with more impunity and success. The exclusion is equivalent to that of all men of superior talent from the Cabinet: for no man of genius will accept an office which banishes him from the supreme assembly, which is the natural sphere of his powers.

Of the plan of the Judicature, I have not yet presumed to form a decided opinion. It certainly approaches to an experiment, whether a code of laws can be formed sufficiently simple and intelligible to supersede the ne-

cessity of professional lawyers.* Of all the attempts of the Assembly, the complicated relations of civilized society seem to render this the most problematical. They have not, however, concluded this part of their labours: and the feebleness attributed to the elective judicatures of the Departments may be remedied by the dignity and force with which they will invest the two high national tribunals †

On the subject of the Executive Magistracy, the Assembly have been accused of violating their own principles by the assumption of executive powers; and their advocates have pleaded guilty to the charge. It has been forgotten that they had a double function to perform: they were not only to erect a new constitution, but they were to guard it from destruction. Had a superstitious tenderness for a principle confined them to theoretical abstractions which the breath of power might destroy, they would indeed have merited the epithets of visionaries and enthusiasts. We must not, as has been justly observed, mistake for the new political edifice what is only the scaffolding necessary to its erection. The powers of the First Magistrate are not to be estimated by the debility to which the convulsions of the moment have reduced them, but by the provisions of the future constitution.

The portion of power with which the King of France is invested is certainly as much as pure theory would demand for an executive magistrate. An organ to collect the public will, and a hand to execute it, are the only necessary constituents of the social union: the popular representative forms the first,—the executive officer the second. To the point where this principle would have conducted them, the French have not ventured to proceed. It has been asserted by Mr. Burke, that the French King is to have no negative on the laws. This, however, is not true. The minority who opposed any species of negative in the Crown was only one hundred out of eight hundred members. The King possesses the power of withholding his assent to a proposed law for two successive Assemblies. This species of suspensive *veto* is with great speciousness and ingenuity contended by M. Neckar to be more efficient than the obsolete negative of the English princes. ‡ A mild and limited negative may, he remarked, be exercised without danger or odium; while a prerogative, like the absolute *veto*, must sink into impotence from its invidious magnitude. Is not that negative really efficient, which is only to yield to the national voice, spoken after four years' de-

* The sexennial election of the Judges is strongly and ably opposed by M. de Calonne,—chiefly on the principle, that the stability of judicial offices is the only inducement to men to devote their lives to legal study.

† The Cour de Cassation and the Haute Cour Nationale.

‡ Rapport fait au Roi dans son Conseil, 11th Sept., 1789.

fortunate that political theorists do not consult the history as well as the letter of legislative proceedings. The rejection of that Bill was occasioned by the secession of Walpole. The debate was not guided by any general legislative principles. It was simply an experiment on the strength of the two parties contending for power, in a Parliament to which we owe the Septennial Act.

liberation? The most absolute *veto* must, if the people persist, prove eventually only suspensive.* "The power of remonstrance," says Mr. Burke, "which was anciently vested in the Parliament of Paris, is now absurdly intrusted to the Executive Magistrate." But the *veto* of the Parliament was directed against the legislative authority; whereas the proposed one of the King is an appeal to the people against their representatives: the latter is the only share in legislation,—whether it be nominally absolute, or nominally limited,—that a free government can intrust to its Supreme Magistrate †

On the Prerogative of declaring War and Peace, Mr. Burke has shortly, and M. de Calonne; at great length, arraigned the system of the Assembly. In it war is to be declared by a decree of the Legislature, on the proposition of the King, who possesses exclusively the initiative. The difference between it and the theory of the English constitution is purely nominal. That theory supposes an independent House of Commons, a rigorous responsibility of the King's Ministers, and an effective power of impeachment of them. Were these in any respect realized, it is perfectly obvious, that a decision for war must in every case depend on the deliberation of the Legislature. No minister would hazard hostilities without the sanction of a body who held a sword suspended over his head, and no power would remain to the Executive Magistrate but the initiative. The forms indeed, in the majority of cases, aim at a semblance of the theory. A Royal Message announces impending hostilities, and is re-echoed by a Parliamentary Address of promised support. It is this address alone which emboldens and authorizes the Cabinet to proceed. The Royal Message corresponds to the French initiative, and if the purity of our practice bore any proportion to the speciousness of our theory, the address would be a "decree" of the Legislature, adopting the proposition of the King. No man, therefore, who is a sincere and enlightened admirer of the English constitution, as it ought, and is pretended to exist, can consistently reprobate an arrangement, which differs from it only in the most frivolous circumstances. In our practice, indeed, no trace of those discordant powers which are supposed in our theoretical constitution remains: there the most beautiful simplicity prevails. The same influence determines the executive, and legislative power: the same Cabinet makes war in the name of the King, and sanctions it in the

* The negative possessed by the King is precisely double that of the Assembly. He may oppose his will to that of his whole people for four years,—the term of the existence of two Assemblies. The whole of this argument is in some measure *ad hominem*, for I myself am dubious about the utility of any species of *veto*,—absolute or suspensive.

† Burke, p. 301.

‡ Ibid p. 295. § Calonne, pp 170—200.

name of the Parliament. But France is destitute of the cement which unites these discordant materials:—her exchequer is ruined.

Granted, however, that this formidable prerogative is more curtailed than it is in our theory, the expediency of such limitation remains to be considered. The chief objections to it, are its tendency to favour the growth of foreign factions, and to derogate from the promptitude so necessary to military success. To both these objections there is one general answer:—they proceed on the supposition that France will retain her ancient political system. But if she adheres to her own declarations, war must become to her so rare an occurrence, that the objections become insignificant. Foreign powers have no temptation to purchase factions in a state which does not interpose in foreign politics. and a wise nation will regard victorious war as not less fatally intoxicating to the victors, than widely destructive to the vanquished. France, after having renounced for ever the idea of conquest, can indeed have no source of probable hostilities, but her colonies. Colonial possessions have been so unanswerably demonstrated to be commercially useless, and politically ruinous, that the conviction of philosophers cannot fail of having, in due time, its effect on the minds of enlightened Europe, and delivering the French empire from this cumbrous and destructive appendage.

But even were the exploded villany that has obtained the name of "politics" to be re-adopted in France, the objections would still be feeble. The first, which must be confessed to have a specious and formidable air, seems evidently to be founded on the history of Sweden and Poland, and on some facts in that of the Dutch Republic. It is a remarkable example of those loose and remote analogies by which sophists corrupt and abuse history. Peculiar circumstances in the situation of these states disposed them to be the seat of foreign faction. This did not arise from war being decided upon by public bodies; for if it had, a similar evil must have existed in ancient Rome and Carthage, in modern Venice, and Switzerland, in the Republican Parliament of England, and in the Congress of the United States of America. Holland, too, was perfectly exempt from it, till the age of Charles II. and Louis XIV. when, divided between jealousy of the commerce of England and dread of the conquests of France, she threw herself into the arms of the House of Orange, and forced the partisans of freedom into a reliance on French support. The case of Sweden is with the utmost facility explicable. An indigent and martial people, whether it be governed by one or many despots, will ever be sold to enterprising and opulent ambition: and recent facts have proved, that a change in the government of Sweden has not changed the stipendiary spirit of its mil-

ary system Poland is an example still less relevant:—there a crowd of independent despots naturally league themselves variously with foreign Powers. Yet Russian force has done more than Russian gold; and Poland has suffered still more from feebleness than venality.

No analogy can be supposed to exist between these cases and that of France. All the Powers of Europe could not expend money enough to form and *maintain* a faction in that country. Suppose it possible that its Legislature could *once* be corrupted; yet to purchase in succession a series of assemblies, Potosi itself would be unequal. All the states which have been quoted were poor,—therefore cheaply corrupted: their governments were aristocratic, and were therefore only to be *once* bought; the people were ignorant, and could therefore be sold by their governors with impunity. The reverse of these circumstances will save France, as they have saved England, from this “worst of evils”—their wealth makes the attempt difficult; their discernment makes it hazardous; their short trust of power renders the object worthless, and its permanence impossible.

That subjecting such a decision to the deliberations of a popular assembly will, in a great measure, unnerve the vigour of hostilities, I am not disposed to deny. France must, however, when her constitution is cemented, be, in a defensive view, invincible and if her government is unfitted for aggression, it is little wonder that the Assembly should have made no provision for a case which their principles do not suppose.

This is the last important arrangement respecting the executive power which Mr Burke has treated; and its consideration conducts us to a subject of infinite delicacy and difficulty, which has afforded no small triumph to the enemies of the Revolution, the organization of the army. To reconcile the existence of an army of a hundred and fifty thousand men, of a navy of a hundred ships of the line, and of a frontier guarded by a hundred fortresses, with the existence of a free government, is a tremendous problem. History affords no example in which such a force has not recoiled on the state, and become the ready instrument of military usurpation: and if the state of France were not perfectly unexampled, the inference would be inevitable. An army, with the sentiments and habits which it is the system of modern Europe to inspire, is not only hostile to freedom, but incompatible with it. A body possessed of the whole force of a state, and systematically divested of every civic sentiment, is a monster that no rational polity can tolerate; and every circumstance clearly shows it to be the object of French legislation to destroy it,—not as a body of armed citizens, but as an army. This is wisely and gradually to be effected: two grand operations

conduct to it,—arming the people, and unsoldiering the army

An army of four millions can never be coerced by one of a hundred and fifty thousand; neither can they have a separate sentiment from the body of the nation, for they are the same. Whence the honor of Mr Burke at thus arming the nation, under the title of “a municipal army,” has arisen, it is difficult even to conjecture. Has it ceased to be true, that the defence of a free state is only to be committed to its citizens? Are the long opposition to a standing army in England, its tardy and jealous admission, and the perpetual clamour (at length illusively gratified) for a militia, to be exploded, as the gross and uncourtly sentiments of our unenlightened ancestors? “They must rule,” says Mr Burke, “by an army.” If that be the system of the Assembly, their policy is still more wretched than he has represented it: for they systematically strengthen the governed, while they enfeeble their engine of government. A military democracy, if it means a deliberative body of soldiers, is the most execrable of tyrannies; but if it be understood to denote a popular government under which every citizen is disciplined and armed, it must then be pronounced to be the only free one which retains within itself the means of preservation.

