



Digitized for Microsoft Corporation
by the Internet Archive in 2008.
From University of California Libraries.
May be used for non-commercial, personal, research, or educational purposes, or any fair use.
May not be indexed in a commercial service.

LETTER

TO

THE RIGHT HONOURABLE

EDMUND BURKE.



LONDON:

PRINTED FOR J. DEBRETT,

OPPOSITE BURLINGTON HOUSE, PICCADILLY.

M DCC.XCI.

) Un a Balif - Bigitized by Microsoft ®

A

LETTER, &c.

APR 26 1938 -

ELONGING to no party, addicted to no fect, and too old not rather to fear than to invite notoriety of any fort, may I not hope from among the few incitements which could induce fuch a man in love with retirement to obtrude himfelf on the public eye that I shall be allowed to assume the desire of being useful as my sole motive? "Conscious," to fpeak in the language of Lord Bacon, "that what I shall offer arises from no " vein of popularity, oftentation, defire of novelty, partiality to either fide, dif-" position B

" position to intermeddle, or any the like " leaven; I conceive hopes that what I " want in depth of understanding may be " countervailed by fimplicity and fincerity " of affection." Sure I am, Sir, that fuch a disposition will find favour in your fight; that I shall meet you ready to admit that men may honestly differ on topics where the conclusions lie at such a distance from the premises, and where the best abilities and the best intentions setting out from the fame centre have been found to divaricate into every point of the compass.

Permit me, Sir, before I proceed, to offer you the humble tribute of my applause. I have for many years been amongst the foremost of your admirers. I have seen you with uninterrupted energy pursue the right, straight forward, and fearless

fearless of consequences. I have seen you the soul of a great enterprize, which, though "offences' gilded hand may shove "bye justice," or "the wicked prize itself "buy out the law," will secure immortality to your name. When I differ from you in opinion, I am with you in sentiment. I regard you as one of the best and ablest men of our day.

You have published a work abounding with eloquence, learning, knowledge, and every other excellence to be foretold of the production of a mind furnished like yours. But in the midst of such good and sound doctrine are maxims and positions which I think may be used by the worst of men for the worst of purposes. The more you possess of those qualifications which give the opinion of one man authority over the rea-

B 2

fon

fon of others, the more I feel it a duty, thinking as I do, to combat to the best of my power these dangerous tenets; to warn those who are about to feed upon your well-flavoured and high-feafoned dish that " there is death in the pot." Answerers you will have in plenty of various descriptions, with various motives, fome of them most probably of much better abilities than I can pretend to; but I will cede to none of them in fimplicity and purity of intention, or in respect for the person and character of the excellent man with whom I find myfelf fo reluctantly obliged to differ.

To follow you, non passibus æquis, over the wide and flowery field where you disport yourself with so much dexterity and grace is by no means my intention.

I am

I am not one of those who, having taken a part, have an answer ready for every thing which can be offered on the other fide. In many things I agree with you most heartily, and the high approbation I feel of much of your work gives me the more confidence where I am obliged to diffent. I have strong doubts, and offer them as fuch in fair discussion. I will endeavour to be as short as the time allotted me will allow of, for it belongs only to your pen to be diffuse without being tedious.

It is I think the peculiar infirmity of noble and ardent minds to run into extremes, to follow even the right too far. You are difgusted with the folly and danger of wild theories and extravagant projects, and would therefore reduce the science

fcience of government to a mere craft and mystery; but politics must have some abstract principles * Though slavery must

The most measured and technical writers have been forced to consider natural liberty and the rights of men as preceding all civil institutions. Sir William Blackstone, who has never passed for a light or factious writer, speaks thus: " Thus much for the declaration of our rights and " liberties. The rights themselves, thus defined by these " feveral statutes, consist in a number of private immuni-" ties, which will appear from what has been premifed to " be indeed no other than either that residuum of natural " liberty which is not required by the laws of fociety to " be facrificed to public convenience, or else those civil of privileges which fociety hath engaged to provide " in lieu of the natural liberties fo given up by individuals. These therefore were formerly either by inhe-" ritance or purchase the rights of all mankind; but in " most other countries of the world, being now more or es less debased and destroyed, they may at present be said " to remain in a peculiar and emphatical manner the " rights of the people of England."

Montesquieu in his admirable Spirit of Laws tréats
this subject with his usual neatness and perspicuity:

"Les etres particuliers intelligens peuvent avoir des loix
qu'ils

be felt by the people, it may be foretold by the fage. To prophecy of such events, certainly much fagacity, and much experience, and much moderation are required, and many false prophets will arise who will deceive many; but this is equally true in morality, religion, and every thing else that cannot be made the immediate object of demonstration; and yet these are all reducible to some great and general truths, which, when understood, will be as universally assented to as that the three

angles

[&]quot;qu'ils ont faites; mais ils en ont aussi qu'ils n'ont pas faites. Avant qu'il y eût des etres intelligens, ils etoient possibles; ils avoient donc des rapports possibles et par consequens des lois possibles. Avant qu'il y eût des loix faites il y avoit des rapports de justice possibles. Dire qu'il n'y a rien de juste ni d'enjuste que ce qu'ordonnent ou desendent les loix possitives, c'est dire qu'avant qu'on eut tracé de circle tous les rayons n'etoient pas egaux." Esp. des Lois, siv. i. chap. 1.

angles of a triangle are equal to two right ones. The science of politics may indeed be properly enough confidered as a fubdivision of moral philosophy, capable of being treated fynthetically with much advantage at this moment. What has happened in our own view in America, in Ireland, in France, are great and pregnant experiments. A' treatise to which the proper title would be The Philosophy of Politics, executed as I conceive it might be, would form an excellent and most useful work.

If the principles of the Revolution Club are as you tell us, but as I do not know that they acknowledge them to be, that the people of these realms are in a constant and habitual right and practice of * " choosing

* Page 20.

" their

" their own governors"-" of cashiering "them for misconduct"-" of framing " a new government;" fuch folecism in reason and fact seems scarcely to deferve a ferious answer. The mischief of these doctrines, merges in their absurdity. Is it not obvious to the flightest observation that before the people (whofoever they are) can exercise the least of these powers, all those of the actual constitution must be suspended or done away, a complete revolution must have already taken place? What do they mean by the people? Where does this fourth estate exist? How is its collective voice to be taken, or its collective force to act? Where has it fo long lain perdue, and from whence does it now come, like the army in the Rehearfal, " to the door and

C "in Univ Calif - Digitized by Microsoft ®

" in disguise?" When state quacks prescribe these recipes, I believe if they were told, like their predecessor in Moliere, Why, Doctor, this is a Revolution, they would answer as he does-a Revolution! aye, Sir, and what is better than a Revolution! I strongly suspect that all the sense (if they have any) of these unintelligible theories and vicious circles of the governed governing the governors might be comprized in a plain proposition, to which I for one would give my hearty affent; that when government, under any form or denomination offers oppression in the room of protection, and injury instead of justice; a stone for bread and a serpent for a fish, such government ought to be refisted with all the powers which God and nature have placed in our hands.



For this great and grievous disease, a revolution is the only true specific.

Since I have mentioned the Revolution Club, I must say that I think you treat Dr. Price's nunc dimittis * with very undeferved asperity. If you think he errs, his errour can only be fairly attributed to a little too much ardour in a good cause. All enthusiasm is certainly excess, it begins where reason ends; but an enthusiastic love of liberty has always been reckoned amongst the most useful and respectable infanities of the human mind. The Doctor and many others with him will think, that to hinder the King from erecting the royal standard at Metz was of the last importance to the embryon liberties of France. They will think that an immediate and

* Page 96.

C 2

most

most probably a very bloody civil war was cheaply prevented by the excesses of the mob at Versailles on the 6th of October. They will consider the degradation of the King with fome fort of complacency; not as you say by reducing him to his qualities of man or animal, for it is under these titles only which he holds in common with all of us that he can claim any pity at all; but because they see in his person the actual living representative of an oppressive and intolerable despotism, the descendant of old and the progenitor of future tyrants. A pious divine, where he thinks he beholds fo much falvation, will very naturally break out into thanks to God for what he believes to have been brought about by the immediate interpolition of his providence. Grave and religious men and lovers of order

der too have burst into ejaculations on the recovery of liberty before Dr. Price. A great antient aristocrat, whose authority I believe you esteem more than I do, employs a still higher strain on a much more violent occasion. Speaking of the killing of Julius in the Capitol, he says, What was there ever performed, O holy Jupiter! not only in this city but in the whole world greater, what more glorious, what more worthy of the eternal remembrance of mankind *!

For my own part, I cannot apprehend any fuch danger as you feem to fear from allowing men to speculate on the common-

wealth

^{*} Quæ enim res unquam, proti sancte Jupiter! non modo in hac urbe, sed in omnibus terris est gesta major, quæ gloriosior, quæ commendatior hominum memoriæ sempiternæ! Çıc.

wealth as much as they please. Speeches and fermons and pamphlets will produce but little effect, except where they find the minds of men predisposed and ripe for the subject. The business is already done before they can operate to any strong purpose. They will only be seriously attended to when they give vent to some passion, or furnish some plausible argument or excuse for what we are beforehand determined upon. While the people are happy and free they will no more be made to believe themselves oppressed and enslaved than all the oratory in the world will persuade slaves and beggars that they are rich and content.

