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THE  
RIGHTS OF MAN.

FOR THE  
USE AND BENEFIT  
OF ALL  
MANKIND.

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BY THOMAS PAINE,

MEMBER OF THE FRENCH CONVENTION;  
LATE A PRISONER IN THE LUXEMBOURG AT PARIS;  
SECRETARY TO CONGRESS DURING THE AMERICAN WAR,  
AND AUTHOR OF COMMON SENSE, &c. &c.

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# P R E F A C E.

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IT has, for some time past, been a favourite object in my mind, to arrange the Whole of my Political Opinions under one head, and this I have now executed in a manner which, while it may tend, I trust, to clear away the national prejudices, and heavy conceits of the deluded sufferers, under despotic governments, shall not be particularly directed against any one of them.

The Chancellor at Berlin, or the Judges at Vienna shall not punish unfortunate individuals for publishing or reading what tyranny may be pleased to call *my libels* upon their different States, nor shall the English Mr. Attorney General be again forced to shed tears over the *aspersed* virtues, of an *immaculate* and *magnanimous* Prince of Wales.

I WRITE NOW FOR THE WORLD AT  
LARGE.

MAN will herein find all his *natural*, *civil*, and *divine* rights, more perfectly and rationally defined, than he was aware of, and will feel his rea-

son roused into action, and himself animated in the universal cause of human nature, with that fervour which springs alone from reflection, and a sense of conscious right. He will look back at the iron hand of *assumption*, and *despotism*, with horror, and revolt at the recollection of the impositions he has suffered himself to be deceived into by the artifices of the *designing* and *venal* few.

He will now felicitate himself, that the æra has arrived, when the light of reason is bursting forth with effulgence, that distinguishes genuine principles from sophistical doctrines, and be convinced of the utility of the former over the latter. By reasoning and thinking for himself, he will not relinquish those rights which are inalienable in his nature, nor bestow those privileges beyond his reach which he should be constantly eligible to himself and ever have the command of.

*Truth* and *Reason* are the attributes of man, and he may ever dare to manifest himself under them as his judgment shall direct—and those who attempt to oppose or restrain him, are guilty of the greatest presumption.

It is the free and unbiassed voice of society that is to decide as to their rights and comforts, and when they feel them perverted or diminished, it is their province to renovate them. Society will always come out right in any reform, if left to the general sentiment on which they act. To think  
otherwise

otherwise is chimerical; for, to suppose that men will combine together to injure themselves, is, to suppose that they have neither *interest*, *discretion*, nor *judgment*.

*Who then art thou, presumptuous mortal, that fittest thyself up to judge for society, and controul, as thy vanity, arrogance, interest, or ignorance, shall direct thee? Who gave thee this right, or who constituted it in thee? If thou inheritest it not from thy maker, nor derivest it from man, it is false, and assumed, and must revert to its primitive source, namely, that of the people.*

“Where Truth deigns to come, her sister Liberty will not be far.” Truth is the fountain of happiness, the harbinger of freedom, the basis of justice, and the source of judgment. It is the birthright of nature, and the germ of human felicity. By exploring this sacred and invaluable principle, *evil* is exterminated and *good* produced. It is the province of all ranks of society, from the prince to the beggar, to seek it, and it is only to be found by dispassion and fair reflection. By giving free scope to the imagination, and full discussion and promulgation of every sentiment, from whomsoever it may spring, this sacred guide to human action will be ascertained.

It is the peculiar fortune of the present æra that *degraded nature* is reviving. The vivifying influence of reason has inspired the mind, and filled  
mankind

mankind with thought of his rights that he never had before. Whether this disposition shall continue, and grow into maturity, depends upon man alone; for if he will not think and act for himself, he has no right to expect the blessings of temporality.

I cannot here prevent a smile at the idea, that there should be a nation, whose proudest boast is feeding upon Ox-flesh, as if virtue consisted in a strong appetite, and glory in a good digestion. In truth, Englishmen, in their present degradation, seem to have acquired the instinct of the beast which they devour, for they most readily submit their necks to the yoke, suffer the most cruel chastisement without resistance, and display patience as a cover to stupidity. Let me not however be supposed adverse to the character of Mr. Bull; were he but to rouse himself, and begin to think, the original dignity of his nature would appear; his energies would be terrible to oppressors, and his generosity reputable to himself.

But I will only add, to conclude this short preface, that it is now very evident, that the Despots of the world are beginning to totter, and the foundations of their thrones to shake. There is also a tremendous storm approaching, the thunders roll nearer and more near, the whirlwinds sweep the surface of the deep, and the vessels of Monarchy and Aristocracy already blaze amidst the fury of the

## PREFACE.

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the lightnings—a moment more, and the tempest shall overwhelm them, they shall founder for ever and ever.

O, PITT! how vain was your confidence, that you could save yourself and your colleagues by the destruction of mankind.

THOMAS PAINE.

*Luxemburg, Paris,  
May 19th, 1794.*



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# THE RIGHTS OF MAN.

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## CHAP. I. OF NATURAL RIGHTS.

**T**HERE never did, there never will, and there never can, exist, a legislature, or any description of men, in any country, possessed of the right, or the power, of binding, and controuling posterity to the END OF TIME: or, of commanding, FOR EVER, HOW the world shall be governed, or WHO shall govern it: and THEREFORE, all such clauses, acts, or declarations, by which the makers of them attempt to do what they have neither the right, nor the power to do, nor the power to execute, are in themselves NULL AND VOID.

Every age, and generation, must be as free to act for itself, in all cases, as the ages and generations that preceded it. The vanity and presumption of governing *beyond* the grave, is the most *preposterous* and insolent of all tyrannies. Man

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has no property in Man—neither has any generation a property in the generations that are to follow. A legislature, or the people of any antecedent period, had no more right to dispose of the people of the present day, or to bind, or controul them, *in any shape whatsoever*, than the legislature, or the people of the present day, have to dispose of, bind, or controul, those who shall live a hundred, or a thousand years hence.

Every generation *is*, and *must* be competent to all the purposes which its occasions require. It is the *living*, and not the *dead*, that are to be accommodated. When man ceases to be, his power and his wants cease with him; and, having no longer any participations in the concerns of this world, he no longer has any authority, in directing *who* shall be its governors, or *how* its government shall be organized, or *how* administered. I contend for the right of the *living*, and against their being willed away, and controuled, and contracted for, by the *manuscript* authority of the *dead*. There was a time when Kings disposed of their crowns by will, upon their death-beds, and consigned the people, like beasts of the field, to whatever successor they appointed. This is now so exploded, as scarcely to be remembered, and so monstrous, as hardly to be believed.

It is a general principle in governments, that no parent, or master, nor all the authority of the legislature,

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From what, or from whence, is the right of any human power derived to bind posterity for ever? If such a principle ever existed, it must now exist;—for whatever appertains to the nature of man, cannot be *annihilated* by man. It is the nature of man to *die*, and he will continue to die as long as he shall continue to be *born*. Therefore, to set up a *political Adam*, in whom all posterity are bound for ever, it must be proved that this Adam possessed such a power or such a right.

Although *laws* which are made in one generation, often continue in force through succeeding generations, they continue to derive their force from the *consent* of the *living*, and are not repealed, not because they *cannot* be repealed, but because they *are not*, and the non-repealing, passes for

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Who is there in the world but man; and if we admit that man has rights, the *consideration* then will be—what are those rights; and, how came man by them originally? The error of those who reason by precedents, drawn from antiquity, respecting the rights of man, is, that they do not go far enough into antiquity: They do not go the whole way: They stop in some of the intermediate stages of a hundred, or a thousand years, and produce what was then done as a rule for the present day. This is no authority at all! If we travel still farther into antiquity, we shall find a direct contrary opinion and practice prevailing; and, if antiquity is to be authority, a thousand such authorities may  
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be produced successively contradicting each other; but if we proceed on, we shall come out right at last, we shall come to the time when man came from the hand of his maker. What was he then? *Man*. Man was his only title, and a higher cannot be given him.

We have now got at the origin of man, and at the origin of his rights. As to the *manner* in which the world has been governed, from that day to this, it is no further any concern of ours, than to make a proper use of the errors, or the improvements, which the history of it presents. Those who lived a hundred, or a thousand years ago, were then moderns, as we are now. If the mere name of antiquity is to govern in the affairs of life, the people who are to live a hundred, or a thousand years hence, may as well take us for a precedent, as that we make a precedent of those who lived a hundred, or a thousand years ago. The fact is, that portions of antiquity, by proving every thing, establish nothing. It is authority against authority, all the way till we come to the divine origin of the rights of man, at the creation. Here our enquiries find a resting place, and our reason finds a home.

If a dispute about the rights of man had arose, at the distance of a hundred years from the creation, it is to this source of authority they must have referred; and it is to the same source of au-

thority, that we must now refer. The genealogy of Christ is traced to Adam;—Why then not trace the rights of man to the creation of man? Because there have been upstart-governments, thrusting themselves between, and presumptuously working to *unmake* man.

If any generation of men ever possessed the right of dictating the *mode* by which the world should be governed for ever, it was the *first* generation that ever existed—and, if that generation did not do it, no succeeding generation can shew any authority for doing it, nor set up any. The illuminating and divine principle of the *equal rights of man*—for it has its origin from the maker of man—relates, not only to the living individuals, but to generations of men succeeding each other. Every generation is equal in rights to the generations that preceded it, by the same rule that every individual is born equal in rights with his contemporary.

Every history of the creation, and every traditional account—whether from the lettered, or unlettered world, however they may vary in their opinion or belief of certain particulars, all agree in establishing one point—the *unity of man*—by which I mean, that man, considered as man, is all of *one degree*, and consequently, that all men are born equal, and with equal natural rights, in the same manner as if posterity had been continued  
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It is also to be observed, that all the religions known in the world are founded, so far as they relate to man, on the *unity of man*, as being all of one degree. Whether in *heaven*, or in *hell*, or in whatever state man may be supposed to exist hereafter, the *good* and the *bad* are the only distinctions. Nay, even the laws of governments are obliged to slide into this principle, by making degrees to consist in *crimes*, and not in *persons*. It is one of the greatest of all truths, and of the

highest advantage to cultivate. By considering man in this light, and by instructing him to consider himself in this light, it places him in a close connection with all his duties, whether to his Creator, or to the creation, of which he is a part ; and it is only when he forgets his origin, or, to use a more fashionable phrase, his *birth and family*, that he becomes dissolute.

It is not among the least of the evils, of the present existing governments in all parts of Europe, that man, considered as man, is thrown back to a vast distance from his maker, and the artificial chafin filled up by a succession of barriers, or a sort of *turnpike-gates*, through which he has to pass. The duty of man is not a wilderness of turnpike-gates through which he is to pass by tickets from one to the other. It is plain and simple ; and consists but of two points—*his duty to God*, which every man must feel—and, with respect to his neighbour—to *do as he would be done by*.

If those to whom power is *delegated* do well, they will be respected ; if not, they will be despised. And, with respect to whom *no* power is delegated, but who *assume* it, the rational world can know nothing of them.

## CHAP. II.

## OF CIVIL RIGHTS.

**H**ITHERTO we have spoken only, and that but in part, of the *natural* rights of man. We have now to consider the *civil* rights of man, and to shew how the one originates out of the other.

Man did not enter into society to become *worse* than he was before ; nor to have *less* rights than he had before, but to have those rights ascertained, and better secured. His natural rights are, the *foundation* of all his civil rights. But in order to pursue this distinction with more precision, it will be necessary to mark the different *qualities* of natural and civil rights : a few words will explain this.

Natural rights are those which appertain to man in right of his *existence*. Of this kind are all the *intellectual* rights, or rights of the *mind* ; and also, all those rights of acting, as an individual, for his own comfort and happiness, which are not injurious to the natural rights of others.

Civil rights are those which appertain to man, in right of his being a member of society. Every civil right has, for its foundation, some natural right pre-existing in the individual, but to which his individual power is not, in all cases, sufficiently competent.



competent. Of this kind are all those which relate to *security* and *protection*.

From this short view, it will be easy to distinguish between that class of natural rights which man retains after entering into society, and those which he throws into common stock as a member of society. The natural rights which he retains are, all those in which the *power* to execute is as perfect, in the individual, as the *right* itself. Among this class, as is before mentioned, are, all the intellectual rights, or rights of the mind. Consequently, *religion* is one of those rights.

The natural rights which are not retained, are, all those in which, though the right is perfect in the individual, the power to execute them is defective. They answer not his purpose. A man, by natural right, has a right to judge in his own cause; and so far as the right of the *mind* is concerned, he never surrenders it—but what availeth it him to judge, if he has not power to redress? He therefore deposits this right in the common stock of society, and takes the arm of society, of which he is a part, in preference, and in addition, to his own. Society *grants* him nothing. Every man is a proprietor in society, and draws on the capital as a matter of right.

From these premises, two or three certain conclusions will follow :—

First, That every civil right grows out of a natural

tural right, or, in other words, is a natural right *exchanged*.

Secondly, That civil power, properly considered as such, is made up of the *aggregate* of that class of the natural rights of man, which becomes defective in the individual, in point of power, and answers not his purpose ; but when collected to a focus, becomes competent to the purposes of every one.

And, Thirdly, That the power produced from the aggregate of natural rights—imperfect in power in the individual—cannot be applied to invade the natural rights which are retained in the individual, and in which the power to execute is as perfect as the Right itself.

We have now, in a few words, traced man from a *natural individual* to a *member of society*, and shewn the quality of the natural rights *retained*, and of those which are *exchanged* for civil rights. Let us now apply those principles to governments.

In casting our eyes over the world, it is extremely easy to distinguish the governments which have arisen *out of* society, or out of the *social compact*, from those which have not ; and, to place this in a clearer light than what a single glance may afford, it will be proper to take a review of the several sources from which governments have  
arisen,

*adopt* the word ; we must also affix a *standard fig-  
nification* to it.

A constitution is not a thing in *name* only, but in *fact*. It has not an *ideal*, but a *real* existence ; and, wherever it cannot be produced in a *visible* form, there is none.

A constitution is a thing *antecedent* to a government, and a government is only the *creature* of a constitution. The constitution of a country is not the acts of its *government*, but of the *people* constituting a government. It is the body of elements to which you can refer, and quote article by article ; and which contains the principles on which the government shall be established, the *manner* in which it shall be organized, the *powers* it shall have, the *mode* of elections, the *duration* of legislatures, the *powers* which the *executive* part of government shall have, and, in fine, every thing that relates to the complete organization of a *civil* government, and the *principles* on which it shall act, and by which it shall be bound.

A constitution is, therefore, to a government, what the *laws* made afterwards by that government are to a court of *judicature*. The court of judicature does not *make* the laws, neither can it *alter* them ; it only acts in conformity to the laws made, and the government is, in like manner, governed by the constitution. It may be fairly deduced then, that no country, or nation, can be said to  
have

have a constitution, unless it arises, as I have said before, *out of* the people, by *common consent* or *choice*, and not *over* the people, by collusion, fraud, *compulsion* or *conquest*. It is therefore for every country or nation to judge whether they have a constitution or not.

A government, on the principles upon which constitutional governments, arising out of society, are established, cannot have the right of altering itself; if it had, it would be arbitrary; it might make itself what it pleased; and, wherever such a right is set up, there is no constitution. The act by which a legislature might empower *itself* to sit for a *term* of years, shews that there is no constitution. It might, by the same self-authority, establish itself for *life*.

I shall next proceed to make a few observations upon the subject of *Titles*, and the principles upon which they are constituted.

Titles are but *nick-names*, and every nick-name is a title. The thing is perfectly harmless in itself, but it marks a sort of foppery in the human character, which degrades it. It reduces man into the diminution of man, in things which are great; and the counterfeit of woman in things which are little. It talks about its *ribbon* like a girl, and shews its new *garter* like a child.

“ The *star* which glitters upon the coat, is but  
 “ a false mirror of the character it is intended to  
 “ represent,

“ and, consequently, exhibits no certain merit but  
 “ its own.”

A certain writer of some antiquity says,—  
 “ When I was a child, I thought as a child ; but  
 “ when I became a man, I put away childish  
 “ things.”

The genuine mind of man, thirsting for its native home, *society*, contemns the gewgaws that separate him from it. Titles are like circles drawn by the magician's wand, to contract the sphere of man's felicity. He lives immured within the bastille of a wood, and surveys at a distance, the envied life of man.

What are titles—what is their worth—and what is their amount ? When we think or speak of a *judge*, or of a general, we associate the ideas of *office*, and of *character* ; we think of gravity in the one, and of bravery in the other : but, when we use a word, *merely as a title*, no ideas associate with it.

“ Titles are, not only ridiculous, but sometimes  
 “ are reproaches, and bear the appearance of  
 “ irony. What can be more cutting to a diminutive deformed wretch, than to be saluted with  
 “ the title of *Majesty* ? A scoundrel, who deserves  
 “ the gallows, who has ruined thousands, by cheating at gaming, is, certainly, *right honourable* :  
 “ and a wretch, who prostrates himself in the dust  
 “ before

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# THE RIGHTS OF MAN.

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## CHAP. I.

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Every generation *is*, and *must* be competent to all the purposes which its occasions require. It is the *living*, and not the *dead*, that are to be accommodated. When man ceases to be, his power and his wants cease with him; and, having no longer any participations in the concerns of this world, he no longer has any authority, in directing *who* shall be its governors, or *how* its government shall be organized, or *how* administered. I contend for the right of the *living*, and against their being willed away, and controuled, and contracted for, by the *manuscript* authority of the *dead*. There was a time when Kings disposed of their crowns by will, upon their death-beds, and consigned the people, like beasts of the field, to whatever successor they appointed. This is now so exploded, as scarcely to be remembered, and so monstrous, as hardly to be believed.

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From what, or from whence, is the right of any human power derived to bind posterity for ever? If such a principle ever existed, it must now exist;—for whatever appertains to the nature of man, cannot be *annihilated* by man. It is the nature of man to *die*, and he will continue to die as long as he shall continue to be *born*. Therefore, to set up a *political Adam*, in whom all posterity are bound for ever, it must be proved that this Adam possessed such a power or such a right.