The professional soldiers, rendered harmless by the strength of the municipal army, are in many other ways invited to throw off those abject and murderous habits which form the perfect modern soldier. In other states the soldiery are in general disinclined by their poverty, but in France a great part may enjoy the full rights of citizens. They are not then likely to sacrifice their superior to their inferior capacity, nor to elevate their military importance by committing political suicide. The diffusion of political knowledge among them, which is ridiculed and reprobated by Mr. Burke, is the only remedy that can fortify them against the seduction of an aspiring commander. They, have, indeed, gigantic strength, and they may crush their fellow-citizens, by dragging down the social edifice; but they must themselves be overwhelmed by its fall. The despotism of armies is the slavery of soldiers. an army cannot be strong enough to tyrannize, that is not itself cemented by the most absolute interior tyranny. The diffusion of these great truths will perpetuate, as they have produced a revolution in the character of the French soldiery. Military services will be the *duty* of all citizens, and the *trade* of none.* If a separate body of citizens, as an army, is deemed necessary,

* Again I must encounter the derision of Mr Burke, by quoting the ill-fated citizen of Geneva, whose life was embittered by the cold friendship of a philosopher, and whose memory is proscribed by the alarmed enthusiasm of an orator. I shall presume to recommend to the perusal of every reader his tract entitled, “*Considérations sur le Gouvernement de Pologne.*” &c.—more especially what regards the military system.

it will probably be formed by rotation: a certain period of military service will be exacted from every citizen, and may, as in the ancient republics, be made a necessary qualification for the pursuit of civil honours. "Gallos quoque in bellis floruisse audivimus,"* may again be the sentiment of our children. The glory of heroism, and the splendour of conquest, have long enough been the patrimony of that great nation. It is time that it should seek a new glory, and a new splendour, under the shade of freedom, in cultivating the arts of peace, and extending the happiness of mankind. Happy would it be for us all, if the example of that "manifesto of humanity" which has been adopted by the legislators of France, should make an adequate impression on surrounding nations.

Tunc genus humanum positis sibi consulat armis,
Inque vicem gens omnis amet.†

SECTION V.

English admirers vindicated.

It is thus that Mr. Burke has spoken of the men and measures of a foreign nation, where there was no patriotism to excuse his prepossession or his asperity, and no duty or feeling to preclude him from adopting the feelings of a disinterested posterity, and assuming the dispassionate tone of a philosopher and a historian. What wonder then if he should wanton in all the eloquence and virulence of an advocate against fellow-citizens, to whom he attributes the flagitious purpose of stimulating England to the imitation of such enormities. The Revolution and Constitutional Societies, and Dr. Price, whom he regards as their oracle and guide, are the grand objects of his hostility. For them no contumely is too debasing,—no invective too intemperate,—no imputation too foul. Joy at the downfall of despotism is the indelible crime, for which no virtue can compensate, and no punishment can atone. An inconsistency, however, betrays itself not unfrequently in literary quarrels.—he affects to despise those whom he appears to dread. His anger exalts those whom his ridicule would vilify; and on those whom at one moment he derides as too contemptible for resentment, he at another confers a criminal eminence, as too audacious for contempt. Their voice is now the importunate chirp of the meagre shrivelled insects of the hour,—now the hollow murmur, ominous of convulsions and earthquakes, that are to lay the fabric of society in ruins. To provoke against the doctrines and persons of these unfortunate Societies this storm of execration and

derision, it was not sufficient that the French Revolution should be traduced; every record of English policy and law is to be distorted.

The Revolution of 1688 is confessed to have established principles by those who lament that it has not reformed institutions. It has sanctified the theory, if it has not insured the practice of a free government. It declared, by a memorable precedent, the right of the people of England to revoke abused power, to frame the government, and bestow the crown. There was a time, indeed, when some wretched followers of Filmer and Blackwood lifted their heads in opposition. but more than half a century had withdrawn them from public contempt, to the amnesty and oblivion which their innoxious stupidity had purchased.

It was reserved for the latter end of the eighteenth century to construe these innocent and obvious inferences into libels on the constitution and the laws. Dr. Price has asserted (I presume without fear of contradiction) that the House of Hanover owes the crown of England to the choice of their people, and that the Revolution has established our right "to choose our own governors, to cashier them for misconduct, and to frame a government for ourselves"* The first proposition, says Mr. Burke, is either false or nugatory. If it imports that England is an elective monarchy, "it is an unfounded, dangerous, illegal, and unconstitutional position." "If it alludes to the election of his Majesty's ancestors to the throne, it no more legalizes the government of England than that of other nations, where the founders of dynasties have generally founded their claims on some sort of election." The first member of this dilemma merits no reply. The people may certainly, as they have done, choose an hereditary rather than an elective monarchy. they may elect a race instead of an individual. It is vain to compare the pretended elections in which a council of barons, or an army of mercenaries, have imposed usurpers on enslaved and benighted kingdoms, with the solemn, deliberate, national choice of 1688. It is, indeed, often expedient to sanction these deficient titles by subsequent acquiescence in them. It is not among the projected innovations of France to revive the claims of any of the posterity of Pharamond and Clovis, or to arraign the usurpations of Pepin or Hugh Capet. Public tranquillity thus demands a veil to be drawn over the successful crimes through which kings have so often "waded to the throne." But wherefore should we not exult, that the supreme magistracy of England is free from this blot,—that as a direct emanation from the sovereignty of the people, it is as legitimate in its origin as in its administration. Thus under-

* The expression of Tacitus (*Agricola*), quoted by Mr. Burke in the Speech on the Army Estimates.—ED.

† *Plerumque*, lib. i.

* A Discourse on the Love of our Country, delivered on Nov. 4th, 1789, at the Meeting-house in Old Jewry, to the Society for commemorating the Revolution in Great Britain. London, 1789.

stood, the position of Dr. Price is neither false nor nugatory. It is not nugatory, for it honourably distinguishes the English monarchy among the governments of the world; and if it be false, the whole history of our Revolution must be a legend. The fact was shortly, that the Prince of Orange was elected King of England, in contempt of the claims, not only of the exiled monarch and his son, but of the Princesses Mary and Anne, the undisputed progeny of James. The title of William III. was then clearly not by succession, and the House of Commons ordered Dr. Burnet's tract to be burnt by the hands of the hangman, for maintaining that it was by conquest. There remains only election: for these three claims to royalty are all that are known among men. It is futile to urge, that the Convention deviated only slightly from the order of succession. The deviation was indeed slight, but the principle was destroyed. The principle that justified the elevation of William III. and the preference of the posterity of Sophia of Hanover to those of Henrietta of Orleans, would equally, in point of right, have vindicated the election of Chancellor Jeffreys or Colonel Kirke. The choice was, like every other choice, to be guided by views of policy and prudence; but it was a choice still.

From these views arose that repugnance between the conduct and the language of the Revolutionists, of which Mr. Burke has availed himself. Their conduct was manly and systematic: their language was conciliating and equivocal. They kept measures with a prejudice which they deemed necessary to the order of society. They imposed on the grossness of the popular understanding, by a sort of compromise between the constitution and the abdicated family. "They drew a politic well-wrought veil," to use the expression of Mr. Burke, over the glorious scene which they had acted. They affected to preserve a semblance of succession,—to recur for the objects of their election to the posterity of Charles and James,—that respect and loyalty might with less violence to public sentiment attach to the new Sovereign. Had a Jacobite been permitted freedom of speech in the Parliaments of William III. he might thus have arraigned the Act of Settlement:—"Is the language of your statutes to be at eternal war with truth? Not long ago you profaned the forms of devotion by a thanksgiving, which either means nothing, or insinuates a lie: you thanked Heaven for the preservation of a King and a Queen on the throne of their ancestors,—an expression which either alluded only to their descent, which was frivolous, or insinuated their hereditary right, which was false. With the same contempt for consistency and truth, we are this day called on to settle the crown of England on a princess of Germany, 'because' she is the granddaughter of James the First. If that be, as the phraseology insinuates, the true and sole reason of the choice, consistency demands that the words after 'excellent'

should be omitted, and in their place be inserted 'Victor Amadeus, Duke of Savoy married to the daughter of the most excellent Princess Henrietta, late Duchess of Orleans, daughter of our late Sovereign Lord Charles I. of glorious memory.' Do homage to royalty in your actions, or abjure it in your words: avow the grounds of your conduct, and your manliness will be respected by those who detest your rebellion." What reply Lord Somers, or Mr. Burke, could have devised to this Philippic, I know not, unless they confessed that the authors of the Revolution had one language for novices and another for adepts. Whether this conduct was the fruit of caution and consummate wisdom, or of a narrow, arrogant, and dastardly policy, which regarded the human race as only to be governed by being duped, it is useless to inquire, and might be presumptuous to determine. But it certainly was not to be expected, that any controversy should have arisen by confounding their *principles* with their *pretexts*: with the latter the position of Dr. Price has no connection; from the former, it is an infallible inference.

