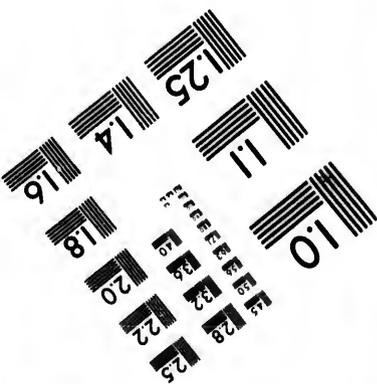
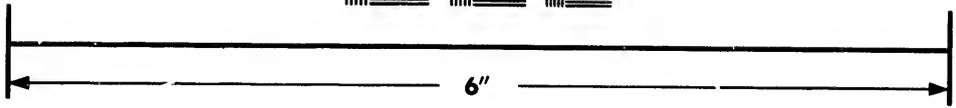
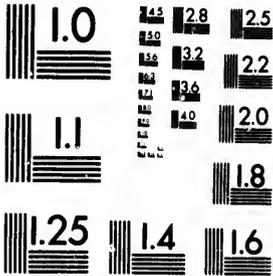


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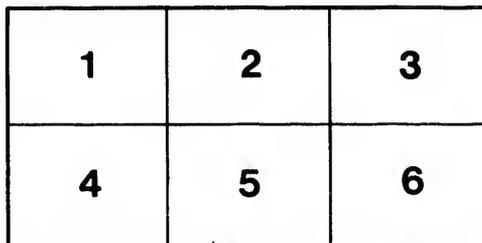
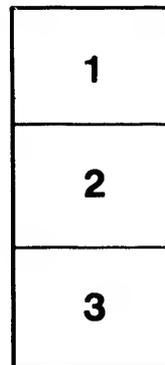
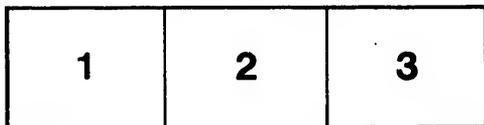
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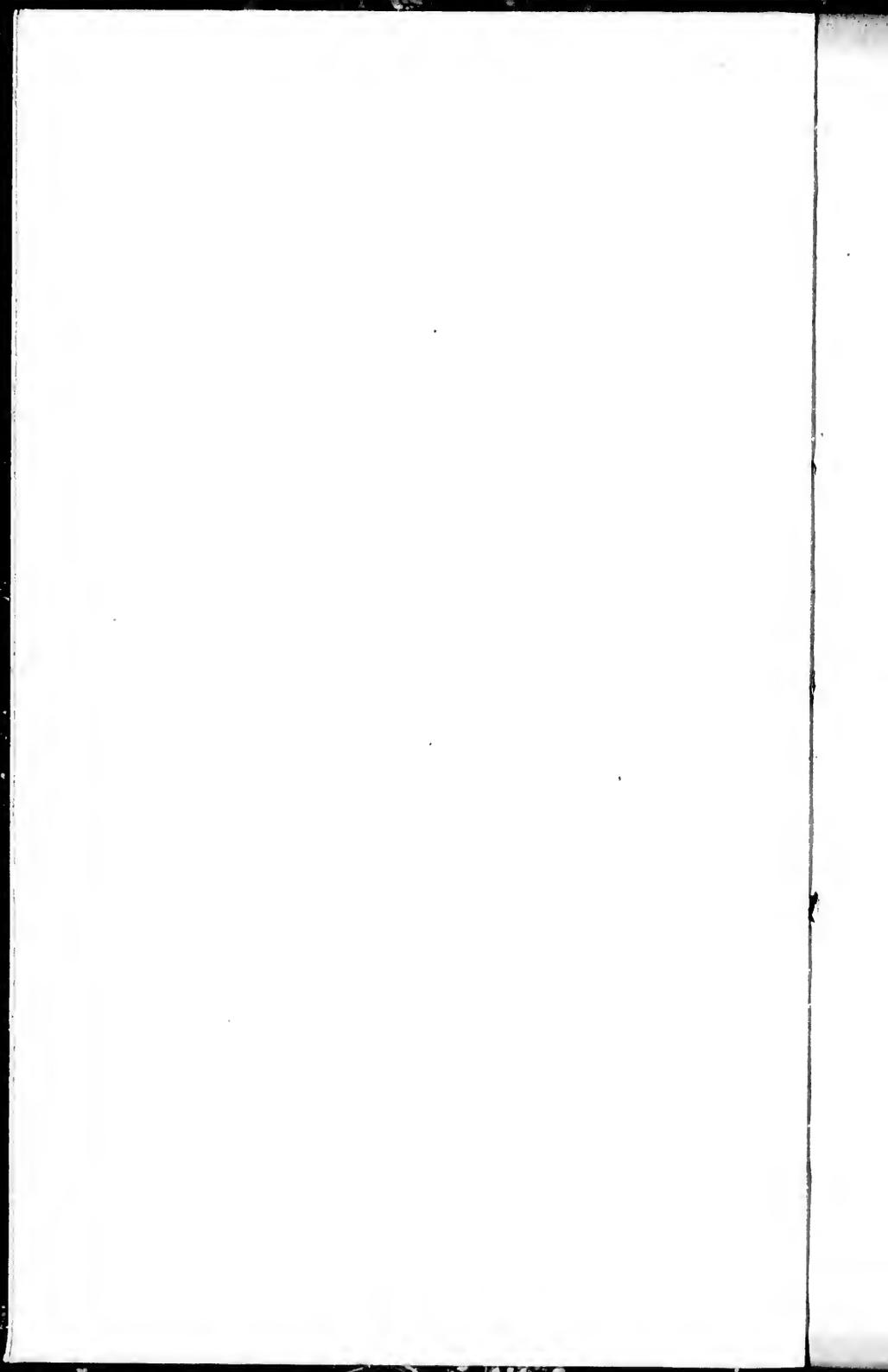
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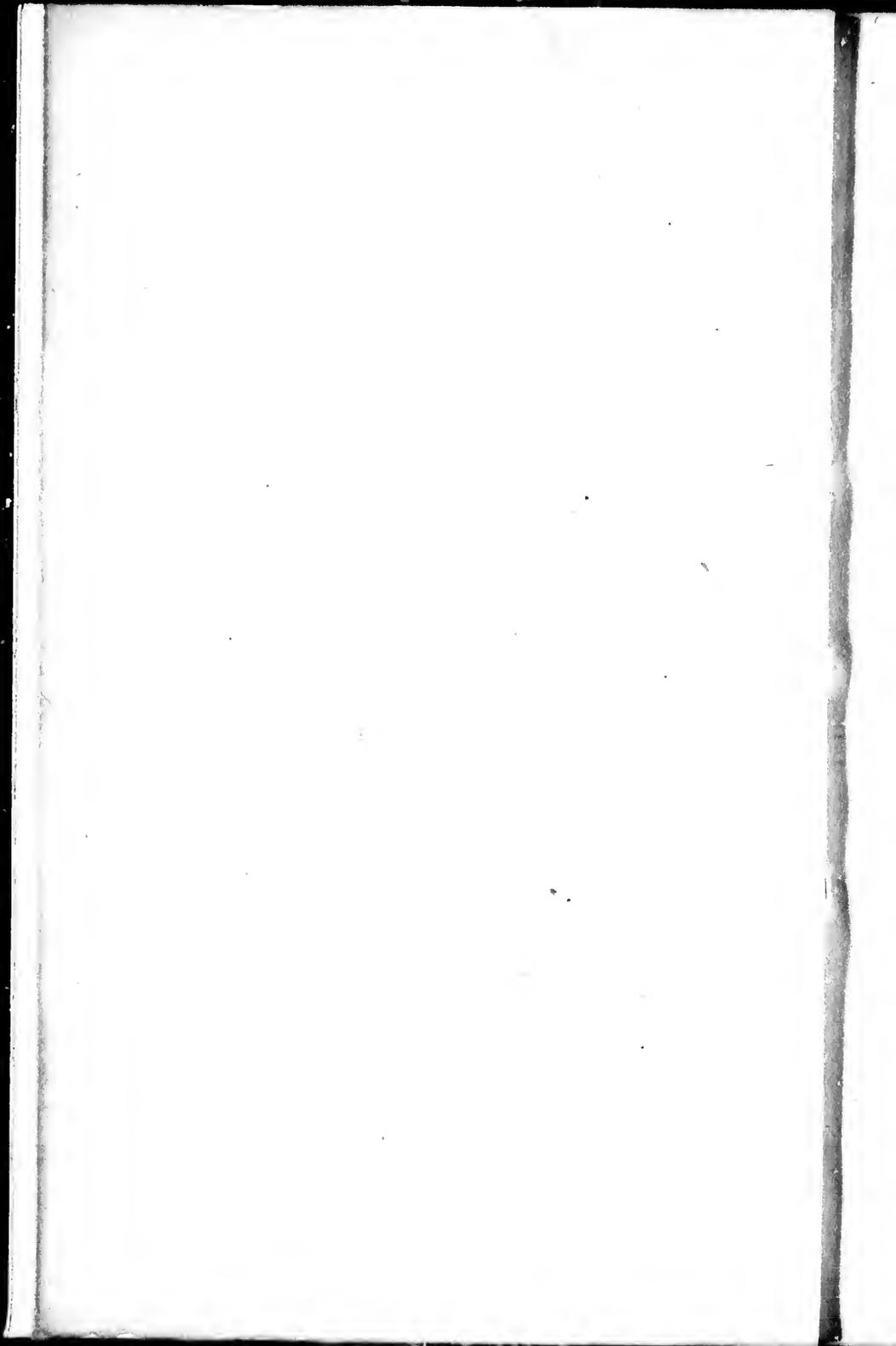
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AN  
A P P E A L  
FROM  
THE NEW  
TO  
THE OLD WHIGS.

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[ PRICE 3s. ]



AN  
A P P E A L  
FROM  
THE NEW  
TO  
THE OLD WHIGS,

IN CONSEQUENCE OF SOME LATE  
DISCUSSIONS IN PARLIAMENT,

RELATIVE TO THE

*Reflections on the French Revolution.*

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LONDON:  
PRINTED FOR J. DODSLEY, PALL-MALL.

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M.DCC.XCI.



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**A**T Mr. Burke's time of life, and in his dispositions, *petere honestam dimissionem* was all he had to do with his political associates. This boon they have not chosen to grant him. With many expressions of good-will, in effect they tell him he has loaded the stage too long. They conceive it, tho' an harsh yet a necessary office, in full parliament to declare to the present age, and to as late a posterity, as shall take any concern in the proceedings of our day, that by one book he has disgraced the whole tenour of his life.—Thus they dismiss their old partner of the war. He is advised to retire, whilst they continue to serve the public upon wiser principles, and under better auspices.

Whether Diogenes the Cynic was a true philosopher, cannot easily be determined. He has written nothing. But the sayings of his which are handed down by others, are lively; and may be easily and aptly applied on many occasions by those whose wit is not so perfect as their memory. This Diogenes (as every one will recollect) was citizen of a little bleak town situated on the coast of the Euxine, and exposed to all the buffets of that unhospitable sea. He lived at a great distance

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from

from those weather-beaten walls, in ease and indolence, and in the midst of literary leisure, when he was informed that his townsmen had condemned him to be banished from Sinope; he answered coolly, "And I condemn them to live in Sinope."

The gentlemen of the party in which Mr. Burke has always acted, in passing upon him the sentence of retirement\*, have done nothing more than to confirm the sentence which he had long before passed upon himself. When that retreat was choice, which the tribunal of his peers inflict as punishment, it is plain he does not think their sentence intolerably severe. Whether they who are to continue in the Sinope which shortly he is to leave, will spend the long years which, I hope, remain to them, in a manner more to their satisfaction, than he shall slide down, in silence and obscurity, the slope of his declining days, is best known to him who measures out years, and days, and fortunes.

\* News-paper intelligence ought always to be received with some degree of caution. I do not know that the following paragraph is founded on any authority; but it comes with an air of authority. The paper is professedly in the interest of the modern Whigs, and under their direction. The paragraph is not disclaimed on their part. It professes to be the decision of those whom its author calls "The great and firm body of the Whigs of England." Who are the Whigs of a different composition, which the promulgator of the sentence considers as composed of fleeting and unsettled particles, I know not, nor whether there be any of that description. The definitive sentence of "the great and firm body of the Whigs of England" (as this paper gives it out) is as follows:

"The great and firm body of the Whigs of England, true to their principles, have decided on the dispute between Mr. Fox and Mr. Burke; and the former is declared to have maintained the pure doctrines by which they are bound together, and upon which they have invariably acted. The consequence is, that Mr. Burke retires from parliament." *Morning Chronicle, May 12, 1791.*

The

The quality of the sentence does not however decide on the justice of it. Angry friendship is sometimes as bad as calm enmity. For this reason the cold neutrality of abstract justice, is, to a good and clear cause, a more desirable thing than an affection liable to be any way disturbed. When the trial is by friends, if the decision should happen to be favorable, the honor of the acquittal is lessened; if adverse, the condemnation is exceedingly embittered. It is aggravated by coming from lips professing friendship, and pronouncing judgment with sorrow and reluctance. Taking in the whole view of life, it is more safe to live under the jurisdiction of severe but steady reason, than under the empire of indulgent, but capricious passion. It is certainly well for Mr. Burke that there are impartial men in the world. To them I address myself, pending the appeal which on his part is made from the living to the dead, from the modern Whigs to the antient.

The gentlemen, who, in the name of the party, have passed sentence on Mr. Burke's book, in the light of literary criticism are judges above all challenge. He did not indeed flatter himself, that as a writer, he could claim the approbation of men whose talents, in his judgment and in the public judgment, approach to prodigies; if ever such persons should be disposed to estimate the merit of a composition upon the standard of their own ability.

In their critical censure, though Mr. Burke may find himself humbled by it as a writer, as a man and as an Englishman, he finds matter not only of consolation, but of pride. He proposed to convey to a foreign people, not his own ideas, but the prevalent opinions and sentiments of a nation, renowned for wisdom, and celebrated in all ages for a well under-

stood and well regulated love of freedom. This was the avowed purpose of the far greater part of his work. As that work has not been ill received, and as his critics will not only admit but contend, that this reception could not be owing to any excellence in the composition capable of perverting the public judgment, it is clear that he is not disavowed by the nation whose sentiments he had undertaken to describe. His representation is authenticated by the verdict of his country. Had his piece, as a work of skill, been thought worthy of commendation, some doubt might have been entertained of the cause of his success. But the matter stands exactly as he wishes it. He is more happy to have his fidelity in representation recognized by the body of the people, than if he were to be ranked in point of ability (and higher he could not be ranked) with those whose critical censure he has had the misfortune to incur.

It is not from this part of their decision which the author wishes an appeal. There are things which touch him more nearly. To abandon them would not argue diffidence in his abilities, but treachery to his cause. Had his work been recognized as a pattern for dextrous argument, and powerful eloquence, yet if it tended to establish maxims, or to inspire sentiments, adverse to the wise and free constitution of this kingdom, he would only have cause to lament, that it possessed qualities fitted to perpetuate the memory of his offence. Oblivion would be the only means of his escaping the reproaches of posterity. But, after receiving the common allowance due to the common weakness of man, he wishes to owe no part of the indulgence of the world to its forgetfulness. He is at issue with the party, before the present, and if ever he can reach it, before the coming generation.

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The author, several months previous to his publication, well knew, that two gentlemen, both of them possessed of the most distinguished abilities, and of a most decisive authority in the party, had differed with him in one of the most material points relative to the French revolution; that is in their opinion of the behaviour of the French soldiery, and its revolt from its officers. At the time of their public declaration on this subject, he did not imagine the opinion of these two gentlemen had extended a great way beyond themselves. He was however well aware of the great probability, that persons of their just credit and influence would at length dispose the greater number to an agreement with their sentiments; and perhaps might induce the whole body to a tacit acquiescence in their declarations, under a natural, and not always an improper, dislike of shewing a difference with those who lead their party. I will not deny, that in general this conduct in parties is defensible; but within what limits the practice is to be circumscribed, and with what exceptions the doctrine which supports it is to be received, it is not my present purpose to define. The present question has nothing to do with their motives; it only regards the public expression of their sentiments.

The author is compelled, however reluctantly, to receive the sentence pronounced upon him in the House of Commons as that of the party. It proceeded from the mouth of him who must be regarded as its authentic organ. In a discussion which continued for two days, no one gentleman of the opposition interposed a negative, or even a doubt, in favour of him or of his opinions. If an idea consonant to the doctrine of his book, or favourable to his conduct, lurks in the minds of any persons in that description, it is to be considered only as a peculiarity which they

indulge to their own private liberty of thinking. The author cannot reckon upon it. It has nothing to do with them as members of a party. In their public capacity, in every thing that meets the public ear, or public eye, the body must be considered as unanimous.

They must have been animated with a very warm zeal against those opinions, because they were under no *necessity* of acting as they did, from any just cause of apprehension that the errors of this writer should be taken for theirs. They might disapprove; it was not necessary they should *disavow* him, as they have done in the whole, and in all the parts of his book; because neither in the whole nor in any of the parts, were they, directly, or by any implication, involved. The author was known indeed to have been warmly, strenuously, and affectionately, against all allurements of ambition, and all possibility of alienation from pride, or personal pique, or peevish jealousy, attached to the Whig party. With one of them he has had a long friendship, which he must ever remember with a melancholy pleasure. To the great, real, and amiable virtues, and to the unequalled abilities of that gentleman, he shall always join with his country in paying a just tribute of applause. There are others in that party for whom, without any shade of sorrow, he bears as high a degree of love as can enter into the human heart; and as much veneration as ought to be paid to human creatures; because he firmly believes, that they are endowed with as many and as great virtues, as the nature of man is capable of producing, joined to great clearness of intellect, to a just judgment, to a wonderful temper, and to true wisdom. His sentiments with regard to them can never vary, without subjecting him to the just indignation of mankind,

kind, who are bound, and are generally disposed, to look up with reverence to the best patterns of their species, and such as give a dignity to the nature of which we all participate. For the whole of the party he has high respect. Upon a view indeed of the composition of all parties, he finds great satisfaction. It is, that in leaving the service of his country, he leaves parliament without all comparison richer in abilities than he found it. Very solid and very brilliant talents distinguish the ministerial benches. The opposite rows are a sort of seminary of genius, and have brought forth such and so great talents as never before (amongst us at least) have appeared together at any one period. If their owners are disposed to serve their country, (he trusts they are) they are in a condition to render it services of the highest importance. If, through mistake or passion, they are led to contribute to its ruin, we shall at least have a consolation denied to the ruined country that adjoins us—we shall not be destroyed by men of mean or secondary capacities.

All these considerations of party attachment, of personal regard, and of personal admiration, rendered the author of the Reflections extremely cautious, lest the slightest suspicion should arise of his having undertaken to express the sentiments even of a single man of that description. His words at the outset of his Reflections are these :

“ In the first letter I had the honour to write to you, and which at length I send, I wrote neither *for*, nor *from* any description of men ; nor shall I in this. My errors, if any, are *my own*. My reputation *alone* is to answer for them.” In another place, he says (p. 126.) “ I have *no man's* proxy. I speak *only* from *myself*; when I disclaim, as I do, with all possible earnestness, all communion with the actors in that triumph, or with the

“ admirers of it. When I assert any thing else, as concerning the people of England, I speak from observation, *not from authority.*”

To say then, that the book did not contain the sentiments of their party, is not to contradict the author, or to clear themselves. If the party had denied his doctrines to be the current opinions of the majority in the nation, they would have put the question on its true issue. There, I hope and believe, his censurers will find on the trial, that the author is as faithful a representative of the general sentiment of the people of England, as they can be of the ideas of their own party.

The French Revolution can have no connexion with the objects of any parties in England formed before the period of that event, unless they choose to imitate any of its acts, or to consolidate any principles of that revolution with their own opinions. The French revolution is no part of their original contract. The matter, standing by itself, is an open subject of political discussion, like all the other revolutions (and there are many) which have been attempted or accomplished in our age. But if any considerable number of British subjects, taking a factious interest in the proceedings of France, begin publicly to incorporate themselves for the subversion of nothing short of the *whole* constitution of this kingdom; to incorporate themselves for the utter overthrow of the body of its laws, civil and ecclesiastical, and with them of the whole system of its manners, in favour of the new constitution, and of the modern usages of the French nation, I think no party principle could bind the author not to express his sentiments strongly against such a faction. On the contrary, he was perhaps bound to mark his dissent, when the leaders of the party were daily going out of their way to make public declarations in  
parliament,

parliament, which, notwithstanding the purity of their intentions, had a tendency to encourage ill-designing men in their practices against our constitution.

The members of this faction leave no doubt of the nature and the extent of the mischief they mean to produce. They declare it openly and decisively. Their intentions are not left equivocal. They are put out of all dispute by the thanks which, formally and as it were officially, they issue, in order to recommend, and to promote the circulation of the most atrocious and treasonable libels, against all the hitherto cherished objects of the love and veneration of this people. Is it contrary to the duty of a good subject, to reprobate such proceedings? Is it alien to the office of a good member of parliament, when such practices encrease, when the audacity of the conspirators grows with their impunity, to point out in his place their evil tendency to the happy constitution which he is chosen to guard? Is it wrong in any sense, to render the people of England sensible how much they must suffer if unfortunately such a wicked faction should become possessed in this country of the same power which their allies in the very next to us have so perfidiously usurped, and so outrageously abused? Is it inhuman to prevent, if possible, the spilling of *their* blood, or imprudent to guard against the effusion of *our own*? Is it contrary to any of the honest principles of party, or repugnant to any of the known duties of friendship for any senator, respectfully, and amicably, to caution his brother members against countenancing by inconsiderate expressions a sort of proceeding which it is impossible they should deliberately approve?