When you boast to your French correspondent, with such an air of triumphant confidence of the loyalty, the "religious "zeal. " zeal *," the obedience, the "fimplicity, "the bonbommie of the British + charac-"ter," their "awe of Kings" and "reve-"ence for [Priests I," their "fullen re-" fistance of innovation |," their unalterable perseverance in the "wisdom of pre-"judice for the last four hundred years §;" are you not a little apprehensive lest he should retort upon you the seven interruptions of the hereditary succession previous to the Revolution; the public execution of one King and the banishment of another a little before that period, and the privation and exile of a whole line of Kings immediately afterwards; four radical and entire changes of religion in three successive reigns; Papist under Harry the first defender of the Romish faith, and then Pro-

^{*} Page 135. † P. 133. † P. 128. || P. 127. § P. 130.

testant

Univ Calif - Digitized by Microsoft ®

fender of the Protestant faith; violently Papist again under his daughter the Bloody Mary, and once more Protestant under her sister Elizabeth; Presbyterian under Oliver and the Commonwealth, Anglican and Episcopal at the Restoration; High Church under Anne, and Low Church under the first Georges; and at this very moment separated into as many sects as there are shades of opinion between the wide extremes of bigotry and insidelity?

If a free and equal constitution could have been erected in France on the foundation of the old establishment, I am ready to allow that to level all without distinction was a rash and dangerous experiment. But this does not appear to have been the case. A century and half of despotism had so warped

and moulded every inftitution to the support of the omnipotence of the Crown, and to the annihilation of the liberty of the subject, that they could not be used for the contrary purposes. If the four estates had continued to meet in their antient form, the nobles, the church, and the crown, poffessing each of them powers utterly inconfistent with a free constitution, would have united to render the representatives of the people, le tiers etât, a mere nullity. The change from liberty to flavery may proceed by filent lapfe, but illegitimate force must be wrenched by violence from the strong hand of power. The tyranny of France could only be overturned by the great mass of the people. When this vast and unwieldy machine is once fet in motion, no mortal arm can exactly direct its

D force,

force, or determine its momentum. We know that mankind in the aggregate must be forced into activity by the immediate impulse of some strong passion, and that their action will therefore always be accompanied with fome violence and fome excess. We know too that change itself cannot be wrought without disturbance and disorder; the decomposition and combination of elements will be attended with commotion and effervescence. But where much is to be obtained much may and ought to be hazarded: the utmost that human prudence can provide against future contingencies is to fecure the probabilities, the rest must necessarily be left to the great arbiters time and chance, to eventual courage and eventual ability. The destruction of an inveterate tyranny, and the

the probable establishment of a free constitution, must be always considered as cheaply purchased at the expence of a few years anarchy and disorder. In all ages those citizens who shall obtain for their country such advantages at such a price, will continue to be ranked among the great benefactors of mankind.

The question then is reduced to this; Whether the late government of France was such as ought to have been endured. It must I think appear to every man who acknowledges the inestimable value of a free constitution that it was not. A government where the foundation of all law is comprized in one short formula, for such is our pleasure—Car tel est notre plaisin; where the personal liberty, and consequently the property and

D 2 life

life of every individual, is held at the abfolute will and disposal of one man; is a government shocking to the common sense and common feelings of mankind. Neither the hereditary succession of ages nor the acquiescence of millions can sanctify abuse or change evil into good. Wrong may be endured, but it cannot be established. A bond in which no valuable confideration has been retained by one of the contracting parties is void in law as well as in equity. Possession and prescription may be good titles prima facie, but they must give way when higher claims and better rights are produced. I would confider it as a datum confirmed by the general fense and experience of mankind in all ages, that an absolute, or as you are pleased to call it, an unqualified monarchy is no where to be suffered. The preservation of no order, no establishment, can compensate for this enormous evil. Every humane mind will anticipate with heartfelt satisfaction the approach of that day when the race of despots shall have disappeared from the face of the earth; and when by their rusty coins and mutilated statues they shall be known to have existed, it shall be said of them as of the giants of old, "in those days there were "tyrants in the land."

Will you permit me, Sir, to hazard a conjecture? Twenty years ago you would not have thought of this revolution as you do now. In the fage caution I think may be different formething of the timidity of age; fome traces perhaps of the strong impression made upon your vivid imagination

gination by the violences to which you were an eye witness in the summer of 1780. In your dread of disorder and misrule you would counsel rather to bear the ills we have of what magnitude soever, quemvis durare laborem, than fly to others that we know not of. "Your resolution" is sicklied o'er with the pale cast of "thought."

As the fource of the revolution in France feems to have been purer, so its process has hitherto appeared milder than any in antient or modern story. The journal of the shege of Londonderry furnishes more horrours than all that we know of this great event. A few obnoxious heads and some voluntary banishments have been the only facrifices to vengeance and the infernal gods. Nor can these be fairly attributed

to any new spirit infused into the people by the disorder of the times. The execution of M. Foulon cannot be compared for atrocity with that of the Marechall D'Ancre, or the massacre of the King's guards with the night of St. Bartholomew. And yet these happened before the baleful atmosphere of philosophy, the azote * in which no virtuous or falutary prejudice can continue to breathe, had poisoned the minds of men. When those very principles of loyalty and gallantry whose fall you so tenderly lament were yet in their meridian splendour.

The humiliation of a King and the terrour of a Queen form under your pencil a very pathetic picture; a tragic and affecting lesson of the instability of human

Page 132.

greatness. You seem to consider these great personages, what in the day of their prosperity they are always ready enough to confider themselves, as above vulgar humanity. In their sufferings I fear they found that they were mere mortals. For my part, fo far from looking upon those who are born to crowns as being of a fuperior nature, I think they have not the common chance with the rest of mankind. It is out of our weaknesses and wants, the fweet intercourse of services and benefits, that all the focial ties of charity and benevolence are formed. Men will feel for others what they apprehend for themselves:

—Non ignara mali miferis fuccurere difco—
They will labour to obtain a fuperiour rank among their fellow mortals by fuperiority

riority in learning, or wisdom, or courage, or usefulness, or virtue. But Kings as they are above the focial necessities, so they are above the focial feelings of life. Having no equal, they can have no friend nor no competitor; and standing on the pinnacle of greatness, to labour for any higher elevation by the common means of eminence must appear to them like adding "another " hue unto the rainbow, or with taper-" light feeking the beauteous eye of hea-" ven to garnish; -a wasteful and ri-" diculous excess."

As to the unhappy beauty whose charms so well deserve to be recorded in the sweet strain of your eloquence, I most sincerely join with you in pitying her distress because I conceive it must be very poignant. When you go forth the knight of this fair unfor-

E tunate

In the mean time I do very truly hope that together with the dignity of sentiment becoming her high birth and station she also enjoys the heartfelt satisfaction to reslect that she has not by her own conduct contributed to her own missortunes; that it is over her distresses only and not over her faults that her friends and admirers would wish to draw a veil.

But let us turn from this sad lesson for Kings, where we are constrained to pity what we cannot much esteem, to the most magnificent spectacle that has ever presented itself to the human eye. A great and generous nation, animated with one soul, rising up as one man to demand the restitution of their natural rights. When it was once determined that a free constitution would

would be had, I have endeavoured to shew by a short argument that the Nobles and Clergy could not with any fafety, be allowed to enter the fortress in embodied strength. Their exclusive privileges and oppressive territorial jurisdictions were among the grievances most immediately felt by the people. They presented an eternal barrier to any substantial amendment of the condition of the Commons. It is to know little of the temper of men born to high founding titles and lofty pretensions, to suppose that these bodies, possessing a commanding voice in the legislature, would have made a voluntary furrender of antient powers and splendid distinctions derived to them through a long succession of ancestry, merely because these powers appeared incompatible with

E 2 a free

a free constitution. They must, on the common principles of prudence, habit, and inclination, have sided with the Crown against the people. In this country it had been the policy of one of our antient tyrants, under their old maxim divide & impera, to strengthen the hands of the Commons by way of counterbalance, to the haughty and ungoverned claims of his feudal Barons *. From this

By the statute De donis, estates tail were rendered unalienable, and the large domains were of course settled in perpetuity. By the decision of the judges in Taltarum's case, 12 Edw. IV. common recoveries were allowed to bar an estate tail; and by the statute of 26 Hen. VIII. they were declared to be forseited to the King in cases of high treason. By different statutes of Hen. VIII. and Hen. VIII. a fine levied by a tenant in tail is allowed to be a complete bar to him and his heirs, and all other persons. Sir William Blackstone observes (2d Comm. 118), that it was the policy of Hen. VII. to lay the road as open as possible to the alienation of landed property,

impure fource much good eventually flowed, that was certainly neither intended nor foreseen by the Monarch of that day. The rank and title of nobility foon ceased to have any connection with territorial jurisdiction, and became attached fimply to a legislative and judicial peerage. Rich and powerful commoners and a substantial independent yeomanry began to form a real balance to the ariffocratic part of the Constitution; in process of time it became the interest of both to unite, to circumscribe the unbounded pretensions of the Crown. In this country every man who is not an actual member of the House of Peers is a Commoner. Every Peer is born a Commoner, and

property, in order to weaken the overgrown power of

most.

most of them have been at one time or other members of the House of Commons in their own persons; so that they carry up something of a popular spirit into the aristocratical assembly. Many of the leading men in the Lower House look up to the peerage either as their hereditary right or as the ultimate reward of their public services; an aristocratic tendency has therefore always prevailed among the representatives of the people. The fact is that nothing of pure democracy or pure monarchy, or pure aristocracy, in a distinct or separate state, is be found in our Constitution. The three principles are blended and tempered together into one common mass. They hold a joint undivided property. No line of demarcation can possibly be drawn between them; nor can they ever be played off off against one another. This is one of the beautiful anomalies of the English government which disdains all the fixed and known rules of political grammar. This is the unity of interest which is the foul of our great drama: the key-stone of the arch: the contripetal force that confines these eccentric bodies within their orbits. Hence the extreme inequality of representation which founds so ill in theory almost disappears in practice. The fabric exists in unimpaired beauty and frength, not as is commonly supposed by preserving the balance between contending and discordant principles, but by the firm unison and strong texture of correfpondent and homogeneous parts. It may and probably will fooner or later be fapped by corruption, and its main timbers confirmed consumed by the dry rot of influence; but it has nothing to fear from wild theory or treacherous ingenuity, from the cashierers of Kings or the afferters of passive obedience and divine hereditary right.