Although *laws* which are made in one generation, often continue in force through succeeding generations, they continue to derive their force from the *consent* of the *living*, and are not repealed, not because they *cannot* be repealed, but because they *are not*, and the non-repealing, passes for

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The Mosaic account of the creation, whether taken as *divine* authority, or merely *historical*, is fully up to this point—the *unity or equality* of man. The expressions admit of no controversy: “And God said, let us make man in our own image: in the image of God created he him—*male* and *female* created he them.” The distinction of *sexes* is pointed out, but no other distinction is even implied. If this be not *divine* authority, it is *historical* authority, and shews that the equality of man, so far from being a *modern doctrine*, is the *oldest* upon record.

It is also to be observed, that all the religions known in the world are founded, so far as they relate to man, on the *unity of man*, as being all of one degree. Whether in *heaven*, or in *hell*, or in whatever state man may be supposed to exist hereafter, the *good* and the *bad* are the only distinctions. Nay, even the laws of governments are obliged to slide into this principle, by making degrees to consist in *crimes*, and not in *persons*. It is one of the greatest of all truths, and of the

highest advantage to cultivate. By considering man in this light, and by instructing him to consider himself in this light, it places him in a close connection with all his duties, whether to his Creator, or to the creation, of which he is a part; and it is only when he forgets his origin, or, to use a more fashionable phrase, his *birth and family*, that he becomes dissolute.

It is not among the least of the evils, of the present existing governments in all parts of Europe, that man, considered as man, is thrown back to a vast distance from his maker, and the artificial chasm filled up by a succession of barriers, or a sort of *turnpike-gates*, through which he has to pass. The duty of man is not a wilderness of turnpike-gates through which he is to pass by tickets from one to the other. It is plain and simple; and consists but of two points—*his duty to God*, which every man must feel—and, with respect to his neighbour—to *do as he would be done by*.

If those to whom power is *delegated* do well, they will be respected; if not, they will be despised. And, with respect to whom *no* power is delegated, but who *assume* it, the rational world can know nothing of them.

CHAP.

## CHAP. II.

## OF CIVIL RIGHTS.

**H**ITHERTO we have spoken only, and that but in part, of the *natural* rights of man. We have now to consider the *civil* rights of man, and to shew how the one originates out of the other.

Man did not enter into society to become *worse* than he was before ; nor to have *less* rights than he had before, but to have those rights ascertained, and better secured. His natural rights are, the *foundation* of all his civil rights. But in order to pursue this distinction with more precision, it will be necessary to mark the different *qualities* of natural and civil rights : a few words will explain this.

Natural rights are those which appertain to man in right of his *existence*. Of this kind are all the *intellectual* rights, or rights of the *mind* ; and also, all those rights of acting, as an individual, for his own comfort and happiness, which are not injurious to the natural rights of others.

Civil rights are those which appertain to man, in right of his being a member of society. Every civil right has, for its foundation, some natural right pre-existing in the individual, but to which his individual power is not, in all cases, sufficiently competent.

competent. Of this kind are all those which relate to *security* and *protection*.

From this short view, it will be easy to distinguish between that class of natural rights which man retains after entering into society, and those which he throws into common stock as a member of society. The natural rights which he retains are, all those in which the *power* to execute is as perfect, in the individual, as the *right* itself. Among this class, as is before mentioned, are, all the intellectual rights, or rights of the mind. Consequently, *religion* is one of those rights.

The natural rights which are not retained, are, all those in which, though the right is perfect in the individual, the power to execute them is defective. They answer not his purpose. A man, by natural right, has a right to judge in his own cause; and so far as the right of the *mind* is concerned, he never surrenders it—but what availeth it him to judge, if he has not power to redress? He therefore deposits this right in the common stock of society, and takes the arm of society, of which he is a part, in preference, and in addition, to his own. Society *grants* him nothing. Every man is a proprietor in society, and draws on the capital as a matter of right.

From these premises, two or three certain conclusions will follow :—

First, That every civil right grows out of a natural

tural right, or, in other words, is a natural right *exchanged*.

Secondly, That civil power, properly considered as such, is made up of the *aggregate* of that class of the natural rights of man, which becomes defective in the individual, in point of power, and answers not his purpose ; but when collected to a focus, becomes competent to the purposes of every one.

And, Thirdly, That the power produced from the aggregate of natural rights—imperfect in power in the individual—cannot be applied to invade the natural rights which are retained in the individual, and in which the power to execute is as perfect as the Right itself.

We have now, in a few words, traced man from a *natural individual* to a *member of society*, and shewn the quality of the natural rights *retained*, and of those which are *exchanged* for civil rights. Let us now apply those principles to governments.

In casting our eyes over the world, it is extremely easy to distinguish the governments which have arisen *out of society*, or out of the *social compact*, from those which have not ; and, to place this in a clearer light than what a single glance may afford, it will be proper to take a review of the several sources from which governments have arisen,



arisen, and on which they have been founded :—  
They may be comprehended under three heads.

First, *Superstition*.

Secondly, *Power*.

And, Thirdly, The *common interest of society, and the common rights of man*.

The first, was a government of *Priest-craft*—the second, of *Conquerors*—and the third, of *Reason*.

When a set of artful men pretended, through the medium of oracles, to hold *intercourse* with the Deity, the world was completely under the government of superstition: the oracles were consulted, and whatever they were made to say, became the law: and this sort of government lasted as long as superstition lasted.

After these, a race of conquerors arose, whose governments were founded in power, and the *sword* assumed the name of a *sceptre*. Governments, thus established, last as long as the power to support them lasts; and, that they might avail themselves of every engine in their favour, they united *fraud* to *force*, and set up an idol, which they called *divine right*, and which, in imitation of the *Pope*, who affects to be *spiritual* and *temporal*, and, in contradiction to the founder of the christian religion, twisted itself into an idol of another shape, called *Church and State*. The key of *Saint Peter*, and the key of the *Treasury*, became quar-  
tered

tered on one another; and the wondering cheated multitude worshipped the invention.

We have now to review the governments which arise out of society, in contra-distinction to those which arose out of superstition or conquest.

It has been thought a considerable advance towards establishing the principles of freedom, to say, that government is a *compact* between those who *govern*, and those who are *governed*; but this cannot be true, because it is putting the *effect* before the *cause*; for, as man must have existed *before* governments existed, there necessarily was a time when governments *did not* exist, and, consequently, there could not exist, originally, any governors to form such a compact with. The fact, therefore, must be, that the *individuals themselves*, each in their own personal and sovereign right, *entered into a compact with each other*, to produce a government:—and this is the only mode in which governments have a right to arise, and the only principle on which they have a right to exist.

To possess ourselves of a clear idea of what government is, or *ought to be*, we must trace it to its origin. In doing this, we shall easily discover, that governments have arisen *out of* the people, or *over* the people.

But it will be first necessary to define what is meant by a *constitution*: it is not sufficient that we  
*adopt*

*adopt* the word ; we must also affix a *standard* *signification* to it.

A constitution is not a thing in *name* only, but in *fact*. It has not an *ideal*, but a *real* existence ; and, wherever it cannot be produced in a *visible* form, there is none.

A constitution is a thing *antecedent* to a government, and a government is only the *creature* of a constitution. The constitution of a country is not the acts of its *government*, but of the *people* constituting a government. It is the body of elements to which you can refer, and quote article by article ; and which contains the principles on which the government shall be established, the *manner* in which it shall be organized, the *powers* it shall have, the *mode* of elections, the *duration* of legislatures, the *powers* which the *executive* part of government shall have, and, in fine, every thing that relates to the complete organization of a *civil* government, and the *principles* on which it shall act, and by which it shall be bound.

A constitution is, therefore, to a government, what the *laws* made afterwards by that government are to a court of *judicature*. The court of judicature does not *make* the laws, neither can it *alter* them ; it only acts in conformity to the laws made, and the government is, in like manner, governed by the constitution. It may be fairly deduced then, that no country, or nation, can be said to  
have

have a constitution, unless it arises, as I have said before, *out of* the people, by *common consent* or *choice*, and not *over* the people, by collusion, fraud, *compulsion* or *conquest*. It is therefore for every country or nation to judge whether they have a constitution or not.

A government, on the principles upon which constitutional governments, arising out of society, are established, cannot have the right of altering itself; if it had, it would be arbitrary; it might make itself what it pleased; and, wherever such a right is set up, there is no constitution. The act by which a legislature might empower *itself* to sit for a *term* of years, shews that there is no constitution. It might, by the same self-authority, establish itself for *life*.

I shall next proceed to make a few observations upon the subject of *Titles*, and the principles upon which they are constituted.

Titles are but *nick-names*, and every nick-name is a title. The thing is perfectly harmless in itself, but it marks a sort of foppery in the human character, which degrades it. It reduces man into the diminution of man, in things which are great; and the counterfeit of woman in things which are little. It talks about its *ribbon* like a girl, and shews its new *garter* like a child.

“ The *star* which glitters upon the coat, is but  
“ a false mirror of the character it is intended to  
“ represent,

“ and, consequently, exhibits no certain merit but  
 “ its own.”

A certain writer of some antiquity says,—  
 “ When I was a child, I thought as a child ; but  
 “ when I became a man, I put away childish  
 “ things.”

The genuine mind of man, thirsting for its native home, *society*, contemns the gewgaws that separate him from it. Titles are like circles drawn by the magician's wand, to contract the sphere of man's felicity. He lives immured within the bastille of a word, and surveys at a distance, the envied life of man.

What are titles—what is their worth—and what is their amount ? When we think or speak of a *judge*, or of a general, we associate the ideas of *office*, and of *character* ; we think of gravity in the one, and of bravery in the other : but, when we use a word, *merely as a title*, no ideas associate with it.

“ Titles are, not only ridiculous, but sometimes  
 “ are reproaches, and bear the appearance of  
 “ irony. What can be more cutting to a diminutive deformed wretch, than to be saluted with  
 “ the title of *Majesty* ? A scoundrel, who deserves  
 “ the gallows, who has ruined thousands, by cheating at gaming, is, certainly, *right honourable* :  
 “ and a wretch, who prostrates himself in the dust  
 “ before

“ to *maintain* their *opinions* in matters of *religion*,  
 “ and that the same ought in nowise to *diminish*,  
 “ *enlarge*, or *affect* their *civil capacities*.

## CHAP. III.

## OF HEREDITARY RIGHT.

I NOW proceed to *Hereditary Rights*, and *Hereditary Succession*.

A *monarchical* writer of distinction says, “ Government is a contrivance of human wisdom.” Admitting that government *is* a *contrivance* of human wisdom, it *must* necessarily follow, that hereditary succession and hereditary rights, as they are called, can make *no* part of it, because it is *impossible* to make *wisdom* hereditary. And, on the other hand, *that* cannot be a wise contrivance which, in its operation, may commit the government of a nation to the *wisdom* of an *ideot*.

“ In constructing governments, it is *wisdom* that  
 “ should constitute the pinnacle—wherefore government should be so modelled, as that wisdom should be ever eligible to that summit, come from wheresoever, or whomsoever, it may in the community. I mean by this, that every individual should be equally eligible to the highest office in the state, otherwise a novice might  
 .D “ govern

“ govern a Solomon. Whether society would or  
 “ would not prefer even this Solomon to represent  
 “ them, is another matter—but though it might  
 “ be a question, it should not prevent him from  
 “ being eligible, nor preclude society from the  
 “ power of appointing him.

“ There is one circumstance, among many thou-  
 “ sands, that strikes my mind very forcibly against  
 “ the principle of *hereditary succession*; and I be-  
 “ lieve it will be admitted by all ranks and de-  
 “ grees of men, who will suffer their reason, and  
 “ not their passions, or venality, to influence them,  
 “ namely, that WISDOM IS THE PRINCIPAL OB-  
 “ JECT OF ALL POLITICAL PURSUIT—It is the  
 “ very thing that the community seeks for in all  
 “ appointments, whether of a minister, a judge, a  
 “ general, or a legislator; nay, we find the maxim  
 “ observed in the private views of individuals, by  
 “ their preferring those who are best qualified for  
 “ the purposes in question. What injuries do  
 “ mankind do then, by entailing upon themselves  
 “ any one person or family whatsoever, seeing  
 “ that the faculties are mutable and perishable, and  
 “ that wisdom is not successive? In what in-  
 “ numerable instances do we observe superior in-  
 “ tellects in men of the most inferior and obscure  
 “ situations, who are thereby called forth, and  
 “ become essential and useful in the various  
 “ objects for which their geniusses fit them?—Phi-  
 “ losophy,

“ philosophy, mechanics, physic, and all the other  
 “ sciences, are free to attain the highest perfection  
 “ that reason and practice can extend to; and  
 “ when mankind are satisfied of the superior utility  
 “ of any individual or projector, they encourage  
 “ and adopt him accordingly.—Why then  
 “ should any man be restrained with respect to  
 “ government? For instance—If a peasant should  
 “ become a Solomon, or a Cincinnatus, he could  
 “ not be admitted to the presidency of the community,  
 “ because they had not only precluded  
 “ *him*, but *themselves*, from the right of preferment—  
 “ and by this time had all perhaps become  
 “ the subjects of a hereditary *tyrant*, *knave*, or  
 “ *fool*! What a situation for any society, who  
 “ values freedom, to subject themselves to!!!  
 “ The very idea of sporting with that invaluable  
 “ ELEMENT, which the Almighty hath given us  
 “ for our direction and comfort, is sufficient to  
 “ cause a universal blush for the presumption and  
 “ folly of mankind! Let every artisan, and every  
 “ man of profession, think for himself, individually,  
 “ and consider, if he would not feel it a very great  
 “ hardship to be debarred from getting at the head  
 “ of his profession, if he could do so by integrity,  
 “ ability, and fair endeavour? And let society  
 “ consider whether, independently of the injustice  
 “ of proscribing or precluding any individual, it  
 “ is not injuring themselves to annihilate their

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“ right,



“ right, even for a moment, of ejecting the use-  
 “ less, or vicious characters, from the government,  
 “ and preferring whomsoever shall be deemed by  
 “ their majority, to be most competent and vir-  
 “ tuous, especially for the most important office in  
 “ the state? Every man is, by nature, eligible  
 “ to every situation to which he contributes as a  
 “ member of society; but it does not follow, that  
 “ he shall acquire any official capacity, without  
 “ his abilities, experience, and qualities, fit him  
 “ for the station, and without the concurrence and  
 “ choice of society—and society sport away the  
 “ greatest blessing of their political policy, when  
 “ they make themselves the *outcasts* that they do,  
 “ by establishing *distinct privileges*, and *hereditary*  
 “ *succession*!”

The ground which the foregoing monarchial  
 writer takes, is fatal to every part of his cause.  
 The argument changes from hereditary *rights* to  
 hereditary *wisdom*; and the question is, *who* is the  
 wisest man? He must now shew, that every one  
 in the line of hereditary succession, was a “ *Solo-*  
*mon,*” or his title is not good to be a *king*. What  
 a catastrophe has he occasioned! He has made a  
*tout en ssemble*, and scarcely left a name legible in  
 the list of kings; and he has mowed down and  
 thinned the line of *peers* with a scythe as formidable  
 as Death and Time! But he appears to have been  
 aware of this resort, and he has taken care to guard  
 against

against it, by making government to be—not only a contrivance of human wisdom—but a *monopoly* of wisdom. He puts the nation as fools on one side, and places his government of wisdom, all wise men of Gotham, on the other side—and he then proclaims, and says, that “Men have a *right* that their *wants* should be provided for by this wisdom.”

Having thus made proclamation, he next proceeds to explain to them, what their *wants* are, and also what their *rights* are. In this he has succeeded dexterously, for he makes their wants to be a *want* of wisdom—and their *rights* to be governed by it. But there are some things which he has forgotten. *First*, he has not shewn *where* the wisdom *originally* came from—and *secondly*, he has not shewn by what *authority* it first began to act. In the manner he introduces the matter, it is either *government* stealing wisdom, or *wisdom* stealing government. It is without an origin, and its powers without authority. In fact, it is *usurpation*!

The opinions of men, with respect to government, are changing fast in all countries. The *enormous*, and, in many cases, *wanton*, expences with which they are loaded, *provoke* the people to *think* by making them *feel*—and, when once the veil begins to rend, it admits not of repair.

*Ignorance* is of a *peculiar* nature—once dispelled, and it is impossible to re-establish it. It is

not originally a thing of itself, but is only the *absence* of *knowledge*; and, though man may be *kept* ignorant, he cannot be *made* ignorant. The mind, in discovering truth, acts in the same manner as it acts through the eye in discovering objects—when once any object has been seen, it is impossible to put the mind back to the same condition it was in, before it saw it. It has never yet been discovered how to make man *unknow* his knowledge, or *unthink* his thoughts.

With respect to *who* is placed in the line of hereditary succession, whether a Cherokee chief, or a Hessian hussar, is not a matter that I trouble myself about: it is the *principle* that I condemn. It is no relief, but an aggravation, to a person in slavery, to reflect that he was sold by his parents; and, as that which heightens the criminality of an act, cannot be produced to prove the legality of it, hereditary succession cannot be established as a legal thing.

In order to arrive at a more perfect decision on this head, it will be proper to consider the generation that undertakes to establish a family with *hereditary powers*, apart and separate, from the generations which are to follow; and also to consider the *character* in which the *first* generation acts with respect to succeeding generations.

The generation which first selects a person, and puts him at the head of its government, either  
with

with the title of *king*, or any other appellation of distinction, acts its *own choice*, be it wise or foolish, as a *free agent* for *itself*. The person so set up is not hereditary, but *selected* and *appointed*; and the generation who sets him up, does not live under a hereditary government, but under a government of *its own choice* and *establishment*. Were the *generation* who sets him up, and the *person* so set up, to live *for ever*, it never could become hereditary succession; and, of consequence, hereditary succession can only follow on the *death* of the *first parties*.