He had undertaken to demonstrate, by arguments which he thought could not be refuted, and by documents, which he was sure could not be denied,

that no comparison was to be made between the British government, and the French usurpation.—That they who endeavoured madly to compare them, were by no means making the comparison of one good system with another good system, which varied only in local and circumstantial differences; much less, that they were holding out to us a superior pattern of legal liberty, which we might substitute in the place of our old, and, as they describe it, superannuated constitution. He meant to demonstrate, that the French scheme was not a comparative good, but a positive evil.—That the question did not at all turn, as it had been stated, on a parallel between a monarchy and a republic. He denied that the present scheme of things in France, did at all deserve the respectable name of a republic: he had therefore no comparison between monarchies and republics to make.—That what was done in France was a wild attempt to methodize anarchy; to perpetuate and fix disorder.—That it was a foul, impious, monstrous thing, wholly out of the course of moral nature. He undertook to prove, that it was generated in treachery, fraud, falsehood, hypocrisy, and unprovoked murder.—He offered to make out, that those who have led in that business, had conducted themselves with the utmost perfidy to their colleagues in function, and with the most flagrant perjury both towards their king and their constituents; to the one of whom the assembly had sworn fealty, and to the other, when under no sort of violence or constraint, they had sworn a full obedience to instructions.—That by the terror of assassination they had driven away a very great number of the members, so as to produce a false appearance of a majority.—That this fictitious majority had fabricated a constitution, which as now it stands, is a tyranny far beyond any example that can be found in the civilized

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European world of our age; that therefore the lovers of it must be lovers, not of liberty, but, if they at all understand it, of the lowest and basest of all servitude.

He proposed to prove, that the present state of things in France is not a transient evil, productive, as some have too favourably represented it, of a lasting good; but that the present evil is only the means of producing future, and (if that were possible) worse evils.—That it is not, an undigested, imperfect, and crude scheme of liberty, which may gradually be mellowed and ripened into an orderly and social freedom; but that it is so fundamentally wrong, as to be utterly incapable of correcting itself by any length of time, or of being formed into any mode of polity, of which a member of the house of commons could publicly declare his approbation.

If it had been permitted to Mr. Burke, he would have shewn distinctly, and in detail, that what the assembly calling itself national, had held out as a large and liberal toleration, is in reality a cruel and insidious religious persecution; infinitely more bitter than any which had been heard of within this century.—That it had a feature in it worse than the old persecutions.—That the old persecutors acted, or pretended to act, from zeal towards some system of piety and virtue: they gave strong preferences to their own; and if they drove people from one religion, they provided for them another, in which men might take refuge, and expect consolation.—That their new persecution is not against a variety in conscience, but against all conscience.—That it professes contempt towards its object; and whilst it treats all religion with scorn, is not so much as neutral about the modes: It unites the opposite evils of intolerance and of indifference.

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He could have proved that it is so far from rejecting tests (as unaccountably had been asserted) that the assembly had imposed tests of a peculiar hardship, arising from a cruel and premeditated pecuniary fraud: tests against old principles, sanctioned by the laws, and binding upon the conscience.—That these tests were not imposed as titles to some new honour or some new benefit, but to enable men to hold a poor compensation for their legal estates, of which they had been unjustly deprived; and, as they had before been reduced from affluence to indigence, so on refusal to swear against their conscience, they are now driven from indigence to famine, and treated with every possible degree of outrage, insult, and inhumanity.—That these tests, which their imposers well knew would not be taken, were intended for the very purpose of cheating their miserable victims out of the compensation which the tyrannic impostors of the assembly had previously and purposely rendered the public unable to pay. That thus their ultimate violence arose from their original fraud.

He would have shewn that the universal peace and concord amongst nations, which these common enemies to mankind had held out with the same fraudulent ends and pretences with which they had uniformly conducted every part of their proceedings, was a coarse and clumsy deception, unworthy to be proposed as an example, by an informed and sagacious British senator, to any other country.—That far from peace and good-will to men, they meditated war against all other governments; and proposed systematically to excite in them all the very worst kind of seditions, in order to lead to their common destruction.—That they had discovered, in the few instances in which they have hitherto had the power of discovering it, (as at Avignon, and in the

the Comtat, at Cavailhon and at Carpentras) in what a savage manner they mean to conduct the seditions and wars they have planned against their neighbours for the sake of putting themselves at the head of a confederation of republics as wild and as mischievous as their own. He would have shewn in what manner that wicked scheme was carried on in those places, without being directly either owned or disclaimed, in hopes that the undone people should at length be obliged to fly to their tyrannic protection, as some sort of refuge from their barbarous and treacherous hostility. He would have shewn from those examples, that neither this nor any other society could be in safety as long as such a public enemy was in a condition to continue directly or indirectly such practices against its peace.—That Great Britain was a principal object of their machinations; and that they had begun by establishing correspondences, communications, and a sort of federal union with the factious here.—That no practical enjoyment of a thing so imperfect and precarious, as human happiness must be, even under the very best of governments, could be a security for the existence of these governments, during the prevalence of the principles of France, propagated from that grand school of every disorder, and every vice.

He was prepared to shew the madness of their declaration of the pretended rights of man; the childish futility of some of their maxims; the gross and stupid absurdity and palpable falsity of others; and the mischievous tendency of all such declarations to the wellbeing of men and of citizens, and the safety and prosperity of every just commonwealth. He was prepared to shew that, in their conduct, the assembly had directly violated not only every just principle of government, but every one, without exception, of their own false or futile maxims; and indeed

indeed every rule they had pretended to lay down for their own direction.

In a word, he was ready to shew, that those who could, after such a full and fair exposure, continue to countenance the French insanity, were not mistaken politicians, but bad men; but he thought that in this case, as in many others, ignorance had been the cause of admiration.

These are strong assertions. They required strong proofs. The member who laid down these positions was and is ready to give, in his place, to each position decisive evidence, correspondent to the nature and quality of the several allegations.

In order to judge on the propriety of the interruption given to Mr. Burke, in his speech on the committee of the Quebec bill, it is necessary to enquire, first, whether, on general principles, Mr. Burke, ought to have been suffered to prove his allegations? Secondly, whether the time he had chosen was so very unseasonable as to make his exercise of a parliamentary right productive of ill effects on his friends or his country? Thirdly, whether the opinions delivered in his book, and which he had begun to expatiate upon that day, were in contradiction to his former principles, and inconsistent with the tenor of his conduct? They who have made eloquent panegyrics on the French Revolution, and who think a free discussion so very advantageous in every case, and under every circumstance, ought not, in my opinion, to have prevented their eulogies from being tried on the test of facts. If their panegyric had been answered with an invective (bating the difference in point of eloquence) the one would have been as good as the other: that is, they would both of them have been good for nothing. The panegyric and the satire ought to be suffered to go to trial; and that  
which

which shrinks from it, must be contented to stand at best as a mere declamation.

I do not think Mr. Burke was wrong in the course he took. That which seemed to be recommended to him by Mr. Pitt, was rather to extol the English constitution, than to attack the French. I do not determine what would be best for Mr. Pitt to do in his situation. I do not deny that *he* may have good reasons for his reserve. Perhaps they might have been as good for a similar reserve on the part of Mr. Fox, if his zeal had suffered him to listen to them. But there were no motives of ministerial prudence, or of that prudence which ought to guide a man perhaps on the eve of being minister, to restrain the author of the Reflections. He is in no office under the crown; he is not the organ of any party.

The excellencies of the British constitution had already exercised and exhausted the talents of the best thinkers, and the most eloquent writers and speakers, that the world ever saw. But in the present case, a system declared to be far better, and which certainly is much newer (to restless and unstable minds no small recommendation) was held out to the admiration of the good people of England. In that case, it was surely proper for those, who had far other thoughts of the French constitution, to scrutinize that plan which has been recommended to our imitation by active and zealous factions, at home and abroad. Our complexion is such that we are palled with enjoyment, and stimulated with hope; that we become less sensible to a long-possessed benefit, from the very circumstance that it is become habitual. Specious, untried, ambiguous prospects of new advantage recommend themselves to the spirit of adventure, which more or less prevails in every mind. From this temper, men, and factions, and nations too,

have sacrificed the good, of which they had been in assured possession, in favour of wild and irrational expectations. What should hinder Mr. Burke, if he thought this temper likely, at one time or other, to prevail in our country, from exposing to a multitude, eager to game, the false calculations of this lottery of fraud?

I allow, as I ought to do, for the effusions which come from a *general* zeal for liberty. This is to be indulged, and even to be encouraged, as long as the *question is general*. An orator, above all men, ought to be allowed the full and free use of the praise of liberty. A common place in favour of slavery and tyranny delivered to a popular assembly, would indeed be a bold defiance to all the principles of rhetoric. But in a question whether any particular constitution is or is not a plan of rational liberty, this kind of rhetorical flourish in favour of freedom in general, is surely a little out of its place. It is virtually a begging of the question. It is a song of triumph, before the battle.

“ But Mr. Fox does not make the panegyric of “ the new constitution; it is the destruction only of “ the absolute monarchy he commends.” When that nameless thing which has been lately set up in France was described as “ the most stupendous and “ glorious edifice of liberty, which had been erected “ on the foundation of human integrity in “ any time or country,” it might at first, have led the hearer into an opinion, that the construction of the new fabric was an object of admiration, as well as the demolition of the old. The gentleman, however, has explained himself; and it would be too like that captious and cavilling spirit, which I so perfectly detest, if I were to pin down the language of an eloquent and ardent mind, to the punctilious exactness of a pleader. Then Mr. Fox did not mean to applaud that monstrous thing,  
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which, by the courtesy of France, they call a constitution. I easily believe it. Far from meriting the praises of a great genius like Mr. Fox, it cannot be approved by any man of common sense, or common information. He cannot admire the change of one piece of barbarism for another, and a worse. He cannot rejoice at the destruction of a monarchy, mitigated by manners, respectful to laws and usages, and attentive, perhaps but too attentive to public opinion, in favour of the tyranny of a licentious, ferocious, and savage multitude, without laws, manners, or morals, and which so far from respecting the general sense of mankind, insolently endeavours to alter all the principles and opinions, which have hitherto guided and contained the world, and to force them into a conformity to their views and actions. His mind is made to better things.

That a man should rejoice and triumph in the destruction of an absolute monarchy; that in such an event he should overlook the captivity, disgrace, and degradation of an unfortunate prince, and the continual danger to a life which exists only to be endangered; that he should overlook the utter ruin of whole orders and classes of men, extending itself directly, or in its nearest consequences, to at least a million of our kind, and to at least the temporary wretchedness of an whole community, I do not deny to be in some sort natural: Because, when people see a political object, which they ardently desire, but in one point of view, they are apt extremely to palliate, or underrate the evils which may arise in obtaining it. This is no reflection on the humanity of those persons. Their good-nature I am the last man in the world to dispute. It only shews that they are not sufficiently informed, or sufficiently considerate. When they come to reflect seriously on the transaction, they will think themselves bound to examine what that object is that has been acquired by all this havock. They will hardly assert  
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that the destruction of an absolute monarchy, is a thing good in itself, without any sort of reference to the antecedent state of things, or to consequences which result from the change; without any consideration whether a country was, to a considerable degree, flourishing and populous, highly cultivated, and highly commercial; and whether, under that domination, though personal liberty had been precarious and insecure, property at least was ever violated. They cannot take the moral sympathies of the human mind along with them, in abstractions separated from the good or evil condition of the state, from the quality of actions, and the character of the actors. None of us love absolute and uncontrolled monarchy—but we could not rejoice at the sufferings of a Marcus Aurelius, or a Trajan, who were absolute monarchs, as we do when Nero is condemned by the senate to be punished *more majorum*: Nor when that monster was obliged to fly with his wife Sporus, and to drink puddle, were men affected in the same manner, as when the venerable Galba, with all his faults and errors, was murdered by a revolted mercenary soldiery? With such things before our eyes our feelings contradict our theories—and when this is the case, the feelings are true, and the theory is false. All I contend for is, that in commending the destruction of an absolute monarchy, *all the circumstances* ought not to be wholly overlooked, as considerations fit only for shallow and superficial minds.

The subversion of a government, to deserve any praise, must be considered but as a step preparatory to the formation of something better, either in the scheme of the government itself, or in the persons who administer in it, or in both. These events cannot in reason be separated. For instance, when we praise our revolution of 1688, though the nation, in that act, was on the defensive, and was justified

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in incurring all the evils of a defensive war, we do not rest there. We always combine with the subversion of the old government the happy settlement which followed. When we estimate that revolution, we mean to comprehend in our calculation both the value of the thing parted with, and the value of the thing received in exchange.

The burthen of proof lies heavily on those who tear to pieces the whole frame and contexture of their country, that they could find no other way of settling a government fit to obtain its rational ends, except that which they have pursued by means unfavourable to all the present happiness of millions of people, and to the utter ruin of several hundreds of thousands. In their political arrangements, men have no right to put the well-being of the present generation wholly out of the question. Perhaps the only moral trust with any certainty in our hands, is the care of our own time. With regard to futurity, we are to treat it like a ward. We are not so to attempt an improvement of his fortune, as to put the capital of his estate to any hazard.

It is not worth our while to discuss, like sophisters, whether, in no case, some evil, for the sake of some benefit is to be tolerated. Nothing universal can be rationally affirmed on any moral, or any political subject. Pure metaphysical abstraction does not belong to these matters. The lines of morality are not like the ideal lines of mathematics. They are broad and deep as well as long. They admit of exceptions; they demand modifications. These exceptions and modifications are not made by the process of logic, but by the rules of prudence. Prudence is not only the first in rank of the virtues political and moral, but she is the director, the regulator, the standard of them all. Metaphysics cannot live without definition; but prudence is cautious how she defines. Our courts cannot be more

fearful in suffering fictitious cases to be brought before them for eliciting their determination on a point of law, than prudent moralists are in putting extreme and hazardous cases of conscience upon emergencies not existing. Without attempting therefore to define, what never can be defined, the case of a revolution in government, this, I think, may be safely affirmed, that a sore and pressing evil is to be removed, and that a good, great in its amount, and unequivocal in its nature, must be probable almost to certainty, before the inestimable price of our own morals, and the well-being of a number of our fellow-citizens, is paid for a revolution. If ever we ought to be economists even to parsimony, it is in the voluntary production of evil. Every revolution contains in it something of evil.

It must always be, to those who are the greatest amateurs, or even professors of revolutions, a matter very hard to prove, whether the late French government was so bad, that nothing worse, in the infinite devices of men, could come in its place. They who have brought France to its present condition ought to prove also, by something better than prattling about the Bastille, that their subverted government was as incapable, as the present certainly is, of all improvement and correction. How dare they to say so who have never made that experiment? They are experimentors by their trade. They have made an hundred others, infinitely more hazardous.

The English admirers of the forty-eight thousand republics which form the French federation, praise them not for what they are, but for what they are to become. They do not talk as politicians but as prophets. But in whatever character they choose to found panegyric on prediction, it will be thought a little singular to praise any work, not for its own merits, but for the merits of something else which  
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may succeed to it. When any political institution is praised, in spite of great and prominent faults of every kind, and in all its parts, it must be supposed to have something excellent in its fundamental principles. It must be shewn that it is right though imperfect; that it is not only by possibility susceptible of improvement, but that it contains in it a principle tending to its melioration.

Before they attempt to shew this progression of their favourite work, from absolute pravity to finished perfection, they will find themselves engaged in a civil war with those whose cause they maintain. What! alter our sublime constitution, the glory of France, the envy of the world, the pattern for mankind, the master-piece of legislation, the collected and concentrated glory of this enlightened age! Have we not produced it ready made and ready armed, mature in its birth, a perfect goddess of wisdom and of war, hammered by our blacksmith midwives out of the brain of Jupiter himself? Have we not sworn our devout, profane, believing, infidel people, to an allegiance to this goddess, even before she had burst the *dura mater*, and as yet existed only in embryo? Have we not solemnly declared this constitution unalterable by any future legislature? Have we not bound it on posterity for ever, though our abettors have declared that no one generation is competent to bind another? Have we not obliged the members of every future assembly to qualify themselves for their seats by swearing to its conservation?

Indeed the French constitution always must (if they do not change all their principles and fundamental arrangements) be a government wholly by popular representation. It must be this or nothing. The French faction considers as an usurpation, as an atrocious violation of the indefeasible rights of man, every other description of government. Take it

or leave it; there is no medium. Let the irrefragable doctors fight out their own controversy in their own way, and with their own weapons; and when they are tired let them commence a treaty of peace. Let the plenipotentiary sophisters of England settle with the diplomatic sophisters of France in what manner right is to be corrected by an infusion of wrong, and how truth may be rendered more true by a due intermixture of falshood.

Having sufficiently proved, that nothing could make it *generally* improper for Mr. Burke to prove what he had alledged concerning the object of this dispute, I pass to the second question, that is, whether Mr. Burke was justified in choosing the committee on the Quebec bill as the field for this discussion? If it were necessary, it might be shewn, that Mr. Burke was not the first to bring these discussions into parliament, nor the first to renew them in this session. The fact is notorious. As to the Quebec bill, they were introduced there for two plain reasons; first, that as he thought it *then* not adviseable to make the proceedings of the factious societies the subject of a direct motion, he had no other way open to him. Nobody has attempted to shew, that it was at all admisible into any other business before the house. Here every thing was favourable. Here was a bill to form a new constitution for a French province under English dominion. The question naturally arose, whether we should settle that constitution upon English ideas, or upon French. This furnished an opportunity for examining into the value of the French constitution, either considered as applicable to colonial government, or in its own nature. The bill too was in a committee. By the privilege of speaking as often as he pleased, he hoped in some measure to supply the want of support, which he had but too much reason to apprehend. In a committee it was always in his power to bring the

the questions from generalities to facts; from declamation to discussion. Some benefit he actually found from this privilege. These are plain, obvious, natural reasons for his conduct. I believe they are the true, and the only true ones.

They who justify the frequent interruptions, which at length wholly disabled him from proceeding, attribute their conduct to a very different interpretation of his motives. They say, that through corruption, or malice, or folly, he was acting his part in a plot to make his friend Mr. Fox pass for a republican; and thereby to prevent the gracious intentions of his sovereign from taking effect, which at that time had begun to disclose themselves in his favour\*. This is

\* To explain this, it will be necessary to advert to a paragraph which appeared in a paper in the minority interest some time before this debate. "A very dark intrigue has lately been discovered, the authors of which are well known to us; but until the glorious day shall come, when it will not be a LIBEL to tell the TRUTH, we must not be so regardless of our own safety, as to publish their names. We will, however, state the fact, leaving it to the ingenuity of our readers to discover what we dare not publish.

"Since the business of the armament against Russia has been under discussion, a great personage has been heard to say, "that he was not so wedded to Mr. PITT, as not to be very willing to give his confidence to Mr. Fox, if the latter should be able, in a crisis like the present, to conduct the government of the country with greater advantage to the public."

"This patriotic declaration immediately alarmed the swarm of courtly insects that live only in the sunshine of ministerial favour. It was thought to be the forerunner of the dismissal of Mr. PITT, and every engine was set at work for the purpose of preventing such an event. The principle engine employed on this occasion, was CALUMNY. It was whispered in the ear of a great personage, that Mr. Fox was the last man in England to be trusted by a KING, because he was by PRINCIPLE a REPUBLICAN, and consequently an enemy to MONARCHY.

"In the discussion of the Quebec bill which stood for yesterday, it was the intention of some persons to connect with this subject the French Revolution, in hopes that Mr. Fox would be warmed by a collision with Mr. Burke, and induced to de-

is a pretty serious charge. This, on Mr. Burke's part, would be something more than mistake; something worse than formal irregularity. Any contumely, any outrage is readily passed over, by the indulgence which we all owe to sudden passion. These things are soon forgot upon occasions in which all men are so apt to forget themselves. Deliberate injuries, to a degree must be remembered, because they require deliberate precautions to be secured against their return.

I am authorized to say for Mr. Burke, that he considers that cause assigned for the outrage offered to him, as ten times worse than the outrage itself. There is such a strange confusion of ideas on this subject, that it is far more difficult to understand the nature of the charge, than to refute it when understood. Mr. Fox's friends were, it seems, seized with a sudden panic terror lest he should

“ fend that revolution in which so much power was taken from, and so little left in, the crown.

“ Had Mr. Fox fallen into the snare, his speech on the occasion would have been laid before a great personage, as a proof that a man who could defend such a revolution, might be a very good republican, but could not possibly be a friend to monarchy.

“ But those who laid the snare were disappointed; for Mr. Fox, in the short conversation which took place yesterday in the house of commons said, that he confessedly had thought favorably of the French revolution; but that most certainly he never had, either in parliament or out of parliament, professed or defended republican principles.”

Argus, April 22d, 1791.