The government of France exhibited the direct contrary of all this; an unqualified monarchy, a feudal nobility, a domineering hierarchy, an impoverished and fervile people. Divided interest and disjointed power. What was there here fo well worth preserving? Were these the corner stones upon which you would have laid the foundation of a free constitution? By what common ties of advantage, what chain of gradual dependencies would you have held these irreconcilable parts, these jarring elements together? Till you have shewn what alchymy would have transmuted

muted these base materials into filver and gold of standard currency, I must for one continue to think that to amalgamate them into the common mass, to resolve them into their natural individuality, and then to admit them to a fair and equal share in the benefits of a free constitution was the best that could be done. Perhaps in the event the noble families of France will not be found to have made fo bad an exchange. When the storm subsides landed property and hereditary rank will flow back into their channels. Instead of vasfalage to the Crown unworthy of a man to pay, and vaffalage from the people unworthy of a man to receive, these patricians will find themselves among the leading representatives of a free people, the legislators of a great nation.

F

The

The abolition of hereditary titles of honour, which has been confidered as a mere wanton display of democratic envy or ill humour, had its peculiar necessity in the peculiar constitution of the body of nobility in France; differing in toto from any thing like what we know of here. That personal distinctions should be hereditary at all is perhaps not very advantageous to public virtue any where; perhaps they ought to be referved as the personal rewards of public services; but however this may be, when they represent no respectable public character like the judicial or legislative peerage of these countries; when they serve for nothing but to separate the nation into the two foolish and unnatural classes of gentilbomme and roturier (a division which our language

language has not even terms to describe), they are then not only barren of any good but very mischievously prolific in evil. The resources of honest industry or ingenious invention were forbidden even to the most beggarly bobereau, so that the numerous poor nobility were really little better than ferfs of the Crown, shut up and ranged in garrifons and citadels, always ready to be employed against the people; while on the other hand the roturier by no merit however great and useful could ever be received into the other class. It is not I think possible to conceive a partition more unfavourable to liberty and all virtuous exertion! In vain might you have fought for a citizen in either of these classes; and the operation of this unhappy division accounts for that miserable F 2 **spirit**

spirit of uniformity and imitation so striking in France to the slightest obferver. Much more *indeed* might be said upon this subject which I must content myself thus barely to indicate.

How far the wisdom and virtue of the leaders of the French revolution will be able to proceed towards forming the best possible government time alone can shew. All political power confists of an aggregate sum of the natural rights and liberties of the perfons over whom it is exercised. In a just and equitable government no more liberty will be taken from the individual than is · necessary to form an aggregate of power sufficient to protect the whole against each, and each against the other. The best government therefore is that, under what denomination foever, where the **fmalleft**

fmallest quantity of liberty is exchanged for the greatest quantity of protection. These legislators are certainly called to a most arduous task. They have not only the passions and interests of their adverse parties but, what is much more dangerous, their own to contend with. Power is the strongest of all tests of human virtue, an ordeal almost too severe for the infirmity of our nature. During the formation of a new constitution a dictatorial power must however of necessity be assumed by the lawgivers; and happily we are not without examples of fuch trufts faithfully exercised for the purposes of their institution, and then restored into the hands of the people. Let us then hope for the best. If avarice and ambition are strong motives, the love of glory

in

in generous minds is still stronger; and surely no set of men in the annals of the world had even a brighter prospect of being consecrated to the eternal admiration and gratitude of posterity than these men have if they should complete what they have so gloriously began.

But, alas! with the Gothic feudalism of France, learning and the fine arts, and honour and humanity have passed away from among men*; and Europe is on the point of being once more overshadowed with the darkness of ignorance and barbarity! Men will become illiberal by becoming free! The liberty of the press will put a final stop to the disfusion of knowledge! Learning will not survive the loss of its syndics and licensers, its im-

* Pag. 113, 114.

primateurs

primateurs, privileges, and approbations! Honour must perish by extending its influence over a multitude of persons hitherto excluded from its jurisdiction! Humanity itself will be driven like another Astræa from the earth, by substitutingthe foft gradations of unfelt dependencies to those violent and hostile distinctions which fever the commonwealth in twain; where one half fears and hates, and the other hates and despises! Farewel that tender and ever wakeful providence of government which suffered no rash word or extravagant thought to escape its vigilance! That falutary coercion which filently disposed of a dangerous subject without scandal or alarm! That beautiful inequality of conditions which, by dividing men into distinct and impassible orders

orders of beings, taught them to love as brethren! That convenient and levelling politeness which makes vice amiable and virtue unnecessary! Farewel for ever those warm and fostering beams of arbitrary power alone favourable to genius and courage, to great conceptions and great atchievements! It was under your benign and genial influence, and not in the chilly atmosphere of a republic, that those miracles of valour and art were performed and produced which have ferved as models to all fucceeding ages, and which still continues to astonish the mind with the vast superiority of their inimitable excellence! I confess to you, Sir, the little knowledge and experience I have might have led me to conclude directly the contrary of all this. I should have been

been apt too to think truth and fincerity and honesty and benevolence sufficiently lovely in the simplicity of their nature without that prodigality of ornament and adsciritious decoration which you seem to consider as so essential to them. Rich robes and costly jewels I should have thought might be employed with advantage to conceal the ugliness of the smoaky image of Loretto, but could add no new grace to the Florentine Venus or the Roman Apollo.

In your view of France you feem to have been so awe-struck with the magnificence of the court and so enamoured of the rising beauties of the Dauphiness that you had no attention left to bestow upon the people. If at your return from Verfailles you had looked into the Morne,

G where

where the bodies of those unfortunate wretches whose miseries had drawn them. to feek the last refuge from despair were daily exposed in frightful numbers; if you had followed the peasant or the artifan to his scanty meal on a morfel of black unfavoury bread, fuch spectacles would not have been lost upon a heart like yours. They would furely have abated fomething of your partial regard for the destructive splendour of a court, or the redundant and invidious wealth of a lazy and luxurious priesthood.

Among the institutions to be fundamentally reformed or utterly done away before any system of liberty could be established in France the Papal hierarchy stood prominent; and this is the institution whose defalcation and reform you seem most

most feelingly to deplore! To be called upon in this country and at this day to defend the Protestant Reformation, the leading motives of the Revolution in 1688. the affociation of ideas fucked in with our milk that Popery and slavery are as it were convertable and fynonimous terms, feems fo strange and extraordinary that all confideration of the subject is at first lost in furprize. I believe however your paradoxes may be fafely entrusted to the ordinary sense of mankind notwithstanding the authority of your name and the fplendid oratory with which they are introduced. It will not I think be necesfary on this occasion to disturb the repose of those controversies by which the contrary principles were long ago established. When evident and practical truths have

G2

been

been received into the mind so as to form a kind of instinctive sense, the diagrams by which they were at first demonstrated, like the scaffolding of a completed building, may be fafely laid afide. Shall I now go about to prove by logical induction that liberty of conscience, not being in the power cannot be in the right of man to take away? or that belief not being fubject to human volition cannot be fubject to human controul? No, Sir, I will content myself with simply recapitulating fome of those propositions to which the minds of men in these countries have been so long used to give spontaneous assent, and then leave your paradoxes to fight their way through them as well as they can.

No

No man or body of men under any pretence whatfoever can assume the power of governing or forcing the belief, the thoughts, the reason of others without the most impious and foolish arrogance of the power of God. Religion as a rule of faith by which we are to be faved or condemned in another life must be the exclufive private concern of the individual, in which every man has an indisputable right to follow the light of his own reason and to reject all authority founded on the reafon of others. Law is a rule of action only and cannot be extended to the fentiments and feelings of men. Those who denounce to us eternal damnation as the consequence of errour in faith, and then would force us to hazard our immortal fouls upon their judgments who have no

concern

concern in the matter, contrary to our reason who have so deep an interest in it, are the most execrable of all tyrants. All temporal power in the Church is of mere human invention and amenable to human controul. Christ has expressly declared that his kingdom is not of this world. If the Apostles were obeyed it was from reverence of their virtues and not from any obligation; they received the voluntary gifts of the brethren, but they laid no claim to a tenth share in every man's posfessions or the produce of his industry. Excommunication was no more at first, as the word imports, than expulsion from a club or fociety; and Bishops only men of the wifer and discreeter fort, chosen by the brotherhood to preside over their ceremonies and to instruct the ignorant, to whom

whom all fubmission was entirely voluntary. In process of time this society became sufficiently strong to set all civil governments at defiance; and then that fatal confederation between civil and ecclefiastical power took place, under which mankind has groaned for more than a thousand years. By this contract for the bodies and fouls of men, the mind is first to be enflaved and then the body delivered over to the fecular arm with its active principle, the spring of all its virtues and faculties, bound up in chains. From this complicated tyranny even death itself is no refuge. Its power extends into the kingdom of darkness; the miserable mortal who has not obeyed its ordinances here, who does not go to the grave clothed in the fan benito of their inquisition and carry in his hand the paffport of absolution, is handed over to the agents of the hierarchy in another world; to the discipline of eternal torment.