The next doctrine of this obnoxious Sermon that provokes the indignation of Mr. Burke, is, "that the Revolution has established our right to cashier our governors for misconduct." Here a plain man could have foreseen scarcely any diversity of opinion. To contend that the deposition of a king for the abuse of his powers did not establish a principle in favour of the like deposition, when the like abuse should again occur, is certainly one of the most arduous enterprises that ever the heroism of paradox encountered. He has, however, not neglected the means of retreat. "No government," he tells us, "could stand a moment, if it could be blown down with anything so loose and indefinite as opinion of misconduct." One might suppose, from the dexterous levity with which the word "misconduct" is introduced, that the partisans of democracy had maintained the expediency of deposing a king for every frivolous and venial fault,—of revolting against him for the choice of his titled or untitled valets,—his footmen, or his Lords of the Bedchamber. It would have been candid in Mr. Burke not to have dissembled what he must know, that by "misconduct" was meant that precise species of misconduct for which James II. was dethroned,—a conspiracy against the liberty of his country.

Nothing can be more weak than to urge the constitutional irresponsibility of kings or parliaments. The law can never suppose them responsible, because their responsibility supposes the dissolution of society, which is the annihilation of law. In the governments which have hitherto existed, the power of the magistrate is the only article in the social compact: destroy it, and society is dissolved. It is because they cannot be legally and constitutionally, that they must be morally and rationally responsible. It is because there are no remedies to be found within the pale

of society, that we are to seek them in nature, and throw our parchment chains in the face of our oppressors. No man can deduce a precedent of law from the Revolution; for law cannot exist in the dissolution of government. A precedent of reason and justice only can be established in it. And perhaps the friends of freedom merit the misrepresentation with which they have been opposed, for trusting their cause to such frail and frivolous auxiliaries, and for seeking in the profligate practices of men what is to be found in the sacred rights of nature. The system of lawyers is indeed widely different. They can only appeal to usage, precedents, authorities, and statutes. They display their elaborate frivolity, and their perfidious friendship, in disgracing freedom with the fantastic honour of a pedigree. A pleader at the Old Bailey, who would attempt to aggravate the guilt of a robber or a murderer, by proving that King John or King Alfred punished robbery and murder, would only provoke derision. A man who should pretend that the reason why we had right to property is, because our ancestors enjoyed that right four hundred years ago, would be justly contemned. Yet so little is plain sense heard in the mysterious nonsense which is the cloak of political fraud, that the Cokes, the Blackstones, and the Burkes, speak as if our right to freedom depended on its possession by our ancestors. In the common cases of morality we should blush at such an absurdity. No man would justify murder by its antiquity, or stigmatize benevolence for being new. The genealogist who should emblazon the one as coeval with Cain, or stigmatize the other as upstart with Howard, would be disclaimed even by the most frantic partisan of aristocracy. This Gothic transfer of genealogy to truth and justice is peculiar to politics. The existence of robbery in one age makes its vindication in the next; and the champions of freedom have abandoned the stronghold of right for precedent, which, when the most favourable, is, as might be expected from the ages which furnish it, feeble, fluctuating, partial, and equivocal. It is not because we *have been* free, but because we *have a right to be* free, that we ought to demand freedom. Justice and liberty have neither birth nor race, youth nor age. It would be the same absurdity to assert, that we have a right to freedom, because the Englishmen of Alfred's reign were free, as that three and three are six, because they were so in the camp of Genghis Khan. Let us hear no more of this ignoble and ignominious pedigree of freedom. Let us hear no more of her Saxon, Danish, or Norman ancestors. Let the immortal daughter of Reason, of Justice, and of God, be no longer confounded with the spurious abortions that have usurped her name.

"But" says Mr. Burke, "we do not contend that right is created by antiquarian research. We are far from contending that possession legitimates tyranny, or that fact ought to be confounded with right. But (to

strip his eulgies on English wisdom of their declamatory appendage) the impression of antiquity endears and ennobles freedom, and fortifies it by rendering it august and venerable in the popular mind." The illusion is useful; the expediency of political imposture is the whole force of the argument,—a principle odious to the friends of freedom, as the grand bulwark of secular and spiritual despotism. To pronounce that men are only to be governed by delusion is to libel the human understanding, and to consecrate the frauds that have elevated despots and musty pontiffs and sultans, on the ruin of degraded and oppressed humanity. But the doctrine is as false as it is odious. Primary political truths are few and simple. It is easy to make them understood, and to transfer to government the same enlightened self-interest that presides in the other concerns of life. It may be made to be respected, not because it is ancient, or because it is sacred,—not because it has been established by barons, or applauded by priests,—but because it is useful. Men may easily be instructed to maintain rights which it is their interest to maintain, and duties which it is their interest to perform. This is the only principle of authority that does not violate justice and insult humanity. It is also the only one which can possess stability. The various fashions of prejudice and factitious sentiment which have been the basis of governments, are short-lived things. The illusions of chivalry, and the illusions of superstition, which have given to them splendour or sanctity, are in their turn succeeded by new modes of opinion and new systems of manners. Reason alone and natural sentiment are the denizens of every nation, and the contemporaries of every age. A conviction of the utility of government affords the only stable and honourable security for obedience.

Our ancestors at the Revolution, it is true, were far from feeling the full force of these sublime truths: nor was the public mind of Europe, in the seventeenth century, sufficiently enlightened and matured for the grand enterprises of legislation. The science which teaches the rights of man, and the eloquence that kindles the spirit of freedom, had for ages been buried with the other monuments of wisdom, and the other relics of the genius of antiquity. The revival of letters first unlocked,—but only to a few,—the sacred fountain. The necessary labours of criticism and lexicography occupied the earlier scholars; and some time elapsed before the spirit of antiquity was transfused into its admirers. The first man of that period who united elegant learning to original and masculine thought was Buchanan;* and he

* It is not a little remarkable, that Buchanan puts into the mouth of his antagonist, Manland, the same alarms for the downfall of literature that have been excited in the mind of Mr. Burke by the French Revolution. We can smile at such alarms on a retrospect of the literary history of Europe for the seventeenth of eighteenth centuries.

too seems to have been the first scholar who caught from the ancients the noble flame of republican enthusiasm. This praise is merited by his neglected, though incomparable tract, *De Jure Regni*, in which the principles of popular politics, and the maxims of a free government, are delivered with a precision, and enforced with an energy, which no former age had equalled, and no succeeding one has surpassed. The subsequent progress of the human mind was slow. The profound views of Harrington were derided as the ravings of a visionary; and who can wonder, that the frantic loyalty which depressed *Paradise Lost*, should involve in ignominy the eloquent *Apology of Milton for the People of England* against a feeble and venal pedant. Sidney,

“By ancient learning to th’ enlighten’d love
Of ancient freedom warm’d,”*

taught the principles which he was to seal with his blood; and Locke, whose praise is less that of being bold and original, than of being temperate, sound, lucid, and methodical, deserves the immortal honour of having systematized and rendered popular the doctrines of civil and religious liberty. In Ireland, Molyneux, the friend of Locke, produced *The Case of Ireland*,—a production of which it is sufficient praise to say, that it was ordered to be burnt by the despotic parliament. In Scotland, Andrew Fletcher, the scholar of Algernon Sidney, maintained the case of his deserted country with the force of ancient eloquence, and the dignity of ancient virtue. Such is a rapid enumeration of those who had before, or near the Revolution, contributed to the diffusion of political light. But their number was small, their writings were unpopular, their dogmas were proscribed. The habits of reading had only then begun to reach the great body of mankind, whom the arrogance of rank and letters has ignominiously confounded under the denomination of the vulgar.

Many causes too contributed to form a powerful Tory interest in England. The remnant of that Gothic sentiment, the extinction of which Mr. Burke so pathetically deplores, which engrafted loyalty on a point of honour in military attachment, formed one part, which may be called the “Toryism of chivalry.” Doctrines of a divine right in kings, which are now too much forgotten even for successful ridicule, were then supported and revered;—these may be called the “Toryism of superstition.” A third species arose from the great transfer of property to an upstart commercial interest, which drove the ancient gentry of England, for protection against its inroads, behind the throne;—this may be called the “Toryism of landed aristocracy.”† Religious prejudices, outrages

and should our controversies reach the enlightened scholars of a future age, they will probably, with the same reason, smile at the alarms of Mr. Burke.

* Thomson’s *Summer*

† Principle is respectable, even in its mistakes;

on natural sentiments, which any artificial system is too feeble to withstand, and the stream of events which bore them along to extremities which no man could have foreseen, involved the Tories in the Revolution, and made it a truly national act: but their repugnance to every shadow of innovation was invincible.