As, therefore, hereditary succession is out of the question, with respect to the *first* generation, we have now to consider the character in which *that* generation acts, with respect to the *commencing* generation, and to all *succeeding* ones. It assumes a character to which it has neither right nor title. It changes itself from a *legislator* to a *testator*, and affects to make its will, which is to have operation after the demise of the makers, to bequeath the government; and it not only *attempts* to bequeath, but to *establish* on the succeeding generations, a *new* and different *form* of government to that under which itself lived. Itself, as is already observed, lived not under a hereditary government, but under a government of its own choice and establishment; and it now attempts, by virtue of a will and testament—which it has no authority to make—to take from the commencing generation,

and all future ones, the rights and free agency by which itself acted.

But exclusively of the right which any generation has to act collectively as a testator, the objects to which it applies itself, in this case, are not within the compass of any law, or of any will or testament. The rights of men, in society, are neither *deviseable* nor *transferrable*, nor *annihilable*, but are *descendable* only; and it is not in the power of any generation to interrupt finally and cut off the descent. If the present generation, or any other are disposed to be slaves, it does not lessen the right of the succeeding generation to be free.—*Wrongs* cannot have a *legal* descent.

In whatever light hereditary succession, as growing out of the will and testament of some former generation, presents itself—it is an absurdity. A cannot make a will to take from B the property of B, and give it to C. Yet this is the manner in which, what is called, hereditary succession, by law, operates.

A certain former generation made a will, to take away the rights of the commencing generation, and all future ones, and convey their rights to a third person, who afterwards comes forward and tells them that they have *rights*—that their rights are already *bequeathed* to him, and that he will govern in *contempt* of them.—From such *principles*, and such *ignorance*, good Lord deliver the world!

But

But after all, what is this metaphor, called a *crown*—or rather—what is *monarchy*? Is it a *thing*, or is it a *name*, or is it a *fraud*? Is it a contrivance of human *wisdom*, or of human *craft*, to obtain money from a nation under *specious* pretences? Is it a thing *necessary* to a nation? If it is, in what does that necessity consist? What *services* does it perform? What is its *business*, and what are its *merits*? Doth the virtue consist in the *metaphor*, or in the *man*? Doth the *goldsmith* that makes the crown make the *virtue* also? Doth it operate like Fortunatus's wishing-cap, or Harlequin's wooden sword? Doth it make either a *man* or a *conjuror*? In fine, what is it? It is an *ideal* something that is going out of fashion—is falling into *ridicule*—and, is *rejected* in some countries both as *unnecessary* and *expensive*.

If there existed a man so transcendently wise above all others, that his wisdom was necessary to instruct a nation, some reason might be offered for monarchy; but when we cast our eyes about a country, and observe how every part understands its own affairs; and when we look around the world and see, that of all men in it the race of *kings* is the most insignificant in capacity, our reason cannot fail to ask us, what are those men kept for?

If monarchy is a *useless* thing, why is it kept up any where? and, if a necessary thing, how can it be dispensed with? It is easy to conceive that a  
band

band of interested men, such as *place-men*—lords of the *bed-chamber*—lords of the *kitchen*—and lords of the *necessary-house*—and the Lord knows *what* besides—can find as many reasons for monarchy as their salaries—*paid at the expence of the country*—amount to; but if I ask the farmer, the manufacturer, the merchant, the tradesman, and down through all the occupations of life to the common labourer, what service monarchy is of to him?—he can give me no answer. If I ask him what monarchy is?—he believes it is something like a *finecure*.

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## CHAP IV.

### OF GOVERNMENT.

**R**EASON and *Ignorance*, the opposites of each other, influence the great bulk of mankind. If either of these can be rendered sufficiently extensive in a country, the machinery of government goes easily on. Reason *obeys* itself, and ignorance *submits* to whatever is dictated to it.

The two modes of government that prevail in the world are—

First—Government by *Election* and *Representation*.

Secondly—Government by *Hereditary Succession*.

The former is generally known by the name of  
*Republic*—

*Republic*—the latter, by that of *Monarchy* and *Aristocracy*. Those two distinct and opposite terms erect themselves on the two distinct and opposite bases of *reason* and *ignorance*.

As the exercise of government requires talents and abilities—and, as talents and abilities cannot have hereditary descent, it is evident that hereditary succession requires a belief from man to which his reason cannot subscribe, and which can only be established upon his ignorance—and, the more ignorant any country is, the better it is fitted for this species of government. On the contrary, government in a well established *republic*, requires no belief from man beyond what his reason can give. He sees the *rationale* of the whole system, its origin, and its operation—and, as it is best supported when best understood, the human faculties act with boldness, and acquire, under this form of government, a *gigantic manliness*.

As, therefore, each of those forms act on a different base, the one moving freely by the aid of reason, the other by ignorance, we have next to consider what it is that gives motion to that species of government, which is called *mixed* government; or, as it is sometimes ludicrously stiled, a government of *this, that, and t'other*.

The moving power in this species of government is, of necessity, *corruption*. However imperfect *election* and *representation* may be in mixed governments,



governments, they still give exercise to a greater portion of reason than is convenient to the hereditary part, and, therefore, it becomes necessary to *buy* the reason up. A mixed government is an imperfect every-thing, cementing and foldering the discordant parts together by corruption, to act as a whole. In mixed governments there is *no responsibility*; the parts cover each other till responsibility is lost, and the corruption which moves the machine, contrives, at the same time, its own escape.

When it is laid down as a maxim, that "*a king can do no wrong*," it places him in a similar security with that of *idiots*, and persons *insane*, and responsibility is out of the question with respect to himself. It then descends upon the *minister*, who shelters himself under a *majority* in the legislature, which, by *places*, *pensions*, and *corruption*, he can always command; and that majority justifies itself by the same authority by which it protects the minister. In this *rotatory* motion, responsibility is thrown off from the parts, and from the whole. When there is a part in a government which can do no wrong, it implies, that it does *nothing*, and is only the *machine* of another power by whose direction it acts.

What is supposed to be the *king* in mixed governments is, the *cabinet*; and, as the cabinet is always a part of the legislature, and the members  
justifying,

justifying, in one character, what they act and advise in another, a mixed government becomes a continual engine, entailing upon a country, by the quantity of corruption necessary to solder the parts, the expence of supporting all the forms of government at once, and, finally, resolving itself into a government by *committee*; in which, the *advisers*, the *actors*, the *approvers*, the *justifiers*, the persons *responsible*, and the persons *not responsible*, are the same persons.

By this *pantomimical contrivance*, and change of scene and character, the parts help each other out, in matters which neither of them, simply, could assume to act. When *money* is to be *obtained*, the mass of variety apparently dissolves, and a profusion of *legislative* praises passes between the parts. Each *admires*, with *astonishment*, the *wisdom*, the *liberality*, the *disinterestedness* of the other, and all of them breathe a *pitying* sigh at the burthens of the nation!

But in a well regulated *republic*, nothing of this *soldering*, *praising*, and *pitying* can take place—the representation being equal throughout the country, and complete in itself, however it may be arrayed into *legislative* and *executive*, they have all, one and the same natural source. The parts are not *foreigners* to each other like *democracy*, *aristocracy*, and *monarchy*. As there are no discordant distinctions, there is nothing to corrupt  
by

by *compromise*, nor to confound by *contrivance*. Public measures appeal of themselves to the understanding of the nation, and, resting on their own merits, disown any flattering application to *vanity*. The continual *whine* of lamenting the burthen of the taxes, however successfully it may be practiced in mixed governments, is inconsistent with the *sense* and *spirit* of a republic. If taxes are necessary, they are, of course, advantageous; but if they require an *apology*, the apology itself implies an *impeachment*. Why then is man thus imposed upon—or why does he impose on himself?

When men are spoken of as *kings*, and *subjects*, or, when government is mentioned under the distinct or combined heads of monarchy, aristocracy, and democracy, what is it that *reasoning* man is to understand by the terms? If there really existed in the world, two or more distinct and separate *elements* of human power, we should then see the several origins to which those terms would, descriptively, apply; but as there is but *one* species of man, there can be but *one* element of human power—and that element is *man himself*. Monarchy, aristocracy, and democracy, are but *creatures of imagination*; and a thousand such may be *contrived* as well as three.

From the *revolutions* taken place of late, and the symptoms that have appeared in other countries, it is evident, that the opinions of the world is changed  
with

with respect to the systems of government, and, that revolutions are not within the compass of *political calculations*. The progress of time and of circumstances, which man assigns to the accomplishment of great changes, is too mechanical to measure the force of the mind, and the rapidity of reflection, by which revolutions are generated. All the old governments have received a *shock* from those that already appear, and which were once, more improbable, and are a greater subject of wonder, than a *general* revolution in Europe, would be now.

When we survey the wretched condition of man, under the monarchical and hereditary systems of government, *dragged* from his home by one power, or *driven* by another, and impoverished by *taxes* more than by *enemies*, it becomes evident that those systems are bad, and that a general revolution in the *principle* and *construction* of government is necessary.

What is government more than the *management* of the affairs of a nation? It is not, and from its nature cannot be, the property of any *particular man* or *family*, but of the *whole community*, at whose expence it is supported; and though by *force*, or *contrivance*, it has been *usurped* into an *inheritance*, the usurpation cannot alter the right of things. *Sovereignty*, as a matter of right, appertains to the *nation* only, and not to any *individual*;

*dividual*; and a nation *has*, at *all times*, an *inherent, indefeasible*, right to *abolish* any form of government that it finds *inconvenient*, and to establish such as accords with its *interest, disposition* and *happiness*.

The *romantic* and *barbarous* distinction of men into *kings* and *subjects*—though it may suit the disposition of *courtiers*, cannot that of *citizens*—and is exploded by the principles upon which governments are now founded. Every citizen is a member of the sovereignty, and, as such, can acknowledge no *personal subjection*, and his *obedience* can be only to the *laws*.

When men think of what government is, they must necessarily suppose it to possess a knowledge of all the *objects* and *matters* upon which its *authority* is to be *exercised*. In this view of government, the *republican* system, as established under two *recent* revolutions, operates to embrace the whole of a nation; and, the knowledge necessary to all the parts is to be found in the *centre*, which the parts, by representation, form; but the old governments are on a construction that excludes knowledge as well as happiness. Government by *monks*, who know nothing of the world beyond the walls of a convent, is as consistent as the government by *kings*.

What were formerly called *revolutions*, were little more than a *change* of *persons*—or an *alteration* of *local* circumstances. They rose and fell  
like

like things of course, and had nothing in their existence or their fate, that could influence beyond the spot that produced them. But what we now see in the world, from the particular revolutions which have taken place, are—a *renovation* of the natural order of things—a system of principles as universal as truth and the existence of man, and combining moral with political happiness, and national prosperity.

1st. *Men are born and always continue to be free, and equal in respect of their rights. Civil distinctions, therefore, can be founded only on public utility.*

2d. *The end of all political associations is, the preservation of the natural and imprescriptible rights of man—and these rights are—LIBERTY—PROPERTY—SECURITY—and RESISTANCE OF OPPRESSION.*

3d. *The nation is, essentially, the source of all sovereignty—nor can any individual, or any body of men, be entitled to any authority which is not expressly derived from it.*

In these principles there is nothing to throw a nation into confusion by inflaming *ambition*. They are calculated to call forth wisdom and abilities, and to exercise them for the public good, and not for the aggrandizement of particular descriptions of men or families.

Monarchical sovereignty—the *enemy* of mankind

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kind

kind, and the source of *misery*, is abolished—and sovereignty itself is restored to its natural and original place—the *nation*. Were this the case throughout Europe, the cause of wars would be taken away.

It is attributed to Henry the IVth of France, a man of an enlarged and benevolent heart, that he proposed, about the year 1610, a plan for abolishing war in Europe. The plan consisted in constituting an *European congress*, or *pacific republic*, by the appointment of delegates from the several nations, who were to act as a court of arbitration, in any disputes that might arise between nation and nation. To conceive a cause why such a plan has not been adopted; and that, instead of a congress for the purpose of *preventing* a war, it has been called only to *terminate* a war, after a fruitless expence of several years, it will be necessary to consider the interest of governments as a distinct interest to that of nations.

Whatever is the *cause* of taxes to a nation, becomes also the *means* of revenue to a government. Every war terminates with an addition of taxes, and, consequently, with an addition of revenue; and, in any event of war, in the manner they are now commenced and concluded, the *power* and *interest* of governments are increased. War, therefore, from its productiveness, as it easily furnishes the pretence of necessity for taxes and appointments to places and offices, becomes a principal  
part

part of the system of the old governments; and to establish any new mode to abolish war, however advantageous it might be to nations, would be, to take, from such governments, the most lucrative of its branches.

The frivolous matters upon which war is made, shew the disposition and avidity of governments to uphold the system of war, and betray the motives upon which they act. Why are not republics plunged into war, but because the nature of their government does not admit of an interest distinct from that of the nation.

As war is the system of government on the old construction, the animosity which nations reciprocally entertain is, nothing more than what the policy of their governments excites, to keep up the spirit of the system. Each government accuses the other of perfidy, intrigue, and ambition, as a means of heating the imagination of their respective nations, and incensing them to hostilities.—Man is not the enemy of man, but through the system of government. Instead, therefore, of exclaiming against the *ambition* of kings, the exclamation should be directed against the *principle* of such governments; and, instead of seeking to reform the *individual*, the wisdom of the nation should apply itself to reform the *system*.

Whether the forms and maxims of governments which are still in practice, were adapted to the

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condition



condition of the world, at the period they were established, is not, in this case, the question. The older they are, the less correspondence can they have with the present state of things. Time, and change of circumstances and opinions, have the same progressive effect, in rendering modes of government obsolete, as they have upon customs and manners. *Agriculture, commerce, manufactures,* and the *tranquil arts*, by which the prosperity of nations is best promoted, requires a different system of government, and a different species of knowledge, to direct its operations, than what might have been required in the former condition of the world.

It is not difficult to perceive, from the enlightened state of mankind, that hereditary governments are verging to their decline, and that revolutions on the broad basis of national sovereignty, and government by representation, are making their way in Europe, it would be an act of wisdom to anticipate their approach, and produce revolutions by reason and accommodation, rather than commit them to the issue of convulsions.

From what we now see, nothing of reform, in the political world, ought to be held improbable. It is an age of revolutions, in which every thing may be looked for. The intrigues of courts, by which the system of war is kept up, may provoke a confederation of nations to abolish it : and an European

ropean congress, to patronize the progress of free government, and promote the civilization of nations, with each other, is an event nearer in probability, than once were the revolutions and alliance of France and America.

As to *time* with respect to Governments, I think it equally as injurious to good principles to permit them to linger, as to push them on too fast. That which some may suppose accomplishable in fourteen or fifteen years, I may believe practicable in a much shorter period. Mankind, as it appears to me, are always ripe enough to understand their true interest, provided it be presented clearly to their understanding, and that in a manner not to create suspicion by any thing like self-design, nor offend by assuming too much. *Where we would wish to reform, we must not reproach.*

Principles must stand on their own merits, and, if they are good, they certainly will.

I have differed with some professional gentlemen on the subject of prosecutions, and I since find they are falling into my opinion, which I will here state as fully, but as concisely as I can. I will first put a case with respect to any law, and then compare it with government.

It would be an act of despotism, or arbitrary power, to make a law to prohibit investigating the principles, good or bad, on which such a law, or any other, is founded. If a law be bad, it is one

thing to oppose the practice of it, but it is quite a different thing to expose its errors, to reason on its defects, and to shew cause why it should be repealed, or why another ought to be substituted in its place. I have always held it an opinion (making it also my practice), that it is better to obey a bad law, making use at the same time of every argument to shew its errors, and procure its repeal, than forcibly to violate it—because the precedent of breaking a bad law might weaken the force, and lead to a discretionary violation of those which are good.

This case is the same with respect to principles and forms of government, or to what are called constitutions, and the parts of which they are composed.

It is for the good of nations, and not for the emolument or aggrandizement of particular individuals, that government ought to be established, and that mankind are at the expence of supporting it. The defects of every government and constitution, both as to principle and form, must, on a parity of reasoning, be as open to discussion as the defects of a law, and it is a duty which every man owes to society, to point them out. When those defects, and the means of remedying them, are generally seen by a nation, that nation will reform its government or its constitution in the one case, as the government repealed or reformed the law in

in the other. The operation of government is restricted to the making, and the administering of laws—but it is to a nation that the right of forming or reforming, generating, or regenerating, constitutions and governments, belong; and, consequently, those subjects—as subjects of investigation—are, always, before a country, *as a matter of right*, and cannot, without invading the general rights of that country, be made subjects for prosecution. Mankind are not now to be told that they shall not think, or that they shall not read; and, publications that go no farther than to *investigate* principles of government, to invite men to reason, and to reflect, and to shew the errors and excellences of different systems, have a right to appear. If they do not excite attention, they are not worth the trouble of a prosecution; and if they do, the prosecution will amount to nothing, since it cannot amount to a prohibition of reading. This would be a sentence on the public, instead of the author, and would also be the most effectual method of making or hastening revolutions.

In all cases that apply, universally, to a nation, with respect to systems of government, a jury of *twelve men* is not competent to decide. Where there are no witnesses to be examined, no facts to be proved, and where the whole matter is before the whole public, and the merits or demerits of it resting on their opinion; and where there is no-

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thing to be known in a court, but what every body knows out of it—every twelve men is equally as good a jury as the other, and would, most probably, reverse each other's verdict; or, from the variety of their opinions, not be able to form one. It is one case, whether a nation approve a work, or a plan; but it is quite another case, whether it will commit to any such jury the power of determining whether that nation have a right to, or shall reform its government, or not. The only effectual jury in such cases would be, a convention of the whole nation, fairly elected; for, in all such cases, the whole nation is the vicinage.

As to the prejudices which men have from education, and habit, in favour of any particular form or system of government, those prejudices have yet to stand the test of reason and reflection. In fact such prejudices are nothing. No man is prejudiced in favour of any thing, knowing it to be wrong. He is attached to it on the belief of its being right; and, when he sees it is not so, the prejudice will be gone. We have but a defective idea of what prejudice is. It might be said, that until men think for themselves, the whole is prejudice, and *not opinion*; for that only is opinion which is the result of reason and reflection.