Mr. Burke cannot answer for the truth, nor prove the falsehood of the story given by the friends of the party in this paper. He only knows that an opinion of its being well or ill authenticated had no influence on his conduct. He meant only, to the best of his power, to guard the public against the ill designs of factions out of doors. What Mr. Burke did in parliament could hardly have been intended to draw Mr. Fox into any declarations unfavourable to his principles, since (by the account of those who are his friends) he had long before effectually prevented the success of any such scandalous designs; they have themselves done away that imputation on Mr. Burke.

pass for a republican. I do not think they had any ground for this apprehension. But let us admit they had. What was there in the Quebec bill, rather than in any other, which could subject him or them to that imputation? Nothing in a discussion of the French constitution, which might arise on the Quebec bill, could tend to make Mr. Fox pass for a republican; except he should take occasion to extol that state of things in France, which affects to be a republic or a confederacy of republics. If such an encomium could make any unfavourable impression on the king's mind, surely his voluntary panegyrics on that event, not so much introduced as intruded into other debates, with which they had little relation, must have produced that effect with much more certainty, and much greater force. The Quebec bill, at worst, was only one of those opportunities, carefully sought, and industriously improved by himself. Mr. Sheridan had already brought forth a panegyric on the French system in a still higher strain, with full as little demand from the nature of the business before the house, in a speech too good to be speedily forgotten. Mr. Fox followed him without any direct call from the subject matter, and upon the same ground. To canvass the merits of the French constitution on the Quebec bill could not draw forth any opinions which were not brought forward before, with no small ostentation, and with very little of necessity, or perhaps of propriety. What mode, or what time of discussing the conduct of the French faction in England would not equally tend to kindle this enthusiasm, and afford those occasions for panegyric, which, far from shunning, Mr. Fox has always industriously sought? He himself said very truly, in the debate, that no artifices were necessary to draw from him his opinions upon that subject. But to fall upon Mr. Burke for making an use, at worst

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not more irregular, of the same liberty, is tantamount to a plain declaration, that the topic of France is *tabooed* or forbidden ground to Mr. Burke, and to Mr. Burke alone. But surely Mr. Fox is not a republican; and what should hinder him, when such a discussion came on, from clearing himself unequivocally (as his friends say he had done near a fortnight before) of all such imputations? Instead of being a disadvantage to him, he would have defeated all his enemies, and Mr. Burke, since he has thought proper to reckon him amongst them.

But it seems, some news-paper or other had imputed to him republican principles, on occasion of his conduct upon the Quebec bill. Supposing Mr. Burke to have seen these news-papers (which is to suppose more than I believe to be true) I would ask, when did the news-papers forbear to charge Mr. Fox, or Mr. Burke himself, with republican principles, or any other principles which they thought could render both of them odious, sometimes to one description of people, sometimes to another. Mr. Burke, since the publication of his pamphlet, has been a thousand times charged in the news-papers with holding despotic principles. He could not enjoy one moment of domestic quiet, he could not perform the least particle of public duty, if he did not altogether disregard the language of those libels. But however his sensibility might be affected by such abuse, it would in *him* have been thought a most ridiculous reason for shutting up the mouths of Mr. Fox, or Mr. Sheridan, so as to prevent their delivering their sentiments of the French revolution,—that forsooth, “the news-papers had lately charged Mr. “Burke with being an enemy to liberty.”

I allow that those gentlemen have privileges to which Mr. Burke has no claim. But their friends ought to plead those privileges; and not to assign bad reasons,

reasons, on the principle of what is fair between man and man, and thereby to put themselves on a level with those who can so easily refute them. Let them say at once that his reputation is of no value, and that he has no call to assert it; but that theirs is of infinite concern to the party and the public; and to that consideration he ought to sacrifice all his opinions, and all his feelings.

In that language I should hear a style correspondent to the proceeding; lofty, indeed, but plain and consistent. Admit, however, for a moment, and merely for argument, that this gentleman had as good a right to continue as they had to begin these discussions, in candour and equity they must allow that their voluntary descent in praise of the French constitution was as much an oblique attack on Mr. Burke, as Mr. Burke's enquiry into the foundation of this encomium could possibly be construed into an imputation upon them. They well knew, that he felt like other men; and of course he would think it mean and unworthy, to decline asserting in his place, and in the front of able adversaries, the principles of what he had penned in his closet, without an opponent before him. They could not but be convinced, that declamations of this kind would rouse him; that he must think that coming from men of their *calibre*, they were highly mischievous; that they gave countenance to bad men, and bad designs; and, though he was aware that the handling such matters in parliament was delicate, yet he was a man very likely, whenever much against his will they were brought there, to resolve that there they should be thoroughly sifted. Mr. Fox, early in the preceding session, had public notice from Mr. Burke of the light in which he considered every attempt to introduce the example of France into the politics of this country; and of his resolution to break with his best friends,

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and to join with his worst enemies to prevent it. He hoped, that no such necessity would ever exist, But in case it should, his determination was made. The party knew perfectly that he would at least defend himself. He never intended to attack Mr. Fox, nor did he attack him directly or indirectly. His speech kept to its matter. No personality was employed even in the remotest allusion. He never did impute to that gentleman any republican principles, or any other bad principles or bad conduct whatsoever. It was far from his words; it was far from his heart. It must be remembered, that notwithstanding Mr. Fox, in order to fix on Mr. Burke an unjustifiable change of opinion, and the foul crime of teaching a set of maxims to a boy, and afterwards, when these maxims became adult in his mature age, of abandoning both the disciple and the doctrine, Mr. Burke never attempted, in any one particular, either to criminate or to recriminate. It may be said, that he had nothing of the kind in his power. This he does not controvert, He certainly had it not in his inclination. That gentleman had as little ground for the charges which he was so easily provoked to make upon him.

The gentlemen of the party (I include Mr. Fox) have been kind enough to consider the dispute brought on by this business, and their consequent separation of Mr. Burke from their corps, as a matter of regret and uneasiness. I cannot be of opinion, that by his exclusion they have had any loss at all. A man whose opinions are so very adverse to theirs, adverse, as it was expressed, "as pole to pole," so mischievously as well as so directly adverse, that they found themselves under the necessity of solemnly disclaiming them in full parliament, such a man must ever be to them a most unseemly and unprofitable incumbrance. A co-operation with him could only serve to embarrass them in  
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all their councils. They have besides publicly represented him as a man capable of abusing the docility and confidence of ingenuous youth; and, for a bad reason, or for no reason, of disgracing his whole public life by a scandalous contradiction of every one of his own acts, writings, and declarations. If these charges be true, their exclusion of such a person from their body is a circumstance which does equal honour to their justice and their prudence. If they express a degree of sensibility in being obliged to execute this wise and just sentence, from a consideration of some amiable or some pleasant qualities which in his private life their former friend may happen to possess, they add, to the praise of their wisdom and firmness, the merit of great tenderness of heart, and humanity of disposition.

On their ideas, the new Whig party have, in my opinion, acted as became them. The author of the Reflections, however, on his part, cannot, without great shame to himself, and without entailing everlasting disgrace on his posterity, admit the truth or justice of the charges which have been made upon him; or allow that he has in those Reflections discovered any principles to which honest men are bound to declare, not a shade or two of dissent, but a total fundamental opposition. He must believe, if he does not mean wilfully to abandon his cause and his reputation, that principles fundamentally at variance with those of his book, are fundamentally false. What those principles, the antipodes to his, really are, he can only discover from that contrariety. He is very unwilling to suppose, that the doctrines of some books lately circulated are the principles of the party; though, from the vehement declarations against his opinions, he is at some loss how to judge otherwise.

For the present, my plan does not render it necessary to say any thing further concerning the merits

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rits either of the one set of opinions or the other. The author would have discussed the merits of both in his place, but he was not permitted to do so.

I pass to the next head of charge, Mr. Burke's inconsistency. It is certainly a great aggravation of the fault of embracing false opinions, that in doing so, in his case, he is not supposed to fill up a void, but that he is guilty of a dereliction of opinions that are true and laudable. This is the great gist of the charge against him. It is not so much that he is wrong in his book (that however is alledged also) as that he has therein belyed his whole life. I believe (if he could venture to value himself upon any thing) it is on the virtue of consistency that he would value himself the most. Strip him of this, and you leave him naked indeed.

In the case of any man who had written something, and spoken a great deal, upon very multifarious matter, during upwards of twenty-five years public service, and in as great a variety of important events as perhaps have ever happened in the same number of years, it would appear a little hard, in order to charge such a man with inconsistency, to see collected by his friend, a sort of digest of his sayings, even to such as were merely sportive and jocular. This digest, however, has been made, with equal pains and partiality, and without bringing out those passages of his writings which might tend to shew with what restrictions any expressions, quoted from him, ought to have been understood. From a great statesman he did not quite expect this mode of inquisition. If it only appeared in the works of common pamphleteers, Mr. Burke might safely trust to his reputation. When thus urged, he ought, perhaps, to do a little more. It shall be as little as possible, for I hope not much is wanting. To be totally silent on his charges

charges would not be respectful to Mr. Fox. Accusations sometimes derive a weight from the persons who make them, to which they are not entitled from their matter.

He that thinks that the British constitution ought to consist of the three members, of three very different natures, of which it does actually consist, and thinks it his duty to preserve each of those members in its proper place, and with its proper proportion of power, must (as each shall happen to be attacked) vindicate the three several parts on the several principles peculiarly belonging to them. He cannot assert the democratic part on the principles on which monarchy is supported; nor can he support monarchy on the principles of democracy; nor can he maintain aristocracy on the grounds of the one or of the other, or of both. All these he must support on grounds that are totally different, though practically they may be, and happily with us they are, brought into one harmonious body. A man could not be consistent in defending such various, and, at first view, discordant parts of a mixed constitution, without that sort of inconsistency with which Mr. Burke stands charged.

As any one of the great members of this constitution happen to be endangered, he that is a friend to all of them chooses and presses the topics necessary for the support of the part attacked, with all the strength, the earnestness, the vehemence, with all the power of stating, of argument, and of colouring, which he happens to possess, and which the case demands. He is not to embarrass the minds of his hearers, or to encumber, or overlay his speech, by bringing into view at once (as if he were reading an academic lecture) all that may and ought, when a just occasion presents itself, to be said in favour of the other members. At that time they are out of the court; there is no question concerning them.

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Whilst he opposes his defence on the part where the attack is made, he presumes, that for his regard to the just rights of all the rest, he has credit in every candid mind. He ought not to apprehend, that his raising fences about popular privileges this day, will infer that he ought, on the next, to concur with those who would pull down the throne: because on the next he defends the throne, it ought not to be supposed that he has abandoned the rights of the people.

A man who, among various objects of his equal regard, is secure of some, and full of anxiety for the fate of others, is apt to go to much greater lengths in his preference of the objects of his immediate solicitude than Mr. Burke has ever done. A man so circumstanced often seems to undervalue, to vilify, almost to reprobate and disown, those that are out of danger. This is the voice of nature and truth, and not of inconsistency and false pretence. The danger of any thing very dear to us, removes, for the moment, every other affection from the mind. When Priam had his whole thoughts employed on the body of his Hector, he repels with indignation, and drives from him with a thousand reproaches, his surviving sons, who with an officious piety crowded about him to offer their assistance. A good critic (there is no better than Mr. Fox) would say, that this is a master-stroke, and marks a deep understanding of nature in the father of poetry. He would despise a Zoilus, who would conclude from this passage that Homer meant to represent this man of affliction as hating or being indifferent and cold in his affections to the poor reliques of his house, or that he preferred a dead carcase to his living children.

Mr. Burke does not stand in need of an allowance of this kind, which, if he did, by candid critics ought to be granted to him. If the principles of a mixed constitution

constitution be admitted, he wants no more to justify to consistency every thing he has said and done during the course of a political life just touching to its close. I believe that gentleman has kept himself more clear of running into the fashion of wild visionary theories, or of seeking popularity through every means, than any man perhaps ever did in the same situation.

He was the first man who, on the hustings, at a popular election, rejected the authority of instructions from constituents; or who, in any place, has argued so fully against it. Perhaps the discredit into which that doctrine of compulsive instructions under our constitution is since fallen, may be due, in a great degree, to his opposing himself to it in that manner, and on that occasion.

The reforms in representation, and the bills for shortening the duration of parliaments, he uniformly and steadily opposed for many years together, in contradiction to many of his best friends. These friends, however, in his better days, when they had more to hope from his service and more to fear from his loss than now they have, never chose to find any inconsistency between his acts and expressions in favour of liberty, and his votes on those questions. But there is a time for all things.

Against the opinion of many friends, even against the solicitation of some of them, he opposed those of the church clergy, who had petitioned the House of Commons to be discharged from the subscription. Although he supported the dissenters in their petition for the indulgence which he had refused to the clergy of the established church, in this, as he was not guilty of it, so he was not reproached with inconsistency. At the same time he promoted, and against the wish of several, the clause that gave the dissenting teachers another subscription in the

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place

place of that which was then taken away. Neither at that time was reproach of inconsistency brought against him. People could then distinguish between a difference in conduct, under a variation of circumstances, and an inconsistency in principle. It was not then thought necessary to be freed of him as of an incumbrance.

These instances, a few among many, are produced as an answer to the insinuation of his having pursued high popular courses, which in his late book he has abandoned. Perhaps in his whole life he has never omitted a fair occasion, with whatever risque to him of obloquy as an individual, with whatever detriment to his interest as a member of opposition, to assert the very same doctrines which appear in that book. He told the House, upon an important occasion, and pretty early in his service, that "being warned by the ill effect of a contrary procedure in great examples, he had taken his ideas of liberty very low; in order that they should stick to him, and that he might stick to them to the end of his life."

At popular elections the most rigorous casuists will remit a little of their severity. They will allow to a candidate some unqualified effusions in favour of freedom, without binding him to adhere to them in their utmost extent. But Mr. Burke put a more strict rule upon himself than most moralists would put upon others. At his first offering himself to Bristol, where he was almost sure he should not obtain, on that or any occasion, a single Tory vote, (in fact he did obtain but one) and rested wholly on the Whig interest, he thought himself bound to tell to the electors, both before and after his election, exactly what a representative they had to expect in him.

"The *distinguishing* part of our constitution (he  
" said)

" said) is its liberty. To preserve that liberty in-  
 " violate, is the *peculiar* duty and *proper* trust of a  
 " member of the house of commons. But the li-  
 " berty, the *only* liberty I mean, is a liberty con-  
 " nected with *order*, and that not only exists *with*  
 " order and virtue, but cannot exist at all *without*  
 " them. It inheres in good and steady govern-  
 " ment, as in *its substance and vital principle*."

The liberty to which Mr. Burke declared him-  
 self attached, is not French liberty. That liberty  
 is nothing but the rein given to vice and confusion.  
 Mr. Burke was then, as he was at the writing of his  
 Reflections, awfully impressed with the difficulties  
 arising from the complex state of our constitution  
 and our empire, and that it might require, in dif-  
 ferent emergencies different sorts of exertions, and  
 the successive call upon all the various principles  
 which uphold and justify it. This will appear from  
 what he said at the close of the poll.—

" To be a good member of parliament is, let me  
 " tell you, no easy task; especially at this time,  
 " when there is so strong a disposition to run into  
 " the perilous extremes of *servile* compliance, or  
 " *wild* popularity. To unite circumspection with  
 " vigour, is absolutely necessary; but it is extreme-  
 " ly difficult. We are now members for a rich  
 " commercial city; this city, however, is but a part  
 " of a rich commercial nation, the interests of which  
 " are *various, multiform, and intricate*. We are  
 " members for that great nation which, however, is  
 " itself but part of a great empire, extended by our  
 " virtue and our fortune to the farthest limits of  
 " the east and of the west. *All* these wide-spread  
 " interests must be *considered*; must be *compared*;  
 " must be *reconciled*, if possible. We are members  
 " for a *free* country, and surely we all know that  
 " the machine of a free constitution is no *simple*  
 " thing;

“ thing; but as *intricate* and as *delicate*, as it is  
 “ valuable. We are members in a *great and an-*  
 “ *tient* MONARCHY; and we must *preserve religiously*  
 “ *the true legal rights of the sovereign, which form the*  
 “ *key-stone that binds together the noble and well-*  
 “ *constructed arch of our empire and our constitution.*  
 “ A constitution made up of *balanced powers*, must  
 “ ever be a critical thing. As such I mean to touch  
 “ that part of it which comes within my reach.”

In this manner Mr. Burke spoke to his constituents seventeen years ago. He spoke, not like a partizan of one particular member of our constitution, but as a person strongly, and on principle, attached to them all. He thought these great and essential members ought to be preserved, and preserved each in its place; and that the monarchy ought not only to be secured in its peculiar existence, but in its pre-eminence too, as the presiding and connecting principle of the whole. Let it be considered, whether the language of his book, printed in 1790, differs from his speech at Bristol in 1774.

With equal justice his opinions on the American war are introduced, as if in his late work he had belied his conduct and opinions in the debates which arose upon that great event. On the American war he never had any opinions which he has seen occasion to retract, or which he has ever retracted. He indeed differs essentially from Mr. Fox as to the cause of that war. Mr. Fox has been pleased to say, that the Americans rebelled, ‘because they thought they had not enjoyed liberty enough.’ This cause of the war *from him* I have heard of for the first time. It is true that those who stimulated the nation to that measure, did frequently urge this topic. They contended, that the Americans had from the beginning aimed at independence; that from the beginning

ning they meant wholly to throw off the authority of the crown, and to break their connection with the parent country. This Mr. Burke never believed. When he moved his second conciliatory proposition in the year 1776, he entered into the discussion of this point at very great length; and from nine several heads of presumption, endeavored to prove the charge upon that people not to be true.

If the principles of all he has said and wrote on the occasion, be viewed with common temper, the gentlemen of the party will perceive, that on a supposition that the Americans had rebelled merely in order to enlarge their liberty, Mr. Burke would have thought very differently of the American cause. What might have been in the secret thoughts of some of their leaders it is impossible to say. As far as a man, so locked up as Dr. Franklin, could be expected to communicate his ideas, I believe he opened them to Mr. Burke. It was, I think, the very day before he set out for America, that a very long conversation passed between them, and with a greater air of openness on the Doctor's side, than Mr. Burke had observed in him before. In this discourse Dr. Franklin lamented, and with apparent sincerity, the separation which he feared was inevitable between Great Britain and her colonies. He certainly spoke of it as an event which gave him the greatest concern. America, he said, would never again see such happy days as she had passed under the protection of England. He observed, that ours was the only instance of a great empire, in which the most distant parts and members had been as well governed as the metropolis and its vicinage: But that the Americans were going to lose the means which secured to them this rare and precious advantage. The question with them was not whether they were to remain as they had been before the troubles, for better, he allowed they could not hope to be;

but whether they were to give up so happy a situation without a struggle? Mr. Burke had several other conversations with him about that time, in none of which, soured and exasperated as his mind certainly was, did he discover any other wish in favour of America than for a security to its *ancient* condition. Mr. Burke's conversation with other Americans was large indeed, and his enquiries extensive and diligent. Trusting to the result of all these means of information, but trusting much more in the public presumptive indications I have just referred to, and to the reiterated solemn declarations of their assemblies, he always firmly believed that they were purely on the defensive in that rebellion. He considered the Americans as standing at that time, and in the controversy, in the same relation to England, as England did to king James the Second, in 1688. He believed, that they had taken up arms from one motive only; that is our attempting to tax them without their consent; to tax them for the purposes of maintaining civil and military establishments. If this attempt of ours could have been practically established, he thought with them, that their assemblies would become totally useless; that under the system of policy which was then pursued, the Americans could have no sort of security for their laws or liberties, or for any part of them; and, that the very circumstance of *our* freedom would have augmented the weight of *their* slavery.

Considering the Americans on that defensive footing, he thought Great Britain ought instantly to have closed with them by the repeal of the taxing act. He was of opinion that our general rights over that country would have been preserved by this timely concession\*. When, instead of this,

\* See his speech on American taxation, the 19th of April, 1774.

a Boston port bill, a Massachuset's charter bill, a Fishery bill, an Intercourse bill, I know not how many hostile bills rushed out like so many tempests from all points of the compass, and were accompanied first with great fleets and armies of English, and followed afterwards with great bodies of foreign troops, he thought that their cause grew daily better, because daily more defensive; and that ours, because daily more offensive, grew daily worse. He therefore in two motions, in two successive years, proposed in parliament many concessions beyond what he had reason to think it: the beginning of the troubles would ever be seriously demanded.

So circumstanced, he certainly never could and never did wish the colonists to be subdued by arms. He was fully persuaded, that if such should be the event, they must be held in that subdued state by a great body of standing forces, and perhaps of foreign forces. He was strongly of opinion, that such armies, first victorious over Englishmen, in a conflict for English constitutional rights and privileges, and afterwards habituated (though in America) to keep an English people in a state of abject subjection, would prove fatal in the end to the liberties of England itself; that in the mean time this military system would lie as an oppressive burthen upon the national finances; that it would constantly breed and feed new discussions, full of heat and acrimony, leading possibly to a new series of wars; and that foreign powers, whilst we continued in a state at once burthened and distracted, must at length obtain a decided superiority over us. On what part of his late publication, or on what expression that might have escaped him in that work, is any man authorized to charge Mr. Burke with a contradiction to the line of his conduct, and to the current of his doctrines on the American

war? The pamphlet is in the hands of his accusers, let them point out the passage if they can.