Hierarchy confidered as a religious institution is contrary to the plain precepts of Christ and to the whole tenor of the Christian religion. As a civil institution, where it has been most modified and reformed, it is at best an unnecessary burthen upon the industry of the people and a dead weight in the preponderating scale of power. In this country it is perhaps one of those evils fanctified by time which it may be more fafe to endure than to remove, but still calling loudly for reform. The ecclefiaftical courts are a crying oppression. The miserable and inadequate provision made for the major part of the parochial parochial clergy is also a serious grievance. In the place where I live the respectable clergyman with a numerous samily does the duty of a most extensive parish for sixty pounds a year, while from the same parish the Dean of Lincoln receives a thousand per annum for doing nothing at all *. The constitution of the Papal

* One of the greatest and wisest men this country ever produced strongly recommended it to reform these and other abuses 150 years ago. To those who affert it to be " against good policy to innovate any thing in church" matters he fays; "This objection is excellently answered " by the prophet; stand upon the old ways; and consider " aubich is the right or true away and avalk therein." He "does not fay stand upon the old ways and walk therein: " for with all wife and moderate perfors, custom and " usage are indeed of reverence sufficient to cause a " fland, and to make them look about them, but no " warrant to guide and conduct them: fo as to be a just " ground of deliberation but not of direction: and who " knows not that time is truly compared to a fiream " which carries down fresh and pure water into that dead " fea of corruption furrounding all human actions? H Therefore

hierarchy in France bore a strong analogy to that of her civil state; it exhibited the two extremes without the intermediate parts. The prelates were rich luxurious lords and the country parsons rude and needy peasants. And can you, Sir, seriously maintain that religion is likely to suffer by transferring its ministry from such hands into those of a sober well regulated parochial clergy? The religion of Christ is peculiarly the religion of the

[&]quot;Therefore if men shall not by their industry, virtue and policy, as it were, with the oar row against the stream and bent of time, all institutions and ordinances, be they never so pure, will corrupt and degerenerate. And I would ask why the civil state should be purged and restored by good and wholesome laws made every session of parliament, devising remedies as fast as time breeds mischief, and yet the ecclesiastical fate continue upon the dregs of time and receive no alteration at all?" Lord Bacon's Philos. Works, 4to. p. 308.

poor and distressed; his mission more especially regards the meek and lowly. The mild spirit of charity and love, the sublime and fimple morality, the endearing and consolatory doctrines of the Gospel will not lose their hold upon the hearts of men, because instead of Popes and Cardinals and Archbishops and Deans and Canons they are delivered to them by plain pastors, their own chosen and immediate guides. The power and authority of these teachers will be preserved by the same means by which the voluntary submission of free consciences was at first obtained by the apostles, " * by wisdom, humi-" lity, clearness of doctrine and fincerity " of conversation, and not by suppression of the natural sciences and of the mo-

* Hobbes.

H 2

" rality

"rality of natural reason, nor by obscure

language, nor by arrogating to them
felves more knowledge than they can

make appear, nor by pious frauds; nor

by such other faults as in the pastors

of God's church are not only faults but

also scandals, apt to make men stumble

one time or other upon the suppression

of their authority."

I will pass over your apotheosis of Monkery, and the necessity for retaining the Bishops to take care of the consciences of the Lords, for fear of being tempted to more levity than is consistent with respect; however I will just observe that it does not appear that there are any particular signs of reprobation among the Nobility of Scotland who are deprived of these sublime guides.

Men

Men have in different periods refifted spiritual as well as civil tyranny in various degrees and with various success. The good sense and high spirit of this country cast off the bonds of Rome at the first dawn of reason;

-then might you fee

Cowls, hoods, and habits with their wearers tost
And fluttered into rags; then reliques, beads,
Indulgences, dispenses, pardons, bulls
The sport of winds.——

The political part of the Church government has I suppose been wholly dissolved by the late reformation in France, and this was certainly the most pressing object of a political revolution. The present mixture of religion with politics, our religious tests and parliamentary religion would I suspect appear somewhat ludi-

crous to a person who could come to the confideration unbiaffed by habit and cuftom. Is it not a curious idea that if a Solon or a Socrates were to rife up amongst us one could not fit for Old Sarum, or the other execute the office of justice of peace, Epaminondas could not command a troop of horse or Themistocles be made a post captain, till they had made themselves master of the Thirty-nine Articles previous to taking the facramental test? till they thoroughly understood what Lord Bacon calls the characteristics of a believing Christian *?

^{*} z. He believes three to be one and one to be three; a father not to be older than his fon; a fon to be equal with his father; and one proceeding from both to be equal to both; as believing three persons in one nature; and two natures in one person.

^{3.} He believes a virgin to be the mother of a fon; and that very fon of hers to be her maker. He believes

How much of the trumpery of the Church of Rome has been suffered to remain I do not know nor is it I think of much consequence. As foon as men are allowed the free exercise of their reafon these wretched inventions of ignorance and folly will be presently neglected and forgotten. With the temporal power the spiritual jurisdiction, the vain and fenfeless theology of Rome will also pass away. The miserable distinctions and subtleties of the schools, their abstract esfences and substantial forms, their explanation of the incomprehensible mysteries of religion by the incomprehensible meta-

him to have been shut up in a narrow cell, whom heaven and earth could not contain. He believes him to have been born in time, who was, and is from everlassing. He believes him to have been a weak child, and carried in arms, who is almighty; and him once to have died who alone has life and immortality. Bac. Philos. Work, 4to. Vol. XI. p. 235.

Univ Calif - Digitized by Microsoft

physics of the peripatetics, will cease to resound from the benches of the Sorbonne and rest for ever confined to the learned dust of its libraries.

One of the most common objects of oratory is to perfuade men to believe fomething more than we are willing to affert in plain terms or can prove by plain argument. I do not know that you any where fay, in fo many words, that all revolutions and reformations past present and to come are unlawful usurpations, but I am fure you labour hard to leave this impression upon the mind of your readers. And what is fomewhat curious in a whig by profession you go over the same ground which the historians mention to have been taken by the tories in the Convention Parliament. In the loofe analogies

of declamation it is not difficult to confound revolution with rebellion, reformation with irreligion, refistance with revolt, and a jealous love of the constitution with faction; they have all some features in common, and by presenting the resemblance and artfully concealing the difference might in the jumble be mistaken for each other. But we will not be fo deceived, we will distinguish between them, nay more we will utterly detest and abominate the one and approve and when necessary vindicate the other, with our lives and fortunes. In support of our common fense and feelings we have the highest authority. The nation has spoken. The decree is eternally recorded. "EN-" DEAVOURING TO SUBVERT THE CON-STITUTION, BY BREAKING THE ORI-

I "GINAL

"GINAL CONTRACT BETWEEN THE " KING AND PEOPLE, AND VIOLATING "THE FUNDAMENTAL LAWS," justify, nay fanctify refistance and revolution. This you are reluctantly and give me leave to fay fomewhat awkwardly obliged to admit, and the warmest advocate for the liberty of the subject, the most ardent lover of the constitution, can claim, can defire no more. You fay, Sir, that you defire to be thought no better a whig than Lord Somers. Are you fure that you deferve to be thought as good a one? Let us compare your whiggifm with his. You tell *, that " it is fo far from being true " that we acquired a right by the Revo-" lution to elect our kings (King Wil-" liam the Third however was certainly

Page 27.

elected)

" elected) that if we had possessed it be-" fore, the English nation did at that " time (they chose it must be confessed " a very extraordinary moment) most fo-" lemnly renounce and abdicate it for " themselves and their posterities for ever." So then it feems the people abdicated as well as the King! but before they could abdicate the right they must have been in possession of it. Now setting aside the consideration whether these men could agree eventually to bind their posterity in chains which they themselves were unable to bear, it must be allowed that to abdicate and renounce for their descendants for ever a right which they were at that very moment afferting and actually exercifing for themselves, presents a complication of injustice and absurdity that we

ought not to impute to our ancestors but upon the most clear and substantial evidence that fuch was their intention. But you neither do nor can produce any fuch evidence at 'all. You rest your whole proof upon your construction of a resolution of the Convention Parliament which I will be bold to fay cannot possibly be wrested to any such construction in the judgment of any unprejudiced person who takes in the whole of the circumstances. " The Lords Spiritual and Temporal and " Commons do, in the name of all the " people aforesaid, most humbly and faith-" fully submit themselves their heirs and " posterities for ever (a common form of " creating a fee fimple, which may nevertheless be afterwards forfeited in various " ways) and do faithfully promife that es they

they will stand to, maintain, and defend " their said Majesties; and also the limit-" ation of the Crown therein specified and maintained to the utmost of their " power" (remark by the way that these last are words of limitation, and not of purchase). Against whom to defend them in the name of common sense? against the abdicated King, his fon, their descendants and adherents, and not against any future necessity arising from similar circumstances to those which were the very origin, plea and foundation of this vote, the corner-stone of their whole proceeding! And when they did interrupt the actual fuccession to establish a new one, so far from binding themselves as you seem to infinuate to more general and unlimited obedience, they actually contracted with