Mankind have not been fairly and candidly dealt by. They have been imposed upon by parties, and by men assuming the character of leaders.

ers. It is time that they should rise superior to those trifles. It is time to dismiss that inattention which has so long been the encouraging cause of stretching taxes to excess. It is time to dismiss all those songs and toasts which are calculated to enslave, and operate to suffocate reflection. On all such subjects men have but to think, and they will neither act wrong, nor be misled. To say that any people are not fit for freedom, is to make poverty their choice, and to say, that they had rather be loaded with taxes than not. If such a case could be proved, it would equally prove that those who govern are not fit to govern, for they are a part of the same national mass.

But admitting governments to be changed all over Europe, it certainly may be done without convulsion or revenge. It is not worth making changes or revolutions, unless it be for some great national benefit; and, when this shall appear to a nation, the danger will be to those who oppose.

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## CHAP. V.

### OF SOCIETY AND CIVILIZATION.

**G**REAT part of that order which reigns among mankind, is not the effect of government. It has its origin in the principles of society, and the natural

tural constitution of man. It existed prior to government, and would exist if the formality of government was abolished. The mutual dependance and reciprocal interest which man has upon man, and all the parts of a civilized community upon each other, create that great chain of connection which holds it together. The landholder, the farmer, the manufacturer, the merchant, the tradesman, and every other occupation, prospers by the aid which each receives from the other, and from the whole. Common interest regulates their concerns, and forms their law; and the law which common usage ordains, have a greater influence than the laws of government. In fine, society performs for itself almost every thing which is ascribed to government.

To understand the nature and quantity of government proper for man, it is necessary to attend to his character. As nature created him for social life, she fitted him for the station she intended. In all cases she made his natural wants, greater than his individual powers. No man is capable, without the aid of society, of supplying his own wants; and those wants, acting upon every individual, impel the whole of them into society, as naturally as gravitation acts to a centre.

But she has gone further. She has not only forced man into society, by a diversity of wants, which the reciprocal aid of each other can supply,  
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but she has implanted in him a system of social affections, which, though not necessary to his existence, are essential to his happiness. There is no period in life when this love for society ceases to act. It begins and ends with our being.

If we examine, with attention, into the composition and constitution of man, the diversity of his wants, and the diversity of talents in different men for reciprocally accommodating the wants of each other, his propensity to society, and consequently to preserve the advantages resulting from it, we shall easily discover, that a great part of what is called government, is mere imposition.

Government is no further necessary than to supply the few cases to which society and civilization are not conveniently competent—and instances are not wanting to shew, that every thing which government can usually add thereto, has been performed by the common consent of society, without government\*.

There is a natural aptness in man, and more so in society, because it embraces a greater variety of

\* For upwards of two years from the commencement of the American war, and to a longer period in several of the American states, there were no established forms of government. The old governments had been abolished, and the country was too much occupied in defence, to employ its attention in establishing new governments—yet, during this interval, order and harmony were preserved as inviolate as in any country in Europe.

abilities



abilities and resources to accommodate itself to whatever situation it is in. The instant formal government is abolished, society begins to act. A general association takes place, and common interest produces common security.

So far is it from being true, as has been represented, that the abolition of any formal government is the dissolution of society, that it acts by a contrary impulse, and brings the latter the closer together. All that part of its organization which it had committed to its government, devolves again upon itself, and acts through its medium.—When men, as well from natural instinct, as from reciprocal benefits, have habituated themselves to social and civilized life, there is always enough of its principles in practice to carry them through any changes they may find necessary or convenient to make in their government. In short, man is so naturally a creature of society, that it is impossible to put him out of it.

Formal government makes but a small part of civilized life—and when even the best that human wisdom can devise, is established, it is a thing more in name and idea, than in fact. It is to the great and fundamental principles of society and civilization—to the common usage universally consented to, and mutually and reciprocally maintained—to the unceasing circulation of interest, which, passing through its million channels, invigorates  
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the whole mass of civilized man—it is to these things, infinitely more than to any thing which even the best instituted governments can perform, that the safety and prosperity of the individual and of the whole depends.

The more perfect civilization is, the less occasion has it for government, because the more does it regulate its own affairs, and govern itself; but so contrary is the practice of old governments to the reason of the case, that the expences of them increase in the proportion they ought to diminish. It is but few general laws that civil life requires, and those of such common usefulness, that whether they are enforced by the forms of government or not, the effect will be nearly the same. If we consider what the principles are that first condense men into society, and what the motives that regulate their mutual intercourse afterwards, we shall find, by the time we arrive at what is called government, that nearly the whole of the business is performed by the natural operation of the parts upon each other.

Man, with respect to all these matters, is more a creature of consistency than he is aware of, or that governments would wish him to believe. All the great laws of society are laws of nature. Those of trade and commerce, whether with respect to the intercourse of individuals, or of nations, are laws of mutual and reciprocal interest. They are followed

followed and obeyed, because it is the interest of the parties so to do, and not on account of any formal laws their governments may impose or interpose.

But how often is the natural propensity to society disturbed or destroyed by the operations of government! When the latter, instead of being ingrafted on the principles of the former, assumes to exist for itself, and acts by partialities of favour, or oppression, it becomes the cause of the mischiefs it ought to prevent.

If we take a retrospect of the riots and tumults which, at various times, have taken place in the world, we shall find, that they did not proceed from the want of a government, but that government was, itself, the generating cause—instead of consolidating society, it divided it—it deprived it of its natural cohesion, and engendered discontents and disorders which, otherwise, would not have existed. In those associations which men promiscuously form for the purpose of trade, or of any concern, in which government is totally out of the question, and in which they act merely on the principles of society, we see how naturally the various parties unite—and this shews by comparison, that governments, so far from being always the cause or means of order, are often the destruction of it.

Excess and inequality of taxation, however disguised

guised in the means, never fail to appear in their effects. As a great mass of the community are thrown thereby into poverty and discontent, they are constantly on the brink of commotion—and, deprived, as they unfortunately are, of the means of information, are easily heated to outrage.—Whatever the apparent cause of any riots may be, the real one is, always, want of happiness. It shews that something is wrong in the system of government, that injures the felicity by which society is to be preserved.

Having thus endeavoured to shew that the social and civilized state of man is capable of performing within itself almost every thing necessary to its protection and government, it will be proper on the other hand, to take a review of the present old governments, and examine whether their principles and practice are correspondent thereto.

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## CHAP VI.

### OF THE ORIGIN OF THE PRESENT OLD GOVERNMENTS.

**I**T is impossible that such governments as have hitherto existed in the world could have commenced by any other means than a total violation of every principle sacred and moral. The obscurity

rity in which the origin of all the present old governments is buried implies the iniquity and disgrace with which they began.

It could have been no difficult thing in the early and solitary ages of the world, while the chief employment of men was that of attending flocks and herds, for a banditti of ruffians to overrun a country, and lay it under contributions. Their power being thus established, the chief of the band contrived to lose the name of robber in that of monarch—and hence the origin of monarchy and kings.

Governments founded on unjust principles do not afford a stamina whereon to ingraft reformation—and the shortest and most effectual remedy is, to begin anew.

Can we possibly suppose, that if governments had originated in a right principle, and had not an interest in pursuing a wrong one, that the world could have been in the wretched and quarrelsome condition we have seen it? What inducement has the farmer, while following the plough, to lay aside his peaceful pursuits, and go to war with the farmer of another country? Or what inducement has the manufacturer? What is dominion to them, or to any class of men in a nation? Does it add an acre to any man's estate, or raise its value? Are not conquest and defeat each of the same price, and taxes the never-failing consequence? Though  
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this reasoning may be good to a nation, it is not to a government. War is the pharo-table of governments, and nations the dupes of the game.

If there is any thing to wonder at in this miserable scene of governments more than might be expected, it is the progress which the peaceful arts of agriculture, manufacture, and commerce have made beneath such a long accumulating load of discouragement and oppression. It serves to shew, that instinct in animals does not act with stronger impulse than the principles of society and civilization operate in man. Under all discouragements he pursues his object, and yields to nothing but impossibilities.

## CHAP. VII.

### OF THE OLD AND NEW SYSTEMS OF GOVERNMENT.

**N**OTHING can appear more contradictory than the principles on which the old governments began, and the condition to which society, civilization, and commerce, are capable of carrying mankind. Government, on the old system, is an assumption of power, for the aggrandizement of itself—on the new, a delegation of power for the common benefit of society. The former supports itself by keeping up a system of war—the latter  
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promotes

promotes a system of peace, as the true means of enriching a nation. The one encourages national prejudices—the other promotes universal society, as the means of universal commerce. The one measures its prosperity by the quantity of revenue it extorts; the other proves its excellence by the small quantity of taxes it requires.

Though it might be proved that the system of government now called the *new*, is the most ancient in principle of all that have existed, being founded on the original inherent Rights of Man: yet as tyranny and the sword have suspended the exercise of those rights for many centuries past, it served better the purpose of distinction to call it the *new*, than to claim the right of calling it the old.

The first general distinction between those two systems, is, that the one now called the old, is *hereditary*, either in whole or in part; and the new is entirely *representative*. It rejects all hereditary government.

First, As being an imposition on mankind.

Secondly, As inadequate to the purposes for which government is necessary.

With respect to the first of these heads—it cannot be proved by what right hereditary government could begin; neither does there exist within the compass of mortal power a right to establish it. Man has no authority over posterity in matters

tors of personal right ; and, therefore, no man, or body of men, had, or can have, a right to set up hereditary government. Were even ourselves to come again into existence, instead of being succeeded by posterity, we have not now the right of taking from ourselves the rights which would then be ours. On what ground then do we pretend to take them from others ?

All hereditary government is in its nature unjust, and an imposition on society. An heritable crown, or an heritable throne, or by what other fanciful names such things may be called, have no other significant explanation than that mankind are heritable property. To inherit a government is, to inherit the people, as if they were flocks and herds.

With respect to the second head, that of being inadequate to the purposes for which government is necessary, we have only to consider what government essentially is, and compare it with the circumstances to which hereditary succession is subject.

Government ought to be a thing always in full maturity. It ought to be so constructed, as to be superior to all the accidents to which individual man is subject ; and, therefore, hereditary succession, by being *subject to them all*, is the most irregular and imperfect of all the systems of government.



We have heard the *Rights of Man* called a *levelling* system; but the only system to which the word *levelling* is truly applicable, is the hereditary monarchical system. It is a system of *mental levelling*. It indiscriminately admits every species of character to the same authority. Vice and virtue, ignorance and wisdom; in short, every quality, good or bad, is put on the same level. Kings succeed each other, not as rationals, but as animals. It signifies not what their mental or moral characters are. Can we then be surprised at the abject state of the human mind in monarchical countries, when the government itself is formed on such an abject levelling system? It has no fixed character. To-day it is one thing—to-morrow it is something else. It changes with the temper of every succeeding individual, and is subject to all the varieties of each. It is government through the medium of passions and accidents. It appears under all the various characters of childhood, decrepitude, dotage, a thing at nurse, in leading-strings, or in crutches. It reverses the wholesome order of nature. It occasionally puts children over men, and the conceits of non-age over wisdom and experience. In short, we cannot conceive a more ridiculous figure of government than hereditary succession, in all its cases, presents.

Could it be made a decree in nature, or an  
edict

edict registered in heaven, and man could know it, that virtue and wisdom should invariably appertain to hereditary succession, the objections to it would be removed; but when we see that nature acts as if she disowned and sported with the hereditary system—that the mental characters of successors, in all countries, are below the average of human understanding—that one is a tyrant, another an idiot, a third insane, and some all three together, it is impossible to attach confidence to it, when reason in man has power to act.

“ If it be asked,” says a writer of distinction, “ what is my opinion with respect to hereditary right, I answer, without hesitation, That, in good theory, an hereditary transmission of any power or office can never accord with the laws of a true representation. Hereditaryship is, in this sense, as much an attain upon principle, as an outrage upon society. But let us,” continues he, “ refer to the history of all elective monarchies and principalities: Is there one in which the elective mode is not worse than the hereditary succession?”

As to debating on which is the worst of the two, is admitting both to be bad—and herein we are agreed. The preference which he has given is a condemnation of the thing that he prefers. Such a mode of reasoning, on such a subject, is inadmissible, because it finally amounts to an accusa-

tion upon providence, as if she had left to man no other choice, with respect to government, than between two evils, the best of which he admits to be "*an attain upon principle, and an outrage upon society.*"

Passing over for the present all the evils and mischiefs which monarchy has occasioned in the world, nothing can more effectually prove its uselessness, in a state of *civil government*, than making it hereditary. Would we make any office hereditary that required wisdom and abilities to fill it? And where wisdom and abilities are not necessary, such an office, whatever it may be, is superfluous or insignificant.

Hereditary succession is a burlesque upon monarchy. It puts it in the most ridiculous light, by presenting it as an office which any child or idiot may fill. It requires some talents to be a common mechanic; but to be a king, requires only the animal figure of man—a sort of breathing automaton. This sort of superstition may last a few years more, but it cannot long resist the awakened reason and interest of man.

Having thus glanced at a few of the defects of the old, or hereditary systems of government, let us compare it with the new, or representative system.

The representative system takes society and civilization

vilization for its basis—*nature, reason, and experience*, for its guide.

Experience in all ages, and in all countries, has demonstrated, that it is impossible to controul nature in her distribution of mental powers. She gives them as she pleases. Whatever is the rule, by which she, apparently to us, scatters them among mankind, that rule remains a secret to man. It would be as ridiculous to attempt to fix the hereditaryship of human beauty, as of wisdom. Whatever wisdom constitutently is, it is like a seedless plant—it may be reared when it appears, but it cannot be voluntarily produced. There is always a sufficiency somewhere in the general mass of society for all purposes; but with respect to the parts of society, it is continually changing its place. It rises in one to-day, in another to-morrow; and has, most probably, visited, in rotation, every family of the earth, and again withdrawn.

As this is the order of nature, the order of government must necessarily follow it, or government will, as we see it does, degenerate into ignorance. The hereditary system, therefore, is as repugnant to human wisdom, as to human rights—and is as absurd as it is unjust.

As the republic of letters brings forward the best literary productions, by giving to genius a fair and universal chance, so the representative system of government is calculated to produce the wisest

laws, by collecting wisdom from whence it can be found. I smile to myself, when I contemplate the ridiculous insignificance into which literature, and all the sciences would sink, were they made hereditary—and I carry the same idea into governments. An hereditary governor is inconsistent as an hereditary author. I know not whether Homer or Euclid had sons—but I will venture an opinion that if they had, and left their works unfinished, those sons could not have completed them.

Do we need a stronger evidence of the absurdity of hereditary governments than is seen in the descendants of those men, in any time of life, who once were famous? Is there scarcely an instance in which there is not a total reverse of the character? It appears as if the tide of mental faculties flowed as far as it could in certain channels, and then forsook its course, and arose in others. How irrational then is the hereditary system which establishes channels of power in company with which wisdom refuses to flow? By continuing this absurdity, man is perpetually in contradiction with himself—he accepts for a King, a chief, or magistrate, or a legislator, a person whom he would not elect for a constable.

It appears, to general observation, that revolutions create genius and talents; but those events do no more than bring them forward. There is existing in man, a mass of sense lying in a dormant

mant state, and which, unless something excites it to action, will descend with him in that condition to the grave. As it is to the advantage of society that the whole of its faculties should be employed, the construction of governments ought to be such as to bring forward, by a quiet and regular operation, all that extent of capacity which never fails to appear in revolutions.

This cannot take place in the insipid state of hereditary government, not only because it prevents, but because it operates to benumb. When the mind of a nation is bowed down by any political superstition in its government, such as hereditary succession is, it loses a considerable portion of its powers on all other subjects and objects. Hereditary succession requires the same obedience to ignorance as to wisdom; and, when once the mind can bring itself to pay this indiscriminate reverence, it descends below the stature of mental manhood. It is fit to be great only in little things. It acts a treachery upon itself, and suffocates the sensations that urge to detection.

Though the ancient governments present to us a miserable picture of the condition of man, there is one, which above all others, exempts itself from the general description—I mean the democracy of the Athenians. We see more to admire, and less to condemn, in that great extraordinary people, than in any thing which history affords.

So

So little are the constituent principles of government considered, that *democracy* and *representation* are often confounded together. Representation was a thing unknown in the ancient democracies. In those the mass of the people met and enacted laws (gramatically speaking) in the first person. Simple democracy was no other than the common-hall of the ancients. It signifies the *form* as well as the public principles of the government. As these democracies increased in population and the territory extended, the simple democratical form became unwieldy and impracticable; and, as the system of representation was not known, the consequence was, they either degenerated convulsively into monarchies, or became absorbed into such as then existed. Had the system of representation been then understood, as it now is, there is no reason to believe that those forms of government, now called monarchical, or aristocratical, would ever have taken place. It was the want of some method to consolidate the parts of society, after it became too populous, and too extensive for the simple democratical form, and also the lax and solitary condition of shepherds and herdsmen in other parts of the world, that afford opportunities to those unnatural modes of government to begin.

As it is necessary to clear away the rubbish of errors into which the subject of government has  
been

been thrown, I shall proceed to remark on some others.

It has always been the political craft of courtiers, and court-governments, to abuse something which they call republicanism;—but what republicanism was, or is, they never attempted to explain. Let us examine a little into this case.

The only forms of government are, the democratical, the aristocratical, the monarchical, and what is now called the representative.

What is called a *republic*, is not any *particular form* of government. It is wholly characteristical of the purport, matter, or object, for which government ought to be instituted, and on which it is to be employed, RES-PUBLICA, the public affairs, or the public good—or, literally translated, the *public thing*. It is a word of a good original, referring to what ought to be the character and business of government; and, in this sense, it is naturally opposed to the word *monarchy*, which has a base, original, signification. It means arbitrary power in an individual person—in the exercise of which, *himself*, and not the *res-publica*, is the object.

Every government that does not act on the principles of a *Republic*, or, in other words, that does not make the *res-publica* its whole and sole object, is not a good government. Republican government is no other than government established and conducted



ducted for the interest of the public, as well individually as collectively. It is not necessarily connected with any particular form, but it most naturally associates with the representative form, as being best calculated to secure the end for which a nation is at the expence of supporting it.

Various forms of government have affected to call themselves a republic ; but there can be no real republic that does not reject every thing hereditary, and establish government on the system of representation only. Hereditary and representative principles are too unnatural to each other, to continue to exist together.

