

Lords, and Commons, are themselves governed by laws which were made before they were born. Nay more; if the majority of the Lords and Commons agree to a bill which afterwards receives the Royal assent, that bill is a law, though the minority in both houses might comprehend three hundred and eighty persons. So that a law to bind the whole British nation might, according to the principles of our constitution, be made, even contrary to the will of three hundred and eighty members of the legislature.—Nay further: in the house of Commons, forty members, in ordinary cases of legislation, make a house, or quorum; the majority is twenty-one, which, deducted from five hundred and fifty-eight, the number of members in that house, leaves five hundred and thirty-seven. So that a bill might pass the house of Commons, if the house happened to be very thin, contrary to the will of five hundred and thirty-seven members of that house; and yet if such a bill were afterwards ratified by the Lords, and assented to by the King, it would be a law.—Surely, if we are a free people, liberty must be something, that does not consist in our being governed by laws of our own making.

It is said, indeed, that every British subject has influence in the legislature by means of his representative freely chosen, who appears and acts for him in parliament. But this is not true. There are not, in this island, one million of persons who have a vote in electing parliament-men, and yet in this island, there are eight millions of persons who must obey the law. And for their conduct as law givers, our parliament men are not answerable to their electors, or to any other persons whatever. And it not often happens, that in making laws they are unanimous; yet the minority in both houses must obey the laws that are made against their will.—Besides, we are all subject to the law of God, and are free in proportion as we obey it; for his service is perfect freedom. But who will say that man is the maker of God's law?—We see then, that our liberty does not consist, either in the power of doing what we please, or in being governed by laws made by ourselves.

They who are hindered from doing what the law allows, or who have reason to be afraid of one another even while they are doing their duty cannot be said to enjoy liberty. Where this is the case, there must be in the hands of certain individuals some exorbitant power productive of oppression, and not subject to law; or there must prevail in the state a spirit of licentiousness which the law cannot controul. No: can men be said to be free, who are liable to have oppressive laws imposed on them, or to be tried by tyrannical or incompetent judges. In Great-Britain, by a contrivance to be explained hereafter, our laws are made by men, whose interest it is to make them equitable; and who, with a very few exceptions of little moment, are themselves subject to the laws they make. In Britain, too, by the institution of juries, our judges in all criminal and in many civil causes, are our equals; men, who are acquainted with our circumstances, to whose prudence and probity we have no objection, and who are favourably inclined towards us, on account of our being their equals. In Great Britain, therefore, an honest man has nothing to fear, either from the law, or from the judge.—Neither can those people be accounted free who dare not complain when they suffer injury, or who are denied the privilege of declaring their sentiments freely to one another. In both these respects our freedom is secured by the liberty of the press; of which I shall speak afterwards.