the Crown for the positive renunciation of all its unconstitutional claims; and they fixed land-marks not only as due boundaries and limits to the Crown, but as notices to the nation what the constitution is which they are not to suffer to be subverted, what are the terms of the original contract which they are not to suffer to be broken, and what their fundamental laws are which they are not to suffer to be violated. The Declaration of Right is interwoven with and actually forms part of the act which settles the succession of the Crown. the Act of Settlement, upon which the rights of the present Royal Family to the Throne of these realms is founded, not only a "temporary," but a perpetual "folution of continuity' took place. The hereditary succession was intirely interrupted

in a whole male line, and William was elected King. Now Sir you must either maintain that in interrupting the fuccefsion and electing the Prince of Nassau the nation usurped as well as abdicated, and so vitiate the title of the present Royal Family, or you must admit that the nation possessed the right which they then exercifed; and if you admit this, I defy you to shew by any reasonable argument that we have not at this time exactly the same rights which our forefathers had to do as they did in fimilar circumstances. If your mode of reasoning had been of any avail, there were not wanting men at that time to give it its due weight. Turner the deprived Bishop of Ely among many others has taken from your politions all the graces of novelty, he has beat all the ground

ground before you. He told the Convention Parliament that, " that being one " (fundamental) law which fettles the fuc-" cession, it is as much a part of the ori-" ginal compact as any; then if fuch a " case happens, as an abdication in a suc-" ceffive kingdom, without doubt the · compact being made to the King, his " heirs and fucceffors, the disposition of " the Crown cannot fall to us till all the " heirs do abdicate too. There are indeed " many examples and too many interrup-"tions in the lineal fuccessions of the " Crown of England: I think I can in-" stance in all seven since the Conquest, " wherein the right heir hath been put " by: but that doth not follow that every " breach of the first original contract gives " us power to dispose of the lineal suc-" cession:

" cession; especially, I think, since the " statutes of Queen Elizabeth and King " James the First, that have established " the oath of allegiance to the King, his " heirs and successors, the law is stronger " against such disposition: I grant that " from King William the First to Henry " the Eighth there have been seven inter-" ruptions of the legal line of hereditary " fuccession; but I say, these statutes are " made fince that time, and the making " of new laws, being as much a part of " the original compact as the observing " of old ones, or any thing elfe, we are " obliged to purfue those laws, till altered " by the legislative power, which fingle " or jointly, without the Royal affent, I " fuppose we do not pretend to"-"I hope and am persuaded, that both Lords and

K "Com-

- " Commons do agree in this, not to break
- " the line of succession so as make the Crown
- " elective."

Now hear Lord Somers—" The word

- " abdicate, doth naturally and properly
- " fignify entirely to renounce, throw off,
- " difown, relinquish any thing or person
- " fo as to have no further to do with it;
- " and that whether it be done by express
- " words, or by doing fuch acts as are in-
- " confistent with the holding or retaining
- " of the thing." "That King James the
- " Second hath renounced to be a King
- " according to the constitution, by avowing
- to govern by a despotic power unknown
- " to the constitution, and consistent with
- it he hath renounced to be King ac-
- " cording to the law. Such a King as he
- of fwore to be at the coronation, such a

" King

"King to whom the allegiance of an English subject is due, and hath set up another kind of dominion, which is to all intents and purposes an abdication or abandoning of his legal title, as fully as if it had been done by express words."

Hear too Lord Chief Justice Holt-My Lords, " Both in the common law of " England, and in the civil law, and " in common understanding, there are " express acts of renunciation that are " not by deed; for if your Lordships " will please to observe the government " and magistracy is under a trust, and any " acting contrary to that trust is renoun-" cing of the trust though it be not a re-" nouncing by formal deed; for it is a " plain declaration by act and deed, K 2 " though

"though not in writing, that he who hath

"the trust, acting contrary, is a declaimer

of the trust; especially, my Lords, if

the actings be such as are inconsistent

with, and subversive of the trusts; for

how can a man in reason or sense, ex
press a greater renunciation of a trust,

than by the constant declarations of

his actions to be quite contrary to that

trust?"

Now Sir whether your whiggism most resembles that of Lord Chancellor Somers and Chief Justice Holt or that of the non-juring ex-bishops I will leave to your own candour to decide.

You give your French correspondent to understand that a vast majority of "not "the least learned and reflecting men of "this kingdom" totally disapprove and abhor abhor the whole foundation and proceedings of the Revolution in France. In the retirement in which I live, I have the good fortune sometimes to converse with persons deserving at least of this description (for they are not all confined to courts and capitals) and the result of my observation has been very different indeed from that of yours. These persons have appeared to me to confider the grounds and motives of this Revolution as perfectly legitimate. To have tried it upon the principles of our own revered Revolution, and to have found in their verdict that the constitution of France bad been long subverted, the original contract between King and People long broken, and the fundamental laws long violated. Far from considering the nascent liberties of France with

with envy or aversion they have seemed tolook forward with a warm and lively hope to the final establishment of civil and religious freedom in that great nation; perhaps to have extended their views into the beautiful perspective of general liberty and general toleration. Upon the wifdom or expediency of the acts of the Natonal Affembly they have not indeed appeared fo ready to decide, they have thought it more decent and respectful to fuspend their judgment till the final hearing of the cause, to leave to the persons immediately concerned the management of their own affairs, and the confideration of their own interests, and not to give extrajudicial opinions pendente lite in a fuit in which they are neither plaintiff nor defendant nor advocate nor judge.

If you Sir have thought this prudent caution unnecessary, I am persuaded you have been provoked to think so by certain indiscreet applications made or supposed to be made of what is now doing in France to what might or ought to be done here. The extreme ardour of your zeal cannot easily be otherways understood.

You give as Rousseau's a secret for exciting the callous attention of the public which might otherwise perhaps have been suspected to be a receipt of your own *. It has been said of him that his deductions are logical and exact from premises which are sometimes salse. In this indeed you differ, for your first positions may for the most part be safely admitted and your conclusions should I think be very frequently

rejected. And yet I believe the errours as well as the beauties of the writings of both derive much from the same source, a too exquisite even to a morbid feeling of your subject. Rousseau was a man of great fincerity and far above any fuch little art as you fay Hume attributed to him; fo, Sir, are you; but you have ungoverned imaginations. The modesty of reason is dazzled and confounded amid the brilliant blaze of your imagery and invention. You are driven out of your course by crowding too much fail in proportion to your ballast. In such language as yours a man may (to borrow a French term) dereason with a great deal of eclat and fuccess; plain matter-of-fact writers might often answer you sufficiently by translating your eloquent periods, where

Univ Calif - Digitized by Microsoft ®

" imagination bodies forth the forms of things unknown"—into common language, the vulgar idiom.

Because the tenets attributed to certain focieties feem to stimulate to premature or unnecessary resistance you attack all reform. You see a machine leaning to one fide and you redress it with so much redundant strength towards the other, that instead of restoring it to its true perpendicular medium, you force it into a more violent and I think a much more dangerous inclination; for if we were to admit one of the extremes, either that the nation may at any moment cashier one King and elect another; or that in no case whatfoever the nation can interrupt or change the hereditary fuccession of the Crown, I must consider the first alterna-

 ${\color{red} \underline{L}}$ tive Univ Calif - Digitized by Microsoft ${\color{blue} \mathbb{B}}$

tive as the foundest in principle and the fafest in practice; for after all modify it how you will, in spite of all the address with which you endeavour to keep the " fmall and temporary folution of con-" tinuity from the eye*," your diminutive epithets qualifying phrases and "pious " legislative ejaculations," in spite of the pains you take to " countenance and foster " and make the most of the idea of an " hereditary succession," in spite of your attempt to confound expediency with necessity +, it will at last remain an undeniable fact that James was " cashiered" and that William was " elected."

" How," you ask ‡, " does the settlement of the Crown in the Brunswick
line come to legalize our monarchy

^{*} Page 24. † P. 23. ‡ P. 19.

Univ Calif - Digitized by Microsoft ® rather

" rather than that of any of the neigh-" bouring countries?" For this plain reafon, because the House of Brunswick was called to the throne by the national choice in preference to the Houses of Stuart and Savoy and Bourbon, as more likely to preferve and maintain our civil and religious rights; and because the House of Brunswick accepted of the Crown under contracts and stipulations known, ratified and recorded; nothing like which has ever happened that I know of in any neighbouring monarchy.

You tell us too that the statute De tallagio non concedendo*, the Petition of right—the act of Habeas Corpus depend upon the validity of the title of the King by whom they were assented to; but this

* Page 32.

L 2

I utterly

I utterly deny. The privileges ratified by these acts were not in the gift of any King; they were "the true antient and indubitable rights of the people of this kingdom †."

If, Sir, you had confined yourself to exposing the hollow and shapeless phantoms existing, if they exist at all in the brains of a few senseless enthusiasts,

—The brood of folly without father bred—
and to the examination of the wisdom and equity of the proceedings of the National Assembly, you would never have been troubled with any observations of mine. But you have gone much and I think most unnecessarily farther: you have attacked the fundamental principles of all reform: you have brought the subject

* Bill of Rights.

which

which appeared at such a distance home to our own bosoms-tua res agituryou have revived old disputes and subsided heats, evoked the sleeping shades of Jacobites and Republicans, and called up into untimely refurrection the long forgotten animofities of Roundhead and Cavalier. You have made it necessary for us now to examine when and how, under what preffure of evil and under what fanction of right, a revolution may ever again at any future period be recurred to in this country.