Those who have said that a republic is not a form of government calculated for countries of great extent, mistook, in the first place, the *business* of a government, for a *form* of government ; for the *res-publica* equally appertains to every extent of territory and population. And, in the second place, if they meant any thing with respect to *form*, it was the simple democratical form, such as was the mode of government in the ancient democracies, in which there was no representation. The case, therefore, is not, that a republic cannot be extensive, but that it cannot be extensive on the simple democratical form ; and the question naturally presents itself,—*What is the best form of government for conducting the RES-PUBLICA, or the PUBLIC BUSINESS of a nation,*  
after

*after it becomes too extensive and populous for the simple democratical form ?*

It cannot be monarchy, because monarchy is subject to an objection of the same amount to which the simple democratical form was subject.

It is possible that an individual may lay down a system of principles, on which governments shall be constitutionally established to any extent of territory. This is no more than an operation of the mind, acting by its own powers. But the practice upon those principles, as applying to the various circumstances of a nation, its agriculture, manufacture, trade, commerce, &c. &c. requires a knowledge of a different kind, and which can be had only from the various parts of society. It is an assemblage of practical knowledge, which no one individual can possess ; and, therefore, the monarchical form is as much limited, in useful practice, from the incompetency of knowledge, as was the democratical form, from the multiplicity of population. The one degenerates by extension, into confusion ; the other into ignorance, and incapacity—of which all the great monarchies are an evidence. The monarchical form, therefore, could not be a substitute for the democratical, because it has equal inconveniences.

Much less could it when made hereditary.—This is the most effectual of all forms to preclude knowledge. Neither could the high democratical  
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mind have voluntarily yielded itself to be governed by children and idiots, and all the motly insignificance of character, which attends such a mere animal-system, the disgrace, and the reproach of reason and of man.

As to the aristocratical form, it has the same vices and defects with the monarchical, except that the chance of abilities is better from the proportion of numbers, but there is still no security for the right use and application of them\*.

Referring then to the original simple democracy, it affords the true data from which government, on a large scale, can begin. It is incapable of extension, not from its principle, but from the inconvenience of its form—and monarchy and aristocracy, from their incapacity. Retaining then democracy as the ground, and rejecting the corrupt systems of monarchy and aristocracy, the representative system naturally presents itself, remedying at once the defects of the simple democracy as to form, and the incapacity of the other two with respect to knowledge.

Simple democracy was society governing itself without the aid of secondary means. By ingrafting representation upon democracy, we arrive at a system of government capable of embracing and confederating all the various interests, and every

\* For a character of aristocracy, the reader is referred to RIGHTS OF MAN, Part I.

extent

extent of territory and population ; and that also, with advantages as much superior to hereditary government, as the republic of letters is to hereditary literature. It is the easiest of all the forms of government to be understood, and the most eligible in practice, and excludes at once the ignorance and insecurity of the hereditary mode, and the inconvenience of the simple democracy.

It is impossible to conceive a system of government capable of acting over such an extent of territory, and such a circle of interests, as is immediately produced by the operation of representation. It adapts itself to all possible cases. It is preferable to simple democracy even in small territories. Athens, by representation, would have outrivalled her own democracy.

That which is called government, or rather that which we ought to conceive government to be, is no more than some common centre, in which all the parts of society unite. This cannot be accomplished by any method so conducive to the various interests of the community, as by the representative system. It concentrates the knowledge necessary to the interest of the parts and of the whole. It places government in a state of constant maturity. It is, as has been already observed, never young, never old. It is subject neither to nonage; nor dotage. It is never in the cradle, nor on crutches. It admits not of a separation

ration between knowledge and power; and is superior, and as government always ought to be, to all the accidents of individual man, and is therefore superior to what is called monarchy.

A nation is not a body, the figure of which is to be represented by the human body; but is like a body contained within a circle, having a common centre, in which every radius meets; and that centre is formed by representation. To connect representation with what is called monarchy, is excentric government. Representation is, of itself, the delegated monarchy of a nation, and cannot debase itself by dividing it with another.

A certain writer, speaking of government, says—"It is better to have monarchy for its basis, and republicanism for its corrective, than republicanism for its basis, and monarchy for its corrective." If he means, that it is better to correct folly with wisdom, than wisdom with folly, I will no otherwise contend with him than that it would be much better to reject the folly entirely.

But what is this thing which he calls monarchy? Will he explain it? All men can understand what representation is—and that it must necessarily include a variety of knowledge and talents. But what security is there for the same qualities on the part of monarchy? Or, when this monarchy is a child, where, then, is the wisdom? What do we know about government?

narch, or where is the monarchy? If it is to be performed by Regency, it proves it to be a farce. A regency is a mock species of republic, and the whole of monarchy deserves no better description. It is a thing as various as imagination can paint. It has none of the stable character that government ought to possess. Every succession is a revolution, and every regency a counter-revolution. The whole of it is a scene of perpetual court cabal and intrigue. To render monarchy consistent with government, the next in succession should not be born a child, but a man at once, and that man a Solomon. It is ridiculous that nations are to wait, and government be interrupted, till boys grow to be men.

Whether I have too little Sense to see, or too much to be imposed upon—whether I have too much or too little pride, or of any thing else, I leave out of the question—but certain it is, that what is called monarchy, always appears to me a silly contemptible thing. I compare it to something kept behind a curtain, about which there is a great deal of bustle and fuss, and a wonderful air of seeming solemnity—but when, by any accident the curtain happens to be open, and the company see what it is, they burst into laughter.

In the representative system of government none of this can happen. Like the nation itself, it possesses a perpetual stamina, as well of body, as of  
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mind, and presents itself, on the open theatre of the world, in a fair and manly manner. whatever are its excellencies, or its defects, they are visible to all. It exists, not by fraud and mystery—it deals not in cant and sophistry—but inspires a language, that, passing from heart to heart, is felt and understood.

We must shut our eyes against reason—we must basely degrade our understanding—not to see the folly of what is called, monarchy. Nature is orderly in all her works—but this is a mode of government that counteracts nature. It turns the progress of the human faculties upside down. It subjects age to be governed by children, and wisdom by folly.

On the contrary, the representative system is always parallel with the order and immutable laws of nature, and meets the reason of man in every part.

Under a representative government, no man will be elected to office, whose judgment has not been matured by age, and who has lived long enough to have acquired a knowledge of men and things, and the Country of him. But on the monarchical plan, (exclusive of the numerous chances there are against every man born into the world of drawing a prize in the lottery of human-faculties), the next in succession, whatever he may be, is put at the head of a nation, and of a government; at the age of eighteen

teen years. Does this appear like an act of wisdom? Is it consistent with the proper dignity, and the manly character of a nation? where is the propriety of calling such a lad, the Father of the People? In all other cases a person is a minor until the age of twenty one years. Before this period he is not trusted with the management of an acre of land, or with the hereditary property of a flock of sheep, or an herd of swine—but, wonderful to tell! he may, at the age of eighteen years, be trusted with a Nation.

That monarchy is all a bubble, a mere court artifice to procure money, is evident (at least to me), in every character in which it can be viewed. It would be impossible, in the rational system of representative government, to make out a bill of expences to such an enormous amount as this deception admits. Government is not of itself a very chargeable institution. For example, the whole expence of the Federal Government of America, which is founded on the system of representation, and extending over a country nearly ten times as large as England, containing four millions of inhabitants, is but six hundred thousand dollars, or one hundred and thirty five thousand pounds sterling. In France, and also in England, the expence of the civil list only for the support of one man, is eight times greater than the whole expence of the federal government in America. To assign a rea-



son for this, appears almost impossible. The generality of the people in America, especially the poor, are more able to pay taxes, than the generality of people, either in France or England, and perhaps under any monarchical government in the world.

The case is, that the representative system, diffuses such a body of knowledge throughout a nation on the subject of government, as to explode ignorance, and preclude imposition. The craft of courts cannot be acted on that ground. There is no place for mystery—no where for it to begin. Those who are not in the representation, know as much of the nature of business, as those who are. An affectation of mysterious importance would there be scouted. Nations can have no secrets—and the secrets of Courts, like those of individuals, are always their defects.

In the representative system, the reason for every thing must publicly appear. Every man is a proprietor in government, and considers it a necessary part of his business to understand. It concerns his interest, because it affects his property. He examines the cost, and compares it with the advantages ; and, above all, he does not adopt the slavish custom of following what, in other governments, are called LEADERS.

It can only be blinding the understanding of man, and making him believe that government is  
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some wonderful mysterious thing, that excessive revenues are obtained. Monarchy is well calculated to ensure this end. It is the popery of government—a thing kept up to amuse the ignorant, and quiet them into taxes.

The government of a free country, properly speaking, is not in the persons, but in the laws. The enacting of those requires no great expence; and, when they are administered, the whole of civil government is performed—the rest is all court contrivance.

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## CHAP. VIII.

### OF CONSTITUTIONS.

THAT men mean distinct and separate things, when they speak of *Constitutions* and of *Governments*, is evident; or why are those terms distinctly and separately used? A Constitution is not the act of a government, but of a people constituting a government; and government without a Constitution, is power without a right.

All power exercised over a nation, must have some beginning. It must be either delegated or assumed: there are no other sources. All delegated power is trust; and all assumed power is usurpation. Time does not alter the nature and quality of either.

In viewing this subject, the case and circumstances of America present themselves, as in the beginning of a world; and our enquiry into the origin of government is shortened, by referring to the facts that have arisen in our own day. We have no occasion to roam for information into the obscure field of antiquity, nor hazard ourselves upon conjecture. We are brought at once to the point of seeing government begin, as if we had lived in the beginning of time. The real volume, not of *history*, but of *facts*, is directly before us, unmutilated by contrivance, or the errors of tradition.

I will here, concisely, state the commencement of the American Constitutions, by which the difference between constitutions and governments will sufficiently appear.

It may not be improper to remind the reader that the United States of America consist of thirteen separate States; each of which established a government for itself, after the declaration of independence. Each State acted independently of the rest, in forming its government; but the same general principle pervades the whole. When the several state-governments were formed, they proceeded to form the federal government, that acts over the whole in all matters which concern the interest of the whole, or which relate to the intercourse of the several States with each other, or with

with foreign nations. I will begin with giving an instance from one of the state-governments—that of Pennsylvania—and then proceed to the federal government.

The State of Pennsylvania, though nearly of the same extent of territory as England was, then, divided into only twelve counties. Each of those counties had elected a committee at the commencement of the dispute with the English Government; and, as the city of Philadelphia, which also had its committee, was the most central for intelligence, it became the centre of communication to the several county committees. When it became necessary to proceed to the formation of a government, the committee of Philadelphia proposed a conference of all the county committees, to be held in that city, and which meeting did take place.

Though these committees had been elected by the people, they were not elected expressly for the purpose, nor invested with the authority of forming a Constitution; and, as they could not, consistently with the American idea of rights, assume such a power, they could only confer upon the matter, and put it into a train of operation. The Conferees, therefore, did no more than state the case, and recommend to the several counties to elect six representatives for each county, to meet in convention at Philadelphia, with powers to form

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a Constitution, and propose it for public consideration.

This convention having met and deliberated, and agreed upon a Constitution, they next ordered it to be published, not as a thing established, but for the consideration of the whole people, their approbation or rejection, and then adjourned to a stated time. When the time of adjournment was expired, the convention re-assembled; and, as the general opinion of the people in approbation of it was then known, the Constitution was signed, sealed, and proclaimed on the *authority of the people*, and the original instrument deposited as a public record. The convention then appointed a day for the general election of the representatives who were to compose the Government, and the time it should commence; and, having done this, they dissolved, and returned to their several homes and occupations.

In this Constitution were laid down, first, a Declaration of Rights. Then followed the form which the Government should have, and the powers it should possess; the authority of the courts of judicature, and of juries; the manner in which elections should be conducted, and the proportion of representatives to the number of electors; the time which each succeeding assembly should continue, which was one year; the mode of levying and of accounting

counting for the expenditure of public money ; of appointing public offices, &c. &c. &c.

No article of this Constitution could be altered, or infringed, at the discretion of the government that was to ensue. It was to that government a law. But as it would have been unwise to preclude the benefit of experience, and in order also to prevent the accumulation of errors, if any should be found, and to preserve an union of government with the circumstances of the State at all times, the Constitution provided, that, at the expiration of every seven years, a convention should be elected, for the express purpose of revising the constitution, and making alterations, additions, or abolitions therein, if any should be found necessary.

Here we see a regular process—a Government issuing out of a Constitution, formed by the people in their original character—and that Constitution serving, not only as an authority, but as a law of controul to the Government. It was the political bible of the State. Every member of the government had a copy ; and nothing was more common, when any debate arose on the principle of a bill, or on the extent of any species of authority, than for the members to take a printed Constitution out of their pocket, and read the chapter with which such matter in debate was connected.

Congress

Congress, at its two first meetings, was nothing more than a deputation from the legislatures of the several provinces, afterwards states, and had no other authority than what arose from common consent, and the necessity of its acting as a public body. In every thing which related to the internal affairs of America, Congress went no farther than to issue recommendations to the several provincial assemblies, who, at discretion, adopted them or not. Nothing on the part of Congress was compulsive; yet, in this situation, it was more faithfully and affectionately obeyed, than was any government in Europe. This instance, like that of the National Assembly of France, sufficiently shews, that the strength of government does not consist in any thing *within* itself, but in the attachment of a nation, and the interest which the people feel in supporting it. When this is lost, government is but a child in power; and though, like the old government of France, it may harass individuals for a while, it but facilitates its own fall.

After the declaration of independence, it became consistent with the principle on which representative government is founded, that the authority of Congress should be defined and established. Whether that authority should be more or less than Congress then discretionarily exercised, was not the question. It was merely the rectitude of the measure.

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For this purpose the act, called the "*Act of Confederation*,"—which was a sort of imperfect federal constitution—was proposed, and, after long deliberation, was concluded. It was not the act of Congress, because it is repugnant to the principles of representative government, that a body should give power to itself. Congress first informed the several states of the powers which it conceived were necessary to be invested in the union, to enable it to perform the duties and services required from it; and the states, severally, agreed with each other, and concentrated in Congress those powers.

It may not be improper to observe, that in both these instances—the one of Pennsylvania, and the other of the United States—there is no such thing as the idea of a compact between the people on one side, and the government on the other. The compact was, that of the people with each other, to produce and constitute a government. To suppose that any government can be a party in a compact with the whole people, is to suppose it to have existence before it can have a right to exist. The only instance in which a compact can take place between the people and those who exercise the government, is, that the people shall pay them, while they chuse to employ them.

Government is not a trade which any man, or body of men, has a right to set up and exercise  
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for his own emolument, but is, altogether, a trust, in right of those by whom that trust is delegated, and by whom it is always resumeable. It has, of itself, no rights—they are, altogether, duties.

Having thus given two instances of the original formation of a Constitution, I will shew the manner in which both have been changed since their first establishment.

The powers vested in the governments of the several states, by the state constitutions, were found, upon experience, to be too great; and those vested in the federal government, by the act of confederation, too little. The defect was not in the principle, but in the distribution of power.

Numerous publications, in pamphlets, and in the newspapers, appeared, on the propriety and necessity of new-modelling the federal government. After some time of public discussion carried on, through the channel of the press, and in conversations, the State of Virginia experiencing some inconvenience, with respect to commerce, proposed holding a continental conference; in consequence of which a deputation from five or six of the state-assemblies met at Annapolis, in Maryland. This meeting, not conceiving itself sufficiently authorised to go into the business of a reform, did no more than state their general opinions of the propriety of the measure, and recommend, that a convention

vention of all the states should be held the year following.

This convention met at Philadelphia, and went deeply into all the subjects; and having, after a variety of debate and investigation, agreed among themselves upon the several parts of a federal constitution, the next question was, the manner of giving it authority and practice. For this purpose they referred the whole matter to the sense and interest of the country.

They first directed, that the proposed Constitution should be published. Secondly, that each state should elect a convention, expressly for the purpose of taking into consideration, and of ratifying or rejecting it; and that, as soon as the approbation and ratification of any nine states should be given, that those states should proceed to the election of their proportion of members to the new federal government; and that the operation of it should then begin, and the former federal government cease.

The several states proceeded accordingly to elect their conventions. Some of those conventions ratified the Constitution by very large majorities, and two or three unanimously. In others there were much debate and division of opinion. In the Massachusetts's convention, the majority was not above nineteen or twenty, in about three hundred members: but such is the nature of representative

tative government, that it quietly decides all matters by majority. After the debate in the Massachusetts convention was closed, and the vote taken, the objecting members rose, and declared—  
“ *That though they had argued and voted against it,*  
“ *because certain parts appeared to them in a dif-*  
“ *ferent light to what they appeared to other mem-*  
“ *bers; yet, as the vote had decided in favour of*  
“ *the Constitution, as proposed, they should give it*  
“ *the same practical support as if they had voted*  
“ *for it.*”

As soon as the nine states had concurred, and the rest followed in the order their conventions were elected, the old fabric of the federal government was taken down, and the new one erected.

After the new federal constitution was established, the State of Pennsylvania, conceiving that some parts of its own constitution required to be altered, elected a convention for that purpose. The proposed alterations were published, and the people concurring therein, they were established.

In forming those constitutions, or in altering them, little or no inconvenience took place. The ordinary course of things was not interrupted, and the advantages have been much. It is always the interest of a far greater number of people in a nation to have things right, than to let them remain wrong: and when public matters are open to debate,

bate, and the public judgment free, it will not decide wrong, unless it shall decide too hastily.

In the two instances of changing the constitutions, the governments, then in being, were not actors either way. Government has no right to make itself a party in any debate respecting the principles or modes of forming, or of changing constitutions. It is not for the benefit of those who exercise the powers of government, that constitutions, and the governments issuing from them, are established. In all those matters, the right of judging and acting are in those who pay, and not in those who receive.

A constitution is the property of a nation, and not of those who exercise the government. All the constitutions of America are declared to be established on the authority of the people. In France, the word *Nation*, is used instead of the *People*; but in both cases, a constitution is a thing antecedent to the government, and always distinct therefrom.