Something the Whigs may be supposed to have conceded for the sake of conciliation; but few even of their leaders, it is probable, had grand and liberal views. What indeed could have been expected from the delegates of a nation, in which, a few years before, the University of Oxford, representing the national learning and wisdom, had, in a solemn decree, offered their congratulations to Sir George Mackenzie (infamous for the abuse of brilliant accomplishments to the most servile and profligate purposes) for having confuted the abominable doctrines of Buchanan and Milton, and for having demonstrated the divine rights of kings to tyrannise and oppress mankind! It must be evident, that a people who could thus, by the organ of its most learned body, prostrate its reason before such execrable absurdities, was too young for legislation. Hence the absurd debates in the Convention about the palliative phrases of “abdicate,” “desert,” &c., which were better cut short by the Parliament of Scotland, when they used the correct and manly expression, that James II had “forfeited the throne.” Hence we find the Revolutionists perpetually belying their political conduct by their legal phraseology hence their impotent and illusive reforms hence their neglect of foresight* in not providing bulwarks against the natural tendency of a disputed succession to accelerate most rapidly the progress of Royal influence, by rendering it necessary to strengthen so much

and these Tories of the last century were a party of principle. There were accordingly among them men of the most elevated and untainted honour. Who will refuse that praise to Clarendon and Southampton, to Ormonde and Montrose? But Toryism, as a party of principle, cannot now exist in England; for the principles on which we have seen it to be founded, exist no more. The Gothic sentiment is effaced; the superstition is exploded; and the landed and commercial interests are completely intermixed. The Toryism of the present day can only arise from an abject spirit, or a corrupt heart.

* This progress of Royal influence from a disputed succession has, in fact, most fatally taken place. The Protestant succession was the supposed means of preserving our liberties; and to that means the end has been most deplorably sacrificed. The Whigs, the sincere though timid and partial friends of freedom, were forced to cling to the throne as the anchor of liberty. To preserve it from utter shipwreck, they were forced to yield something to its protectors;—hence a national debt, a septennial Parliament, and a standing army. The avowed reason of the two last was Jacobinism;—hence the unnatural coalition between Whiggism and Kings during the reigns of the two first princes of the House of Hanover, which the pupillage of Leicester House so totally broke.

the possessor of the crown against the pretender to it.

But to elucidate the question more fully, "let us listen to the genuine oracles of Revolution policy;"—not to the equivocal and palliative language of their statutes, but to the unrestrained effusion of sentiment in that memorable conference between the Lords and Commons, on Tuesday the 5th of February, 1688, which terminated in establishing the present government of England. The Tories, yielding to the torrent in the personal exclusion of James, resolved to embarrass the Whigs, by urging that the declaration of the abdication and vacancy of the throne, was a change of the government, *pro hac vice*, into an elective monarchy. The inference is irresistible: and it must be confessed, that though the Whigs were the better citizens, the Tories were the more correct logicians. It is in this conference that we see the Whig leaders compelled to disclose so much of those principles, which tenderness for prejudice, and reverence for usage, had influenced them to dissemble. It is here that we shall discover sparks kindled in the collision of debate sufficient to enlighten the "politic gloom" in which they had enveloped their measures.

If there be any names venerable among the constitutional lawyers of England, they are those of Lord Somers and Serjeant Maynard. They were both conspicuous managers for the Commons in this conference; and the language of both will more than justify the inferences of Dr Price, and the creed of the Revolution Society. My Lord Nottingham, who conducted the conference on the part of the Tories, in a manner most honourable to his dexterity and acuteness, demanded of the managers for the Commons:—"Whether they mean the throne to be so vacant as to annul the succession in the hereditary line, and so all the heirs to be cut off? which we (the Lords) say, will make the crown *elective*." Maynard, whose argument always breathed much of the old republican spirit, replied with force and plainness:—"It is not that the Commons do say the crown of England is always and perpetually elective; but it is necessary there be a supply where there is a defect." It is impossible to mistake the import of these words. Nothing can be more evident, than that by the mode of denying "that the crown was always and perpetually elective," he confesses that it was for the then exigency elective. In pursuance of his argument, he uses a comparison strongly illustrative of his belief in dogmas anathematised by Mr. Burke:—"If two of us make a mutual agreement to help and defend each other from any one that should assault us in a journey, and he that is with me turns upon me, and breaks my head, he hath undoubtedly abdicated my assistance, and revoked." Sentiments of the kingly office, more irreverent and more correct, are not to be found in the most profane evangelist that disgraces the

Democratic canon. It is not unworthy of incidental remark, that there were then persons who felt as great horror at novelties, which have since been universally received, as Mr. Burke now feels at the "rights of men." The Earl of Clarendon, in his strictures on the speech of Mr. Somers, said:—"I may say thus much in general, that thus breaking the original contract is a language that has not long been used in this place, nor known in any of our law books, or public records. It is sprung up but as taken from some late authors, and those none of the best received!" This language one might have supposed to be that of Mr. Burke: it is not however his; it is that of a Jacobite lord of the seventeenth century.

The Tories continued to perplex and intimidate the Whigs with the idea of election. Maynard again replies, "The word 'elective' is none of the Commons' word. The provision must be made, and if it be, that will not render the kingdom perpetually elective." If it were necessary to multiply citations to prove, that the Revolution was to all intents and purposes an election, we might hear Lord Nottingham, whose distinction is peculiarly applicable to the case before us. "If" says he, "you do once make it elective, I do not say you are always bound to go to election; but it is enough to make it so, if by that precedent there be a breach in the hereditary succession." The reasoning of Sir Robert Howard, another of the managers for the Commons, is bold and explicit:—"My Lords, you will do well to consider Have you not yourselves limited the succession, and cut off some that might have a line of right? Have you not concurred with us in our vote, that it is inconsistent with our religion and our laws to have a Papist to reign over us? Must we not then come to an election, if the next heir be a Papist?"—the precise fact which followed. But what tends the most strongly to illustrate that contradiction between the exoteric and esoteric doctrine,—the legal language, and the real principles,—which forms the basis of this whole argument, is the avowal of Sir Richard Temple, another of the managers for the Commons:—"We are in as natural a capacity as any of our predecessors were to provide for a remedy in such exigencies as this." Hence it followed infallibly, that their posterity to all generations would be in the same "natural capacity," to provide a remedy for such exigencies.

But let us hear their statutes:—there "the Lords Spiritual and Temporal, and Commons, do, in the name of all the people of England, most humbly and faithfully submit themselves, their heirs and posterity for ever," &c. Here is the triumph of Mr. Burke;—a solemn abdication and renunciation of right to change the monarch or the constitution! His triumph is increased by this statutory abolition of the rights of men being copied from a similar profession of eternal allegiance made by the Parliament of Elizabeth

It is difficult to conceive any thing more preposterous. In the very act of exercising a right which their ancestors had abdicated in their name, they abdicate the same right in the name of their posterity. To increase the ridicule of this legislative farce, they impose an irrevocable law on their posterity, in the precise words of that law irrevocably imposed on them by their ancestors, at the moment when they are violating it. The Parliament of Elizabeth submit themselves and their posterity for ever: the Convention of 1688 spurn the submission for themselves, but re-enact it for their posterity. And after such a glaring inconsistency, this language of statutory adulation is seriously and triumphantly brought forward as "the unerring oracles of Revolution policy."

Thus evidently has it appeared, from the conduct and language of the leaders of the Revolution, that it was a deposition and an election; and that all language of a contrary tendency, which is to be found in their acts, arose from the remnant of their own prejudice, or from concession to the prejudice of others, or from the superficial and presumptuous policy of imposing august illusions on mankind. The same spirit regulated,—the same prejudices impeded their progress in every department. "They acted," says Mr. Burke, "by their ancient States:—they did not. Were the Peers, and the Members of a dissolved House of Commons, with the Lord Mayor of London, &c. convoked by a summons from the Prince of Orange, the Parliament of England?—no: they were neither lawfully elected, nor lawfully assembled. But they affected a semblance of a Parliament in their Convention, and a semblance of hereditary right in their election. The subsequent Act of Parliament is nugatory; for as that Legislature derived its whole existence and authority from the Convention, it could not return more than it had received, and could not, therefore, legalise the acts of the body which created it. If they were not previously legal, the Parliament itself was without legal authority, and could therefore give no legal sanction.

It is, therefore, without any view to a prior, or allusion to a subsequent revolution, that Dr. Price, and the Revolution Society of London, think themselves entitled to conclude, that abused power is revocable, and that corrupt governments ought to be reformed. Of the first of these Revolutions,—that in 1648,—they may, perhaps, entertain different sentiments from Mr. Burke. They will confess that it was debased by the mixture of fanaticism; they may lament that History has so often prostituted her ungenerous suffrage to success; and that the commonwealth was obscured and overwhelmed by the splendid profligacy of military usurpation: but they cannot arrogate to themselves the praise of having been the first to maintain,—nor can Mr. Burke support his claim to have been the first to reprobate,—since that period, the audacious heresy of popular politics.