It is of the effence of power to encrease by its own force; wherever the greatest quantum is found, to that all inferior quantities will gravitate as to a common centre. For this reason Mr. Locke when he gave a form of government to one of the Colonies

Ionies in America limited its duration to an hundred years. To fabricate eternal machinery either physical or moral belongs only to the hand of God. Nay fo far has God himself condescended to the verfatility of his creatures that he has already given us two dispensations differing confiderably from each other. The very regulation of time by which every thing else is regulated has been found subject to errour and requiring change. To the Julian has succeeded the Gregorian system, and to that another must succeed if the world should so long endure. Our poor little institutions like our watches require to be periodically wound up and frequently repaired. They all contain in their very essence and original concoction latent principles of destruction. It is the best

best office of the collective wisdom of the times to mark the decay and to retard its progress, and when the day comes, as come it must sooner or later, that the machine ceases entirely to answer the purposes for which it was constructed, to direct the formation of a new one if possible on a better principle and of more durable materials.

In this country those who consider the immense and growing influence of the Crown in addition to powers which had been already deemed sufficient for its support, will not I think be at a loss to prognosticate the malady which will one day give the mortal blow to our boasted constitution. Corrupt influence is its radical disease, it will encrease with our riches and peace and prosperity;

Univ Calif - Digitized by Microsoft The

The young difease that must subdue at length Grows with our growth and strengthens with our strength.

This polypus in the heart of the conflitution will carry it off by a fudden
blow full of life and vigour, and without
much warning. The conquest of America by the King's troops, would most
probably have greatly accelerated this
event; as the increase of Indian gold and
Indian influence now bid fair to hasten its
approach.

By way of deterring us in this country from meddling in the mysteries of state, and to "operate with a wholesome awe" upon free citizens," you tell your correspondent that our commonwealth is "consecrated*," that its "very defects and

Page 143.

Univ Calif - Digitized by Microscofrup-

"corruptions are to be approached"
"with pious awe and trembling folici"tude." You denounce the fate of
Uzzah, whom God smote for his errour,
"because he put forth his hand and took
hold of the ark of God when the oxen
shook it, on all those who shall dare to examine with sacrilegious curiosity this mystical hypostatic union of Church and State.

With a little less of the terrible and somewhat more of *enjouement*, you in another place advise us to leave altercation and take to enjoyment.

Ut melius, quidquid erit, natis!

And then again you quit this epicurean indifference for quite another strain *, and allow that a " jealous ever-waking vi-

Pag. 79:

M "gilance
Univ Calif - Digitized by Microsoft ®

"gilance to guard the treasure of our liberty, not only from invasion but from decay and corruption is our best wisdom and our first duty."

· What an admirable writer has faid in answer to the preachers up of all this effeminate timidity in probing the wounds of the state; what he urges with irresistible force on those who would perfuade us that at the time we guarded ourselves from one mode of oppression we covenanted to submit to every other, is so strong in point, replete with fo much intelligence and intimate knowledge of the subject, so apposite to the present times, and so deferving of constant attention, that I will indulge myself in the liberty of making a very long quotation. To what in substance I might have faid myself, I will superadd the authority of a great name, and the energy of most eloquent language *. "It "is not to be argued +," fays this great orator, "that we endure no grievances be-" cause our grievances are not of the same " fort with those under which we labour-" ed formerly; not precisely those which "we bore under the Tudors, or vindicated " on the Stuarts. " ! No complaisance " to our Court, or to our age, can make " me believe nature to be fo changed, but " that public liberty will be among us, " as among our ancestors, obnoxious to " fome person or other; and that oppor-" tunities will be furnished for attempting " at least some alteration to the prejudice " of our constitution. These attempts

M 2 "will Univ Calif - Digitized by Microsoft ®

^{*} Thoughts on the Cause of the present Discontents. + Page 8. ‡ Page 10.

" will naturally vary in their mode, ac-" cording to times and circumstances; for " ambition, though it has ever the fame " general views, has not at all times the 66 fame means, nor the fame particular " objects. A great deal of the furniture of antient tyranny is worn to rags, and " the rest is entirely out of fashion. Be-" fides there are few statesmen so very " clumfy and awkward in their bufiness, " as to fall into the identical fnare which has proved fatal to their predecessors. "When an arbitrary imposition is at-" tempted upon the subject, undoubtedly " it will not bear on its forehead the name " of ship-money. There is no danger that " an extension of the forest-laws should be the chosen mode of oppression in this age; and when we hear any instance of - 2 " mi"ministerial rapacity to the prejudice of the rights of private life, it will certainly not be the exaction of two hundred pullets from a woman of fashion for leave to lie with her own husband. Every age has its own manners and its politics dependant upon them, and the fame attempts will not be made against a constitution fully formed and matured that were used to destroy it in the cra-

" infancy.

" Against the being of Parliament I am

" fatisfied no defigns have ever been enter-

" dle, or to refift its growth during its

" tained fince the Revolution. Every one

" must perceive that it is strongly the in-

" terest of the Court to have some second

" cause interposed between the Minister

and the people. The gentlemen of the

" House

" House of Commons have an interest " equally strong in sustaining the part of " that intermediate cause. However they " may hire out the usufruct of their voices, they never will part with the " fee and inheritance. Accordingly those who have been of the most known de-"votion to the will and pleasure of a "Court have at the same time been " most forward in afferting an high autho-" rity in the House of Commons. When " they knew who were to use that au-" thority and how it was to be employ-« ed, they thought it could never be car-" ried too far. It must be always the " wish of an unconstitutional statesman, " that an House of Commons who are " entirely dependant upon him, should have every right of the people entirely " de" dependant upon their pleasure. It was

" foon discovered that the forms of a

" free and the ends of an arbitrary govern-

" ment, were things not altogether in-

" compatible.

" The power of the Crown, almost " dead and rotten as prerogative has grown " up anew with more strength and far less "odium, under the name of influence; " an influence which operated without " noise and without violence; an influence "which converted the very antagonist " into the instrument of power; which " contained in itself a perpetual principle " of growth and renovation; and which " the distresses and the prosperity of the " country equally tended to augment, was " an admirable substitute for a preroga-" tive, that being only the offspring of Univ Calif - Digitized by Microsof

" antiquated prejudices, had moulded in

" its original stamina, irresistible prin-

" ciples of decay and dissolution. The

" ignorance of the people is a bottom but

" for a temporary system; the interest of

" active men in the state is a foundation

" perpetual and infallible.

" * They who will not conform their

" conduct to the public good and cannot

" fupport it by the prerogative of the

" Crown have adopted a new plan. They

" have totally abandoned the shattered and

" old-fashioned fortress of prerogative, and

" made a lodgment in the strong hold of

" Parliament itself.

" If they have any evil defign to which

" there is no ordinary legal power com-

" menfurate, they bring it into Parlia-

* Page 70.

"ment.

" ment. In Parliament the whole is ex-" ecuted from the beginning to the end; " in Parliament the power of obtaining " their object is absolute and the safety " in the proceeding perfect. No rules to confine, no after-reckonings to ter-" rify. Parliament cannot with any great " propriety punish others for things in which they themselves have been ac-" complices. Thus the controul of Par-" liament upon the executory power is " lost, because Parliament is made to par-" take in every considerable act of go-

"* I must beg leave †, 'however,' to

observe, that no part of the legislative

rights can be exercised without regard

to the general opinion of those who are

" vernment.

Letter to John Farr and John Harris. + Page 50.

N " 10

to be governed. That general opinion is the vehicle and organ of legislative " omnipotence; without this it may be " a theory to entertain the mind, but it is " nothing in the direction of affairs. The " completeness of the legislative authority " of Parliament over this kingdom is not " questioned; and yet many things indu-" bitably included in the abstract idea of that power, and which carry no abso-" lute injustice in themselves, yet being contrary to the opinion and feelings of " the people, can as little be exercised as " if the Parliament in that case had been " possessed of no right at all. I see no " abstract reason which can be given why " the same power which made and re-" pealed the High Commission-Court and " the Star Chamber might not revive " them

"them again; and these courts, warned by their former fate, might possibly

" execute their power with some fort of

" justice. But the madness would be as

" unquestionable as the competence of that

" Parliament which should attempt such

" things *. In effect 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. It is so with regard to the

" exercise of all the powers which our

" constitution knows in any of its parts,

" and indeed to the substantial existence

" of any of the parts themselves.

" + If there be one fact in the world

" perfectly clear it is this; that the dif-

* Page 52. + P. 55.

N 2 " polition Univ Calif - Digitized by Microsoft ®

position of the people of these countries * " is wholly averse to any other than a free " government. If any asks me what a of free government is, I answer, that for " any practical purpose it is what the ce people think so; and that they, and not " I, are the natural, lawful, and compe-" tent judges of this matter. " Liberty" ' must indeed' + be limited " in order to be possessed ; but liberty " is a good to be improved, not an evil " to be lessened. It is not only a private bleffing of the first order, but the vital " fpring and energy of the state itself, " which has just so much life and vigour ce as there is liberty in it. But whether " liberty be advantageous or not (for I

[&]quot;know it is a fashion to decry the very

America in the original. † Page 57. ‡ P. 58.