Indeed, the author has been well sifted and scrutinized by his friends. He is even called to an account for every jocular and light expression. A ludicrous picture which he made with regard to a passage in the speech of a \* late minister, has been brought up against him. That passage contained a lamentation for the loss of monarchy to the Americans, after they had separated from Great Britain. He thought it to be unseasonable, ill judged, and ill sorted with the circumstances of all the parties. Mr. Burke, it seems, considered ridiculous to lament the loss of some monarch or other, to a rebel people, at the moment they had for ever quitted their allegiance to theirs and our sovereign; at the time when they had broken off all connexion with this nation, and had allied themselves with its enemies. He certainly must have thought it open to ridicule: and, now that it is recalled to his memory, (he had, I believe, wholly forgotten the circumstance) he recollects that he did treat it with some levity. But is it a fair inference from a jest on this unseasonable lamentation, that he was then an enemy to monarchy either in this or in any other country? The contrary perhaps ought to be inferred, if any thing at all can be argued from pleasantries good or bad. Is it for this reason, or for any thing he has said or done relative to the American war, that he is to enter into an alliance offensive and defensive with every rebellion, in every country, under every circumstance, and raised upon whatever pretence? Is it because he did not wish the Americans to be subdued by arms, that he must be inconsistent with himself, if he reprobates the conduct of those so-

\* Lord Lansdown.

cities in England, who alledging no one act of tyranny or oppression, and complaining of no hostile attempt against our antient laws, rights, and usages, are now endeavouring to work the destruction of the crown of this kingdom, and the whole of its constitution? Is he obliged, from the concessions he wished to be made to the colonies, to keep any terms with those clubs and federations, who hold out to us as a pattern for imitation, the proceedings in France, in which a king, who had voluntarily and formally divested himself of the right of taxation, and of all other species of arbitrary power, has been dethroned? —Is it because Mr. Burke wished to have America rather conciliated than vanquished, that he must wish under the army of republics which are set up in France; a country wherein not the people, but the monarch was wholly on the defensive (a poor, indeed, and feeble defensive) to preserve *some fragments* of the royal authority against a determined and desperate body of conspirators, whose object it was, with whatever certainty of crimes, with whatever hazard of war and every other species of calamity, to annihilate the *whole* of that authority; to level all ranks, orders, and distinctions in the state; and utterly to destroy property, not more by their acts than in their principles?

Mr. Burke has been also reproached with an inconsistency between his late writings and his former conduct, because he had proposed in parliament several œconomical, leading to several constitutional reforms. Mr. Burke thought, with a majority of the House of Commons, that the influence of the crown at one time was too great; but after his Majesty had by a gracious message, and several subsequent acts of parliament, reduced it to a standard which satisfied Mr. Fox himself, and, apparently at least, contented whoever wished to go farthest in that reduction, is Mr. Burke to allow that it would be right for

for us to proceed to indefinite lengths upon that subject? that it would therefore be justifiable in a people owing allegiance to a monarchy, and professing to maintain it, not to *reduce*, but wholly to *take away all* prerogative, and *all* influence whatsoever?—Must his having made, in virtue of a plan of œconomical regulation, a reduction of the influence of the crown, that it would be right in the French or in us to bring a king to so abject a state, as in function not to be so respectable as an under sheriff, but in person not to differ from the condition of a mere prisoner? One would think that such a thing as a medium had never been heard of in the moral world.

This mode of arguing from your having done *any* thing in a certain line, to the necessity of doing *every* thing, has political consequences of other moment than those of a logical fallacy. If no man can propose any diminution or modification of an invidious or dangerous power or influence in government, without entitling friends turned into adversaries, to argue him into the destruction of all prerogative, and to a spoliation of the whole patronage of royalty, I do not know what can more effectually deter persons of sober minds from engaging in any reform; nor how the worst enemies to the liberty of the subject could contrive any method more fit to bring all correctives on the power of the crown into suspicion and disrepute.

If, say his accusers, the dread of too great influence in the crown of Great Britain could justify the degree of reform which he adopted, the dread of a return under the despotism of a monarchy might justify the people of France in going much further, and reducing monarchy to its present nothing. Mr. Burke does not allow, that a sufficient argument *ad hominem* is inferable from those premises. If the horror of the excesses of an absolute monarchy furnishes a reason for  
abolishing

abolishing it, no monarchy once absolute (all have been so at one period or other) could ever be limited. It must be destroyed; otherwise no way could be found to quiet the fears of those who were formerly subjected to that sway. But the principle of Mr. Burke's proceeding ought to lead him to a very different conclusion;—to this conclusion,—that a monarchy is a thing perfectly susceptible of reform; perfectly susceptible of a balance of power; and that, when reformed and balanced, for a great country, it is the best of all governments. The example of our country might have led France, as it has led him, to perceive that monarchy is not only reconcilable to liberty, but that it may be rendered a great and stable security to its perpetual enjoyment. No correctives which he proposed to the power of the crown could lead him to approve of a plan of a republic (if so it may be reputed) which has no correctives, and which he believes to be incapable of admitting any. No principle of Mr. Burke's conduct or writings obliged him, from consistency, to become an advocate for an exchange of mischiefs; no principle of his could compel him to justify the setting up in the place of a mitigated monarchy, a new and far more despotic power, under which there is no trace of liberty, except what appears in confusion and in crime.

Mr. Burke does not admit that the faction predominant in France have abolished their monarchy and the orders of their state, from any dread of arbitrary power that lay heavy on the minds of the people. It is not very long since he has been in that country. Whilst there he conversed with many descriptions of its inhabitants. A few persons of rank did, he allows, discover strong and manifest tokens of such a spirit of liberty, as might be expected one day to break all bounds. Such gentlemen have

since

since had more reason to repent of their want of foresight than I hope any of the same class will ever have in this country. But this spirit was far from general even amongst the gentlemen. As to the lower orders and those a little above them, in whose name the present powers domineer, they were far from discovering any sort of dissatisfaction with the power and prerogatives of the crown. That vain people were rather proud of them: they rather despised the English for not having a monarch possessed of such high and perfect authority. They had felt nothing from *Lettres de Cachet*. The Bastille could inspire no horrors into them. This was a treat for their betters. It was by art and impulse; it was by the sinister use made of a season of scarcity; it was under an infinitely diversified succession of wicked pretences, wholly foreign to the question of monarchy or aristocracy, that this light people were inspired with their present spirit of levelling. Their old vanity was led by art to take another turn: It was dazzled and seduced by military liveries, cockades, and epaulets, until the French populace was led to become the willing, but still the proud and thoughtless instrument and victim of another tyranny. Neither did that people despise, or hate, or fear their nobility. On the contrary, they valued themselves on the generous qualities which distinguished the chiefs of their nation.

So far as to the attack on Mr. Burke, in consequence of his reforms.

To shew that he has in his last publication abandoned those principles of liberty which have given energy to his youth, and in spite of his censurers will afford repose and consolation to his declining age, those who have thought proper in parliament to declare against his book, ought to have produced something in it, which directly

rectly or indirectly militates with any rational plan of free government. It is something extraordinary, that they whose memories have so well served them with regard to light and ludicrous expressions which years had consigned to oblivion, should not have been able to quote a single passage in a piece so lately published, which contradicts any thing he has formerly ever said in a style either ludicrous or serious. They quote his former speeches, and his former votes, but not one syllable from the book. It is only by a collation of the one with the other that the alledged inconsistency can be established. But as they are unable to cite any such contradictory passage, so neither can they shew any thing in the general tendency and spirit of the whole work unfavourable to a rational and generous spirit of liberty; unless a warm opposition to the spirit of levelling, to the spirit of impiety, to the spirit of proscription, plunder, murder, and cannibalism, be adverse to the true principles of freedom.

The author of that book is supposed to have passed from extreme to extreme; but he has always kept himself in a medium. This charge is not so wonderful. It is in the nature of things, that they who are in the centre of a circle should appear directly opposed to those who view them from any part of the circumference. In that middle point, however, he will still remain, though he may hear people who themselves run beyond Aurora and the Ganges, cry out, that he is at the extremity of the west.

In the same debate Mr. Burke was represented as arguing in a manner which implied that the British constitution could not be defended, but by abusing all republics antient and modern. He said nothing to give the least ground for such a censure. He never abused all republics. He has never professed himself a friend or an enemy to republics or

to monarchies in the abstract. He thought that the circumstances and habits of every country, which it is always perilous and productive of the greatest calamities to force, are to decide upon the form of its government. There is nothing in his nature, his temper, or his faculties, which should make him an enemy to any republic modern or antient. Far from it. He has studied the form and spirit of republics very early in life; he has studied them with great attention; and with a mind undisturbed by affection or prejudice. He is indeed convinced that the science of government would be poorly cultivated without that study. But the result in his mind from that investigation has been, and is, that neither England nor France, without infinite detriment to them, as well in the event as in the experiment, could be brought into a republican form; but that every thing republican which can be introduced with safety into either of them, must be built upon a monarchy; built upon a real, not a nominal monarchy, *as its essential basis*; that all such institutions, whether aristocratic or democratic, must originate from their crown, and in all their proceedings must refer to it; that by the energy of that main spring alone those republican parts must be set in action, and from thence must derive their whole legal effect, (as amongst us they actually do) or the whole will fall into confusion. These republican members have no other point but the crown in which they can possibly unite.

This is the opinion expressed in Mr. Burke's book. He has never varied in that opinion since he came to years of discretion. But surely, if at any time of his life he had entertained other notions, (which however he has never held or professed to hold) the horrible calamities brought upon a great people, by the wild attempt to force their country into a republick, might be more than sufficient to undeceive

undeceive his understanding, and to free it for ever from such destructive fancies. He is certain, that many, even in France, have been made sick of their theories by their very success in realizing them.

To fortify the imputation of a desertion from his principles, his constant attempts to reform abuses, have been brought forward. It is true, it has been the business of his strength to reform abuses in government; and his last feeble efforts are employed in a struggle against them. Politically he has lived in that element; politically he will die in it. Before he departs, I will admit for him that he deserves to have all his titles of merit brought forth, as they have been, for grounds of condemnation, if one word, justifying or supporting abuses of any sort, is to be found in that book which has kindled so much indignation in the mind of a great man. On the contrary, it spares no existing abuse. Its very purpose is to make war with abuses; not, indeed, to make war with the dead, but with those which live, and flourish, and reign.

The *purpose* for which the abuses of government are brought into view, forms a very material consideration in the mode of treating them. The complaints of a friend are things very different from the invectives of an enemy. The charge of abuses on the late monarchy of France, was not intended to lead to its reformation, but to justify its destruction. They who have raked into all history for the faults of kings, and who have aggravated every fault they have found, have acted consistently; because they acted as enemies. No man can be a friend to a tempered monarchy who bears a decided hatred to monarchy itself. He who, at the present time, is favourable, or even fair to that system, must act towards it as towards a friend with frailties, who is under the prosecution

of implacable foes. I think it a duty in that case, not to inflame the public mind against the obnoxious person, by any exaggeration of his faults. It is our duty rather to palliate his errors and defects, or to cast them in the shade, and industriously to bring forward any good qualities that he may happen to possess. But when the man is to be amended, and by amendment to be preserved, then the line of duty takes another direction. When his safety is effectually provided for, it then becomes the office of a friend to urge his faults and vices with all the energy of enlightened affection, to paint them in their most vivid colours, and to bring the moral patient to a better habit. Thus I think with regard to individuals; thus I think with regard to ancient and respected governments and orders of men. A spirit of reformation is never more consistent with itself, than when it refuses to be rendered the means of destruction.

I suppose that enough is said upon these heads of accusation. One more I had nearly forgotten, but I shall soon dispatch it. The author of the Reflections, in the opening of the last parliament, entered on the Journals of the House of Commons a motion for a remonstrance to the crown, which is substantially a defence of the preceding parliament, that had been dissolved under displeasure. It is a defence of Mr. Fox. It is a defence of the Whigs. By what connection of argument, by what association of ideas, this apology for Mr. Fox and his party is, by him and them, brought to criminate his and their apologist, I cannot easily divine. It is true, that Mr. Burke received no previous encouragement or support at the time when the motion was made, from him or from any gentleman of the party, one only excepted, from whose friendship, on that and on other occasions, he derives an honour

to which he must be dull indeed to be insensible\*. If that remonstrance therefore was a false or feeble defence of the measures of the party, they were in no wise affected by it. It stands on the Journals. This secures to it a permanence which the author cannot expect to any other work of his. Let it speak for itself to the present age, and to all posterity. The party had no concern in it; and it can never be quoted against them. But in the late debate it was produced, not to clear the party from an improper defence in which they had no share, but for the kind purpose of insinuating an inconsistency between the principles of Mr. Burke's defence of the dissolved parliament, and those on which he proceeded in his late Reflections on France.

It requires great ingenuity to make out such a parallel between the two cases, as to found a charge of inconsistency in the principles assumed in arguing the one and the other. What relation had Mr. Fox's India bill to the constitution of France? What relation had that constitution to the question of right, in an house of commons, to give or to withhold its confidence from ministers, and to state that opinion to the crown? What had this discussion to do with Mr. Burke's idea in 1784, of the ill consequences which must in the end arise to the crown from setting up the commons at large as an opposite interest to the commons in parliament? What has this discussion to do with a recorded warning to the people, of their rashly forming a precipitate judgment against their representatives? What had Mr. Burke's opinion of the danger of introducing new theoretic language unknown to the records of the kingdom, and calculated to excite vexatious questions, into a parliamentary proceed-

\* Mr. Windham.

ing, to do with the French assembly, which defies all precedent, and places its whole glory in realizing what had been thought the most visionary theories? What had this in common with the abolition of the French monarchy, or with the principles upon which the English revolution was justified? a revolution in which parliament, in all its acts and all its declarations, religiously adheres to 'the form of sound words,' without excluding from private discussions, such terms of art as may serve to conduct an inquiry for which none but private persons are responsible? These were the topics of Mr. Burke's proposed remonstrance; all of which topics suppose the existence and mutual relation of our three estates, as well as the relation of the East India Company to the crown, to parliament, and to the peculiar laws, rights, and usages of the people of Hindostan? What reference, I say, had these topics to the constitution of France, in which there is no king, no lords, no commons, no India company to injure or support, no Indian empire to govern or oppress? What relation had all or any of these, or any question which could arise between the prerogatives of the crown and the privileges of parliament, with the censure of those factious persons in Great Britain, whom Mr. Burke stated to be engaged, not in favour of privilege against prerogative, or of prerogative against privilege, but in an open attempt against our crown and our parliament; against our constitution in church and state; against all the parts and orders which compose the one and the other?

No persons were more fiercely active against Mr. Fox, and against the measures of the house of commons dissolved in 1784, which Mr. Burke defends in that remonstrance, than several of those revolution-makers, whom Mr. Burke condemns alike  
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in his remonstrance, and in his book. These revolutionists indeed may be well thought to vary in their conduct. He is, however, far from accusing them, in this variation, of the smallest degree of inconsistency. He is persuaded, that they are totally indifferent at which end they begin the demolition of the constitution.—Some are for commencing their operations with the destruction of the civil powers, in order the better to pull down the ecclesiastical; some wish to begin with the ecclesiastical, in order to facilitate the ruin of the civil; some would destroy the house of commons through the crown; some the crown through the house of commons; and some would overturn both the one and the other through what they call the people. But I believe that this injured writer will think it not at all inconsistent with his present duty, or with his former life, strenuously to oppose all the various partizans of destruction, let them begin where, or when, or how they will. No man would set his face more determinedly against those who should attempt to deprive them, or any description of men, of the rights they possess. No man would be more steady in preventing them from abusing those rights to the destruction of that happy order under which they enjoy them. As to their title to any thing further, it ought to be grounded on the proof they give of the safety with which power may be trusted in their hands. When they attempt without disguise, not to win it from our affections, but to force it from our fears, they shew, in the character of their means of obtaining it, the use they would make of their dominion. That writer is too well read in men, not to know how often the desire and design of a tyrannic domination lurks in the claim of an extravagant liberty. Perhaps in the beginning it *always* displays itself in that manner. No man has ever affected

power which he did not hope from the favour of the existing government, in any other mode.

The attacks on the author's consistency relative to France, are (however grievous they may be to his feelings) in a great degree external to him and to us, and comparatively of little moment to the people of England. The substantial charge upon him is concerning his doctrines relative to the Revolution of 1688. Here it is, that they who speak in the name of the party have thought proper to censure him the most loudly, and with the greatest asperity. Here they fasten; and, if they are right in their fact, with sufficient judgment in their selection. If he be guilty in this point he is equally blameable, whether he is consistent or not. If he endeavours to delude his countrymen by a false representation of the spirit of that leading event, and of the true nature and tenure of the government formed in consequence of it, he is deeply responsible; he is an enemy to the free constitution of the kingdom. But he is not guilty in any sense. I maintain that in his Reflections he has stated the Revolution and the settlement upon their true principles of legal reason and constitutional policy.

His authorities are the acts and declarations of parliament given in their proper words. So far as these go, nothing can be added to what he has quoted. The question is, whether he has understood them rightly. I think they speak plain enough. But we must see whether he proceeds with other authority than his own constructions; and if he does, on what sort of authority he proceeds. In this part, his defence will not be made by argument, but by wager of law. He takes his compurgators, his vouchers, his guarantees, along with him. I know, that he will not be satisfied with a justification proceeding on general reasons of policy. He must  
be

be defended on party grounds too; or his cause is not so tenable as I wish it to appear. It must be made out for him, not only, that in his construction of these public acts and monuments he conforms himself to the rules of fair, legal, and logical interpretation; but it must be proved that his construction is in perfect harmony with that of the ancient Whigs, to whom, against the sentence of the modern, on his part, I here appeal.

This July, it will be twenty-six years\* since he became connected with a man whose memory will ever be precious to Englishmen of all parties, as long as the ideas of honour and virtue, public and private, are understood and cherished in this nation. That memory will be kept alive with particular veneration by all rational and honourable Whigs. Mr. Burke entered into a connexion with that party, through that man, at an age, far from raw and immature; at those years when men are all they are ever likely to become; when he was in the prime and vigour of his life; when the powers of his understanding, according to their standard, were at the best; his memory exercised; his judgment formed; and his reading, much fresher in the recollection, and much readier in the application, than now it is. He was at that time as likely as most men to know what were Whig and what were Tory principles. He was in a situation to discern what sort of Whig principles they entertained, with whom it was his wish to form an eternal connexion. Foolish he would have been at that time of life (more foolish than any man who undertakes a public trust would be thought) to adhere to a cause, which he, amongst all those who were engaged in it, had the least sanguine hopes of, as a road to power.

*Marg. of Rockingham*

\* July 17th 1765.

There are who remember, that on the removal of the Whigs in the year 1766, he was as free to choose another connexion as any man in the kingdom. To put himself out of the way of the negotiations which were then carrying on very eagerly, and through many channels, with the Earl of Chatham, he went to Ireland very soon after the change of ministry, and did not return until the meeting of parliament. He was at that time free from any thing which looked like an engagement. He was further free at the desire of his friends; for the very day of his return, the Marquis of Rockingham wished him to accept an employment under the new system. He believes he might have had such a situation; but again he cheerfully took his fate with the party.

It would be a serious imputation upon the prudence of my friend, to have made even such trivial sacrifices as it was in his power to make, for principles which he did not truly embrace, or did not perfectly understand. In either case the folly would have been great. The question now is, whether, when he first practically professed Whig principles, he understood what principles he professed; and whether, in his book, he has faithfully expressed them.

When he entered into the Whig party, he did not conceive that they pretended to any discoveries. They did not affect to be better Whigs, than those were who lived in the days in which principle was put to the test. Some of the Whigs of those days were then living. They were what the Whigs had been at the Revolution; what they had been during the reign of queen Anne; what they had been at the accession of the present royal family.

What they were at those periods is to be seen. It rarely happens to a party to have the opportunity of a clear,

clear, authentic, recorded, declaration of their political tenets upon the subject of a great constitutional event like that of the Revolution. The Whigs had that opportunity, or, to speak more properly, they made it. The impeachment of Dr. Sacheverel was undertaken by a Whig Ministry and a Whig House of Commons, and carried on before a prevalent and steady majority of Whig Peers. It was carried on for the express purpose of stating the true grounds and principles of the Revolution; what the Commons emphatically called their *foundation*. It was carried on for the purpose of condemning the principles on which the Revolution was first opposed, and afterwards calumniated, in order by a juridical sentence of the highest authority to confirm and fix Whig principles, as they had operated both in the resistance to King James, and in the subsequent settlement; and to fix them in the extent and with the limitations with which it was meant they should be understood by posterity. The ministers and managers for the Commons were persons who had, many of them, an active share in the Revolution. Most of them had seen it at an age capable of reflection. The grand event, and all the discussions which led to it, and followed it, were then alive in the memory and conversation of all men. The managers for the Commons must be supposed to have spoken on that subject the prevalent ideas of the leading party in the Commons, and of the Whig ministry. Undoubtedly they spoke also their own private opinions; and the private opinions of such men are not without weight. They were not *umbratiles doctores*, men who had studied a free constitution only in its anatomy, and upon dead systems. They knew it alive and in action.

In this proceeding, the Whig principles, as applied to the Revolution and settlement, are to be

found, they are to be found no where. I wish the Whig readers of this appeal first to turn to Mr. Burke's Reflections from p. 20 to p. 50; and then to attend to the following extracts from the trial of Dr. Sacheverel. After this, they will consider two things; first, whether the doctrine in Mr. Burke's Reflections be consonant to that of the Whigs of that period; and secondly, whether they choose to abandon the principles which belonged to the progenitors of some of them, and to the predecessors of them all, and to learn new principles of Whiggism, imported from France, and disseminated in this country from dissenting pulpits, from federation societies, and from the pamphlets, which (as containing the political creed of those synods) are industriously circulated in all parts of the two kingdoms. This is their affair, and they will make their option.

*Handwritten mark:* 

These new Whigs hold, that the sovereignty, whether exercised by one or many, did not only originate from the people (a position not denied, nor worth denying or assenting to) but that, in the people the same sovereignty constantly and unalienably resides; that the people may lawfully depose kings, not only for misconduct, but without any misconduct at all; that they may set up any new fashion of government for themselves, or continue without any government at their pleasure; that the people are essentially their own rule, and their will the measure of their conduct; that the tenure of magistracy is not a proper subject of contract; because magistrates have duties, but no rights: and that if a contract *de facto* is made with them in one age, allowing that it binds at all, it only binds those who were immediately concerned in it, but does not pass to posterity. These doctrines concerning the *people* (a term which they are far from accurately defining, but by which, from many circumstances, it is plain enough

enough they mean their own faction, if they should grow by early arming, by treachery, or violence, into the prevailing force) tend, in my opinion, to the utter subversion, not only of all government, in all modes, and to all stable securities to rational freedom, but to all the rules and principles of morality itself.