The prototype of Mr. Burke is not a less notorious personage than the predecessor he has assigned to Dr. Price. History has preserved fewer memorials of Hugh Peters than of Judge Jeffries. It was the fortune of that luminary and model of lawyers to sit in judgment on one of the fanatical apostles of democracy. In the present ignominious obscurity of the sect in England, it may be necessary to mention, that the name of this criminal was Algernon Sidney, who had, it is true, in his own time acquired some renown,—celebrated as the hero, and deplored as the martyr of freedom. But the learned magistrate was above this "epidemical fanaticism;" he inveighed against his pestilential dogmas in a spirit that deprives Mr. Burke's invective against Dr. Price of all pretensions to originality. An unvarnished statement will so evince the harmony both of the culprits and the accusers, that remark is superfluous:—

"And that the aforesaid Algernon Sidney did make, compose and write, or cause to be made, composed and written, a certain false, scandalous and seditious libel, in which is contained the following English words.—'The Power originally in the people is delegated to the Parliament. He (meaning the King) is subject to the laws of God, as he is a man, and to the people that made him a king, inasmuch as he is a king.' And in another place of the said libel he says, 'We may therefore take away kings without breaking any yoke, or that is made a yoke, which ought not to be one; and the injury therefore is making or imposing, and there can be none in breaking it,' &c."—*Indictment of Algernon Sidney, State Trials, vol. iii. p. 716.*

"We have a right to choose our own governors, to cashier them for misconduct, and to frame a government for ourselves"—*Dr. Price's Sermon,*

Thus we see the harmony of the culprits: the one is only a perspicuous and precise abridgment of the other. The harmony of the judges will not be found less remarkable: Mr. Burke, "when he talks as if he had made a discovery, only follows a precedent."

"The King, it says, is responsible to them, and he is only their trustee. He has misgoverned, and he is to give it up, that they may be all kings themselves. Gentlemen, I must tell you, I think I ought, more than ordinarily, to press this on you, because I know the misfortunes of the late unhappy rebellion; and the bringing of the late blessed King to the scaffold was first begun by such kind of principles."—*Jeffries' Charge.*

"The Revolution Society chooses to assert, that a king is no more than the first servant of the public, created by it, and responsible to it."—"The second claim of the Revolution Society is cashiering the monarch for misconduct."—"The Revolution Society, the heroic band of fabricators of governments, electors of sovereigns."—"This sermon is in a strain which has never been heard in this kingdom in any of the pulpits which are tolerated or encouraged in it since 1648."—*Mr. Burke's Reflections.*

Thus does Mr. Burke chant his political song in exact unison with the strains of the venerable magistrate: they indict the same crimes; they impute the same motives; they dread the same consequences.

The Revolution Society felt, from the great event which they professedly commemorated, new motives to exult in the emancipation of France. The Revolution of 1688 deserves more the attention of a philosopher from its indirect influence on the progress of human opinion, than from its immediate effects on the government of England. In the first view, it is perhaps difficult to estimate the magnitude of its effects. It sanctified, as we have seen, the general principles of freedom. It gave the first example in civilized modern Europe of a government which reconciled a semblance of political, and a large portion of civil liberty, with stability and peace. But above all, Europe owes to it the inestimable blessing of an asylum for freedom of thought. Hence England became the preceptress of the world in philosophy and freedom: hence arose the school of sages, who unshackled and emancipated the human mind; from among whom issued the Lockes, the Rousseaus, the Turgots, and the Franklins,—the immortal band of preceptors and benefactors of mankind. They silently operated a grand moral revolution, which was in due time to ameliorate the social order. They had tyrants to dethrone more formidable than kings, and from whom kings held their power. They wrested the sceptre from Superstition, and dragged Prejudice in triumph. They destroyed the arsenal whence Despotism had borrowed her thunders and her chains. These grand enterprises of philosophic heroism must have preceded the reforms of civil government. The Colossus of tyranny was undermined, and a pebble overthrew it.

With this progress of opinion arose the American Revolution; and from this last, most unquestionably, the delivery of France. Nothing, therefore, could be more natural, than that those who, without blind bigotry for the forms, had a rational reverence for the principles of our ancestors, should rejoice in a Revolution, in which these principles, long suffered to repose in impotent abstraction in England, are called forth into energy, expanded, invigorated, and matured. If, as we have presumed to suppose, the Revolution of 1688 may have had no small share in accelerating the progress of light which has dissolved the prejudices that supported despotism, they may be permitted, besides their exultation as friends of humanity, to indulge some pride as Englishmen.

It must be confessed that our ancestors in 1688, confined, in their practical regulations, their views solely to the urgent abuse. They punished the usurper without ameliorating the government; and they proscribed usurpations without correcting their source. They were content to clear the turbid stream, instead of purifying the polluted fountain. They merit, however, veneration for their achievements, and the most ample amnesty for their defects; for the first were their own, and the last are imputable to the age in which they lived. The true admirers of the Revolu-

tion will pardon it for having spared useless establishments, only because they revere it for having established grand principles. But the case of Mr. Buike is different; he defies its defects, and derides its principles. and were Lord Somers to listen to such misplaced eulogy, and tortured inference, he might justly say, "You deny us the only praise we can claim; and the only merit you allow us is in the sacrifices we were compelled to make to prejudice and ignorance. Your glory is our shame." Reverence for the principles, and pardon of the defects of civil changes, which arise in ages but partially enlightened, are the plain dictates of common sense. Admiration of Magna Charta does not infer any respect for villanage; reverence for Roman patriotism is not incompatible with detestation of slavery; nor does veneration for the Revolutionists of 1688 impose any blindness to the gross, radical, and multiplied absurdities and corruptions in their political system. The true admirers of Revolution principles cannot venerate institutions as sage and effectual protections of freedom, which experience has proved to be nerveless and illusive.

"The practical claim of impeachment,"—the vaunted responsibility of ministers—is the most sorry juggle of political empiricism by which a people were ever attempted to be lulled into servitude. State prosecutions in free states have ever either languished in impotent and despised tediousness, or burst forth in a storm of popular indignation, that has at once overwhelmed its object, without discrimination of innocence or guilt. Nothing but this irresistible fervor can destroy the barriers within which powerful and opulent delinquents are fortified. If it is not with imminent hazard to equity and humanity gratified at the moment, it subsides. The natural influence of the culprit, and of the accomplices interested in his impunity, resumes its place. As these trials are necessarily long, and the facts which produce conviction, and the eloquence which rouses indignation, are effaced from the public mind by time, by ribaldry, and by sophistry, the shame of a corrupt decision is extenuated. Every source of obloquy or odium that can be attached to the obnoxious and invidious character of an accuser is exhausted by the profuse corruption of the delinquent. The tribunal of public opinion, which alone preserves the purity of others, is itself polluted; and a people wearied, disgusted, irritated, and corrupted, suffer the culprit to retire in impunity and splendour.*

"Damnatus inani
Judicio. Quid enim salvis infamia nummis?"†

Such has ever been the state of things, when

* Part of this description is purely historical Heaven forbid that the sequel should prove prophetic!—When this subject [the late trial of Warren Hastings.—Ed.] presents Mr. Burke to mind, I must say, "Talis cum sis, utinam noster esses."

† Juvenal, Sat. i.

the force of the Government has been sufficient to protect the accused from the first ebullition of popular impetuosity. The democracies of antiquity presented a spectacle directly the reverse; but no history affords any example of a just medium. State trials will always either be impotent or oppressive, — a persecution or a farce.

Thus vain is the security of impeachment: and equally absurd, surely, is our confidence in "the control of parliaments," in their present constitution, and with their remaining powers. To begin with the last:—they possess the nominal power of impeachment. Not to mention its disuse in the case of any minister for more than seventy years, it is always too late to remedy the evil, and probably always too weak to punish the criminal. They possess a pretended power of withholding supplies: but the situation of society has in truth wrested it from them. The supplies they must vote: for the army must have its pay, and the public creditors their interest. A power that cannot be exercised without provoking mutiny, and proclaiming bankruptcy, the blindest bigot cannot deny to be purely nominal. A practical substitute for these theoretical powers existed till our days in the negative exercised by the House of Commons on the choice of the Minister of the Crown. But the elevation of Mr. Pitt has established a precedent which has extirpated the last shadow of popular control from the government of England:—

"Ohm vera fides, Sulla Marioque receptis,
Libertatis obit: Pompeio rebus ademptis,
Nunc et ficta perit."*

In truth, the force and the privileges of Parliament are almost indifferent to the people; for it is not the guardian of their rights, nor the organ of their voice. We are said to be "*unequally* represented." This is one of those contradictory phrases that form the political jargon of half-enlightened periods. Unequal freedom is a contradiction in terms. The law is the deliberate reason of all, guiding their occasional will. Representation is an expedient for peacefully, systematically, and unequivocally collecting this universal voice:—so thought and so spoke the Edmund Burke of better times. "To follow, not to force the public inclination, to give a direction, a form, a technical dress, and a specific sanction to the general sense of the community, is the true end of legislature:"† —there spoke the correspondent of Franklin,‡ the champion of America, the enlightened advocate of humanity and freedom! If these principles be true, and they are so true that it seems almost puerile to repeat them, who can without indignation hear the House of Commons of England called a po-

pular representative body? A more insolent and preposterous abuse of language is not to be found in the vocabulary of tyrants. The criterion that distinguishes laws from dictates, freedom from servitude, rightful government from usurpation,—a law being an expression of the general will,—is wanting. This is the grievance which the admirers of the Revolution of 1688 desire to remedy according to its principles. This is that perennial source of corruption which has increased, is increasing, and ought to be diminished. If the general interest is not the object of our government, it is—it must be because the general will does not govern.