"prinUniv Calif - Digitized by Microsoft ®

or principle) none will dispute that peace " is a bleffing; and peace must in the " course of human affairs be frequently " bought by some indulgence and tole-" ration at least to liberty. For as the " Sabbath (though of Divine institution) " was made for man, not man for the " Sabbath, government, which can claim " no higher origin or authority, in its ex-" ercise at least, ought to conform to the " exigencies of the time and the temper " and character of the people with whom it is concerned; and not always to at-" tempt violently to bend the people to " their theories of subjection. The bulk " of mankind on their part are not exceffively curious concerning any theories whilst they are really happy; and one fure symptom of an ill-conducted " ftate " state is the propensity of the people to resort to them.

" But when subjects by a long course " of ill conduct * are once thoroughly in-" flamed and the state itself violently dis-" tempered, the people must have some " fatisfaction to their feelings more folid " than a fophistical speculation on law and government +. - General rebellions and " revolts of a whole people never were ee encouraged, they are always provoked .-" Can it be true loyalty to any govern-" ment ‡ or true patriotism towards any " country to flatter their pride and paf-" fions rather than to enlighten their " reason?"

This same great author (for I love to avail myself of his name and abilities) for-

* Page 59. † P. 4. ‡ P. 42.

merly

merly exposed by arguments to which time and experience have fince fet their feal, the danger of the policy adopted in the beginning of the present reign, of breaking up the great parties into which the nation had been divided from the time of the Revolution *. These parties certainly formed a barrier between the people and the Crown. They embodied as it were Administration. They entered into a recognizance with the public for Ministers and gave a broader surface to responsibility. They served too as a mutual counterpoise and check upon one another; and each in turn became bound by interest, the strongest tie, to make common cause with the people. Each had a reputation to preserve and each acted under the pene-

^{*} Thoughts on the Cause of the present Discontents.

trating
Univ Calif - Digitized by Microsoft ®

trating and suspicious eye of a rival. By their constant struggles for popularity, then necessary to any permanency in power, the slame of liberty was ventilated and kept alive. Public opinion while it sat as umpire between the pretensions of these great contending parties preserved its due weight and consequence in all public affairs.

A great part of this has been fince done away and we may deprecate the hour when the work shall be completed. If we should ever see a Minister standing firmly on the ruins of all parties, unconnected and alone, filling the House of Lords with unknown and unconnected men, and every office of the state with young recruits to be drilled in his own discipline against future contingencies, keeping all the

the wisdom and virtue and ability and confequence of the nation at a distance, that he himself may be the only figure among cyphers, captivating the vulgar by small temporary arts, and lavishing with unbounded prodigality the immense patronage of the Crown to procure an unheardof allegiance to his person and a blind and abject submission to his will in the two Houses of Parliament; 'such a Minister would prefently be found to have no other boundary to his power than the extent of his ambition. He might pull off the mask when he pleased. The confidence and good opinion of the nation might or might not be the object of his taste, but it must very soon cease to be necessary for his protection. Under fuch a Minister we might perhaps maintain our consequence

Univ Calif - Digitized by Microsoft ®

among foreign nations, and our wealth and commerce might flourish and encrease: all this happened to France under Richlieu; but our liberties and laws would stand upon a most hollow and unsafe foundation. The government might be strong and powerful, but the constitution would soon find itself attacked with a most dangerous, perhaps fatal paralysis.

Let us for the fake of argument suppose ourselves, what I should conceive the ken of your mental eye would find no very difficult vision, carried forward into a period of time, I hope a distant one, when the stagnant and stinking waters of corruption shall have pervaded every avenue of the State; when there shall be a House of Commons chiefly consisting of placemen, pensioners, hungry expec-

tants, India delinquents, and every other description of Ministerial dependants, kennelled like hounds and crouching for employment; representatives representing nothing but their own personal interests; a House of Lords of new creatures of the Minister and old valets of the King, courtly lawyers and a courtly hierarchy—Nihil usquam prisci aut integri moris; omnes, exutâ æqualitate, jussa principis aspectantis; the nation itself infected with a narrow selfish egotism, where every man feels himself the central point of his own little circle of luxuries and conveniences, and holds a stupid indifference to the public concern. I have stated, I think, nothing impossible to conceive, or unlikely to happen from our actual tendencies; under fuch a supposition, even you, Sir, will I believe Univ Calif - Digitized by Microsoft

flitution might be preserved and the laws yet remain inviolate, all the liberty the people were still permitted to enjoy might be fairly considered as held at the will of the Crown; it would stand upon no deeper a foundation than the personal virtue of the Brunswick of that day; as the French are said to have owed the mildness of their despotism to the sweet blood of the Bourbons.

In such a situation of affairs, if I thought with Tully, which I certainly do not, the posses si velit * a sufficient cause for recurring to resistance and revolution in point of right, I should consider such a conjuncture in point of expediency

^{*} Que causa justior est bella gerandi, quam servitutis depulsio? in qua etiamsi non sit molestus dominus, tamen est miserimum posse si velit.

as of all others the most unpropitious to any strong effort in favour of liberty. The people as I have observed before, must feel the actual pressure of the evil and feel it pretty strongly too before they can be made to move. They will not hazard present good for contingent advantage; and in this I think their gross good sense directs them perfectly well; for premature refistance instead of serving the cause of liberty, has generally ended in most effectually playing the game into the hands of power; it furnishes the very defired pretext, and turns glorious and honourable contention into treason and rebellion. In such order of things, action being neither necessary nor expedient, I would endeavour to provide for the future by turning the thoughts and atten-

tion of men to the past; the GLORIOUS REVOLUTION should be perpetually recalled to their remembrance, and the immortal decree of the Convention Parliament continually impressed upon their minds as the great fundamental law of the constitution. If this is the object of the Revolution Society, and I am fure I do not know that it is not, I should be proud to fee my humble name upon its rolls. To the Revolution this nation owes a hundred years of liberty and prosperity, and if we do not " forget the Lord which " brought us forth out of the land of " Ægypt from the house of bondage" it may prolong the bleffing to an hundred more. Let us then " teach it diligently " to our children, let us talk of it when we fit in our houses, and when we " walk

" walk by the way; when we lie down " and when we rife up; let us bind it " for a fign upon our hands and as a " frontlet between our eyes; let us write " it upon the posts of our house and on " our gates." To Kings and Ministers too it furnished a most admirable preventative lesson. Instead of endeavouring to prolong their Afiatic dream with foft lullabies to the tune of divine right and passive obedience, I would find them where they lay afleep and hollow in their ear REVOLUTION. Revolution should resound through the palaces of Kings and the levee-rooms of Ministers. Far from endeavouring to hide—

"This word of fear,

in the tawdry rags of fophistry, I would

present
Univ Calif - Digitized by Microsoft ®

[&]quot;Unpleasing to a royal ear,"

present it to them in large and legible characters, that he that runneth might read. I would write it upon the wall at the feast of Balshazzar; I would force them to look up to it, like the "bow in "the cloud, as the token of a covenant for perpetual generations."

We will if you please carry on the fiction a little farther; we will figure to ourselves one of our future Kings in the constant habit of receiving unlimited obedience from men, casting a jealous eye towards the stubborn unpliancy of the laws. He seels his power, and his mind hesitates. In this state of doubt he seeks for counsel. An honest whig-privy-councillor on that day might I think express himself in terms something like the following: Sire, I should ill repay the con-

fidence with which your Majesty is pleafed to honour me if I did not give you my opinion with truth and fincerity. If your Majesty will deign to consider your people not as your private property but as a trust committed to your charge, your good fense and the goodness of your heart will I think easily lead you to perceive that you can have no claim to take away or abridge any of their rights or to alter any of their fundamental laws; your Majesty knows that the good of the people is the end, the supreme law, the only true foundation of all government. In the excellent constitution of this kingdom it has been carefully provided to separate the executive from the legislative, because whenever these two powers came to be held by the fame hands either directly, or indirectly

Univ Calif - DigPrized by Micro 3 WSB

laws will be made not for the advantage or fecurity of the public, but for the ease or fafety or aggrandifement of the governing power. Your Majesty possesses in right of your Crown the whole of the executive power over your realms in its utmost extent, and as much of the legislative only as is necessary for the preservation of the rights of your Crown. For this purpose you are entrusted with a negative voice upon all new laws, but with no power to alter or originate laws because every law being a renunciation of fome portion of natural liberty to obtain fome advantage at least equivalent to what is given up, this fort of exchange can only be made by the persons to whom the property belongs; by the nation or its agents and representatives. Your Majesty Univ Calif - Digitized by Microsoft ® will

will I am sure perceive that it is the pofitive and immediate duty of these agents to take the utmost care of the interests of their employers, and especially to see that in no case whatsoever more liberty is given up than is fairly purchased by the protection or other advantages obtained in exchange. In the common proceedings of life an agent who should act otherwise would incur that fort of infamy which renders a man unfit for the fociety of people of character and honour, and this infamy would extend also to any persons of what rank foever who should tamper with these agents, to endeavour to seduce them by perfonal influence or bribes or threats to give up the rights and properties of their principals upon terms of unequal exchange or for the express pur-P 2 poses

Univ Calif - Digitized by Microsoft ®

poses of being used to their detriment or annoyance. I will therefore venture humbly to state to your Majesty that your rights are strictly confined to the exercise of the executive power and to the simple negation on all proposed laws; and that you have no claim in justice or reason either by yourself or your Ministers to govern and direct the legislation.