I assert, that the ancient Whigs held doctrines, totally different from those I have last mentioned. I assert, that the foundations laid down by the Commons, on the trial of Doctor Sacheverel, for justifying the revolution of 1688, are the very same laid down in Mr. Burke's Reflections; that is to say,—a breach of the *original contract*, implied and expressed in the constitution of this country, as a scheme of government fundamentally and inviolably fixed in King, Lords, and Commons.—That the fundamental subversion of this ancient constitution, by one of its parts, having been attempted, and in effect accomplished, justified the Revolution. That it was justified *only* upon the *necessity* of the case; as the *only* means left for the recovery of that *ancient* constitution, formed by the *original contract* of the British state; as well as for the future preservation of the *same* government. These are the points to be proved.

A general opening to the charge against Dr. Sacheverel was made by the Attorney General, Sir John Montagu; but as there is nothing in that opening speech which tends very accurately to settle the principle upon which the Whigs proceeded in the prosecution (the plan of the speech not requiring it) I proceed to that of Mr. Lechmere, the manager who spoke next after him. The following are extracts, given not in the exact order in which they stand in the printed trial, but in that which is thought most fit to bring the ideas of the Whig Commons distinctly under our view,

MR.

\* MR. LECHMERE.

‘ It becomes an *indispensable* duty upon us, who appear in the name and on the behalf of all the Commons of Great Britain, not only to demand your lordships justice on such a criminal [ Dr. Sacheverel ] *but clearly and openly to assert our foundations.*’ — — —

That the terms of our constitution imply and express an original contract.

That the contract is by mutual consent, and binding at all times upon the parties.

The mixed constitution uniformly preserved for many ages, and is a proof of the contract.

Laws the common measure to king and subject.

Case of fundamental injury, and breach of original contract.

Words necessary

‘ The nature of our constitution is that of a *limited monarchy*; wherein the supreme power is communicated and divided between Queen, Lords, and Commons; though the executive power and administration be wholly in the crown. The terms of such a constitution do not only suppose, but express, an original contract between the crown and the people; by which that supreme power was (by mutual consent, and not by accident) limited, and lodged in more hands than one. And *the uniform preservation of such a constitution for so many ages, without any fundamental change, demonstrates to your lordships the continuance of the same contract.*’ — — —

‘ The consequences of such a frame of government are obvious. That the *laws* are the rule to both; the common measure of the power of the crown, and of the obedience of the subject; and if the executive part endeavours the *subversion and total destruction of the government*, the original contract is thereby broke, and the right of allegiance ceases; that part of the government, thus *fundamentally* injured, hath a right to save or recover *that* constitution, in which it had an original interest.’ — — —

‘ The *necessary* means (which is the phrase used by the Commons in their first article) are words

\* State Trials, vol. v. p. 651.

‘ made

‘ made choice of by them *with the greatest caution*,  
 ‘ Those means are described (in the preamble to  
 ‘ their charge) to be, that glorious enterprize, which  
 ‘ his late majesty undertook, with an armed force,  
 ‘ to deliver this kingdom from popery and arbitrary  
 ‘ power; the concurrence of many subjects of the  
 ‘ realm, who came over with him in that enterprize,  
 ‘ and of many others of *all ranks and orders*, who  
 ‘ appeared in arms in many parts of the kingdom  
 ‘ in aid of that enterprize.

*means se-  
lected with  
caution.*

‘ These were the *means* that brought about the  
 ‘ Revolution; and which the act that passed soon  
 ‘ after, *declaring the rights and liberties of the subject*,  
 ‘ *and settling the succession of the crown*, intends,  
 ‘ when his late majesty is therein called the *glorious*  
 ‘ *instrument of delivering the kingdom*; and which the  
 ‘ Commons, in the last part of their first article,  
 ‘ expresses by the word *resistance*.

‘ But the Commons, who will never be unmin-  
 ‘ ful of the *allegiance* of the subjects to the *crown* of  
 ‘ this realm, judged it highly incumbent upon  
 ‘ them, out of regard to the *safety of her majesty's*  
 ‘ *person and government, and the antient and legal*  
 ‘ *constitution of this kingdom*, to call that resistance  
 ‘ the *necessary* means; thereby plainly founding that  
 ‘ power, right, and resistance, which was exercised  
 ‘ by the people at the time of the happy Revolu-  
 ‘ tion, and which the duties of *self-preservation* and  
 ‘ religion called them to, *upon the NECESSITY*  
 ‘ *of the case, and at the same time effectually securing*  
 ‘ *her majesty's government, and the due allegiance of*  
 ‘ *all her subjects.* — — —

*Regard of  
the Com-  
mons to  
their alle-  
giance to  
the crown,  
and to the  
antient  
constitu-  
tion.*

‘ The nature of such an *original contract* of go-  
 ‘ vernment proves, that there is not only a power  
 ‘ in the people, who have *inherited this freedom*, to  
 ‘ assert their own title to it; but they are bound in  
 ‘ duty to transmit the *same* constitution to their pos-  
 ‘ terity also.’

*All ages  
have the  
same inter-  
est in pre-  
servation of  
the con-  
tract, and  
the same  
constitu-  
tion.*



Mr. Lechmere made a second speech. Notwithstanding the clear and satisfactory manner in which he delivered himself in his first upon this arduous question, he thinks himself bound again distinctly to assert the same foundation; and to justify the Revolution on the *case of necessity only*, upon principles perfectly coinciding with those laid down in Mr. Burke's Letter on the French affairs,

MR. LECHMERE.

The commons strictly confine their ideas of a Revolution to necessity alone and self-defence,

† N. B. The remark implies that allegiance would be insecure without this restriction.

‘ Your lordships were acquainted, in opening the charge, with how *great caution*, and with what unfeigned regard to her majesty and her government, and the *duty and allegiance* of her subjects, the commons made use of the words *necessary means*, to express the resistance that was made use of to bring about the Revolution, and with the condemning of which the Doctor is charged by this article; not doubting but that the honour and justice of that resistance, *from the necessity of that case, and to which alone we have strictly confined ourselves*, when duly considered, would confirm and strengthen †, and be understood to be an effectual security for an allegiance of the subject to the crown of this realm, *in every other case where there is not the same necessity*; and that the right of the people to *self-defence, and preservation of their liberties, by resistance, as their last remedy, is the result of a case of such necessity only, and by which the original contract between king and people, is broke. This was the principle laid down and carried through all that was said with respect to allegiance; and on which foundation, in the name and on the behalf of all the commons of*

‘ Great

‘ Great Britain, we assert and justify that resistance by  
 ‘ which the late happy revolution was brought  
 ‘ about.’ — — —

‘ It appears to your lordships and the world, that  
 ‘ *breaking the original contract between king and people,*  
 ‘ were the words made choice of by that House of  
 ‘ Commons, [the House of Commons which had  
 ‘ originated the declaration of right,] with the  
 ‘ *greatest deliberation and judgment,* and approved of  
 ‘ by your lordships, in that first and fundamental  
 ‘ step towards the *re-establishment of the government,*  
 ‘ which had received so great a shock from the evil  
 ‘ counsels which had been given to that unfortunate  
 ‘ prince.’

\* \* \* \* \*

Sir John Hawles, another of the managers, follows the steps of his brethren, positively affirming the doctrine of non-resistance to government to be the general, moral, religious, and political rule for the subject; and justifying the Revolution on the same principle with Mr. Burke, that is, *as an exception from necessity.*—Indeed he carries the doctrine on the general idea of non-resistance much further than Mr. Burke has done; and full as far as it can perhaps be supported by any duty of *perfect obligation*; however noble and heroic it may be, in many cases, to suffer death rather than disturb the tranquillity of our country.

\* SIR JOHN HAWLES.

‘ Certainly it must be granted, that the doctrine  
 ‘ that commands obedience to the supreme power,  
 ‘ *though in things contrary to nature,* even to suffer  
 ‘ death, which is the highest injustice that can be

\* P. 676.

‘ done

' done a man, rather than make an opposition to the  
 ' supreme power \* [is reasonable;] because the  
 ' death of one, or some few private persons, is a  
 ' less evil than *disturbing the whole government*; that  
 ' law must needs be understood to forbid the doing  
 ' or saying any thing to disturb the government;  
 ' the rather because the obeying that law cannot  
 ' be pretended to be against nature: and the Doc-  
 ' tor's refusing to obey that implicit law, is the  
 ' reason for which he is now prosecuted; though he  
 ' would have it believed, that the reason he is now  
 ' prosecuted, was for the doctrine he asserted of  
 ' obedience to the supreme power; which he  
 ' might have preached as long as he had pleased,  
 ' and the Commons would have taken no offence  
 ' at it, if he had stopped there, and not have taken  
 ' upon him, on that pretence or occasion, to have  
 ' cast odious colours upon the Revolution.'

\* \* \* \* \*

General Stanhope was among the managers: He begins his speech by a reference to the opinion of his fellow managers, which he hoped had put beyond all doubt the limits and qualifications that the Commons had placed to their doctrines concerning the Revolution; yet not satisfied with this general reference, after condemning the principle of non-resistance, which is asserted in the sermon *without any exception*, and stating, that under the specious pretence of preaching a peaceable doctrine, Sacheverel and the Jacobites meant in reality to excite a rebellion in favour of the Pretender, he explicitly limits his ideas of resistance with the

\* The words necessary to the completion of the sentence are wanted in the printed trial—but the construction of the sentence, as well as the foregoing part of the speech, justify the insertion of some such supplemental words as the above.

boundaries

boundaries laid down by his colleagues and by Mr. Burke.

GENERAL STANHOPE.

' The constitution of England is founded upon compact; and the subjects of this kingdom have, in their several public and private capacities, as legal a title to what are their rights by law, as a prince to the possession of his crown.

Rights of the subject and the crown equally legal.

' Your lordships, and most that hear me, are witnesses, and must remember the necessities of those times which brought about the Revolution: that no other remedy was left to preserve our religion and liberties; that resistance was necessary and consequently just. — —

Justice of resistance founded on necessity.

' Had the Doctor, in the remaining part of his sermon, preached up peace, quietness, and the like, and shewn how happy we are under her majesty's administration, and exhorted obedience to it, he had never been called to answer a charge at your lordships bar. But the tenor of all his subsequent discourse is one continued invective against the government.'



Mr. Walpole (afterwards Sir Robert) was one of the managers on this occasion. He was an honourable man and a sound Whig. He was not, as the Jacobites and discontented Whigs of his time have represented him, and as ill-informed people still represent him, a prodigal and corrupt minister. They charged him in their libels and seditious conversations as having first reduced corruption to a system. Such was their cant. But he was far from governing by corruption. He governed by party attachments. The charge of systematic corruption is less applicable to him, perhaps, than to any minister who ever served the crown for so great a length of time.

time. He gained over very few from the Opposition. Without being a genius of the first class, he was an intelligent, prudent, and safe minister. He loved peace; and he helped to communicate the same disposition to nations at least as warlike and restless as that in which he had the chief direction of affairs. Though he served a master who was fond of martial fame, he kept all the establishments very low. The land tax continued at two shillings in the pound for the greater part of his administration. The other impositions were moderate. The profound repose, the equal liberty, the firm protection of just laws during the long period of his power, were the principal causes of that prosperity which afterwards took such rapid strides towards perfection; and which furnished to this nation ability to acquire the military glory which it has since obtained, as well as to bear the burthens, the cause and consequence of that warlike reputation. With many virtues, public and private, he had his faults; but his faults were superficial. A careless, coarse, and over familiar style of discourse, without sufficient regard to persons or occasions, and an almost total want of political decorum, were the errors by which he was most hurt in the public opinion: and those through which his enemies obtained the greatest advantage over him. But justice must be done. The prudence, steadiness, and vigilance of that man, joined to the greatest possible lenity in his character and his politics, preserved the crown to this royal family; and with it, their laws and liberties to this country. Walpole had no other plan of defence for the Revolution, than that of the other managers, and of Mr. Burke; and he gives full as little countenance to any arbitrary attempts, on the part of restless and factious men, for framing new governments according to their fancies.

MR. WALPOLE.

' Resistance is no where enacted to be legal, but  
 ' subjected, by all the laws now in being, to the  
 ' greatest penalties. It is what is not, cannot, nor  
 ' ought ever to be described, or affirmed, in any  
 ' positive law, to be excusable: when, and upon  
 ' what *never-to-be-expected* occasions, it may be  
 ' exercised, no man can foresee; *and it ought never to*  
 ' *be thought of, but when an utter subversion of the*  
 ' *laws of the realm threatens the whole frame of our*  
 ' *constitution, and no redress can otherwise be hoped for.*  
 ' It therefore does, and *ought for ever*, to stand,  
 ' in the eye and letter of the law, as the *highest*  
 ' *offence.* But because any man, or party of men,  
 ' may not, out of folly or wantonness, commit  
 ' treason, or make their own discontents, ill prin-  
 ' ciples, or disguised affections to another interest,  
 ' a pretence to resist the supreme power, will it fol-  
 ' low from thence that the *utmost necessity* ought  
 ' not to engage a nation, *in its own defence, for*  
 ' *the preservation of the whole?*

Case of  
 resistance  
 out of the  
 law; and  
 the highest  
 offence.

Utmost  
 necessity  
 justifies it



Sir Joseph Jekyl was, as I have always heard and  
 believed, as nearly as any individual could be, the  
 very standard of Whig principles in his age. He  
 was a learned, and an able man; full of honour,  
 integrity, and public spirit; no lover of innovation;  
 nor disposed to change his solid principles for  
 the giddy fashion of the hour. Let us hear this  
 Whig.

SIR JOSEPH JEKYL.

' In clearing up and vindicating the justice of the  
 ' Revolution, which was the second thing proposed, it

F

' is

Commons do not state the limits of submission.

' is far from the intent of the Commons to state the limits and bounds of the subject's submission to the sovereign. That which the law hath been wisely silent in, the Commons desire to be silent in too; nor will they put any case of a justifiable resistance, but that of the Revolution only; and they persuade themselves that the doing right to that resistance will be so far from promoting popular licence or confusion, that it will have a contrary effect, and be a means of settling men's minds in the love of, and veneration for the laws; to rescue and secure which, was the ONLY aim and intention of those concerned in resistance.'

To secure the laws, the only aim of the Revolution.



Dr. Sacheverel's counsel defended him on this principle, namely—that whilst he enforced from the pulpit the general doctrine of non-resistance, he was not obliged to take notice of the theoretic limits which ought to modify that doctrine. Sir Joseph Jekyl, in his reply, whilst he controverts its application to the Doctor's defence, fully admits and even enforces the principle itself, and supports the Revolution of 1688, as he and all the managers had done before, exactly upon the same grounds on which Mr. Burke has built, in his Reflections on the French Revolution.

SIR JOSEPH JEKYL.

Blamable to state the bounds of non-resistance.

' If the Doctor had pretended to have stated the particular bounds and limits of non-resistance, and told the people in what cases they might, or might not resist, he would have been much to blame; nor was one word said in the articles, or by the managers, as if that was expected from him: but, on the contrary, we have insisted, that in NO

Resistance lawful only in case of

' case

' *case can resistance be lawful, but in case of extreme* extreme  
 ' *necessity, and where the constitution cannot other-* and obvious  
 ' *wise be preserved; and such necessity ought to be* necessity.  
 ' *plain and obvious to the sense and judgment of*  
 ' *the whole nation; and this was the case at the Re-*  
 ' *volution.*'

\* \* \* \* \*

The counsel for Doctor Sacheverel, in defending their client, were driven in reality to abandon the fundamental principles of his doctrine, and to confess, that an exception to the general doctrine of passive obedience and non-resistance did exist in the case of the Revolution. This the managers for the Commons considered as having gained their cause; as their having obtained *the whole* of what they contended for. They congratulated themselves and the nation on a civil victory, as glorious and as honourable as any that had obtained in arms during that reign of triumphs.

Sir Joseph Jekyl, in his reply to Harcourt, and the other great men who conducted the cause for the Tory side, spoke in the following memorable terms, distinctly stating the whole of what the Whig House of Commons contended for, in the name of all their constituents:—

SIR JOSEPH JEKYL.

' My lords, the concessions [the concessions of  
 ' Sacheverel's counsel] are these:—That *necessity* Necessity  
 ' creates an *exception* to the general rule of submis- creates an  
 ' sion to the prince;—that such exception is under- exception,  
 ' stood or implied in the laws that require such and the  
 ' submission;—and that *the case of the Revolution* Revolution  
 ' *was a case of necessity.* a case of  
necessity, the utmost extent of the demand of the Commons.

F 2

' These

‘ These are concessions *so ample*, and do *so fully* answer the drift of the Commons in this article, and are to *the utmost extent of their meaning in it*, that I can’t forbear congratulating them upon this success of their impeachment; that in full parliament, this erroneous doctrine of *unlimited non-resistance* is given up, and disclaimed. And may it not, in after ages, be an addition to the glories of this bright reign, that so many of those who are honoured with being in her majesty’s service have been at your lordships bar, thus successfully contending for the *national* rights of her people, and proving they are not precarious or remediless?.

‘ But to return to these concessions; I must appeal to your lordships, whether they are not a *total departure* from the Doctor’s answer.’

\* \* \* \* \*

I now proceed to shew that the Whig managers for the Commons meant to preserve the government on a firm foundation, by asserting the perpetual validity of the settlement then made, and its coercive power upon posterity. I mean to shew that they gave no sort of countenance to any doctrine tending to impress the *people*, taken separately from the legislature which includes the crown, with an idea that *they* had acquired a moral or civil competence to alter (without breach of the original compact on the part of the king) the succession to the crown, at their pleasure; much less that they had acquired any right, in the case of such an event as caused the Revolution, to set up any new form of government. The author of the Reflections, I believe, thought that no man of common understanding could oppose to this doctrine, the ordinary sovereign power, as declared in the act of queen Anne. That is, that the kings or queens of the realm,  
with

with the consent of parliament, are competent to regulate and to settle the succession of the crown. This power is and ever was inherent in the supreme sovereignty; and was not, as the political divines vainly talk, acquired by the revolution. It is declared in the old statute of Queen Elizabeth. Such a power must reside in the complete sovereignty of every kingdom; and it is in fact exercised in all of them. But this right of *competence* in the legislature, not in the people, is by the legislature itself to be exercised with *sound discretion*; that is to say, it is to be exercised or not, in conformity to the fundamental principles of this government; to the rules of moral obligation; and to the faith of pacts, either contained in the nature of the transaction, or entered into by the body corporate of the kingdom; which body, in juridical construction, never dies; and in fact never loses its members at once by death.

Whether this doctrine is reconcilable to the modern philosophy of government, I believe the author neither knows nor cares; as he has little respect for any of that sort of philosophy. This may be because his capacity and knowledge do not reach to it. If such be the case, he cannot be blamed, if he acts on the sense of that incapacity; he cannot be blamed, if in the most arduous and critical questions which can possibly arise, and which affect to the quick the vital parts of our constitution, he takes the side which leans most to safety and settlement; that he is resolved not "to be wise beyond what is written" in the legislative record and practice; that when doubts arise on them, he endeavours to interpret one statute by another; and to reconcile them all to established recognized morals, and to the general antient known policy of the laws of England. Two things are equally evident, the first is, that the legislature possesses the

power of regulating the succession of the crown; the second, that in the exercise of that right it has uniformly acted as if under the *restraints* which the author has stated. That author makes what the ancients call *mos majorum*, not indeed his sole, but certainly his principal rule of policy, to guide his judgment in whatever regards our laws. Uniformity and analogy can be preserved in them by this process only. That point being fixed, and laying fast hold of a strong bottom, our speculations may swing in all directions, without public detriment; because they will ride with sure anchorage.

In this manner these things have been always considered by our ancestors. There are some indeed who have the art of turning the very acts of parliament which were made for securing the hereditary succession in the present royal family by rendering it penal to doubt of the validity of those acts of parliament, into an instrument for defeating all their ends and purposes: but upon grounds so very foolish, that it is not worth while to take further notice of such sophistry.

To prevent any unnecessary subdivision, I shall here put together what may be necessary to shew the perfect agreement of the Whigs with Mr. Burke, in his assertions, that the Revolution made no  
 “ essential change in the constitution of the mo-  
 “ narchy, or in any of its ancient, sound, and  
 “ legal principles; that the succession was settled  
 “ in the Hanover family, upon the idea, and in the  
 “ mode of an hereditary succession qualified with  
 “ Protestantism; that it was not settled upon *elective*  
 “ principles, in any sense of the word *elective*, or  
 “ under any modification or description of *election*  
 “ whatsoever; but, on the contrary, that the nation,  
 “ after the Revolution, renewed by a fresh compact  
 “ the spirit of the original compact of the state,  
 “ binding

“ binding itself, *both in its existing members and all its posterity*, to adhere to the settlement of an hereditary succession in the Protestant line, drawn from James the First, as the stock of inheritance.”

## SIR JOHN HAWLES.

‘ If he [Dr. Sacheverel] is of the opinion he pretends, I cannot imagine how it comes to pass, that he that pays that deference to the supreme power has preached so directly contrary to the determinations of the supreme power in this government; he very well knowing that the lawfulness of the Revolution, and of the means whereby it was brought about, has already been determined by the aforesaid acts of parliament: and do it in the worst manner he could invent. *For questioning the right to the crown here in England, has procured the shedding of more blood, and caused more slaughter, than all the other matters tending to disturbances in the government, put together.* If, therefore, the doctrine which the apostles had laid down, was only to continue the peace of the world, as thinking the death of some few particular persons better to be borne with than a civil war; sure it is the highest breach of that law to question the first principles of this government.’