For the want of understanding the difference between a constitution and a government, monarchical writers have always bewildered themselves. They could not but perceive that there must necessarily be a controuling power existing some where, and they placed this power in the discretion of the persons *exercising* the government, instead of placing it in a constitution formed by the nation. When it is in a constitution, it has the nation for its support,

support, and the natural, and the political controuling powers are together. The laws which are enacted by governments, controul men only as individuals, but the nation, through its constitution, controuls the whole government, and has a natural ability so to do. The final *controuling* power therefore, and the original *constituting* power, are one and the same power.

Having thus spoken of constitutions generally, as things distinct from actual governments, let us proceed to consider the parts of which a constitution is composed.

Opinions differ more on this subject, than with respect to the whole. That a nation ought to have a constitution, as a rule for the conduct of its government, is a simple question, in which all men, not directly courtiers, will agree. It is only on the component parts that questions and opinions multiply.

But this difficulty, like every other, will diminish when put into a train of being rightly understood.

The first thing is, that a nation has a right to establish a Constitution.

Whether it shall exercise this right in the most judicious manner at first, is quite another case. It exercises it agreeably to the judgment it possesses—and by continuing to do so all errors will at last be exploded.

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When this right is established in a nation, there is no fear that it will be employed to its own injury. A nation can have no interest in being wrong.

Though all the Constitutions of America are one general principle, yet no two of them are exactly alike in their component parts, or in the distribution of the powers which they give to the actual governments. Some are more, and the others less complex.

In forming a Constitution, it is, first, necessary to consider, What are the ends for which government is necessary? Secondly, What are the best means, and the least expensive, for accomplishing those ends?

Government is nothing more than a national association; and the object of this association is, the good of all, as well individually, as collectively. Every man wishes to pursue his occupation, and to enjoy the fruits of his labours, and the produce of his property, in peace and safety, and with the least possible expence. When these things are accomplished, all the objects for which government ought to be established, are answered.

It has been customary to consider government under three distinct general heads—the legislative, the executive, and the judicial.

But if we permit our judgment to act unincumbered by the habit of multiplied terms, we can perceive no more than two divisions of power of

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which government is composed, namely, that of legislating or enacting laws, and that of executing or administering them. Every thing therefore, appertaining to civil government, classes itself under one or other of these two divisions.

So far as regards the execution of laws, that which is called the judicial power is, strictly and properly, the executive power of every country. It is that power to which every individual has appeal, and which causes the laws to be executed; neither have we any other clear idea with respect to the official execution of the laws. In England, and also in America, and France, this power begins with the magistrate, and proceeds up through all the courts of judicature.

I leave to courtiers to explain what is meant by calling monarchy the executive power. It is, merely, a name in which acts of government are done; and, any other, or none at all, would answer the same purpose. Laws have neither more nor less authority on this account. It must be from the justness of their principles, and the interest which a nation feels therein, that they derive support; if they require any other than this, it is a sign that something in the system of government is imperfect. Laws difficult to be executed, cannot be generally good.

With respect to the *organization* of the *legislative power*, different modes have been adopted in  
different

different countries. In America, it is generally composed of two houses. In France, it consist but of one ; but in both countries it is wholly by representation.

The case is, that mankind, from the long tyranny of assumed power, have had so few opportunities of making the necessary trials in modes and principles of government, in order to discover the best, *that government is but now beginning to be known* ; and experience is yet wanting to determine many particulars.

The objections against two houses are, first, that there is an inconsistency in any part of a whole legislature, coming to a final determination, by vote, or any matter, whilst *that matter*, with respect to *that whole*, is yet only in a train of deliberation, and consequently, open to new illustrations.

Secondly, that, by taking the vote on each, as a separate body, it always admits of the possibility—and is often the case in practice—that the minority governs the majority, and that, in some instances, to a degree of inconsistency.

Thirdly, that two houses arbitrarily checking or controuling each other is inconsistent ; because, it cannot be proved on the principles of just representation, that either should be wiser or better than the other. They may check in the wrong as well as in the right ; and, therefore, to give the power where we cannot give the wisdom to use it, nor



be assured of its being rightly used, renders the hazard at least equal to the precaution. Particularly if we look at the distinct abilities of a house of representatives and of peers, the difference will appear so great as to shew the inconsistency of placing power where there cannot be any certainty of the judgment to use it.

The objection against a single house is, that it is always in a condition of committing itself too soon. But it should, at the same time, be remembered, that, when there is a Constitution which defines the power, and establishes the principles within which a legislature shall act, there is always a more effectual check provided, and more powerfully operating, than any other check can be. For example :—

Were a bill to be brought into any of the American legislatures, to extend the duration of the assemblies to a longer period than they now sit, the check is in the Constitution, which in effect says—*thus far shalt thou go and no further.*

But in order to remove the objection against a single house—that of acting with too quick an impulse—and, at the same time, to avoid the inconsistencies, in some cases absurdities, arising from two houses, the following method has been proposed as an improvement upon both :—first, To have but one representation.—Secondly, To divide that representation by lot, into two or three parts.—

parts.—Thirdly, That every proposed bill, shall be first debated in those parts by succession, that they may become the hearers of each other, but without taking any vote. After which the whole representation to assemble, for a general debate and determination by vote.

To this proposed improvement has been added another for the purpose of keeping the representation in a state of constant renovation; which is, that one third of the representation of each county shall go out at the expiration of one year, and the number be replaced by new elections; another third at the expiration of the second year replaced in like manner; and every third year to be a general election.

But in whatever manner the separate parts of a Constitution may be arranged, there is *one* general principle that distinguishes Freedom from Slavery, which is, that all *hereditary government over a people is, to them, a species of slavery, and representative government is freedom.*

Considering government in the only light in which it should be considered—that of a NATIONAL ASSOCIATION—it ought to be so constructed as not to be disordered by any accident happening among the parts; and, therefore, no extraordinary power, capable of producing such an effect, should be lodged in the hands of any individual. The death, sickness, absence, or de-

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defection

fection of any one individual in a government, ought to be a matter of no consequence, with respect to the nation, than if the same circumstance had taken place in a member of the legislature.

Scarcely any thing presents a more degrading character of national greatness, than its being thrown into confusion by any thing happening to, or acted by an individual; and the ridiculousness of the scene is often increased by the natural insignificance of the person by whom it is occasioned. Were a government so constructed, that it could not go on unless a goose or a gander were present in the senate, the difficulties would be just as great and as real on the flight or sickness of the goose or the gander, as if it were called a king. We laugh at individuals for the silly difficulties they make to themselves, without perceiving that the greatest of all ridiculous things are acted in government\*.

All

\* It is related, that in the Cantons of Berne, in Switzerland, it had been customary, from time immemorial, to keep a Bear at the public expence, and the people had been taught to believe, that if they had not a Bear, they should be undone. It happened that the Bear, then in being, was taken sick, and died too suddenly to have his place immediately supplied with another. During this interregnum, the people discovered, that the corn grew, and the vintage flourished, and the sun and moon continued to rise and set, and every thing went on the same as before, and taking courage from these circumstances, they resolved not to keep any more Bears—for, said they,

All the Constitutions of America are on a plan that excludes the childish embarrassments which occur in monarchical countries. No suspension of government can there take place for a moment, from any circumstance whatever. The system of representation provides for every thing, and is the only system in which nations and governments can always appear in their proper character.

As extraordinary power ought not to be lodged in the hands of any individual, so ought there not to be any appropriations of public money to any person, beyond what his services, in a state, may be worth. It signifies not whether a man be called a President, a King, an Emperor, a Senator, or by any other name, which propriety or folly may devise, or arrogance assume; it is only a certain service he can perform in the state; and the service of any such individual in the routine of office, whether such office be called monarchical, presidential, senatorial, or by any other name or title, can never exceed the value of ten thousand pounds a year. All the great services that are done in the world are performed by volunteer characters, who do not accept any thing for them; but the routine of office is always regulated to such a general standard of abilities, as are to be within the com-

they, "a Bear is a very voracious, expensive animal—and we were obliged to pull out his claws, lest he should hurt the citizens".

pais of numbers in every country to perform, and therefore cannot merit very extraordinary recompence. *Government, says SWIFT, is a plain thing, and fitted to the capacity of many heads.*

It is inhuman to talk of a million sterling a year, paid out of the public taxes of any country, for the support of any individual, whilst thousands who are forced to contribute thereto, are pining in want, and struggling with misery. Government does not consist in a contrast between prisons and palaces—between poverty and pomp. It is not instituted to rob the needy of his mite, and increase the wretchedness of the wretched.

When extraordinary power, and extraordinary pay, are allotted to any individual in a government, he becomes the centre round which every kind of corruption generates and forms. Give to any man a million a year, and add thereto the power of creating and disposing of places, at the expence of a country, the liberties of that country are no longer sacred. What is called the splendour of a throne, is no other than the corruption of the state. It is made up of a band of parasites, living in luxurious indolence, out of the public taxes, paid by the labours of the poor.

When once such a vicious system is established, it becomes the guard and protection of all inferior abuses. The man who is in the receipt of a million a year, is the last person to promote a spirit  
of

of reform, left, in the event, it should reach to himself. It is always his interest to defend inferior abuses, as so many out-works to protect the citadel; and, in this species of political fortification, all the parts have such a common dependence, that it is never to be expected they will attack each other.

Monarchy would not have continued so many ages in the world, had it not been for the abuses it protects. It is the master-fraud which shelters all others. By admitting a participation of the spoil, it makes itself friends; and, when it ceases to do this, it will cease to be the idol of courtiers.

As the principle on which Constitutions are now formed, rejects all hereditary pretensions to government, it also rejects all that catalogue of assumptions known by the name of prerogatives.

If there is any government where prerogatives might, with apparent safety, be intrusted to any individual, it is the federal government of America. The President of the United States of America is elected only for four years. He is not only responsible in the general sense of the word, but a particular mode is laid down in the Constitution for trying him. He cannot be elected under *thirty-five* years of age—and *he must be a native of the country*.

The presidency in America (or as it is sometimes called, the executive), is the only office from which  
a foreigner

a foreigner is excluded; and in England, it is the only one to which he is admitted. A foreigner cannot be a member of parliament, but he may be what is called a king. If there is any reason for excluding foreigners, it ought to be from those offices where mischief can most be acted, and whereby uniting every bias of interest and attachment, the trust is best secured.

But as nations proceed in the great business of forming Constitutions, they will examine with more precision, into the nature and business of that department which is called the executive. What the legislative and judicial departments are, every one can see; but, with respect to what, in Europe, is called the executive, as distinct from those two, it is either a political superfluity, or a chaos of unknown things.

Some kind of official department, to which reports shall be made from the different parts of a nation, or from abroad, to be laid before the national representatives, is all that is necessary; but there is no consistency in calling this the executive; neither can it be considered in any other light than as inferior to the legislative. The sovereign authority, in any country, is the power of making laws, and every thing else is an official department.

Next to the arrangement of the principles and the organization of the several parts of a Constitution

tution is, the provision to be made for the support of the persons to whom the nation shall confide the administration of the constitutional powers.

A nation can have no right to the time and services of any person at his own expence, whom it may chuse to employ or entrust in any department, whatever; neither can any reason be given for making provision for the support of any one part of a government, and not for the other.

But admitting, that the honour of being entrusted with any part of a government is to be considered a sufficient reward, it ought to be so to every person alike. If the members of the legislature of any country are to serve at their own expence, that which is called the executive, whether monarchical, or by any other name, ought to serve in like manner. It is inconsistent to pay the one, and accept the service of the other gratis.

In America, every department in the government is decently provided for—but no one is extravagantly paid. Every member of Congress and of the Assemblies, is allowed a sufficiency for his expences. Whereas, in England, a most prodigal provision is made for the support of one part of the government, and none for the other—the consequence of which is, that the one is furnished with the means of corruption, and the other is put into the condition of being corrupted.

Another reform in the American Constitutions  
is,



is, the exploding all oaths of personality. The oath of allegiance in America is to the nation only. The putting any individual as a *figure* for a nation is improper. The happiness of a nation is the superior object, and therefore the intention of an oath of allegiance ought not to be observed by being figuratively taken to, or in the name of any person. The oath, called the *civic oath*, in France, viz. the “*Nation, the Law, and the King*,” is improper. If taken at all, it ought to be, as in America, to the nation only. The law may or may not be good; but in this place, it can have no other meaning than as conducive to the happiness of the nation, and therefore is included in it. The remainder of the oath is improper, on the ground, that all personal oaths ought to be abolished. They are the remains of tyranny on one part, and slavery on the other; and the name of the CREATOR ought not to be introduced to witness the degradation of his creation; or if taken, as is already mentioned, as figurative of the nation, it is in this place redundant. But whatever apology may be made for oaths at the first establishment of government, they ought not to be permitted afterwards. If a government requires the support of oaths, it is a sign that it is not worth supporting, and ought not to be supported. Make government what it ought to be, and it will support itself.

To conclude this part of the subject:—one of the

the greatest improvements that has been made for the perpetual security and progress of constitutional liberty is, the provision which the new Constitutions make for, occasionally, revising, altering, and amending them.

The principle of "*binding and controuling posterity to the end of time, and of renouncing and abdicating the rights of all posterity for ever*", is now become too detestable to be made a subject of debate; and therefore I pass it over with no other notice than exposing it.

Government is but now beginning to be known. Hitherto it has been the mere exercise of power, which forbid all effectual enquiry into rights, and grounded itself wholly on possession. While the enemy of liberty was its judge, the progress of its principles must have been small indeed.

The Constitutions of America, and also that of France, have either affixed a period for their revision, or laid down the mode by which improvements shall be made. It is, perhaps, impossible to establish any thing that combines principles with opinions and practice, which the progress of circumstances, through a length of years, will not, in some measure, derange, or render inconsistent; and therefore, to prevent inconveniences accumulating till they discourage reformatations, or provoke revolutions, it is best to provide the means of regulating them as they occur. The Rights of  
Man

Man are the rights of all generations of men, and cannot be monopolized by any. That which is worth following, will be followed for the sake of its worth; and it is in this that its security lies, and not in any conditions with which it may be incumbered. When a man leaves his property to his heirs, he does not connect with it an obligation that they shall accept it. Why then should we do otherwise with respect to Constitutions?

The best Constitution that could now be devised, consistent with the condition of the present moment, may be far short of that excellence which a few years may afford. There is a morning of reason rising upon man on the subject of Government, that has not appeared before. As the barbarism of the present old governments expires, the moral condition of nations, with respect to each other, will be changed. Man will not be brought up with the savage idea of considering his species as his enemy, because the accident of birth gave the individuals existence in countries distinguished by different names; and, as Constitutions have always some relation to external as well as domestic circumstances, the means of benefiting by every change, foreign or domestic, should be a part of every Constitution.

We already see an alteration in the national disposition of England and France towards each other; which, when we look back to only a few years,

years, is itself a Revolution. Who could have foreseen, or who could have believed, that a French National Assembly would ever have been a popular toast in England; or that a friendly alliance of the two nations should become the wish of either? It shews, that, man, were he not corrupted by governments, is naturally the friend of man, and that human nature is not of itself vicious. That spirit of jealousy and ferocity, which the governments of the two countries inspired, and which they rendered subservient to the purpose of taxation, is now yielding to the dictates of reason, interest, and humanity. The trade of courts is beginning to be understood, and the affectation of mystery, with all the artificial forcery by which they imposed upon mankind, is on the decline. It has received its death-wound—and, though it may linger, it will expire.

Government ought to be as much open to improvement as any thing which appertains to man; instead of which it has been monopolized from age to age, by the most ignorant and vicious of the human race. Need we any other proof of their wretched management than the excess of debts and taxes, with which every nation groans; and the quarrels into which they have precipitated the world?

Just emerging from such a barbarous condition, it is too soon to determine to what extent of improvement

provement government may yet be carried. For what we can foresee, all Europe may form but one great Republic, and man be free of the whole.

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### MISCELLANIES.

IN contemplating a subject that embraces, with equatorial magnitude, the whole region of humanity, it is impossible to confine the pursuit in one single direction. It takes ground on every character and condition that appertains to man, and blends the individual.

From a small spark, kindled in America, a flame has arisen not to be extinguished. Without consuming like the *ultima ratio regum*, it winds its progress from nation to nation, and conquers by silent operation. Man finds himself changed he scarcely perceives how. He acquires a knowledge of his rights by attending justly to his interest and discovers in the event, that the strength and powers of despotism consist wholly in the fear of resisting it, and that in order "*to be free, it is sufficient that he wills it.*"

Having, in all the preceding parts of this work, endeavoured to establish a system of principles as a basis on which governments ought to be erected, I shall proceed in this to the ways and means of rendering

rendering them into practice. But in order to introduce this part of the subject with more propriety, and stronger effect, some preliminary observations deducible from, or connected with those principles, are necessary.

Whatever the form or constitution of government may be, it ought not to have any other object than the *general* happiness. When, instead of this, it operates to create and increase wretchedness in any of the parts of society, it is on a wrong system; and reformation is necessary.

Customary language has classed the condition of man under the two descriptions of civilized and uncivilized life. To the one it has ascribed felicity and affluence—to the other, hardship and want. But, however our imagination may be impressed by painting and comparison, it is nevertheless true, that a great portion of mankind, in what are called civilized countries, are in a state of poverty and wretchedness, far below the condition of an Indian.—Let us enquire into the cause.

It lies not in any natural defect in the principles of civilization, but in preventing those principles having an universal operation; the consequence of which is, a perpetual system of war and expence, that drains the country, and defeats the general felicity of which civilization is capable.

All the European governments (France now excepted) are constructed, not on the principle of  
I universal

universal civilization, but on the reverse of it. So far as these governments relate to each other, they are in the same condition as we conceive of savage uncivilized life : they put themselves beyond the law as well of God as of man, and are, with respect to principle and reciprocal conduct, like so many individuals in a state of nature.