We are boldly challenged to produce our proofs; our complaints are asserted to be chimerical, and the excellence of our government is inferred from its beneficial effects. Most unfortunately for us,—most unfortunately for our country, these proofs are too ready and too numerous. We find them in that "monumental debt," the bequest of wasteful and profligate wars, which already wrings from the peasant something of his hard-earned pittance,—which already has punished the industry of the useful and upright manufacturer, by robbing him of the asylum of his house, and the judgment of his peers,*—to which the madness of political Quixotism adds a million for every farthing that the pomp of ministerial empiricism pays, —and which menaces our children with convulsions and calamities, of which no age has seen the parallel. We find them in the black and bloody roll of persecuting statutes that are still suffered to stain our code,—a list so execrable, that were no monument to be preserved of what England was in the eighteenth century but her Statute Book, she might be deemed to have been then still plunged in the deepest gloom of superstitious barbarism. We find them in the ignominious exclusion of great bodies of our fellow-citizens from political trusts, by tests which reward falsehood and punish probity, —which profane the rights of the religion they pretend to guard, and usurp the dominion of the God they profess to revere. We find them in the growing corruption of those who administer the government,—in the venality of a House of Commons, which has become only a cumbrous and expensive chamber for registering ministerial edicts,—in the increase of a nobility degraded by the profusion and prostitution of honours, which the most zealous partisans of democracy would have spared them. We find them, above all, in the rapid progress which has been made in silencing the great organ of public opinion,—that Press, which is the true control over the Ministers and Parliaments, who might else, with impunity, trample on the impotent formalities that form the pretended bulwark of our freedom. The mutual control, the well-poised balance of

* Pharsalia, lib. ix.

† Burke's "Two Letters to Gentlemen in the City of Bristol" (1778), p. 52

‡ Mr. Burke has had the honour of being traced for corresponding, during the American war, with this great man because he was a rebel!

* Alluding to the stringent provisions of the "Tobacco Act."—Ed.

the several members of our Legislature, are the visions of theoretical, or the pretext of practical politicians. It is a government, not of check, but of conspiracy,—a conspiracy which can only be repressed by the energy of popular opinion

These are no visionary ills,—no chimerical apprehensions: they are the sad and sober reflections of as honest and enlightened men as any in the kingdom. Nor are they alleviated by the torpid and listless security into which the people seem to be lulled. “*Summum otium forense non quiescentis sed senescentis civitatis.*” It is in this fatal temper that men become sufficiently debased and embroiled to sink into placid and polluted servitude. It is then that it may most truly be said, that the mind of a country is slain. The admirers of Revolution principles naturally call on every aggrieved and enlightened citizen to consider the source of his oppression. If penal statutes hang over our Catholic brethren,*—if Test Acts outrage our Protestant fellow-citizens,—if the remains of feudal tyranny are still suffered to exist in Scotland,—if the press is fettered,—if our right to trial by jury is abridged,—if our manufacturers are proscribed and hunted down by excise,—the reason of all these oppressions is the same:—no branch of the Legislature represents the people. Men are oppressed because they have no share in their own government. Let all these classes of oppressed citizens melt their local and partial grievances into one great mass. Let them cease to be supplicants for their rights, or to sue for them like mendicants, as a precarious boon from the arrogant pity of usurpers. Until the Legislature speaks their voice it will oppress them. Let them unite to procure such a Reform in the representation of the people as will make the House of Commons their representative. If, dismissing all petty views of obtaining their own particular ends, they unite for this great object, they must succeed. The co-operating efforts of so many bodies of citizens must awaken the nation; and its voice will be spoken in a tone that virtuous governors will obey, and tyrannical ones must dread.

This tranquil and legal Reform is the ultimate object of those whom Mr. Burke has so foully branded. In effect, this would be amply sufficient. The powers of the King and the Lords have never been formidable

* No body of men in any state that pretends to freedom have ever been so insolently oppressed as the Catholic majority of Ireland. Their cause has been lately pleaded by an eloquent advocate, whose virtues might have been supposed to have influenced my praise, as the partial dictate of friendship, had not his genius extorted it as a strict tribute to justice. I perceive that he retains much of that admiration which we cherished in common, by his admirable quotation respecting Mr. Burke:—

“*Uni quippe vacat, studiosque odisque carenti,
Humanum legere genus.*” Pharsalia, lib. ii.

See “The Constitutional Interests of Ireland with respect to the Popery Laws,” (Dublin, 1791,) part iv.

in England, but from discords between the House of Commons and its pretended constituents. Were that House really to become the vehicle of the popular voice, the privileges of other bodies, in opposition to the sense of the people and their representatives, would be but as dust in the balance. From this radical improvement all subaltern reform would naturally and peaceably arise. We dream of no more; and in claiming this, instead of meriting the imputation of being apostles of sedition, we conceive ourselves entitled to be considered as the most sincere friends of tranquil and stable government. We desire to avert revolution by reform,—subversion by correction.* We admonish our governors to reform, while they retain the force to reform with dignity and security; and we conjure them not to await the moment, which will infallibly arrive, when they shall be obliged to supplicate that people, whom they oppress and despise, for the slenderest pittance of their present powers.

The grievances of England do not now, we confess, justify a change by violence. but they are in a rapid progress to that fatal state, in which they will both justify and produce it. It is because we sincerely love tranquil freedom,† that we earnestly deprecate the arrival of the moment when virtue and honour shall compel us to seek her with our swords. Are not they the true friends to authority who desire, that whatever is granted by it “should issue as a gift of her bounty and beneficence, rather than as claims recovered against a struggling litigant? Or, at least, that if her beneficence obtained no credit in her concessions, they should appear the salutary provisions of wisdom and foresight, not as things wrung with blood by the cruel gripe of a rigid necessity.”‡ We desire that the political light which is to break in on England should be “through well-contrived and well-disposed windows, not through flaws and breaches,—through the yawning chasms of our ruin.”§

Such was the language of Mr. Burke in cases nearly parallel to the present. But of those who now presume to give similar counsels, his alarm and abhorrence are extreme. They deem the “present times” favourable “to all exertions in the cause of liberty.” They naturally must: their hopes in that great cause are from the determined and recording voices of enlightened men. The shock that has destroyed the despotism of France has widely dispersed the clouds that intercepted reason from the political and

* Let the governors of all states compare the convulsion which the obstinacy of the Government provoked in France, with the peaceful and dignified reform which its wisdom effected in Poland. The moment is important, the dilemma inevitable, the alternative awful, the lesson most instructive.

† “*Manus hæc inimica tyrannis
Ense petit placidam sub libertate quietem.*”

[The lines inserted by Algernon Sidney in the Album of the University of Copenhagen &c.—Ed.]

‡ Burke, Speech at Bristol.

§ Ibid.

moral world; and we cannot suppose, that England is the only spot that has not been reached by this "flood of light" that has burst upon the human race. We might suppose, too, that Englishmen would be shamed out of their torpor by the great exertions of nations whom we had long deemed buried in hopeless servitude.

But nothing can be more absurd than to assert, that all who admire wish to imitate the French Revolution. In one view, there is room for diversity of opinion among the warmest and wisest friends of freedom,—as to the amount of democracy infused into the new government. In another, and a more important one, it is to be recollected, that the conduct of nations is apt to vary with the circumstances in which they are placed. Blind admirers of Revolutions take them for implicit models. Thus Mr. Burke admires that of 1688: but we, who conceive that we pay the purest homage to the authors of that Revolution, not in contending for what they then did, but for what they now would do, can feel no inconsistency in looking on France, not to model our conduct, but to invigorate the spirit of freedom. We permit ourselves to imagine how Lord Somers, in the light and knowledge of the eighteenth century,—how the patriots of France, in the tranquillity and opulence of England, would have acted. We are not bound to copy the conduct to which the last were driven by a bankrupt exchequer and a dissolved government, nor to maintain the establishments, which were spared by the first in a prejudiced and benighted age. Exact imitation is not necessary to reverence. We venerate the principles which presided in both events; and we adapt to political admiration a maxim which has long been received in polite letters,—that the only manly and liberal imitation is to speak as a great man would have spoken, had he lived in our times, and had been placed in our circumstances.

But let us hear the charge of Mr. Burke "Is our monarchy to be annihilated, with all the laws, all the tribunals, all the ancient corporations of the kingdom? Is every landmark of the kingdom to be done away in favour of a geometrical and arithmetical constitution? Is the House of Lords to be useless? Is episcopacy to be abolished?"—and, in a word, is France to be imitated? Yes! if our governors imitate her policy, the state must follow her catastrophe. Man is every where man: imprisoned grievance will at length have vent; and the storm of popular passion will find a feeble obstacle in the solemn imbecility of human institutions. But who are the true friends of order, the prerogative of the monarch, the splendour of the hierarchy, and the dignity of the peerage?—those most certainly who inculcate, that to withhold Reform is to stimulate convulsion,—those who admonish all to whom honour, and rank, and dignity, and wealth are dear, that they can only in the end preserve them by conceding, while the moment

of concession remains,—those who aim at draining away the fountains that feed the torrent, instead of opposing puny barriers to its course. "The beginnings of confusion in England are at present feeble enough; but with you we have seen an infancy still more feeble growing by moments into a strength to heap mountains upon mountains, and to wage war with Heaven itself. Whenever our neighbour's house is on fire, it cannot be amiss for the engines to play a little upon our own." This language, taken in its most natural sense, is exactly what the friends of Reform in England would adopt. Every gloomy tint that is added to the horrors of the French Revolution by the tragic pencil of Mr. Burke, is a new argument in support of their claims, and those only are the real enemies of the Nobility, the Priesthood, and other bodies of men that suffer in such convulsions, who stimulate them to unequal and desperate conflicts. Such are the sentiments of those who can admire without servilely copying recent changes, and can venerate the principles without superstitiously defending the corrupt reliques of old revolutions.