Necessity of settling the right of the crown, and submission to the settlement.

‘ If the Doctor had been contented with the liberty he took of preaching up the duty of passive obedience, in the most extensive manner he had thought fit, and would have stopped there, your lordships would not have had the trouble, in relation to him, that you now have; but it is plain, that he preached up his absolute and unconditional obedience, *not to continue the peace and tranquillity of this nation, but to set the subjects at strife, and to raise a war in the bowels of this nation;* and it is for this that he is now prosecuted; though he would fain have it believed that the prosecution was for

‘ preaching the peaceable doctrine of absolute obedience.’

\* \* \* \* \*

SIR JOSEPH JEKYL.

Whole frame of government restored unhurt on the Revolution.

‘ The whole tenor of the administration, then in being, was agreed by all to be a total departure from the constitution. The nation was at that time united in that opinion, all but the criminal part of it. And as the nation joined in the judgment of their disease, so they did in the remedy. They saw there was no remedy left, but the last; and when that remedy took place, the whole frame of the government was restored entire and unhurt\*. This shewed the excellent temper the nation was in at that time, that, after such provocations from an abuse of the regal power, and such a convulsion, no one part of the constitution was altered, or suffered the least damage; but, on the contrary, the whole received new life and vigour.’

\* \* \* \* \*

The Tory council for Dr. Sacheverel having insinuated, that a great and essential alteration in the constitution had been wrought by the Revolution, Sir Joseph Jekyl is so strong on this point,

\* ‘ What we did was, in truth and substance and in a constitutional light, a revolution, not made, but prevented. We took solid securities; we settled doubtful questions; we corrected anomalies in our law. In the stable fundamental parts of our constitution we made no revolution; no, nor any alteration at all. We did not impair the monarchy. Perhaps it might be shewn that we strengthened it very considerably. The nation kept the same ranks, the same orders, the same privileges, the same franchises, the same rules for property, the same subordinations, the same order in the law, in the revenue, and in the magistracy; the same lords, the same commons, the same corporations, the same electors.’ Mr. Burke’s speech in the House of Commons, 9th February 1790. It appears how exactly he coincides in every thing with Sir Joseph Jekyl.

that

that he takes fire even at the insinuation of his being of such an opinion.

SIR JOSEPH JEKYLL.

‘ If the Doctor instructed his counsel to insinuate that there was *any innovation in the constitution wrought by the Revolution, it is an addition to his crime. The Revolution did not introduce any innovation; it was a restoration of the antient fundamental constitution of the kingdom, and giving it its proper force and energy.*’

No innovation at the Revolution.

\* \* \* \* \*

The Solicitor General, Sir Robert Eyre, distinguishes expressly the case of the Revolution, and its principles, from a proceeding at pleasure, on the part of the people, to change their antient constitution, and to frame a new government for themselves. He distinguishes it with the same care from the principles of regicide, and republicanism, and the sorts of resistance condemned by the doctrines of the church of England, and, which ought to be condemned, by the doctrines of all churches professing Christianity.

MR. SOLICITOR GENERAL, SIR ROBERT EYRE.

‘ The resistance at the Revolution, which was founded in *unavoidable necessity*, could be no defence to a man that was attacked for *asserting that the people might cancel their allegiance at pleasure, or detrone and murder their sovereign by a judiciary sentence.* For it can never be inferred from the lawfulness of resistance, at a time when *a total subversion of the government both in church and state was intended*, that a people may take up arms, and call their sovereign to account at pleasure; and, therefore, since *the Revolution could be of no service in giving the least colour for asserting*

Revolution no precedent for voluntary cancelling allegiance.

Revolution  
not like the  
case of  
Charles the  
First.

‘ any such wicked principle, the Doctor could never  
‘ intend to put it into the mouths of those new  
‘ preachers, and new politicians, for a defence ;  
‘ unless it be his opinion, that the resistance at the  
‘ Revolution can bear any parallel with the *execra-*  
‘ *ble murder of the royal martyr, so justly detested by the*  
‘ *whole nation.*

Sacheve-  
rel's doc-  
trine in-  
tended to  
bring an  
odium on  
the Revo-  
lution.

True de-  
fence of the

‘ It is plain that the Doctor is not impeached  
‘ for preaching a general doctrine, and enforcing  
‘ the general duty of obedience, but for preaching  
‘ against an *excepted case, after he has stated the ex-*  
‘ *ception.* He is not impeached for preaching the  
‘ general doctrine of obedience, and the utter ille-  
‘ gality of resistance upon any pretence whatsoever ;  
‘ but because, having first laid down the general  
‘ doctrine as true, without any exception, *he states*  
‘ *the excepted case, the Revolution, in express terms,*  
‘ as an objection ; and then assuming the conside-  
‘ ration of that excepted case, denies there was any  
‘ resistance in the Revolution ; and asserts, that to  
‘ impute resistance to the Revolution, would cast  
‘ black and odious colours upon it. This is not  
‘ preaching the doctrine of non-resistance, in the  
‘ general terms used by the homilies, and the fa-  
‘ thers of the church, where cases of necessity may  
‘ be *understood to be excepted by a tacit implication, as*  
‘ *the counsel have allowed ;* but is preaching directly  
‘ against the resistance at the Revolution, which, in  
‘ the course of this debate, has been all along ad-  
‘ mitted to be *necessary and just,* and can have  
‘ no other meaning than to bring a dishonour  
‘ upon the Revolution, and an odium upon those  
‘ great and illustrious persons, *those friends to the*  
‘ *monarchy and the church, that assisted in bringing it*  
‘ *about.* For had the Doctor intended any thing else,  
‘ he would have treated the case of the Revolution  
‘ in a different manner, and have given *it the true*  
‘ *and fair answer ;* he would have said, that the re-  
‘ sistance

‘ sistance at the Revolution was *of absolute necessity*, Revolution on absolute necessity.  
 ‘ *and the only means left to revive the constitution;*  
 ‘ *and must therefore be taken as an excepted case,*  
 ‘ and could never come within the reach and intention of the general doctrine of the church.

‘ Your lordships take notice on what grounds the Doctor continues to assert the same position in his answer. But is it not most evident, that the general exhortations to be met with in the homilies of the church of England, and such like declarations in the statutes of the kingdom, are meant only as rules for the civil obedience of the subject to the legal administration of the supreme power in *ordinary cases*? And it is equally absurd, to construe any words in a positive law to authorize the destruction of the whole, as to expect that king, lords, and commons should, in express terms of law, declare *such an ultimate resort as the right of resistance, at a time when the case supposes that the force of all law is ceased* \*.

‘ The Commons must always resent, with the utmost detestation and abhorrence, every position that may shake the authority of that act of parliament, whereby the crown is settled upon her majesty, *and whereby the lords spiritual and temporal and commons do, in the name of all the people of England, most humbly and faithfully submit themselves, their heirs and posterities, to her majesty*, which this general principle of absolute non-resistance must certainly shake.

Commons abhor whatever shakes the submission of posterity to the settlement of the crown.

‘ For, if the resistance at the Revolution was illegal, the Revolution settled in usurpation, and this act can have no greater force and authority than an act passed under an usurper.

‘ And the Commons take leave to observe, that the authority of the parliamentary settlement is a

\* See Reflections, p. 42, 43.

‘ matter

‘ matter of the greatest consequence to maintain, in  
 ‘ a case where the hereditary right to the crown is  
 ‘ contested.

‘ It appears by the several instances mentioned in  
 ‘ the act declaring the rights and liberties of the  
 ‘ subject, and settling the succession of the crown,  
 ‘ that at the time of the Revolution there was a  
 ‘ *total subversion of the constitution of government both*  
 ‘ *in church and state, which is a case that the laws*  
 ‘ *of England could never suppose, provide for, or have*  
 ‘ *in view.*’

● \* \* \* \* \*

Sir Joseph Jekyl, so often quoted, considered the preservation of the monarchy, and of the rights and prerogatives of the crown, as essential objects with all sound Whigs; and that they were bound, not only to maintain them when injured or invaded, but to exert themselves as much for their re-establishment, if they should happen to be overthrown by popular fury, as any of their own more immediate and popular rights and privileges, if the latter should be at any time subverted by the crown. For this reason he puts the cases of the *Revolution* and the *Restoration*, exactly upon the same footing. He plainly marks, that it was the object of all honest men, not to sacrifice one part of the constitution to another; and much more, not to sacrifice any of them to visionary theories of the rights of man; but to preserve our whole inheritance in the constitution, in all its members and all its relations, entire, and unimpaired, from generation to generation. In this Mr. Burke exactly agrees with him.

#### SIR JOSEPH JEKYL.

What are  
 the rights of  
 the people.

‘ Nothing is plainer than that the people have  
 ‘ a right to the laws and the constitution. This  
 ‘ right

' right the nation hath asserted, and recovered out  
 ' of the hands of those who had dispossessed them  
 ' of it at several times. There are of this *two*  
 ' *famous instances* in the knowledge of the present  
 ' age; I mean that of the *Restoration*, and that  
 ' of the *Revolution*; in both of these great events  
 ' were the *regal power*, and the *rights of the people*  
 ' recovered. And it is *hard to say in which the*  
 ' *people have the greatest interest*; for the commons  
 ' *are sensible that there is not one legal power be-*  
 ' *longing to the crown, but they have an interest in it*;  
 ' *and I doubt not but they will always be as careful*  
 ' *to support the rights of the crown, as their own*  
 ' *privileges.*'

Restoration  
and Revo-  
lution.

People have  
an equal in-  
terest in the  
legal rights  
of the  
crown and  
of their  
own.

The other Whig managers regarded (as he did)  
 the overturning, of the monarchy by a republican  
 faction with the very same horror and detestation  
 with which they regarded the destruction of the  
 privileges of the people by an arbitrary mo-  
 narch.

MR. LECHMERE,

Speaking of our constitution, states it as ' a  
 ' constitution which happily recovered itself, at  
 ' the Restoration, from the confusions and dis-  
 ' orders which *the horrid and detestable proceed-*  
 ' *ings of faction and usurpation had thrown it into,*  
 ' and which, after many convulsions and struggles,  
 ' was providentially saved at the late happy Revo-  
 ' lution; and, by the many good laws passed since  
 ' that time, stands now upon a firmer foundation:  
 ' together with the most comfortable prospect of  
 ' *security to all posterity*, by the settlement of the  
 ' crown in the Protestant line.'

Constitu-  
tion reco-  
vered at the  
restoration  
and revoluti-  
on.



I mean

I mean now to shew that the Whigs, (if Sir Joseph Jekyl was one) and if he spoke in conformity to the sense of the Whig house of commons and the Whig ministry who employed him, did carefully guard against any presumption that might arise from the repeal of the non-resistance oath of Charles the second, as if, at the Revolution, the antient principles of our government were at all changed--or that republican doctrines were countenanced, —or any sanction given to seditious proceedings upon general undefined ideas of misconduct—or for changing the form of government—or for resistance upon any other ground than the *necessity* so often mentioned for the purpose of self-preservation. It will shew still more clearly the equal care of the then Whigs, to prevent either the regal power from being swallowed up on pretence of popular rights, or the popular rights from being destroyed on pretence of regal prerogatives.

## SIR JOSEPH JEKYL.

Mischief of broaching antimonarchical principles.

‘ Further, I desire it may be considered, that these legislators [the legislators who framed the non-resistance oath of Charles the Second] were guarding against the consequences of those *pernicious and antimonarchical principles, which had been broached a little before in this nation*; and those large declarations in favour of *non-resistance* were made to encounter or obviate the *mischief* of those principles; as appears by the preamble to the fullest of those acts, which is the *militia act*, in the 13th and 14th of King Charles the Second. The words of that act are these: *And, during the late usurped governments, many evil and rebellious principles have been instilled into the minds of the people of this kingdom, which may break forth, unless prevented, to the disturbance of the peace and quiet thereof*:

Two cases of resistance, one to preserve the crown, the other the rights of the subject.

' thereof: *Be it therefore enacted, &c.* Here your  
 ' lordships may see the reason that inclined those  
 ' legislators to express themselves in such a manner  
 ' against resistance. *They had seen the regal rights*  
 ' *swallowed up, under the pretence of popular ones*; and  
 ' it is no imputation on them that they did not then  
 ' foresee a *quite different case*, as was that of the Re-  
 ' volution; where, under the pretence of regal au-  
 ' thority, a total subversion of the rights of the subject  
 ' was advanced, and in a manner effected. And this  
 ' may serve to shew, that it was not the design of  
 ' those legislators to condemn resistance, in a case of  
 ' *absolute necessity, for preserving the constitution*, when  
 ' they were guarding against principles which had so  
 ' lately destroyed it.

' As to the truth of the doctrine in this declara-  
 ' tion which was repealed, *I will admit it to be as*  
 ' *true as the Doctor's counsel assert it; that is, with*  
 ' *an exception of cases of necessity*; and it was not re-  
 ' pealed because it was false, *understanding it with*  
 ' *that restriction*; but it was repealed because it  
 ' might be interpreted in an *unconfined sense, and ex-*  
 ' *clusive of that restriction*; and being so understood,  
 ' would reflect on the justice of the Revolution:  
 ' and this the legislature had at heart, and were  
 ' very jealous of; and by this repeal of that decla-  
 ' ration, gave a parliamentary or legislative admo-  
 ' nition, against asserting this doctrine of non-re-  
 ' sistance *in an unlimited sense.* — — —

Non-resist-  
 ance oath  
 not repeal-  
 ed, because  
 (with the  
 restriction  
 of necessity)  
 it was  
 taken but  
 to prevent  
 false inter-  
 pretations.

' Though the general doctrine of non-resistance,  
 ' the doctrine of the church of England, as stated  
 ' in her homilies, or elsewhere delivered, by which  
 ' the general duty of subjects to the higher powers  
 ' is taught, be owned to be, as unquestionably it  
 ' is, *a godly and wholesome doctrine*; though this  
 ' general doctrine has been constantly inculcated by  
 ' the reverend fathers of the church, dead and  
 ' living, and preached by them as a preservative  
 ' against

General  
 doctrine of  
 non-resist-  
 ance godly  
 and whole-  
 some; not  
 bound to  
 state *expli-*  
*citly* the ex-  
 ceptions.

' against the popish doctrine of deposing princes,  
 ' and as the ordinary rule of obedience; and  
 ' though the same doctrine has been preached,  
 ' maintained, and avowed by our most orthodox  
 ' and able divines from the time of the Reforma-  
 ' tion; and how *innocent a man* Dr. Sacheverel  
 ' had been, if, *with an honest and well-meant zeal,*  
 ' he had preached the same doctrine in the same  
 ' general terms in which he found it delivered by  
 ' the apostles of Christ, as taught by the homilies,  
 ' and the reverend fathers of our church, and,  
 ' in imitation of those great examples, had only  
 ' pressed the general duty of obedience, and the il-  
 ' legality of resistance, without taking notice of  
 ' any exception.'

\* \* \* \* \*

Another of the managers for the house of com-  
 mons, Sir John Holland, was not less careful in  
 guarding against a confusion of the principles of the  
 revolution, with any loose general doctrines of a right  
 in the individual, or even in the people, to under-  
 take for themselves, on any prevalent tempo-  
 rary opinions of convenience or improvement, any  
 fundamental change in the constitution, or to  
 fabricate a new government for themselves, and  
 thereby to disturb the public peace, and to unsettle  
 the antient constitution of this kingdom.

SIR JOHN HOLLAND.

Submission  
 to the sove-  
 reign a con-  
 scientious  
 duty, except  
 in cases of  
 necessity.

' The commons would not be understood, as if  
 ' they were pleading for a licentious resistance; as if  
 ' *subjects* were left to *their* good-will and pleasure,  
 ' when they are to *obey*, and when to *resist*. No,  
 ' my lords, they know they are *obliged by all the ties*  
 ' *of social creatures and Christians, for wrath and*  
 ' *conscience*

‘ conscience sake, to submit to their sovereign. The commons do not abet *humourfome factious arms*: they aver them to be *rebellious*. But yet they maintain, that that resistance at the Revolution, which was so *necessary*, was *lawful and just from that necessity*.

‘ These general rules of obedience may, upon a *real necessity*, admit a *lawful exception*; and such a *necessary exception* we assert the revolution to be.

‘ ’Tis with this view of *necessity* only, *absolute necessity* of preserving our laws, liberties, and religion; ’tis with *this limitation* that we desire to be understood, when any of us speak of resistance in general. The *necessity* of the resistance at the Revolution, was at that time obvious to every man.’

Right of resistance how to be understood.

\* \* \* \* \*

I shall conclude these extracts with a reference to the prince of Orange’s declaration, in which he gives the nation the fullest assurance that in his enterprize he was far from the intention of introducing any change whatever in the fundamental law and constitution of the state. He considered the object of his enterprize, not to be a precedent for further revolutions, but that it was the great end of his expedition to make such provisions so far as human power and wisdom could provide, unnecessary.

*Extracts from the Prince of Orange’s Declaration.*

‘ All magistrates, who have been unjustly turned out, shall forthwith resume their former employments, as well as all the boroughs of England shall return again to their *antient prescriptions and charters*: and more particularly, that

‘ *the ancient charter of the great and famous ci-  
 ‘ ty of London shall be again in force. And that  
 ‘ the writs for the members of parliament shall  
 ‘ be addressed to the proper officers, according to  
 ‘ law and custom. — — —*

‘ *And for the doing of all other things, which the  
 ‘ two houses of parliament shall find necessary for  
 ‘ the peace, honour, and safety of the nation, so that  
 ‘ there may be no danger of the nation’s falling, at  
 ‘ any time hereafter, under arbitrary government.’*

*Extract from the Prince of Orange’s additional De-  
 ‘ claration.*

‘ *We are confident that no persons can have such  
 ‘ hard thoughts of us, as to imagine that we have  
 ‘ any other design in this undertaking, than to pro-  
 ‘ cure a settlement of the religion, and of the liberties  
 ‘ and properties of the subjects, upon so sure a founda-  
 ‘ tion, that there may be no danger of the nation’s re-  
 ‘ lapsing into the like miseries at any time hereafter.  
 ‘ And, as the forces that we have brought along with  
 ‘ us are utterly disproportioned to that wicked de-  
 ‘ sign of conquering the nation, if we were capable  
 ‘ of intending it ; so the great numbers of the principal  
 ‘ nobility and gentry, that are men of eminent quality  
 ‘ and estates, and persons of known integrity and zeal,  
 ‘ both for the religion and government of England,  
 ‘ many of them also being distinguished by their constant  
 ‘ fidelity to the crown, who do both accompany us in  
 ‘ this expedition, and have earnestly solicited us  
 ‘ to it, will cover us from all such malicious infi-  
 ‘ nuations.’*

Principal  
 nobility and  
 gentry  
 well affect-  
 ed to the  
 church and  
 crown fe-  
 cunity a-  
 gainst the  
 design of in-  
 novation.

In the spirit, and upon one occasion in the words \*, of this declaration, the statutes passed in that reign made such provisions for preventing these dangers, that scarcely any thing short of combination

\* Declaration of Right.

of king, lords, and commons for the destruction of the liberties of the nation, can in any probability make us liable to similar perils. In that dreadful, and, I hope, not to be looked for case, any opinion of a right to make revolutions, grounded on this precedent, would be but a poor resource.—Dreadful indeed would be our situation.

These are the doctrines held by *the Whigs of the Revolution*, delivered with as much solemnity, and as authentically at least, as any political dogmas were ever promulgated from the beginning of the world. If there be any difference between their tenets and those of Mr. Burke it is, that the old Whigs oppose themselves still more strongly than he does against the doctrines which are now propagated with so much industry by those, who would be thought their successors.

It will be said perhaps, that the old Whigs, in order to guard themselves against popular odium, pretended to assert tenets contrary to those which they secretly held. This, if true, would prove, what Mr. Burke has uniformly asserted, that the extravagant doctrines which he meant to expose, were disagreeable to the body of the people; who, though they perfectly abhor a despotic government, certainly approach more nearly to the love of mitigated monarchy, than to any thing which bears the appearance even of the best republic. But if these old Whigs deceived the people, their conduct was unaccountable indeed. They exposed their power, as every one conversant in history knows, to the greatest peril, for the propagation of opinions which, on this hypothesis, they did not hold. It is a new kind of martyrdom. This supposition does as little credit to their integrity as their wisdom: It makes them at once hypocrites and fools. I think of those great men very differently. I hold them to have been, what the world thought them,

men of deep understanding, open sincerity, and clear honour. However, be that matter as it may; what these old Whigs pretended to be, Mr. Burke is. This is enough for him.

I do indeed admit, that though Mr. Burke has proved that his opinions were those of the old Whig party, solemnly declared by one house, in effect and substance by both houses of parliament, this testimony standing by itself will form no proper defence for his opinions, if he and the old Whigs were both of them in the wrong. But it is his present concern, not to vindicate these old Whigs, but to shew his agreement with them.—He appeals to them as judges: he does not vindicate them as culprits. It is current that these old politicians knew little of the rights of men; that they lost their way by groping about in the dark, and fumbling among rotten parchments and musty records. Great lights they say are lately obtained in the world; and Mr. Burke, instead of shrowding himself in exploded ignorance, ought to have taken advantage of the blaze of illumination which has been spread about him. It may be so. The enthusiasts of this time, it seems, like their predecessors in another faction of fanaticism, deal in lights. —Hudibras pleasantly says of them, they

“ Have lights, where better eyes are blind,  
“ As pigs are said to see the wind.”