Having with great humility stated to your Majesty what I take to be the rights of a King of Great Britain, I will venture to affert that your interests exactly coincide with them. To the superior excellence of the government this country is indebted for its superior rank among the nations far above its proportion of numbers or extent. Men are encouraged to every useful exertion by the certainty of enjoying

enjoying the fruits of their industry or ingenuity. The arts, the commerce, the riches, the prosperity of your Majesty's people are owing to the fecurity of their persons and properties under a free constitution. Remove this fecurity and talents and industry will instantly seek it where it is elsewhere to be found. Instead of the Monarch of a great and powerful nation confident against a world in arms, holding in your hand the balance among the powers of the world, you would fink into the petty prince of a petty people, the dependant of some great state or the confederate of a small one; so that your Majesty's greatness is owing to the influence of these very laws now in question before us. Nor is the happiness of your Majesty less concerned in the preservation

of the constitution than your greatness. You stand in a situation perhaps unmatched in the relative positions of men. You have unlimited authority to do good and none to do harm; every faculty to create reverence and love and no power to excite envy or anger; with less effort than is necessary to fill the lowest offices of life you are secure of a perpetual empire over the hearts of a naturally loyal and generous people. After the right and expediency we come to consider the point of fact; whether your Majesty could with fafety to your Crown overturn the fundamental laws of the constitution, and I am firmly of opinion that you could not. Though the people are luxurious and profligate and apparently indifferent to public measures, if your Majesty's Ministers

were

were to put forth their hands and touch any of those laws which the people have been used to consider as the palladia of their liberties, another order of things would prefently take place. "It would " operate as a call upon the nation." The people would rouse from their lethargy; men would affociate and combine and convene; the found of "To your tents, O If-" rael!" would be propagated in low murmurs from the Hebrides to the Land's End, Your Majesty well knows what passed in 1688, and there is no reason in the world to believe that the same cause would not again produce the same effect. The refistance of the people would indeed be much more easy and direct than it was at that time, because a grand precedent has been established; there is now a leading

Univ Calif - Digitized by Microsoft cafe

case in point; they have tracks and guideposts and land-marks which they had not
before; besides the more recent examples
of America and France and even Ireland
before their eyes. These, Sire, are the
opinions of a plain man sincerely attached
to your Majesty's person and government,
but holding a still stronger bond of attachment to the laws and constitution of my
country.

The Tories of that day would not fail to take the opposite ground. They would observe that there is all the difference in the world between obtaining a repeal of these fundamental laws by the good-will and consent of Parliament and endeavouring to carry on government without the aid of Parliament. That liberty may be a fine thing but that politeness and galUniv Calif - Digitized by Microsoft Cantry

lantry and loyalty are infinitely finer. That the Revolution about which a few factious republicans made fuch a rout went much more upon the preservation of the Protestant hierarchy of the church of England and the privileges of Parliament than upon any nonfenfical abstract notions of the rights of the people. That if the nation did upon that occasion feem to elect a King, they well knew that they were doing what they had no right to do, they did it as if they were ashamed of it, keeping it from the eye with a fort of pickpocket address, and the moment it was over renouncing any fuch right in future for ever; that provided the ecclefiastical and civil establishments are preserved, and . above all provided the loaves and fishes can continue to be distributed so that the Univ Calif - Dutized by Mmultitude

will be well; that men are tired of altercation and wish only for enjoyment; that indeed what has been done in America and France has made the people almost sick of the very name of liberty.

Before I conclude let me protest against being misunderstood. I am no abettor of saction. You, Sir, cannot love peace and order and subordination and tranquillity more than I do. Anarchy and confusion and civil discord cannot be more your abhorrence than they are mine *. I only insist that we have constitutional rights and fundamental laws, all attacks upon which the nation has as much right to

^{*} Nec privatos focos, nec publicas leges, nec libertatis jura cura habere potest, quem discordia, quem cædes civium, quem bellum civile delectat; eumque ex numero hominum ejeciendum, ex sinibus humanæ naturæ exterminandum puto.

Cic.

Univ Calif - Digitized by Microsoft & Clift

refift as every individual has to repel the force of a highwayman; refistance is no more rebellion in one case than killing is murder in the other. These are extreme cases and require extreme remedies .- Why, Sir, do you call upon us to moet points on these delicate and dangerous topics? The very confideration of them is omenous; it tends to fill the mind with vain fears and false alarms. God avert them from these kingdoms! with very little reliance on human wisdom and virtue we may hope and trust that Government will ever be as backward to provoke violence as the people ought to be to recur to it. No man in the world would hear what you fo emphatically term " a call of the nation "" with more dread and horrour than I should

* Letter to Messrs. Farr and Huris, p. 16.

Q 2 do.

do. But still I hope I should obey that call if the occasion really demanded it. I am sure if I did not I must for ever after live a coward in mine own esteem.

I was born and nurtered in the oldfashioned despised principles of Whiggifm, and in these principles I shall certainly die. They are the prejudices of my infancy confirmed by the reason of my riper age. One of the fundamental articles of the symbol of political faith in which I received my first rudiments of instruction is, that the present Royal Family were called by the nation to the throne of these kingdoms to defend and support our religion and liberties and laws; that they have entered into a folemn contract to this effect, and receive the allegiance of the people upon these terms and these terms only.

only. In the Declaration of Rights the " people" " claim demand and infift upon" " all and fingular the premises as their " undoubted rights and liberties." In the Bill of Rights " all and fingular the rights " and liberties afferted and claimed in the " faid Declaration are recognized to be " the true, antient and indubitable rights " of the people." In the Act of Settlement limiting the crown to the present Royal Family, they are declared to be "the " birthright of the people of England." These were the doctrines by which I was early taught a loyal attachment to the illustrious House of Hanover. These were the doctrines of the Courts of George the First and George the Second. They were proud to be told that they reigned by the free choice of a free people. Hereditary right

right and unlimited submission were then the watch-words of faction and rebellion. These, Sir, are the doctrines for which I contend because I believe them to be perfectly constitutional. I go no farther. I fuspect I was tempted to answer your letter merely upon account of that paffage where you feem to fay that the nation abdicated and renounced at the Revolution the right of claiming demanding and infifting upon their undoubted rights and liberties, the birthright of the people of England by any future interruption of the fuccession.

I will now take my leave. It is high time to put an end to this defultory letter already I fear much too long. I will finish as I began with the most sincere assurances of respect and esteem. I think I have seen it somewhere mentioned that you have have been or are to be presented with honary degrees in our universities; and that your work is admired and praifed by the highest personages. I sincerely hope something more folid will follow. Honours cannot be placed on a more deserving head or trust committed into purer hands. I am persuaded that there is not a man in the nation whose elevation would be received with less envy or more universal approbation. To give a dignified repose to the evening of a life like yours would equally honour the receiving and the conferring hand.

My clients have nothing of this fort to dispose of; they have nothing to give but barren applause; and they commonly bestow that with such incapacity of judgment that a wise man will not be much flattered with the acquisition. There is

indeed another fort of applause of which I confess myself more ambitious, an applause which the world can neither give nor take away, and which cannot be bought with starts of patriotism or hypocritical grimace; an applause, Sir, of which I am persuaded no man knows the value better than you do, and which will not fail to gild your fetting day with more cheering rays than ever emanated from the smiles of Ministers or Kings, I mean the applause of our own consciences .- Adieu then, good Sir-accept my fincere falutations, and the regard and confideration with which I am

Your faithful and most humble servant,

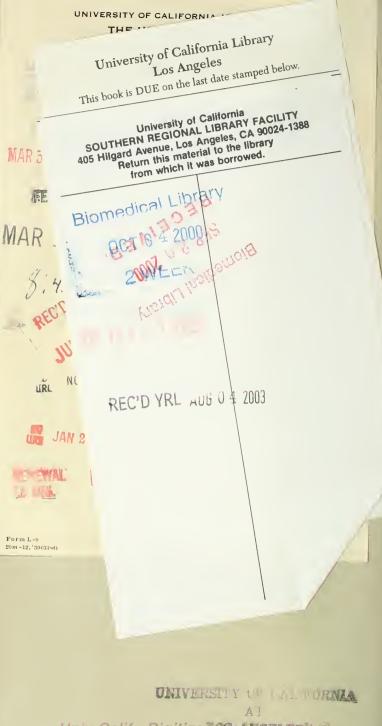
BROOKE BOOTHBY.

Ashborne Hall, Dec. 27, 1790.

ERRATA.

Page 3, 1. 4, for bye, read by. 3, l. 13, for fuch, read much.

13, note, for proti read proh. 24, 1. 8, for being, read beings? ___ 31, 1. 7, for contripetal, read centripetal. 39, 1. 1, for imprimateurs, read imprimaturs 40, 1. 14, for continues, read continue. 42, 1. 2, for drawn, read driven. 43, 1. 7, for convertable, read convertible: 46, l. 2, before reason, add own. 48, 1. 5, before Hierarchy, add A. 56, 1 the last, for loofe, read loofer. 68, 1. 14, for ex-bishops, read exbishop. 81, 1. 14, for natis, read pati. 99, l. 11, for afpellantis, read afpellantes. ____ 104, l. 17, for on, read of, 105, 1. 18, for came, read come. - 115, 1. 8, for omenous, read ominous 116, 1.5, for nurtered, read nurtured.



Univ Calif - Digitize CON ANGENTAL (8)





Univ S