"Grand, swelling sentiments of liberty," says Mr. Burke, "I am sure I do not despise. Old as I am, I still read the fine raptures of Lucan and Corneille with pleasure." Long may that virtuous and venerable age enjoy such pleasures! But why should he be indignant that "the glowing sentiment and the lofty speculation should have passed from the schools and the closet to the senate," and no longer only serving

"To point a moral or adorn a tale,"*

should be brought home to the business and the bosoms of men? The sublime genius, whom Mr. Burke admires, and who sung the obsequies of Roman freedom, has one sentiment, which the friends of liberty in England, if they are like him condemned to look abroad for a free government, must adopt:—

"Redituraque nunquam
Libertas ultra Tigrim Rhenumque recessit,
Et toties nobis jugulo quæsitæ negatur."†

SECTION VI.

Speculations on the probable consequences of the French Revolution in Europe.

THERE is perhaps only one opinion about the French Revolution in which its friends and its enemies agree:—they both conceive that its influence will not be confined to France; they both predict that it will produce important changes in the general state of Europe. This is the theme of the exultation of its admirers; this is the source of the alarms of its detractors. It were indeed difficult to suppose that a Revolution so un-

* Vanity of Human Wishes.—Ed.

† Pharsalia, lib. vii.

paralleled should take place in the most renowned of the European nations, without spreading its influence throughout the Christian commonwealth, connected as it is by the multiplied relations of politics, by the common interest of commerce, by the wide intercourse of curiosity and of literature, by similar arts, and by congenial manners. The channels by which the prevailing sentiments of France may enter into the other nations of Europe, are so obvious and so numerous, that it would be unnecessary and tedious to detail them; but I may remark, as among the most conspicuous, a central situation, a predominating language, and an authority almost legislative in the ceremonial of the private intercourse of life. These and many other causes must facilitate the diffusion of French politics among neighbouring nations: but it will be justly remarked, that their effect must in a great measure depend on the stability of the Revolution. The suppression of an honourable revolt would strengthen all the governments of Europe: the view of a splendid revolution would be the signal of insurrection to their subjects. Any reasonings on the influence of the French Revolution may therefore be supposed to be premature until its permanence be ascertained. Of that permanence my conviction is firm: but I am sensible that in the field of political prediction, where veteran sagacity* has so often been deceived, it becomes me to harbour with distrust, and to propose with diffidence, a conviction influenced by partial enthusiasm, and perhaps produced by the inexperienced ardour of youth.

The moment at which I write (August 25th, 1791,) is peculiarly critical. The invasion of France is now spoken of as immediate by the exiles and their partisans; and a confederacy of despots is announced with new confidence. Notwithstanding these threats, I retain my doubts whether the jarring interests of the European Courts will permit this alliance to have much energy or cordiality; and whether the cautious prudence of despots will send their military slaves to a school of freedom in France. But if there be doubts about the likelihood of the enterprise being undertaken, there be few about the probability of its event. History celebrates many conquests of obscure tribes, whose valour was animated by enthusiasm;

* Witness the memorable example of Harrington, who published a demonstration of the impossibility of re-establishing monarchy in England six months before the restoration of Charles II. Religious prophecies have usually the inestimable convenience of relating to a distant futurity.

† The malignant hostility displayed against French freedom by a perfidious Prince, who occupies and dishonours the throne of Gustavus Vasa, cannot excite our wonder, though it may provoke our indignation. The pensioner of French despotism could not rejoice in its destruction; nor could a monarch, whose boasted talents have hitherto been confined to perjury and usurpation, fail to be wounded by the establishment of freedom: for freedom demands genius, not intrigue, — wisdom, not cunning.

but she records no example where a foreign force has subjugated a powerful and gallant people, governed by the most imperious passion that can sway the human breast.*—Whatever wonders fanaticism has performed, may be again effected by a passion as ardent, though not so transitory, because it is sanctioned by virtue and reason. To animate patriotism,—to silence tumult,—to banish division,—would be the only effects of an invasion in the present state of France. A people abandoned to its own inconstancy, have often courted the yoke which they had thrown off: but to oppose foreign hostility to the enthusiasm of a nation, can only have the effect of adding to it ardour, and constancy, and force. These and similar views must offer themselves to the European Cabinets; but perhaps they perceive themselves to be placed in so peculiar a situation, that exertion and inactivity are equally perilous. If they fail in the attempt to crush the infant liberty of France, the ineffectual effort will recoil on their own governments: if they tamely suffer a school of freedom to be founded in the centre of Europe, they must foresee the hosts of disciples that are to issue from it for the subversion of their despotism.

They cannot be blind to a species of danger which the history of Europe reveals to them in legible characters. They see, indeed, that the negotiations, the wars, and the revolutions of vulgar policy, pass away without leaving behind them any vestige of their transitory and ignominious operation: but they must remark also, that be-

* May I be permitted to state how the ancestors of a nation now stigmatized for servility, felt this powerful sentiment? The Scottish Nobles, contending for their liberty under Robert Bruce, thus spoke to the Pope:—"Non pugnamus propter divitias, honores, aut dignitates, sed propter libertatem tantummodo, quam nemo bonus nisi simul cum vita amittit." Nor was this sentiment confined to the Magnates; for the same letter declares the assent of the Commons.—"Totaque Communitas Regni Scotiæ." Reflecting on the various fortunes of my country, I cannot exclude from my mind the comparison between its present reputation and our ancient character—"terrarum et libertatis extremos:" nor can I forget the honourable approach against the Scottish name in the character of Buchanan by Thuanus, (Hist. lib. lxxvi. cap. 11.) "Liberate genti innata in regnum lassum acerbor." This melancholy retrospect is however relieved by the hope that a gallant and enlightened people will not be slow in renewing the era for such reproaches.

† The most important materials for the philosophy of history are collected from remarks on the coincidence of the situations and sentiments of distant periods; and it may be curious as well as instructive, to present to the reader the topics by which the Calottes of Charles I. were instructed, to awaken the jealousy and solicit the aid of the European courts:—"A dangerous combination of his Majesty's subjects have laid a design to dissolve the monarchy and frame of government, becoming a dangerous precedent to all the monarchies of Christendom, if attended with success in their design."—Charles I.'s Instructions to his Minister in Denmark, Ludlow's Memoirs, vol. ii. p. 257.

sides this monotonous villany, there are cases in which Europe, actuated by a common passion, has appeared as one nation. The religious passion animated and guided the spirit of chivalry:—hence arose the Crusades. “A nerve was touched of exquisite feeling; and the sensation vibrated to the heart of Europe.”* In the same manner the Reformation gave rise to religious wars, the duration of which exceeded a century and a half. Both examples prove the existence of that sympathy, by the means of which a great passion, taking its rise in any considerable state of Europe, must circulate through the whole Christian commonwealth. Illusion is, however, transient, while truth is immortal. The epidemical fanaticism of former times was short-lived, for it could only flourish in the eclipse of reason: but the virtuous enthusiasm of liberty, though it be like that fanaticism contagious, is not like it transitory.

But there are other circumstances which entitle us to expect, that the example of France will have a mighty influence on the subjects of despotic governments. The Gothic governments of Europe have lived their time “Man, and for ever!” is the sage exclamation of Mr. Hume† Limits are no less rigorously prescribed by Nature to the age of governments than to that of individuals. The Heroic governments of Greece yielded to a body of legislative republics: these were in their turn swallowed up by the conquests of Rome. That great empire itself, under the same forms, passed through various modes of government. The first usurpers concealed it under a republican disguise: their successors threw off the mask, and avowed a military despotism: it expired in the ostentatious feebleness of an Asiatic monarchy.‡ It was overthrown by savages, whose rude institutions and barbarous manners have, until our days, influenced Europe with a permanence refused to wiser and milder laws. But, unless historical analogy be altogether delusive, the decease of the Gothic governments cannot be distant. Their maturity is long past: and symptoms of their decrepitude are rapidly accumulating. Whether they are to be succeeded by more beneficial or more injurious forms may be doubted; but that they are about to perish, we are authorized to suppose, from the usual age to which the governments recorded in history have arrived.

There are also other presumptions furnished by historical analogy, which favour the supposition that legislative governments are about to succeed to the rude usurpations of Gothic Europe. The commonwealths

which in the sixth and seventh centuries before the Christian era were erected on the ruins of the heroic monarchies of Greece, are perhaps the only genuine example of governments truly legislative recorded in history. A close inspection will, perhaps, discover some coincidence between the circumstances which formed them and those which now influence the state of Europe. The Phœnician and Egyptian colonies were not like our colonies in America, populous enough to subdue or extirpate the native savages of Greece: they were, however, sufficiently so to instruct and civilize them. From that alone could their power be derived: to that therefore were their efforts directed. Imparting the arts and the knowledge of polished nations to rude tribes, they attracted, by avowed superiority of knowledge, a submission necessary to the effect of their legislation,—a submission which impostors acquire through superstition, and conquerors derive from force. An age of legislation supposes great inequality of knowledge between the legislators and those who receive their institutions. The Asiatic colonists, who first scattered the seeds of refinement, possessed this superiority over the Pelagic hordes, and the legislators who in subsequent periods organised the Grecian commonwealths acquired from their travels in the polished states of the East, that reputation of superior knowledge, which enabled them to dictate laws to their fellow-citizens. Let us then compare Egypt and Phœnicia with the enlightened part of Europe,—separated as widely from the general mass by the moral difference of instruction, as these countries were from Greece by the physical obstacles which impeded a rude navigation,—and we must discern, that philosophers become legislators are colonists from an enlightened country reforming the institutions of rude tribes. The present moment indeed resembles with wonderful exactness the legislative age of Greece. The multitude have attained sufficient knowledge to value the superiority of enlightened men; and they retain a sufficient consciousness of ignorance to preclude rebellion against their dictates. Philosophers have meanwhile long remained a distinct nation in the midst of an unenlightened multitude. It is only now that the conquests of the press are enlarging the dominion of reason; as the vessels of Cadmus and Cecrops spread the arts and the wisdom of the East among the Pelagic barbarians.