The author of the Reflections has *heard* a great deal concerning the modern lights; but he has not yet had the good fortune to *see* much of them. He has read more than he can justify to any thing but the spirit of curiosity, of the works of these illuminators of the world. He has learned nothing from the far greater number of them, than a full certainty of their shallowness, levity, pride, petulance, presumption and ignorance.

Where

Where the old authors whom he has read, and the old men whom he has conversed with, have left him in the dark, he is in the dark still. If others, however, have obtained any of this extraordinary light, they will use it to guide them in their researches and their conduct. I have only to wish, that the nation may be as happy and as prosperous under the influence of the new light, as it has been in the sober shade of the old obscurity. As to the rest, it will be difficult for the author of the Reflections to conform to the principles of the avowed leaders of the party, until they appear otherwise than negatively. All we can gather from them is this, that their principles are diametrically opposite to his. This is all that we know from authority. Their negative declaration obliges me to have recourse to the books which contain positive doctrines. They are indeed, to those Mr. Burke holds, diametrically opposite; and if it be true, (as they have said, I hope hastily) that their opinions differ so widely, it should seem they are the most likely to form the creed of the modern Whigs.

I have stated what were the avowed sentiments of the old Whigs, not in the way of argument, but narratively; it is but fair to set before the reader, in the same simple manner, the sentiments of the modern, to which they spare neither pains nor expence to make proselytes. I choose them from the books upon which most of that industry and expediture in circulation have been employed; I choose them not from those who speak with a politic obscurity; not from those who only controvert the opinions of the old Whigs, without advancing any of their own, but from those who speak plainly and affirmatively. The Whig reader may make his choice between the two doctrines.

The doctrine then propagated by these societies, which gentlemen think they ought to be very

tender in discouraging, as nearly as possible in their own words, is as follows: that in Great Britain we are not only without a good constitution, but that we have "no constitution." That, "tho' it is much talked about, no such thing as a constitution exists, or ever did exist; and consequently that *the people have a constitution yet to form*; that since William the Conqueror, the country has never yet *regenerated itself*, and is therefore without a constitution. That where it cannot be produced in a visible form, there is none. That a constitution is a thing antecedent to government; and that the constitution of a country is not the act of its government, but of a people constituting a government. That *every thing* in the English government is the reverse of what it ought to be, and what it is said to be in England. That the right of war and peace resides in a metaphor shewn at the Tower, for six pence or a shilling a-piece.—That it signifies not where the right resides, whether in the crown or in parliament. War is the common harvest of those who participate in the division and expenditure of public money. That the portion of liberty enjoyed in England is just enough to enslave a country more productively than by despotism."

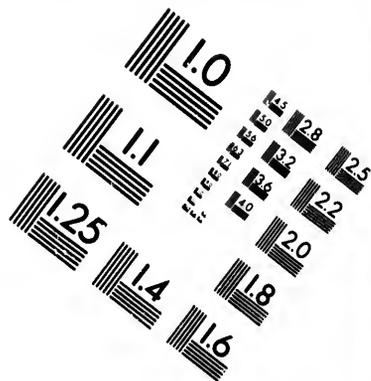
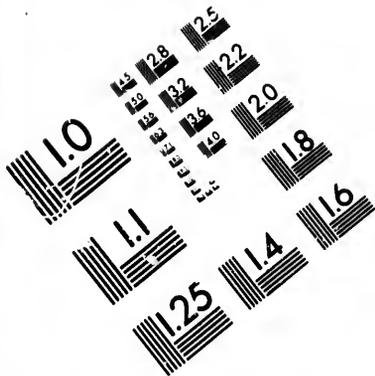
So far as to the general state of the British constitution.—As to our house of lords, the chief virtual representative of our aristocracy, the great ground and pillar of security to the landed interest, and that main link by which it is connected with the law and the crown, these worthy societies are pleased to tell us, that, "whether we view aristocracy before, or behind, or side-ways, or any way else, domestically or publicly, it is still a *monster*. That aristocracy in France had one feature less in its countenance than what it has in some other countries; it did

"not

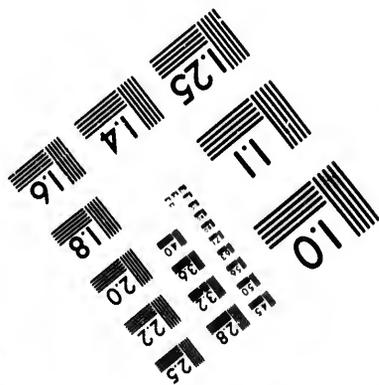
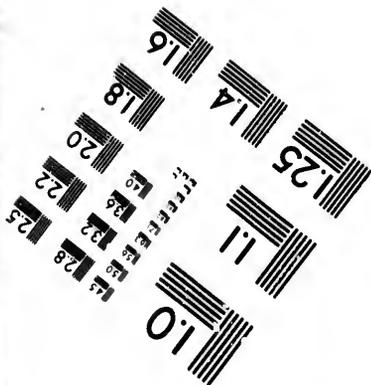
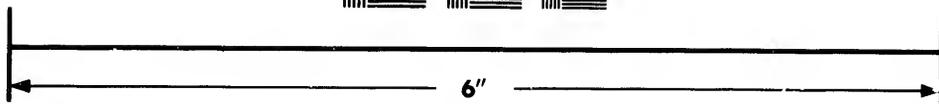
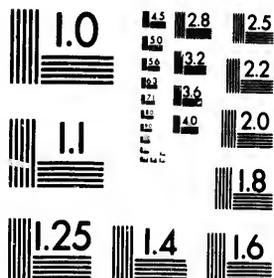
“ not compose a body of hereditary legislators. It  
 “ was not a corporation of aristocracy ;”—for such  
 it seems that profound legislator Mr. De la Fayette  
 describes the house of peers. “ That it is  
 “ kept up by family tyranny and injustice—that  
 “ there is an unnatural unfitness in aristocracy to be  
 “ legislators for a nation—that their ideas of dis-  
 “ tributive justice are corrupted at the very source ;  
 “ they begin life by trampling on all their younger  
 “ brothers, and sisters, and relations of every kind,  
 “ and are taught and educated so to do.—That the  
 “ idea of an hereditary legislator is as absurd as an  
 “ hereditary mathematician. That a body holding  
 “ themselves unaccountable to any body, ought to  
 “ be trusted by no body—that it is continuing the  
 “ uncivilized principles of governments founded in  
 “ conquest, and the base idea of man having a pro-  
 “ perty in man, and governing him by a personal  
 “ right—that aristocracy has a tendency to dege-  
 “ nerate the human species,” &c. &c.

As to our law of primogeniture, which with few  
 and inconsiderable exceptions is the standing law of  
 all our landed inheritance, and which without ques-  
 tion has a tendency, and I think a most happy  
 tendency, to preserve a character of consequence,  
 weight, and prevalent influence over others in the  
 whole body of the landed interest, they call loudly  
 for its destruction. They do this for political rea-  
 sons that are very manifest. They have the confi-  
 dence to say, “ that it is a law against every law  
 “ of nature, and nature herself calls for its destruc-  
 “ tion. Establish family justice, and aristocracy  
 “ falls. By the aristocratical law of primogeni-  
 “ tureship, in a family of six children, five are  
 “ exposed. Aristocracy has never but *one* child.  
 “ The rest are begotten to be devoured. They  
 “ are thrown to the cannibal for prey, and the na-  
 “ tural parent prepares the unnatural repast.”





**IMAGE EVALUATION  
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As to the house of commons, they treat it far worse than the house of lords or the crown have been ever treated. Perhaps they thought they had a greater right to take this amicable freedom with those of their own family. For many years it has been the perpetual theme of their invectives.—“Mockery, insult, usurpation,” are amongst the best names they bestow upon it. They damn it in the mass, by declaring “that it does not arise out of the inherent rights of the people, as the national assembly does in France, and whose name designates its original.”

Of the charters and corporations, to whose rights, a few years ago, these gentlemen were so tremblingly alive, they say, “that when the people of England come to reflect upon them, they will, like France, annihilate those badges of oppression, those traces of a conquered nation.”

As to our monarchy, they had formerly been more tender of that branch of the constitution, and for a good reason. The laws had guarded against all seditious attacks upon it, with a greater degree of strictness and severity. The tone of these gentlemen is totally altered since the French Revolution. They now declaim as vehemently against the monarchy, as in former occasions they treacherously flattered and soothed it.

“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 governments 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

“ particular man or family, but of the whole com-  
“ munity, at whose expence it is supported; and  
“ though by force or contrivance it has been usurp-  
“ ed 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; and a nation has at  
“ all times an inherent indefeasible right to abolish  
“ any form of government it finds inconvenient,  
“ and establish such as accords with its interest,  
“ disposition, and happiness. The romantic and  
“ barbarous distinction of men into kings and sub-  
“ jects, though it may suit the condition of cour-  
“ tiers, cannot that of citizens; and is exploded  
“ by the principle 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.”

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Warmly recommending to us the example of  
France, where they have destroyed monarchy, they  
say—

“ Monarchical sovereignty, the enemy of man-  
“ 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.”

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“ 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 con-  
“ trivance 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

" what are its merits? Doth the virtue consist in  
 " the metaphor, or in the man? Doth the gold-  
 " smith that makes the crown make the virtue al-  
 " so? Doth it operate like Fortunatus's wishing-  
 " cap, or Harlequin's wooden sword? Doth it make  
 " a man a conjuror? In fine, what is it? It ap-  
 " pears to be a something going much out of  
 " fashion, falling into ridicule, and rejected in some  
 " countries both as unnecessary and expensive. In  
 " America it is considered as an absurdity; and in  
 " France it has so far declined, that the goodness  
 " of the man, and the respect for his personal cha-  
 " racter, are the only things that preserve the ap-  
 " pearance of its existence."

" Mr. Burke talks about what he calls an here-  
 " ditary crown, as if it were some production of  
 " Nature; or as if, like Time, it had a power to  
 " operate, not only independently, but in spite of  
 " man; or as if it were a thing or a subject uni-  
 " versally consented to. Alas! it has none of those  
 " properties, but is the reverse of them all. It is a  
 " thing in imagination, the propriety of which is  
 " more than doubted, and the legality of which  
 " in a few years will be denied."

" 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 to him? he can give  
 " me no answer. If I ask him what monarchy is,  
 " he believes it is something like a sinecure.

" The French constitution says, That the right  
 " of war and peace is in the nation. Where else  
 " should it reside, but in those who are to pay the  
 " expence?

" In England, this right is said to reside in a me-  
 " taphor,

“ *taphor*, shewn at the Tower for sixpence or a  
 “ shilling a-piece: So are the lions; and it would  
 “ be a step nearer to reason to say it resided in  
 “ them, for any inanimate metaphor is no more  
 “ than a hat or a cap. We can all see the absurdi-  
 “ ty of worshipping Aaron’s molten calf, or Nebu-  
 “ chadnezzar’s golden image; but why do men  
 “ continue to practise themselves the absurdities they  
 “ despise in others?”

— — — — —  
 The Revolution and Hanover succession had  
 been objects of the highest veneration to the old  
 Whigs. They thought them not only proofs of  
 the sober and steady spirit of liberty which guided  
 their ancestors; but of their wisdom and provident  
 care of posterity.—The modern Whigs have quite  
 other notions of these events and actions. They do  
 not deny that Mr. Burke has given truly the words  
 of the acts of parliament which secured the suc-  
 cession, and the just sense of them. They attack not  
 him but the law.

“ Mr. Burke (say they) has done some service,  
 “ not to his cause, but to his country, by bringing  
 “ those clauses into public view. They serve to  
 “ demonstrate how necessary it is at all times to watch  
 “ against the attempted encroachment of power,  
 “ and to prevent its running to excess. It is some-  
 “ what extraordinary, that the offence for which  
 “ James II. was expelled, that of setting up power  
 “ by *assumption*, should be re-acted, under another  
 “ shape and form, by the parliament that expelled  
 “ him. It shews that the rights of man were but  
 “ imperfectly understood at the Revolution; for,  
 “ certain it is, that the right which that parliament  
 “ set up by *assumption* (for by delegation it had it not,  
 “ and could not have it, because none could give it)  
 “ over the persons and freedom of posterity for ever,  
 “ was of the same tyrannical unfounded kind which  
 “ James

" James attempted to set up over the parliament  
 " and the nation, and for which he was expelled.  
 " The only difference is, (for in principle they dif-  
 " fer not), that the one was an usurper over the  
 " living, and the other over the unborn; and as  
 " the one has no better authority to stand upon  
 " than the other, both of them must be equally  
 " null and void, and of no effect."

" As the estimation of all things is by comparison,  
 " the Revolution of 1688, however from circum-  
 " stances it may have been exalted beyond its va-  
 " lue, will find its level. It is already on the wane;  
 " eclipsed by the enlarging orb of reason, and the  
 " luminous revolutions of America and France. In  
 " less than another century, it will go, as well as  
 " Mr. Burke's labours, ' to the family vault of all  
 " the Capulets.' *Mankind will then scarcely believe*  
 " *that a country calling itself free, would send to*  
 " *Holland for a man, and clothe him with power, on*  
 " *purpose to put themselves in fear of him, and give*  
 " *him almost a million sterling a-year for leave to*  
 " *submit themselves and their posterity, like bond-men*  
 " *and bond-women, for ever.*"

" Mr. Burke having said that the king holds his  
 " crown in contempt of the choice of the Revolu-  
 " tion society, who individually or collectively have  
 " not," (as most certainly they have not) " a vote  
 " for a king amongst them, they take occasion from  
 " thence to infer, that a king who does not hold  
 " his crown by election, despises the people."

" The King of England," says he, " holds *his*  
 " crown (for it does not belong to the nation,  
 " according to Mr. Burke) in *contempt* of the choice  
 " of the Revolution Society." &c.

" As to who is King in England or elsewhere,  
 " or

" or whether there is any King at all, or whether  
 " the people chuse a Cherokee Chief, or a Hessian  
 " Hussar for a King, it is not a matter that I  
 " trouble myself about—be that to themselves;  
 " but with respect to the doctrine, so far as it re-  
 " lates to the Rights of Men and Nations, it is  
 " as abominable as any thing ever uttered in the  
 " most enslaved country under heaven. Whether  
 " it sounds worse to my ear, by not being accus-  
 " tomed to hear such despotism, than what it does  
 " to the ear of another person, I am not so well  
 " a judge of; but of its abominable principle I  
 " am at no loss to judge."

These societies of modern Whigs push their in-  
 solence as far as it can go. In order to prepare the  
 minds of the people for treason and rebellion, they  
 represent the king as tainted with principles of des-  
 potism, from the circumstance of his having domi-  
 nions in Germany. In direct defiance of the most  
 notorious truth, they describe his government there  
 to be a despotism; whereas it is a free constitution,  
 in which the states of the electorate have their  
 part in the government; and this privilege has  
 never been infringed by the king, or, that I have  
 heard of, by any of his predecessors. The consti-  
 tution of the electoral dominions has indeed a dou-  
 ble control, both from the laws of the empire, and  
 from the privileges of the country. Whatever rights  
 the king enjoys as elector, have been always pa-  
 rentally exercised, and the calumnies of these scan-  
 dalous societies have not been authorized by a single  
 complaint of oppression.

" When Mr. Burke says that ' his majesty's  
 ' heirs and successors, each in their time and order,  
 ' will come to the crown with the *same contempt*  
 ' of their choice with which his majesty has suc-  
 ' ceeded to that he wears,' it is saying too much  
 " even to the humblest individual in the country;  
 " part of whose daily labour goes towards making

“ up the million sterling a year, which the country  
 “ gives the person it stiles a king. Government  
 “ with insolence, is despotism; but when contempt  
 “ is added, it becomes worse; and to pay for con-  
 “ tempt, is the excess of slavery. This species of  
 “ government comes from Germany; and re-  
 “ minds me of what one of the Brunswick soldiers  
 “ told me, who was taken prisoner by the Ameri-  
 “ cans in the late war: ‘ Ah!’ said he, ‘ America  
 “ is a fine free country, it is worth the people’s  
 “ fighting for; I know the difference by knowing  
 “ my own: in my country, *if the prince says, Eat  
 “ straw, we eat straw.*’ “ God help that country,  
 “ thought I, be it England or elsewhere, whose li-  
 “ berties are to be protected by *German principles  
 “ of government, and princes of Brunswick!*”

“ It is somewhat curious to observe, that although  
 “ the people of England have been in the habit of  
 “ talking about kings, it is always a Foreign House  
 “ of kings; hating Foreigners, yet governed by them.  
 “ —It is now the House of Brunswick, one of the  
 “ petty tribes of Germany.” - - - -

“ If Government be what Mr. Burke describes  
 “ it, ‘ a contrivance of human wisdom,’ I might  
 “ ask him, if wisdom was at such a low ebb in Eng-  
 “ land, that it was become necessary to import it  
 “ from Holland and from Hanover? But I will do  
 “ the country the justice to say, that was not the  
 “ case; and even if it was, it mistook the cargo.  
 “ The wisdom of every country, when properly ex-  
 “ erted, is sufficient for all its purposes; *and there  
 “ could exist no more real occasion in England to  
 “ have sent for a Dutch Stadtholder, or a Ger-  
 “ man Elector, than there was in America to have  
 “ done a similar thing. If a country does not un-  
 “ derstand its own affairs, how is a foreigner to un-  
 “ derstand them, who knows neither its laws, its*

"manners, nor its language? If there existed a man  
 "so transcendantly 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 are the most insigni-  
 "ficant in capacity, our reason cannot fail to ask us  
 "—What are those men kept for?"\*

These are the notions which, under the idea of  
 Whig principles, several persons, and among them  
 persons of no mean mark, have associated them-  
 selves to propagate. I will not attempt in the  
 smallest degree to refute them: This will probably  
 be done (if such writings shall be thought to deserve  
 any other than the refutation of criminal justice) by  
 others, who may think with Mr. Burke, and with  
 the same zeal. He has performed his part. I shall  
 content myself with shewing, as shortly as the matter  
 will admit, the danger of giving to them, either  
 avowedly or tacitly, the smallest countenance.

There are times and circumstances, in which  
 not to speak out is at least to connive. Many  
 think it enough for them, that the principles  
 propagated by these clubs and societies enemies  
 to their country and its constitution, are not owned  
 by the *modern Whigs in parliament*, who are so  
 warm in condemnation of Mr. Burke and his book,  
 and of course of all the principles of the ancient  
 constitutional Whigs of this kingdom. Certainly  
 they are not owned. But are they condemned with  
 the same zeal as Mr. Burke and his book are con-  
 demned? Are they condemned at all? Are they  
 rejected or discountenanced in any way whatsoever?  
 Is any man who would fairly examine into the de-

\* Vindication of the Rights of Man, recommended by the several societies.

meanour and principles of those societies, and that too very moderately, and in the way rather of admonition than of punishment, is such a man even decently treated? Is he not reproached as if, in condemning such principles, he had belied the conduct of his whole life, suggesting that his life had been governed by principles similar to those which he now reprobates? The French system is in the mean time, by many active agents out of doors, rapturously praised; The British constitution is coldly tolerated. But these constitutions are different; both in the foundation and in the whole superstructure; and it is plain, that you cannot build up the one but on the ruins of the other. After all, if the French be a superior system of liberty, why should we not adopt it? To what end are our praises? Is excellence held out to us only that we should not copy after it? And what is there in the manners of the people, or in the climate of France, which renders that species of republic fitted for them, and unsuitable to us? A strong and marked difference between the two nations ought to be shewn, before we can admit a constant affected panegyrick, a standing annual commemoration, to be without any tendency to an example.

But the leaders of party will not go the length of the doctrines taught by the seditious clubs. I am sure they do not mean to do so. God forbid! Perhaps even those who are directly carrying on the work of this pernicious foreign faction, do not all of them intend to produce all the mischiefs which must inevitably follow from their having any success in their proceedings. As to leaders in parties, nothing is more common than to see them blindly led. The world is governed by go-betweens. These go-betweens influence the persons with whom they carry on the intercourse, by stating their own sense to each of them as the sense of the other; and thus they reciprocally master both sides. It is first buzzed about the ears of leaders, "that their friends without doors  
I " are

" are very eager for some measure, or very warm  
 " about some opinion — that you must not be  
 " too rigid with them. They are useful persons, and  
 " zealous in the cause. They may be a little wrong ;  
 " but the spirit of liberty must not be damped ; and  
 " by the influence you obtain from some degree of  
 " concurrence with them at present, you may be  
 " enabled to set them right hereafter."

Thus the leaders are at first drawn to a connivance with sentiments and proceedings, often totally different from their serious and deliberate notions. But their acquiescence answers every purpose.

With no better than such powers, the go-betweens assume a new representative character. What at best was but an acquiescence, is magnified into an authority, and thence into a desire on the part of the leaders ; and it is carried down as such to the subordinate members of parties. By this artifice they in their turn are led into measures which at first, perhaps, few of them wished at all, or at least did not desire vehemently or systematically.

There is in all parties, between the principal leaders in parliament, and the lowest followers out of doors, a middle sort of men ; a sort of equestrian order, who, by the spirit of that middle situation, are the fittest for preventing things from running to excess. But indecision, though a vice of a totally different character, is the natural accomplice of violence. The irresolution and timidity of those who compose this middle order, often prevents the effect of their controlling situation. The fear of differing with the authority of leaders on the one hand, and of contradicting the desires of the multitude on the other, induces them to give a careless and passive assent to measures in which they never were consulted : and thus things proceed, by a sort of activity of inertness, until whole bodies, leaders, middle men,

and followers, are all hurried, with every appearance, and with many of the effects, of unanimity, into schemes of politics, in the substance of which no two of them were ever fully agreed, and the origin and authors of which, in this circular mode of communication, none of them find it possible to trace. In my experience I have seen much of this in affairs, which, though trifling in comparison to the present, were yet of some importance to parties; and I have known them suffer by it. The sober part give their sanction, at first through inattention and levity; at last they give it through necessity. A violent spirit is raised, which the presiding minds, after a time, find it impracticable to stop at their pleasure, to control, to regulate, or even to direct.