The inhabitants of every country, under the civilization of laws, easily civilize together, but governments being yet in an uncivilized state, and almost continually at war, they pervert the abundance which civilized life produces to carry on the uncivilized part to a greater extent. By thus engrafting the barbarism of government upon the internal part of the civilization of a country, it draws from the latter, and more especially from the poor, a great portion of those earnings which should be applied to their own subsistence and comfort.— Apart from all reflections of morality and philosophy, it is a melancholy fact, that more than one fourth of the labour of mankind is annually consumed by this barbarous system.

What has served to continue this evil is, the pecuniary advantage which all the governments of Europe have found in keeping up this state of uncivilization. It affords to them pretences for power and revenue, for which there would not be either occasion or apology, if the circle of civilization was rendered complete. Civil government  
alone,

alone, or the government of laws, is not productive of pretences for many taxes; it operates at home directly under the eye of the country, and precludes the possibility of much imposition. But when the scene is laid in the uncivilized contention of governments, the field of pretences is enlarged, and the country being no longer a judge, is open to every imposition, which governments please to act.

Not a thirtieth, scarcely a fortieth part of the taxes which are raised in monarchical governments are either occasioned by, or applied to the purposes of civil government. It is not difficult to see, that the whole which the actual government does in this respect is, to enact laws, and that the country administers and executes them, at its own expence, by means of magistrates, juries, sessions, and assize, over and above the taxes which it pays.

In this view of the case, we have two distinct characters of government—the one the civil government, or government of laws, which operates at home; the other, the court or cabinet government, which operates abroad, on the rude plan of uncivilized life; the one attended with but little charge, the other with boundless extravagance; and, so distinct are the two, that if the latter were to sink; as it were, by a sudden opening of the earth, and totally disappear, the former would not be deranged. It would still proceed, because it is



the common interest of the nation that it should, and all the means are in practice.

Revolutions then have for their object a change in the moral condition of governments, and, with this change, the burthen of public taxes will lessen, and civilization will be left to the enjoyment of that abundance, of which it is now deprived.

In contemplating the whole of this subject, I extend my views into the department of commerce. In all my publications, where the matter would admit, I have been an advocate for commerce, because I am a friend to its effects. It is a pacific system, operating to cordialize mankind, by rendering nations, as well as individuals, useful to each other. As to mere theoretical reformation, I have never preached it up. The most effectual process is, that of improving the condition of man by means of his interest; and it is on this ground that I take my stand.

If commerce were permitted to act to the universal extent it is capable of, it would extirpate the system of war, and produce a revolution in the uncivilized state of governments. The invention of commerce has arisen since those governments began, and is the greatest approach towards universal civilization, that has yet been made by any means not immediately flowing from moral principles.

Whatever has a tendency to promote the civil  
intercourse

intercourse of nations, by an exchange of benefits, is a subject as worthy of philosophy as of policies. Commerce is no other than the traffic of two individuals, multiplied on a scale of numbers; and by the same rule that nature intended the intercourse of two, she intended that of all. For this purpose she has distributed the materials of manufactures and commerce, in various and distant parts of a nation and of the world; and as they cannot be procured by war so cheaply or so commodiously as by commerce, she has rendered the latter the means of extirpating the former.

As the two are nearly the opposites of each other, consequently the uncivilized state of European governments is injurious to commerce. Every kind of destruction or embarrassment serves to lessen the quantity, and it matters but little in what part of the commercial world the reduction begins. Like blood, it cannot be taken from any of the parts, without being taken from the whole mass in circulation, and all partake of the loss. When the ability in any nation to buy is destroyed, it equally involves the seller. Could the government of England, for instance, destroy the commerce of all other nations, she would, most effectually, ruin her own.

It is possible that a nation may be the carrier for the world, but she cannot be the merchant. She cannot be the seller and the buyer of her own merchandise.

chandize. The ability to buy must reside out of herself; and, therefore, the prosperity of any commercial nation is regulated by the prosperity of the rest. If they be poor, she cannot be rich; and her condition, be it what it may, is an index of the height of the commercial tide in other nations.

That the principles of commerce, and its universal operation, may be understood, without understanding the practice, is a position that reason will not deny; and it is on this ground only that I argue the subject. It is one thing in the counting-house; in the world it is another. With respect to its operation, it must necessarily be contemplated as a reciprocal thing; that only one half its powers resides within the nation, and that the whole is as effectually destroyed by destroying the half that resides without, as if the destruction had been committed on that which is within; for neither can act without the other.

When in the last, as well as in former wars, the commerce of England sunk, it was because the general quantity was lessened every where; and it now rises, because commerce is in a rising state in every nation. If England, at this day, imports and exports more than at any former period, the nations with which she trades must necessarily do the same; her imports are their exports, and *vice versa*.

There

There cannot be any such thing as a nation flourishing alone in commerce ; she can only participate ; and the destruction of it, in any part must necessarily affect all. When therefore Governments are at war, the attack is made on the common stock of commerce, and the consequence is the same as if each had attacked his own.

The present increase of commerce is not to be attributed to ministers, or to any political contrivances, but to its own natural operations in consequence of peace. The regular markets had been destroyed, the channels of trade broken up, the high rode of the seas infested with robbers of every nation, and the attention of the world called to other objects. Those interruptions have ceased, and peace has restored the deranged condition of things to their proper order.

It is worth remarking, that every nation reckons the balance of trade in its own favour ; and therefore something must be irregular in the common ideas upon this subject.

The fact, however, is true, according to what is called a balance ; and it is from this cause that commerce is universally supported. Every nation feels the advantage, or it would abandon the practice : but the deception lies in the mode of making up the accounts, and in attributing what are called profits to a wrong cause.

The British minister has, sometimes, amused himself by shewing, what he called a balance of trade from the Custom-house books. This mode of calculation not only affords no rule that is true, but one that is false.

In the first place, every cargo that departs from the Custom-house appears on the books as an export; and, according to the Custom-house balance, the losses at sea, and by foreign failures, are all reckoned on the side of profit, because they appear as exports.

Secondly, because the importation, by the smuggling trade, does not appear on the Custom-house books to arrange against the exports.

No balance, therefore, as applying to superior advantages can be drawn from those documents; and if we examine the natural operation of commerce, the idea is fallacious; and if true, would soon be injurious. The great support of commerce consists in the balance being a level of benefits among all nations.

Two merchants of different nations trading together, will both grow rich, and each makes the balance in his own favour; consequently, they do not get rich out of each other; and it is the same with respect to the nations in which they reside. The case must be, that each nation must get rich out of its own means, and increases those riches  
by

by something which it procures from another in exchange.

If a merchant in England, for instance, sends an article of English manufacture abroad, which cost him a shilling at home, and imports something which sells for two, he makes a balance of one shilling in his own favour: but this is not gained out of the foreign nation, or the foreign merchant, for he also does the same by the article he receives, and neither has a balance of advantage upon the other. The original value of the two articles, in their proper countries, were but two shillings; but by changing their places, they acquire a new idea of value, equal to double what they had, at first, and that increased value is equally divided.

There is no otherwise a balance on foreign than on domestic commerce. The merchants of London and Newcastle trade on the same principles as if they resided in different nations, and make their balances in the same manner: yet London does not get rich out of Newcastle, any more than Newcastle out of London: but coals, the merchandize of Newcastle, have an additional value in London, and London merchandize has the same at Newcastle.

Though the principle of commerce is the same, the domestic in a national view is the part the  
most

most beneficial; because the whole of the advantages on both sides, rests within the nation; whereas, in foreign commerce, it is only a participation of one half.

The most unprofitable of all commerce is that connected with foreign dominion. To a few individuals it may be beneficial, merely because it is commerce; but to the nation it is a loss. The expence of maintaining dominion more than absorbs the profits of any trade. It does not increase the general quantity in the world, but operates to lessen it; and as a greater mass would be afloat by relinquishing dominion, the participation without the expence would be more valuable than a greater quantity with it.

But it is impossible to engross commerce by dominion; and therefore, it is still more fallacious. It cannot exist in confined channels, and necessarily breaks out by regular or irregular means that defeat the attempt; and to succeed, would be still worse. France, since the Revolution, has been more than indifferent as to foreign possessions; and other nations will become the same, when they investigate the subject with respect to commerce.

To the expence of dominion is to be added, that of navies; and when the amount of the two are subtracted from the profits of commerce, it will appear, that what is called the balance of trade, even

even admitting it to exist, is not enjoyed by the nation, but absorbed by the Government.

The idea of having navies for the protection of commerce is delusive. It is putting the means of destruction for the means of protection. Commerce needs no other protection than the reciprocal interest which every nation feels in supporting it—it is common stock—it exists by a balance of advantages to all; and the only interruption it meets is, from the present uncivilized state of governments, and which it is its common interest to reform.

Quitting this subject, I now proceed to other matters.—As a new system of government is now opening to the view of the world, the European courts are plotting to counteract it. Alliances, contrary to all former systems, are agitating, and a common interest of courts is forming against the common interest of man. This combination draws a line that runs throughout Europe, and presents a cause so entirely new, as to exclude all calculations from former circumstances. While despotism warred with despotism, man had no interest in the contest; but in a cause that unites the soldier with the citizen, and nation with nation, the despotism of courts, though it feels the danger and meditates revenge, is afraid to strike.

No question has arisen within the records of history, that pressed with the importance of the present. It is not whether this or that party shall be  
in



in or out, or Whig or Tory, or high or low, shall prevail; but whether man shall inherit his rights, and universal civilization take place? whether the fruits of his labours shall be enjoyed by himself, or consumed by the profligacy of governments? whether robbery shall be banished from courts, and wretchedness from countries?

When, in countries that are called civilized, we see age going to the workhouse, and youth to the gallows, something must be wrong in the system of government. It would seem by the exterior appearance of such countries, that all was happiness; but there lies hidden, from the eye of common observation, a mass of wretchedness that has scarcely any other chance, than to expire in poverty or infamy. Its entrance into life is marked with the preface of its fate; and, until this is remedied, it is in vain to punish.

Civil government does not consist in executions; but in making that provision for the instruction of youth, and the support of age, as to exclude, as much as possible, profligacy from the one, and despair from the other. Instead of this, the resources of a country are lavished upon kings, upon courts, upon hirelings, impostors, and prostitutes; and even the poor themselves, with all their wants upon them, are compelled to support the fraud that oppresses them.

Why is it that scarcely any are executed but the  
poor?

poor? The fact is a proof, among other things, of a wretchedness in their condition. Bred up without morals, and cast upon the world without a prospect, they are the exposed sacrifice of vice and legal barbarity. The millions that are superfluously wasted upon governments are more than sufficient to reform those evils, and to benefit the condition of every man in a nation, not included within the purlieu of a court.

It is the nature of compassion to associate with misfortune. In taking up this subject, I seek no recompence—I fear no consequence. Fortified with that proud integrity, that disdains to triumph or to yield, I will advocate the Rights of Man.

It is to my advantage, that I have served an apprenticeship to life. I know the value of moral instruction, and I have seen the danger of the contrary. Knowing my own heart, and feeling myself as I now do, superior to all the skirmish of party, the inveteracy of interested or mistaken opponents, I answer not to falsehood or abuse, but proceed to the defects of the English government.

I now begin with

#### CHARTERS *and* CORPORATIONS.

It is a perversion of terms to say that a Charter gives rights. It operates by a contrary effect, that of taking rights away. Rights are, inherently, in  
all

all the inhabitants ; but Charters, by annulling those rights in the majority, leave the right, by exclusion, in the hands of a few. If Charters were constructed so as to express, in direct terms, "*that every inhabitant, who is not a member of a corporation, shall not exercise the right of voting,*" such Charters would, in the face, be Charters, not of right, but of exclusion. The effect is the same under the form they now stand ; and the only persons on whom they operate, are the persons whom they exclude. Those whose rights are guaranteed, by not being taken away, exercise no other rights than as members of the community they are entitled to, without a Charter ; and, therefore, all Charters have no other than an indirect negative operation. They do not give rights to A, but they make a difference in favour of A, by taking away the right of B ; and, consequently, are instruments of injustice.

But Charters and Corporations have a more extensive evil effect, than what relates merely to elections. They are sources of endless contentions in the places where they exist ; and they lessen the common rights of national society. A native of England, for example, under the operation of these Charters and Corporations, cannot be said to be an Englishman in the full sense of the word. He is not free of the nation in the same manner that a Frenchman is free of France, and an American

rican is of America. His rights are circumscribed to the town, and, in some cases, to the parish of his birth; and all other parts, though in his native land, are to him as a foreign country. To acquire a residence in these, he must undergo a local naturalization by purchase, or he is forbidden, or expelled, the place. This species of feudality is kept up to aggrandize the Corporations at the ruin of towns; and the effect is visible.

The generality of corporation towns are in a state of solitary decay, and prevented from further ruin only by some circumstance in their situation, such as navigable rivers, or a plentiful surrounding country. As population is one of the chief sources of wealth (for without it land itself has no value), every thing, which operates to prevent it, must lessen the value of property; and, as Corporations have not only this tendency, but directly this effect, they cannot but be injurious. If any policy were to be followed, instead of that of general freedom to every person to settle where he chose (as in France or America), it would be more consistent to give encouragement to new comers, than to preclude their admission, by exacting premiums from them.

The persons most immediately interested in the abolition of Corporations are, the inhabitants of the towns where Corporations are established. The instances of the towns of Manchester, Birmingham, and

and Sheffield, in England, shew, by contrast, the injury which those gothic institutions are to property and commerce. A few examples may be found, such as that of London, whose natural and commercial advantage, owing to its situation on the Thames, is capable of bearing up against the political evils of a Corporation; but in almost all other cases the fatality is too visible to be doubted or denied.

Though the whole nation is not so directly affected by the depression of property in corporation towns as the inhabitants themselves, it partakes of the consequence. By lessening the value of property, the quantity of national commerce is curtailed. Every man is a customer in proportion to his ability; and, as all parts of a nation trade with each other, whatever affects any of the parts must necessarily communicate to the whole.

As a legislature, or any part thereof, made up of elections from these Corporations is partial and unequal, and as it is unnatural that a pure stream should flow from a foul fountain, its vices are but a continuation of the vices of its origin. A man of moral honours, and good political principles, cannot submit to the mean drudgery, and disgraceful arts, by which such elections are carried. To be a successful candidate, he must be destitute of the qualities that constitute a just legislature: and being thus disciplined to corruption by the mode  
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of entering into the legislature, it is not to be expected that the representative should be better than the man.

But it is not in the representation only that the defects lie, and therefore I proceed, in the next place, to the

### ARISTOCRACY.

What is called a House of Peers, is constituted on a ground very similar to that against which there is a law in other cases. It amounts to a combination of persons in one common interest. No reason can be given, why a House of Legislation should be composed entirely of men whose occupation consists in letting landed property, than why it should be composed of those who hire, or of brewers, or bakers, or any other separate class of men.

Mr. BURKE calls this House, "*the great ground and pillar of security to the landed interest.*" Let us examine this idea.

What pillar of security does the landed interest require more than any other interest in the state; or what right has it to a distinct and separate representation from the general interest of a nation?

The only use to be made of this power (and which it has always made) is, to ward off taxes from itself, and throw the burden upon such articles of

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consump-

consumption by which itself would be least affected.

That this has been the consequence (and will always be the consequence of constructing governments on combinations) is evident, as in England, from the history of its taxes.

Notwithstanding taxes have increased and multiplied upon every article of common consumption, the land-tax, which more particularly affects this "*pillar*," has diminished. In 1788, the amount of the land-tax was 1,950,000*l.* which is half a million less than it produced almost a hundred years ago\*, notwithstanding the rentals are, in many instances, doubled since that period.

Before the Hanover succession, the taxes in England, for instance, were divided in nearly equal proportions between the land and articles of consumption, the land bearing rather the largest share: but since that era nearly thirteen millions, annually, of new taxes have been thrown upon consumption. The consequence of which has been a constant increase in the number and wretchedness of the poor, and in the amount of the poor-rates. Yet here again the burden does not fall in equal proportions on the Aristocracy, with the rest of the community. Their residences, whether in town or country, are not mixed with the habitations of the

\* See Sir JOHN SINCLAIR's History of the Revenue. The land-tax, in 1646, was 2,473,499*l.*

poor.

poor. They live apart from distress, and the expence of relieving it. It is in manufacturing towns and labouring villages, that those burthens press the heaviest; in many of which it is one class of poor supporting another.

Several of the most heavy and productive taxes are so contrived, as to give an exemption to this Pillar, thus standing in its own defence. The tax upon beer, brewed for sale, does not affect the Aristocracy, who brew their own beer free of this duty. It falls only on those who have not convenience, or ability to brew, and who must purchase it in small quantities. But what will mankind think of the justice of taxation, when they know that this tax alone, from which the Aristocracy are from circumstances exempt, is nearly equal to the whole of the land-tax, being, in the year 1788, (and it is not less now) 1,666,152*l.* and with its proportion of the taxes on malt and hops, it exceeds it.— That a single article, thus partially consumed, and that chiefly by the working part, should be subject to a tax, equal to that on the whole rental of a nation is, perhaps, a fact not to be paralleled in the histories of revenues.

This is one of the consequences resulting from a House of Legislation, composed on the ground of a combination of common interest; for whatever their separate politics as to parties may be, in this they are united. Whether a combination



acts to raise the price of any article for sale, or the rate of wages; or, whether it acts to throw taxes from itself upon another class of the community, the principle and the effect are the same; and if the one be illegal, it will be difficult to shew that the other ought to exist.

It is difficult to discover what is meant by the *landed interest*, if it does not mean a combination of Aristocratical land-holders, opposing their own pecuniary interest to that of the farmer, and every branch of trade, commerce, and manufacture. In all other respects it is the only interest that needs no partial protection. It enjoys the general protection of the world. Every individual, high or low, is interested in the fruits of the earth; men, women, and children, of all ages and degrees, will turn out to assist the farmer, rather than a harvest should not be got in; and they will not act thus by any other property. It is the only one for which the common prayer of mankind is put up, and the only one that can never fail from the want of means. It is the interest, not of the policy, but of the existence of man, and when it ceases, he must cease to be.

No other interest in a nation stands on the same united support. Commerce, manufactures, arts, sciences, and every thing else, compared with this are supported but in parts. Their prosperity, or their decay, has not the same universal influence.