These general causes,—the unity of the European commonwealth, the decrepitude on which its fortuitous governments are verging, and the similarity between our age and the only recorded period when the ascendant of philosophy dictated laws,—entitle us to hope that freedom and reason will be rapidly propagated from their source in France. And there are not wanting symptoms which justify the speculation. The first symptoms which indicate the approach of

* Gibbon, Decline and Fall, &c., chap. lvi.

† Philosophical Works, vol. iii. p. 579—Ed.

‡ See this progress stated in the concise philosophy of Montesquieu, and illustrated by the copious eloquence of Gibbon. The republican disguise extends from Augustus to Severus; the military despotism from Severus to Diocletian; the Asiatic *Switzerland* from Diocletian to the final extinction of the Roman name.

a contagious disease are the precautions adopted against it: the first marks of the probable progress of French principles are the alarms betrayed by despots. The Courts of Europe seem to look on France, and to exclaim in their despair,—

“Hinc populum late regem, belloque superbum,
Venturum excidio Libyæ.”

The King of Spain already seems to tremble for his throne, though it be erected on so firm a basis of general ignorance and triumphant priestcraft. By expelling foreigners, and by subjecting the entrance of travellers to such multiplied restraints, he seeks the preservation of his despotism in a vain attempt to convert his kingdom into a Bastile, and to banish his subjects from the European commonwealth. The Chinese government has indeed thus maintained its permanency; but it is insulated by Nature more effectually than by policy. Let the Court of Madrid recall her ambassadors, shut up her ports, abandon her commerce, sever every tie that unites her to Europe: the effect of such shallow policy must be that of all ineffectual rigour (and all rigour short of extirpation is here ineffectual), to awaken reflection,—to stimulate inquiry,—to aggravate discontent,—and to provoke convulsion. “There are no longer Pyrenees,” said Louis XIV., on the accession of his grandson to the Spanish throne: “There are no longer Pyrenees,” exclaimed the alarmed statesmen of Aranjuez,—“to protect our despotism from being consumed by the sun of liberty.” The alarm of the Pope for the little remnant of his authority naturally increases with the probability of the diffusion of French principles. Even the mild and temperate aristocracies of Switzerland seem to apprehend the arrival of that period, when men will not be content to owe the benefits of government to the fortuitous character of their governors, but to its own intrinsic excellence. Even the unsuccessful struggle of Liege, and the theocratic insurrection of Biabant, have left behind them traces of a patriotic party, whom a more favourable moment may call into more successful action. The despotic Court of the Hague is betraying alarm that the Dutch republic may yet revive, on the destruction of a government odious and intolerable to an immense majority of the people. Every where then are those alarms discernible, which are the most evident symptoms of the approaching downfall of the European despotisms.

But the impression produced by the French Revolution in England,—in an enlightened country, which had long boasted of its freedom,—merits more particular remark. Before the publication of Mr. Burke, the public were not recovered from that astonishment into which they had been plunged by unexampled events, and the general opinion could not have been collected with precision. But that performance has divided the nation into marked parties. It has produced a contro-

versy, which may be regarded as the trial of the French Revolution before the enlightened and independent tribunal of the English public. What its decision has been I shall not presume to decide; for it does not become an advocate to announce the decision of the judge. But this I may be permitted to remark, that the conduct of our enemies has not resembled the usual triumph of those who have been victorious in the war of reason. Instead of the triumphant calmness that is ever inspired by conspicuous superiority, they have betrayed the bitterness of defeat, and the ferocity of resentment, which are peculiar to the black revenge of detected imposture. Priestcraft and Toryism have been supported only by literary advocates of the most miserable description: but they have been ably aided by auxiliaries of another kind. Of the two great classes of enemies to political reform,—the interested and the prejudiced,—the activity of the first usually supplies what may be wanting in the talents of the last. Judges have forgotten the dignity of their function,—priests the mildness of their religion; the Bench, which should have spoken with the serene temper of justice, the Pulpit, whence only should have issued the healing sounds of charity, have been prostituted to party purposes, and polluted with invectives against freedom. The churches have resounded with language at which Laud would have shuddered, and Sacheverell would have blushed: the most profane comparisons between our duty to the Divinity and to kings, have been unblushingly pronounced: flattery of the Ministers has been mixed with the solemnities of religion, by the servants, and in the temple of God. These profligate proceedings have not been limited to a single spot: they have been general over England. In many churches the French Revolution has been *expressly named*: in a majority it was the constant theme of invective for many weeks before its intended celebration. Yet these are the peaceful pastors, who so sincerely and meekly deprecate political sermons.*

Nor was this sufficient. The grossness of the popular mind, on which political invective made but a faint impression, was to be roused into action by religious fanaticism,—the most intractable and domineering of all destructive passions. A clamour which had for half a century lain dormant has been revived:—the Church was in danger! The spirit of persecution against an unpopular sect has been artfully excited; and the friends of freedom, whom it might be odious and dangerous professedly to attack, are to be overwhelmed as Dissenters. That the ma-

* These are no vague accusations. A sermon was preached in a parish church in Middlesex on the anniversary of the Restoration, in which eternal punishment was denounced against political disaffection! Persons for whose discernment and veracity I can be responsible, were among the indignant auditors of this infernal homily.

ority of the advocates for the French Revolution are not Dissenters is, indeed, sufficiently known to their enemies. They are well known to be philosophers and friends of humanity, superior to the creed of any sect, and indifferent to the dogmas of any popular faith. But it has suited the purpose of their profligate adversaries to confound them with the Dissenters, and to animate against them the fury of prejudices which those very adversaries despised.

The diffusion of these invectives has produced those obvious and inevitable effects, which it may require something more than candour to suppose not foreseen and desired. A banditti, which had been previously stimulated, as it has since been excused and panegyrized by incendiary libellers, have wreaked their vengeance on a philosopher,* illustrious

by his talents and his writings, venerable for the spotless purity of his life, and amiable for the unoffending simplicity of his manners. The excesses of this mob of churchmen and loyalists are to be poorly expiated by the few misguided victims who are sacrificed to the vengeance of the law.

We are, however, only concerned with these facts, as they are evidence from our enemies of the probable progress of freedom. The probability of that progress they all conspire to prove. The briefs of the Pope, and the pamphlets of Mr. Burke, the edicts of the Spanish Court, and the mandates of the Spanish inquisition, the Birmingham rioters, and the Oxford graduates, equally render to Liberty the involuntary homage of their alarm

house in the neighbourhood of Birmingham by the mob, on the 14th of July, 1791.—Ed.

* Alluding to the destruction of Dr Priestley's

REASONS

AGAINST THE FRENCH WAR OF 1793.*

At the commencement of the year 1793 the whole body of the supporters of the war seemed unanimous; yet even then was perceptible the germ of a difference which time and events have since unfolded. The Minister had early and frequent recourse to the high principles of Mr. Burke, in order to adorn his orations,—to assail his antagonists in debate,—to blacken the character of the enemy,—and to arouse the national spirit against them. Amid the fluctuating fortune of the war, he seemed in the moment of victory to deliver opinions scarcely distinguishable from those of Mr. Burke, and to recede from them by imperceptible degrees, as success abandoned the arms of the Allies. When the armies of the French republic were every where triumphant, and the pecuniary embarrassments of Great Britain began to be severely felt, he at length dismissed altogether the consideration of the internal state of France, and professed to view the war as merely defensive against aggressions committed on Great Britain and her allies.

That the war was not just on such principles perhaps a very short argument will be sufficient to demonstrate. War is just only to those by whom it is unavoidable; and every appeal to arms is unrighteous, except that of a nation which has no other resource for the maintenance of its security or the assertion of its honour. Injury and insult do not of themselves make it lawful for a nation to seek redress by war, because they do not

make it necessary; another means of redress is still in her power, and it is still her duty to employ it. It is not either injury or insult; but injury for which reparation has been asked and denied, or insult for which satisfaction has been demanded and refused, that places her in a state in which, having in vain employed every other means of vindicating her rights, she may justly assert them by arms. Any commonwealth, therefore, which shuts up the channel of negotiation while disputes are depending, is the author of the war which may follow. As a perfect equality prevails in the society and intercourse of nations, no state is bound to degrade herself by submitting to unavowed and clandestine negotiation; but every government has a perfect right to be admitted to that open, avowed, authorized, honourable negotiation which in the practice of nations is employed for the pacific adjustment of their contested claims. To refuse authorized negotiation is to refuse the only negotiation to which a government is forced to submit it is, therefore, in effect to refuse negotiation altogether; and it follows, as a necessary consequence, that they who refuse such authorized negotiation are responsible for a war which that refusal makes on their part unjust.

These principles apply with irresistible force to the conduct of the English Government in the commencement of the present war. They complained, perhaps justly, of the opening of the Scheldt,—of the Decree of Fraternity,—of the countenance shown to disaffected Englishmen: but they refused

* From the Monthly Review, vol. xl. p. 435.—Ed.