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When the vallies laugh and sing, it is not the farmer only, but all creation that rejoices. It is a prosperity that excludes all envy; and this cannot be said of any thing else.

Were this "Pillar" to sink into the earth, the same landed property would continue, and the same plowing, sowing, and reaping, would go on. The Aristocracy are not the farmers who work the land and raise the produce, but are the mere consumers of the rent; and when compared with the active world, are the drones, a seraglio of males, who neither collect the honey nor form the hive, but exist only for lazy enjoyment.

MR. BURKE, in his first essay, called *Aristocracy*, "*the Corinthian capitol of polished society*." Towards completing the figure, he has now added the *Pillar*; but still the base is wanting; and whenever a nation chuses to act a Samson, not blind, but bold, down goes the Temple of Dagon, the Lords, and the Philistines.

If a House of Legislation is to be composed of men of one class for the purpose of protecting a distinct interest, all the other interests should have the same. The inequality, as well as the burthen of taxation arises from admitting it in one case and not in all. Had there been a house of farmers, there had been no game-laws; or a house of merchants and manufacturers, the taxes had never been so unequal, nor so excessive. It is from the power

of taxation being in the hands of those who can throw so great a part of it from their own shoulders, that it has raged without a check.

Men of small or moderate estates are more injured by the taxes being thrown on articles of consumption, than they are eased by warding it from landed property, for the following reasons:—

First, they consume more of the productive taxable articles, in proportion to their property, than those of large estates.

Secondly, their residence is chiefly in towns, and their property in houses; and the increase of the poor-rates, occasioned by taxes on consumption, is in much greater proportion than the land-tax has been favoured.

These are but a part of the mischiefs flowing from the wretched scheme of a House of Peers.

As a combination, it can always throw a considerable portion of taxes from itself; and, as a hereditary house, not accountable to any body, it resembles a rotten borough, whose consent is to be courted by interest. There are but few of its members who are not, in some mode or other, participaters, or disposers of the public money. One turns a candle-holder, or a Lord in Waiting; another, a Lord of the Bedchamber—a Groom of the Stole—or any insignificant nominal office, to which a salary is annexed, paid out of the public taxes, and which avoids the direct appearance of corruption,

tion. Such situations are derogatory to the character of man; and, where they can be submitted to, honour cannot reside.

To all these are to be added the numerous dependents, the long list of younger branches and distant relations, who are to be provided for at the public expence: in short, were an estimation to be made of the charge of Aristocracy to a nation, it will be found nearly equal to that of supporting the poor. Is it then any wonder that, under such a system of government, taxes and rates have multiplied to their present extent?

Mr. BURKE, in speaking of the aristocratical law of Primogeniture, says—"It is the standing law of our landed inheritance; and which, without question, and I think," continues he, "a happy tendency, to preserve a character of weight and consequence."

He may call this law what he pleases, but humanity, and impartial reflection, will denounce it a law of brutal injustice. Were we not accustomed to the daily practice, and did we only hear of it, as the law of some distant part of the world, we should conclude that the legislatures of such countries had not yet arrived at a state of civilization.

As to its preserving a character of *weight and consequence*, the case appears, to me, directly the reverse. It is an attain upon character; a sort of privateering on family property. It may have

weight among dependent tenants, but it gives none on a scale of national, and much less, of universal character.

Primogeniture ought to be abolished, not only because it is unnatural and unjust, but because the country suffers by its operation. By cutting off (as before observed) the younger children from their proper portion of inheritance, the public is loaded with the expence of maintaining them; and the freedom of elections violated by the overbearing influence which this unjust monopoly of family property produces. Nor is this all. It occasions a waste of national property. A considerable part of the land of the country is rendered unproductive by the great extent of parks and chaces which this law serves to keep up, and this, at a time when the annual production of grain is not equal to the national consumption. In short, the evils of the aristocratical system are so great and numerous, so inconsistent with every thing that is just, wise, natural, and beneficent, that, when they are considered, there ought not to be a doubt, that even many who are now classed under that description, will wish to see such a system abolished.

What pleasure can they derive from contemplating the exposed condition, and almost certain beggary of their younger offspring? Every aristocratical family has an appendage of family beggars hanging round it, which, in a few ages, or a few generations,

generations, are shook off, and console themselves with telling their tale in alms-houses, work-houses, and prisons. This is the natural consequence of Aristocracy. The peer and the beggar are often of the same family. One extreme produces the other; to make one rich, many must be made poor; neither can the system be supported by other means.

I now proceed to what is called the

### CROWN,

Upon which I shall be very concise.

For example, it signifies a nominal office of a "*million*" sterling a year, the business of which consists in receiving the money. Whether the person be wise or foolish, sane or insane, a native or a foreigner, matters not. Every ministry acts upon the same idea, namely, that the people must be hood-winked, and held in superstitious ignorance by some bugbear or other; and what is called the Crown answers this purpose, and therefore it answers all the purposes to be expected from it. This is more than can be said of the other two branches.

The hazard to which this office is exposed in all countries, is not from any thing that can happen to the man, but from what may happen to the nation—the danger of its coming to its senses.

It has been customary to call the Crown the executive

utive power, and the custom is continued, though the reason has ceased.

It was called the *executive*, because the person whom it signified used formerly, to sit in the character of a judge in administering or executing the laws. The tribunals were then a part of the court. The power therefore, which is now called the judicial, is what was called the executive; and, consequently, one or other of the terms is redundant, and one of the offices useless. When we speak of the Crown now, it means nothing; it signifies neither a judge nor a general: besides which, it is the laws that govern, and not the man. The old terms are kept up to give an appearance of consequence to empty forms, and the only effect they have is, that of increasing expences.

It is time that nations should be rational, and not be governed like animals, for the pleasure of their riders. Man ought to have pride or shame enough to blush at being imposed upon, and when he shall feel his proper character, he will. Upon all subjects of this nature there is often passing in the mind a train of ideas he has not yet accustomed himself to encourage and communicate. Restrained by something that puts on the character of prudence, he acts the hypocrite upon himself, as well as others. It is however, curious to observe how soon this spell can be dissolved. A single expression, boldly conceived and uttered, will some-  
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times put a whole company into their proper feelings; and whole nations are acted upon in the same manner.

As to the offices of which any civil government may be composed, it matters but little by what names they are described. In the routine of business, as before observed, whether a man be styled a President, a King, an Emperor, a Senator, or any thing else, it is impossible that any service he can perform can merit from a nation more than *ten thousand* pounds a year; and, as no man should be paid beyond his services, so every man of a proper heart, will not accept more. Public money ought to be touched with the most scrupulous consciousness of honour. It is not the produce of riches only, but of the hard earnings of labour and poverty. It is drawn even from the bitterness of want and misery. Not a beggar passes, or perishes in the streets, whose mite is not in that mass.

To shew that the sum of *five hundred thousand* pounds is more than sufficient to defray all the expences of government, exclusive of navies and armies, the following estimate is added for any country, of the same extent as England.

In the first place, three hundred representatives, fairly elected, are sufficient for all the purposes to which legislation can apply, and preferable to a larger number. They may be divided into two or  
three



three houses, or meet in one, or in any manner a constitution may direct.

As representation is always considered, in free countries, as the most honourable of all stations, the allowance made to it is merely to defray the expence which the representatives incur by that service, and not to it as an office.

If an allowance, at the rate of five hundred pounds *per annum*, be made to every representative, deducting for non-attendance, the expence, if the whole number attended for six months each year, would be - - - - - } £ 75,000

The official departments cannot, reasonably, exceed the following number, with the salaries annexed:

Three Offices	at	10,000	£. each	- - - -	£	30,000
Ten ditto, - - -	at	5000	- - - -	- - -		50,000
Twenty - - - -	at	2000	- - - - -	- - -		40,000
Forty - - - - -	at	1000	- - - - -	- - -		40,000
Two hundred	at	500	- - - - -	- - -		100,000
Three hundred	at	200	- - - - -	- - -		60,000
Five hundred	at	100	- - - - -	- - -		50,000
Seven hundred	at	75	- - - - -	- - -		52,500

£ 497,500

If

If a nation chuses, it can deduct four *per cent.* from all offices, and make one of 20,000*l. per annum.*

All revenue officers are paid out of the monies they collect, and therefore are not in this estimation.

The foregoing is not offered as an exact detail of offices, but to shew the number and rate of salaries which *five hundred thousand* pounds will support; and it will, on experience, be found impracticable to find business sufficient to justify even this expence.

The fraud, hypocrisy, and imposition of governments, are now beginning to be too well understood, to promise them any long career. The farce of monarchy and aristocracy, in all countries, is following that of chivalry. Let it then pass, quietly, to the tomb of all other follies, and the mourners be comforted.

When it shall be said, in any country in the world, my poor are happy; neither ignorance nor distress is to be found among them; my gaols are empty of prisoners, my streets of beggars; the aged are not in want, the taxes are not oppressive; the rational world is my friend, because I am the friend of its happiness: when these things can be said, then may that country boast its constitution, and its government.

Within the space of a few years we have seen

two

two revolutions—those of America and France. In the former, the contest was long, and the conflict severe ; in the latter, the nation acted with such a consolidated impulse, that having no foreign enemy to contend with, the revolution was complete in power, the moment it appeared. From both those instances, it is evident, that the greatest forces that can be brought into the field of revolutions are, reason, and common interest. Where these can have the opportunity of acting, opposition dies with fear, or crumbles away by conviction. It is a great standing which they have now universally obtained ; and we may hereafter hope to see revolutions, or changes in governments, produced with the same quiet operation by which any measure, determinable by reason and discussion, is accomplished.

When a nation changes its opinion and habits of thinking, it is no longer to be governed as before ; but it would not only be wrong, but bad policy, to attempt, by force, what ought to be accomplished by reason. Rebellion consists in, forcibly opposing the general will of a nation, whether by a party, or by a government. There ought, therefore, to be, in every nation, a method of occasionally ascertaining the state of public opinion with respect to government.

There is no power but the voluntary will of the people that has a right to act in any matter respecting

ing a general reform ; and, by the same right that two persons can confer on such a subject, a thousand may. The object, in all such preliminary proceedings, is, to find out what the general sense of the nation is, and to be governed by it. If it prefer a bad, or defective government, to a reform, or chuse to pay ten times more taxes than there is occasion for, it has a right to do so ; and, so long as the majority does not impose conditions on the minority, different to what they impose on themselves, though there may be much error, there is no injustice. Neither will the error continue long. Reason and discussion will soon bring things right, however wrong they may begin.

By such a process, no tumult is to be apprehended. The poor in all countries are, naturally both peaceable and grateful in all reforms in which their interest and happiness are included. It is only by neglecting, and rejecting them, that they become tumultuous.

Formerly, when divisions arose respecting governments, recourse was had to the sword, and a civil war ensued. That savage custom is exploded by the new system, and reference is had to national conventions. Discussion and the general will, arbitrates the question, and to this private opinion yields with a good grace, and order is preserved uninterrupted.

In contemplating revolutions, it is easy to perceive,

ceive, that they may arise from two distinct causes: the one to avoid, or get rid of some great calamity; the other to obtain some great and positive good; and the two may be distinguished by the names of active and passive revolutions. In those which proceed from the former cause, the temper becomes incensed and fowered; and the redress obtained by danger, is too often sullied by revenge. But in those which proceed from the latter, the heart rather animated than agitated, enters serenely upon the subject. Reason and discussion, persuasion and conviction, become the weapons in the contest, and it is only when those are attempted to be suppressed, that recourse is had to violence. When men unite in agreeing that a *thing is good*, could it be obtained, such as relief from a burden of taxes, and the extinction of corruption, the object is more than half accomplished. What they approve as the end, they will promote in the means.

It is with revolutions as with commerce—the advantages increase by their becoming general and double to either, what each would receive alone. Only partial advantages can flow from partial reforms. It is only by each nation reforming its own, that the whole can be improved, and the full benefit of reformation enjoyed.

Were all governments established on the *representative* system, nations would become acquainted,  
and

and the animosities and prejudices, fomented by the intrigue and artifice of courts, would cease.

“ Expensive governments, and consequently heavy taxes, would be at an end, and society, in general, be made more comfortable. Man would be rendered to man, in all the natural, civil, and divine rights, and would concur in the general privilege of using those rights as *reason* and *mutual interest* should direct. Avarice and ambition would not be directed to licentiousness, arrogance, corruption and power, as the cause which promotes them would be done away by the changes, and short duration of legislative appointments. By restricting the periods of public office, so as to render the inordinate views of men of no object, the mind falls off from corruption, and gratifies itself in acts of merit. No longer would there be occasion to seduce men from society, and render them a distinct species for the vain purposes of ambition, venality, and arrogance. The deluded soldier would no longer find himself the dupe of artifice, of ostentation, the machine of oppression and rapacity, and the scourge of humanity, but the companion and friend of society. Instead of being trained and kept apart, as the *Puppet* of the *Great*, to be harrassed about as their pleasures or interests shall direct them, and often for the purpose of opposing the rights and privi-

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“leges of the community, he would find himself  
 “engaged as the advocate of nature, and the  
 “equal rights of mankind. His reason would  
 “not be restrained, nor his local education form  
 “him more for a *machine*, than for a *Man*.”

The oppressed soldier would become a free man; and the tortured sailor no longer be *torn* from his connections and avocation, and be dragged along the streets, like a felon, would pursue his merchantile voyage in safety. It would be better that nations should continue the pay of their soldiers during their lives, and give them their discharge, and restore them to freedom and their friends, and cease recruiting, than retain such multitudes at the same expence, in a condition useless to society and themselves. As soldiers have hitherto been treated in most countries, they might be said to be without a friend. Shunned by the citizen, on an apprehension of their being enemies to their liberty, and too often insulted by those who commanded them, their condition became a double oppression. But where genuine principles of liberty pervade a people, every thing is restored to order; and the soldier, civilly treated, returns the civility.

In contemplating the advantages of mankind, I have considered, that an alliance between England, France, and America, might be founded on principles of the most extensive utility. Though I  
 have

have not any direct authority on the part of America, I have good reason to conclude, that she is disposed to enter into a consideration of such a measure, provided that the governments, with which she might ally, acted as national governments, and not as courts involved in intrigue and mystery. That France, as a nation, and a national government, would prefer an alliance with England, is a matter of certainty. Nations, like individuals, who have long been enemies, without knowing each other, or knowing why, become the better friends when they discover the errors and impositions under which they had acted.

Admitting, therefore, the probability of such a connection, I will state some matters by which such an alliance, together with that of Holland, might render service, not only to the parties immediately concerned, but to all Europe.

It is, I think, certain, that if the fleets of England, France, and Holland, were confederated, they could propose, with effect, a limitation to, and a general dismantling of all the navies in Europe, to a certain proportion to be agreed upon.

First, that no new ship of war shall be built by any power in Europe, themselves included.

Secondly, that all the navies, now in existence, shall be put back, suppose, to one tenth of their present force. This will save to France and England at least two millions sterling annually to each



and their relative force be in the same proportion as it is now. If men will permit themselves to think, as rational beings ought to think, nothing can appear more ridiculous and absurd, exclusive of all moral reflections, than to be at the expence of building navies, filling them with men, and then hauling them into the ocean, to try which can sink each other fastest. Peace, which costs nothing, is attended with infinitely more advantage, than any victory with all its expence. But this, though it best answers the purpose of nations, does not that of court governments, whose habited policy is pretence for taxation, places, and offices.

It is, I think, also certain, that the above confederated powers, together with that of the United States of America, can propose, with effect to Spain, the independence of South America, and the opening those countries, of immense extent and wealth, to the general commerce of the world, as North America is.

The opening of South America would produce an immense field of commerce, and a ready money market for manufactures, which the eastern world does not. The East is already a country full of manufactures, the exportation of which is, not only an injury to the manufactures of England, but a drain upon its specie. The balance against England, by this trade is, regularly, upwards of half a million annually sent out in the East-India ships

ships in silver; and this is the reason, together with German intrigue, and German subsidies, that there is so little silver in England.

Never did so great an opportunity offer itself to all Europe, as is produced by the two Révolutions of America and France. By the former, Freedom has a national champion in the Western World; and by the latter in Europe. When another nation shall join France, despotism, and bad government will scarcely dare to appear. To use a trite expression, the iron is becoming hot all over Europe. The insulted German, and the enslaved Spaniard, the Russ and the Pole, are beginning to think. “Those who have been unnaturally made the terror of society, have dared to throw down their arms before the cause of Liberty, and have joined their *reason* and *action* with their fellow creatures, in establishing the glorious fabric in which all are equally concerned. Such conduct must ever be applauded, whilst *reason*, *justice*, and *discretion*, shall exist in man.” The present age will hereafter merit to be called the Age of Reason, and the present generation will appear to the future, as the ADAM of the new world.

As Religion is very improperly, made a political machine, and the *reality* therefore is thereby destroyed, I will conclude this work, with stating in what light Religion appears to me.

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If we suppose a large family of children, who, on any particular day, or particular circumstance, made it a custom to present to their parents some token of their affection and gratitude, each of them would make a different offering, and, most probably, in a different manner. Some would pay their congratulations in themes of verse or prose, by some little devices, as their genius dictated, or according to what they thought would please; and perhaps, the least of all, not able to do any of those things, would ramble into the garden, or the field, and gather what it thought the prettiest flower it could find, though perhaps, it might be but a simple weed. The parent would be more gratified by such variety than if the whole of them had acted on a concerted plan, and each had made exactly the same offering. This would have had the cold appearance of contrivance, or the harsh one of controul. But of all unwelcome things, nothing could more afflict the Parent than to know, that the whole of them had, afterwards, gotten together by the ears, boys and girls fighting, scratching, reviling, and abusing each other, about which was the best or worst present.

Why may we not suppose, that the Great Father of us all, is pleased with variety of devotion; and that the greatest offence we can act is, that by which we seek to torment and render each other miserable? For my own part, I am fully satisfied,  
that

that, what I am now doing, with an endeavour to conciliate mankind, to render their condition happy, to unite nations that have hitherto been enemies, to extirpate the horrid practice of war, and break the chains of slavery and oppression, is acceptable in his sight ; and being the best service I can perform, I act it chearfully.

**F I N I S.**