This shews, in my opinion, how very quick and awakened all men ought to be, who are looked up to by the public, and who deserve that confidence, to prevent a surprize on their opinions, when dogmas are spread, and projects pursued, by which the foundations of society may be affected. Before they listen even to moderate alterations in the government of their country, they ought to take care that principles are not propagated for that purpose, which are too big for their object. Doctrines limited in their present application, and wide in their general principles, are never meant to be confined to what they at first pretend. If I were to form a prognostic of the effect of the present machinations on the people, from their sense of any grievance they suffer under this constitution, my mind would be at ease. But there is a wide difference between the multitude, when they act against their government from a sense of grievance, or from zeal for some opinions. When men are thoroughly possessed with that zeal, it is difficult to calculate its force. It is certain, that its power is by no means in exact

proportion to its reasonableness. It must always have been discoverable by persons of reflection, but it is now obvious to the world, that a theory concerning government may become as much a cause of fanaticism as a *dogma* in religion. There is a boundary to men's passions when they act from feeling; none when they are under the influence of imagination. Remove a grievance, and, when men act from feeling, you go a great way towards quieting a commotion. But the good or bad conduct of a government, the protection men have enjoyed, or the oppression they have suffered under it, are of no sort of moment, when a faction proceeding upon speculative grounds, is thoroughly heated against its form. When a man is, from system, furious against monarchy or episcopacy, the good conduct of the monarch or the bishop has no other effect than further to irritate the adversary. He is provoked at it as furnishing a plea for preserving the thing which he wishes to destroy. His mind will be heated as much by the sight of a sceptre, a mace, or a verge, as if he had been daily bruised and wounded by these symbols of authority. Mere spectacles, mere names, will become sufficient causes to stimulate the people to war and tumult.

Some gentlemen are not terrified by the facility with which government has been overturned in France. The people of France, they say, had nothing to lose in the destruction of a bad constitution; but though not the best possible, we have still a good stake in ours, which will hinder us from desperate risques. Is this any security at all against those who seem to persuade themselves, and who labour to persuade others, that our constitution is an usurpation in its origin, unwise in its contrivance, mischievous in its effects, contrary to the rights of man, and in all its parts a perfect nuisance? What motive has any rational man, who thinks in that

manner, to spill his blood, or even to risque a shilling of his fortune, or a moment of his leisure, to preserve it? If he has any duty relative to it, his duty is to destroy it. A constitution on sufferance is a constitution condemned. Sentence is already passed upon it. The execution is only delayed. On the principles of these gentlemen it neither has, nor ought to have, any security. So far as regards them, it is left naked, without friends, partizans, assertors, or protectors.

Let us examine into the value of this security upon the principles of those who are more sober; of those who think, indeed, the French constitution better, or at least as good, as the British, without going to all the lengths of the warmer politicians in reprobating their own. Their security amounts in reality to nothing more than this;—that the difference between their republican system and the British limited monarchy is not worth a civil war. This opinion, I admit, will prevent people, not very enterprising in their nature, from an active undertaking against the British constitution. But it is the poorest defensive principle that ever was infused into the mind of man against the attempts of those who will enterprize. It will tend totally to remove from their minds that very terror of a civil war which is held out as our sole security. They who think so well of the French constitution, certainly will not be the persons to carry on a war to prevent their obtaining a great benefit, or at worst a fair exchange. They will not go to battle in favour of a cause in which their defeat might be more advantageous to the public than their victory. They must at least tacitly abet those who endeavour to make converts to a sound opinion; they must discountenance those who would oppose its propagation. In proportion as by these means the enterprising party is strengthened, the dread of a struggle  
is

is lessened. See what an encouragement this is to the enemies of the constitution! A few assassinations, and a very great destruction of property, we know they consider as no real obstacles in the way of a grand political change. And they will hope, that here, if antimonarchical opinions gain ground, as they have done in France, they may, as in France, accomplish a revolution without a war.

They who think so well of the French constitution cannot be seriously alarmed by any progress made by its partizans. Provisions for security are not to be received from those who think that there is no danger.—No! there is no plan of security to be listened to but from those who entertain the same fears with ourselves; from those who think that the thing to be secured is a great blessing; and the thing against which we would secure it a great mischief. Every person of a different opinion must be careless about security.

I believe the author of the Reflections, whether he fears the designs of that set of people with reason or not, cannot prevail on himself to despise them. He cannot despise them for their numbers, which, though small, compared with the sound part of the community, are not inconsiderable: he cannot look with contempt on their influence, their activity, or the kind of talents and tempers which they possess, exactly calculated for the work they have in hand, and the minds they chiefly apply to. Do we not see their most considerable and accredited ministers, and several of their party of weight and importance, active in spreading mischievous opinions, in giving sanction to seditious writings, in promoting seditious anniversaries? and what part of their description has disordered them or their proceedings? When men, circumstanced as these are, publicly declare such admiration of a foreign constitution, and such contempt of our own,

it would be, in the author of the Reflections, thinking as he does of the French constitution, infamously to cheat the rest of the nation to their ruin, to say there is no danger.

In estimating danger, we are obliged to take into our calculation the character and disposition of the enemy into whose hands we may chance to fall. The genius of this faction is easily discerned by observing with what a very different eye they have viewed the late foreign revolutions. Two have passed before them. That of France and that of Poland. The state of Poland was such, that there could scarcely exist two opinions, but that a reformation of its constitution, even at some expence of blood, might be seen without much disapprobation. No confusion could be feared in such an enterprize; because the establishment to be reformed was itself a state of confusion. A king without authority; nobles without union or subordination; a people without arts, industry, commerce, or liberty; no order within; no defence without; no effective publick force, but a foreign force, which entered a naked country at will, and disposed of every thing at pleasure. Here was a state of things which seemed to invite and might perhaps justify bold enterprize and desperate experiment. But in what manner was this chaos brought into order? The means were as striking to the imagination, as satisfactory to the reason, and soothing to the moral sentiments. In contemplating that change, humanity has every thing to rejoice and to glory in; nothing to be ashamed of, nothing to suffer. So far as it has gone, it probably is the most pure and defecated public good which ever has been conferred on mankind. We have seen anarchy and servitude at once removed; a throne strengthened for the protection of the people, without trenching on their liberties; all foreign cabal banished, by changing the crown from elective to hereditary;

hereditary; and what was a matter of pleasing wonder, we have seen a reigning king, from an heroic love to his country, exerting himself with all the toil, the dexterity, the management, the intrigue, in favour of a family of strangers, with which ambitious men labour for the aggrandisement of their own. Ten millions of men in a way of being freed gradually, and therefore safely to themselves and the state, not from civil or political chains, which, bad as they are, only fetter the mind, but from substantial personal bondage. Inhabitants of cities, before without privileges, placed in the consideration which belongs to that improved and connecting situation of social life. One of the most proud, numerous, and fierce bodies of nobility and gentry ever known in the world, arranged only in the foremost rank of free and generous citizens. Not one man incurred loss, or suffered degradation. All, from the king to the day-labourer, were improved in their condition. Every thing was kept in its place and order; but in that place and order every thing was bettered. To add to this happy wonder (this unheard-of conjunction of wisdom and fortune) not one drop of blood was spilled; no treachery; no outrage; no system of slander more cruel than the sword; no studied insults on religion, morals, or manners; no spoil; no confiscation; no citizen beggared; none imprisoned; none exiled: the whole was effected with a policy, a discretion, an unanimity and secrecy, such as have never been before known on any occasion; but such wonderful conduct was reserved for this glorious conspiracy in favour of the true and genuine rights and interests of men. Happy people, if they know to proceed as they have begun! Happy prince, worthy to begin with splendor, or to close with glory, a race of patriots and of kings: and to leave

A name, which every wind to heav'n would bear,  
Which men to tell, and angels joy to hear.

To finish all—this great good, as in the instant it is, contains in it the seeds of all further improvement; and may be considered as in a regular progress, because founded on similar principles, towards the stable excellence of a British constitution.

Here was a matter for congratulation and for festive remembrance through ages. Here moralists and divines might indeed relax in their temperance to exhilarate their humanity. But mark the character of our faction. All their enthusiasm is kept for the French revolution. They cannot pretend that France had stood so much in need of a change as Poland. They cannot pretend that it has not obtained a better system of liberty or of government than it enjoyed before. They cannot assert, that it cost more dearly to the interests and feelings of multitudes of men. But the cold and subordinate light in which they look upon the one, and the pains they take to preach up the other of these revolutions, leave us no choice in fixing on their motives. Both revolutions profess liberty as their object; but in obtaining this object the one proceeds from anarchy to order: the other from order to anarchy. The first secures its liberty by establishing its throne; the other builds its freedom on the subversion of its monarchy. In the one their means are unstained by crimes, and their settlement favours morality. In the other, vice and confusion are in the very essence of their pursuit and of their enjoyment. The circumstances in which these two events differ, must cause the difference we make in their comparative estimation. These turn the scale with the societies in favour of France. *Ferrum est quod amant.* The frauds, the violences, the sacrileges, the havock and ruin of families, the dispersion and exile of the pride and flower of a great country, the disorder, the confusion, the anarchy, the violation of property, the cruel murders, the inhuman confiscations, and in the end

and the insolent domination of bloody, ferocious, and senseless clubs.—These are the things which they love and admire. What men admire and love, they would surely act. Let us see what is done in France; and then let us undervalue any the slightest danger of falling into the hands of such a merciless and savage faction!

‘But the leaders of the factious societies are too wild to succeed in this their undertaking.’ I hope so. But supposing them wild and absurd, is there no danger but from wise and reflecting men? Perhaps the greatest mischiefs that have happened in the world, have happened from persons as wild as those we think the wildest. In truth, they are the fittest beginners of all great changes. Why encourage men in a mischievous proceeding, because their absurdity may disappoint their malice? ‘But noticing them may give them consequence.’ Certainly. But they are noticed; and they are noticed, not with reproof, but with that kind of countenance which is given by an *apparent* concurrence (not a *real* one, I am convinced) of a great party, in the praises of the object which they hold out to imitation.

But I hear a language still more extraordinary, and indeed of such a nature as must suppose, or leave, us at their mercy. It is this—‘You know their promptitude in writing, and their diligence in caballing; to write, speak, or act against them, will only stimulate them to new efforts.’—This way of considering the principle of their conduct pays but a poor compliment to these gentlemen. They pretend that their doctrines are infinitely beneficial to mankind; but it seems they would keep them to themselves, if they were not greatly provoked. They are benevolent from spite. Their oracles are like those of *Proteus* (whom some people think they resemble in many particulars) who never would  
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give his responses unless you used him as ill as possible. These cats, it seems, would not give out their electrical light without having their backs well rubbed. But this is not to do them perfect justice. They are sufficiently communicative. Had they been quiet, the propriety of any agitation of topics on the origin and primary rights of government, in opposition to their private sentiments, might possibly be doubted. But as it is notorious, that they were proceeding as fast, and as far, as time and circumstances would admit, both in their discussions and cabals — as it is not to be denied, that they had opened a correspondence with a foreign faction, the most wicked the world ever saw, and established anniversaries to commemorate the most monstrous, cruel, and perfidious of all the proceedings of that faction—the question is, whether their conduct was to be regarded in silence, lest our interference should render them outrageous? Then let them deal as they please with the constitution. Let the lady be passive, lest the ravisher should be driven to force. Resistance will only increase his desires. Yes, truly, if the resistance be feigned and feeble. But they who are wedded to the constitution will not act the part of wittols. They will drive such seducers from the house on the first appearance of their love-letters, and offered assignations. But if the author of the Reflections, though a vigilant, was not a discreet guardian of the constitution, let them who have the same regard to it, shew themselves as vigilant and more skilful in repelling the attacks of seduction or violence. Their freedom from jealousy is equivocal, and may arise as well from indifference to the object, as confidence in her virtue. On their principle, it is the resistance, and not the assault, which produces the danger. I admit, indeed, that if we estimated the danger by the value of the writings, it would be little worthy of our attention: contemptible  
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these writings are in every sense. But they are not the cause, but the disgusting symptoms, of a frightful distemper. They are not otherwise of consequence, than as they shew the evil habit of the bodies from whence they come. In that light the meanest of them is a serious thing. If however I should under-rate them; and that they are not the result, but the cause of the disorders I speak of, still those who circulate operative poisons, and give, to whatever force they have by their nature, the further operation of their authority and adoption, are much to be censured, watched, and, if possible, repressed.

At what distance the direct danger from such factions may be, it is not easy to fix. An adaptation of circumstances to designs and principles is necessary. But these cannot be wanting for any long time in the ordinary course of sublunary affairs. Great discontents frequently arise in the best-constituted governments, from causes which no human wisdom can foresee, and no human power can prevent. They occur at uncertain periods, but at periods which are not commonly far asunder. Governments of all kinds are administered only by men; and great mistakes, tending to inflame these discontents, may concur. The indecision of those who happen to rule at the critical time, their supine neglect, or their precipitate and ill-judged attention, may aggravate the public misfortunes. In such a state of things, the principles, now only sown, will shoot out and vegetate in full luxuriance. In such circumstances the minds of the people become sore and ulcerated. They are put out of humour with all public men, and all public parties; they are fatigued with their dissensions; they are irritated at their coalitions; they are made easily to believe, (what much pains are taken to make them believe) that all oppositions are factious, and all courtiers base and servile. From their disgust at men, they are soon led to quar-

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rel with their frame of government, which they presume gives nourishment to the vices, real or supposed, of those who administer in it. Mistaking malignity for sagacity, they are soon led to cast off all hope from a good administration of affairs, and come to think that all reformation depends, not on a change of actors, but upon an alteration in the machinery. Then will be felt the full effect of encouraging doctrines which tend to make the citizens despise their constitution. Then will be felt the plenitude of the mischief of teaching the people to believe, that all ancient institutions are the results of ignorance; and that all prescriptive government is in its nature usurpation. Then will be felt, in all its energy, the danger of encouraging a spirit of litigation in persons of that immature and imperfect state of knowledge which serves to render them susceptible of doubts but incapable of their solution. Then will be felt, in all its aggravation, the pernicious consequence of destroying all docility in the minds of those who are not formed for finding their own way in the labyrinths of political theory, and are made to reject the clue, and to disdain the guide. Then will be felt, and too late will be acknowledged, the ruin which follows the disjoining of religion from the state; the separation of morality from policy; and the giving conscience no concern and no coercive or coercive force in the most material of all the social ties, the principle of our obligations to government.

I know too, that besides this vain, contradictory, and self-destructive security, which some men derive from the habitual attachment of the people to this constitution, whilst they suffer it with a sort of sportive acquiescence to be brought into contempt before their faces, they have other grounds for removing all apprehension from their minds. They are of opinion, that there are too many men

of great hereditary estates and influence in the kingdom, to suffer the establishment of the levelling system which has taken place in France. This is very true, if in order to guide the power, which now attends their property, these men possess the wisdom which is involved in early fear. But if through a supine security, to which such fortunes are peculiarly liable, they neglect the use of their influence in the season of their power, on the first derangement of society, the nerves of their strength will be cut. Their estates, instead of being the means of their security, will become the very causes of their danger. Instead of bestowing influence they will excite rapacity. They will be looked to as a prey.

Such will be the impotent condition of those men of great hereditary estates, who indeed dislike the designs that are carried on, but whose dislike is rather that of spectators, than of parties that may be concerned in the catastrophe of the piece. But riches do not in all cases secure even an inert and passive resistance. There are always, in that description, men whose fortunes, when their minds are once vitiated by passion or by evil principle, are by no means a security from their actually taking their part against the public tranquillity. We see to what low and despicable passions of all kinds many men in that class are ready to sacrifice the patrimonial estates, which might be perpetuated in their families with splendor, and with the fame of hereditary benefactors to mankind from generation to generation. Do we not see how lightly people treat their fortunes when under the influence of the passion of gaming? The game of ambition or resentment will be played by many of the rich and great, as desperately, and with as much blindness to the consequences, as any other game. Was he a man of no rank or fortune, who first set on foot  
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the disturbances which have ruined France? Passion blinded him to the consequences, so far as they concerned himself; and as to the consequences with regard to others, they were no part of his consideration; nor ever will be with those who bear any resemblance to that virtuous patriot and lover of the rights of man.

There is also a time of insecurity, when interests of all sorts become objects of speculation. Then it is, that their very attachment to wealth and importance will induce several persons of opulence to list themselves, and even to take a lead with the party which they think most likely to prevail, in order to obtain to themselves consideration in some new order or disorder of things. They may be led to act in this manner, that they may secure some portion of their own property; and perhaps to become partakers of the spoil of their own order. Those who speculate on change, always make a great number among people of rank and fortune, as well as amongst the low and the indigent.

What security against all this?—All human securities are liable to uncertainty. But if any thing bids fair for the prevention of so great a calamity, it must consist in the use of the ordinary means of just influence in society, whilst those means continue unimpaired. The public judgment ought to receive a proper direction. All weighty men may have their share in so good a work. As yet, notwithstanding the strutting and lying independence of a braggart philosophy, nature maintains her rights, and great names have great prevalence. Two such men as Mr. Pitt and Mr. Fox, adding to their authority in a point in which they concur, even by their disunion in every thing else, might frown these wicked opinions out of the kingdom. But if the influence of either of them, or the influence of men like them, should, against their serious intentions,

intentions, be otherwise perverted, they may countenance opinions which (as I have said before, and could wish over and over again to press) they may in vain attempt to control. In their theory, these doctrines admit no limit, no qualification whatsoever. No man can say how far he will go, who joins with those who are avowedly going to the utmost extremities. What security is there for stopping short at all in these wild conceits? Why, neither more nor less than this—that the moral sentiments of some few amongst them do put some check on their savage theories. But let us take care. The moral sentiments, so nearly connected with early prejudice as to be almost one and the same thing, will assuredly not live long under a discipline, which has for its basis the destruction of all prejudices, and the making the mind proof against all dread of consequences flowing from the pretended truths that are taught by their philosophy.

In this school the moral sentiments must grow weaker and weaker every day. The more cautious of these teachers, in laying down their maxims, draw as much of the conclusion as suits, not with their premises, but with their policy. They trust the rest to the sagacity of their pupils. Others, and these are the most vaunted for their spirit, not only lay down the same premises, but boldly draw the conclusions to the destruction of our whole constitution in church and state. But are these conclusions truly drawn? Yes, most certainly. Their principles are wild and wicked. But let justice be done even to phrensy and villainy. These teachers are perfectly systematic. No man who assumes their grounds can tolerate the British constitution in church or state. These teachers profess to scorn all mediocrity; to engage for perfection; to proceed by the simplest and shortest course. They build their politics, not on convenience

nience but on truth; and they profess to conduct men to certain happiness by the assertion of their undoubted rights. With them there is no compromise. All other governments are usurpations; which justify and even demand resistance.

Their principles always go to the extreme. They who go with the principles of the ancient Whigs; which are those contained in Mr. Burke's book, never can go too far. They may indeed stop short of some hazardous and ambiguous excellence, which they will be taught to postpone to any reasonable degree of good they may actually possess. They will be taught that in every action of importance a duty is included. The opinions maintained in that book never can lead to an extreme, because their foundation is laid in an opposition to extremes. The foundation of government is there laid, not in imaginary rights of men; (which at best is a confusion of judicial with civil principles) but in political convenience, and in human nature; either as that nature is universal, or as it is modified by local habits and social aptitudes. The foundation of government, (those who have read that book will recollect) is laid in a provision for our wants, and in a conformity to our duties; it is to purvey for the one; it is to enforce the other. These doctrines do of themselves gravitate to a middle point, or to some point near a middle. They suppose indeed a certain portion of liberty to be essential to all good government; but they infer that this liberty is to be blended into the government; to harmonize with its forms and its rules; and to be made subordinate to its end. Those who are not with that book are with its opposite. For there is no medium besides the medium itself. That medium is not such, because it is found there; but it is found there, because it is conformable to truth and nature. In this we do not follow the author; but we and the author travel together upon the same safe and middle path.

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What has been said of the Roman empire, is at least as true of the British constitution—" *Ostingen-torum amorum fortuna, disciplinaque, compages hæc coaluit; quæ convelli sine convellentium exitio non potest.*"—This British constitution has not been struck out at an heat by a set of presumptuous men, like the assembly of pettifoggers run mad in Paris.

" 'Tis not the hasty product of a day,

" But the well-ripen'd fruit of wise delay."

It is the result of the thoughts of many minds, in many ages. It is no simple, no superficial thing, nor to be estimated by superficial understandings. An ignorant man, who is not fool enough to meddle with his clock, is however sufficiently confident to think he can safely take to pieces, and put together at his pleasure, a moral machine of another guise importance and complexity, composed of far other wheels, and springs, and balances, and counteracting and co-operating powers. Men little think how immorally they act in rashly meddling with what they do not understand. Their delusive good intention is no sort of excuse for their presumption. They who truly mean well must be fearful of acting ill. The British constitution may have its advantages pointed out to wise and reflecting minds; but it is of too high an order of excellence to be adapted to those which are common. It takes in too many views, it makes too many combinations, to be so much as comprehended by shallow and superficial understandings. Profound thinkers will know it in its reason and spirit. The less enquiring will recognize it in their feelings and their experience. They will thank God they have a standard, which, in the most essential point of this great concern, will put them on a par with the most wise and knowing.

If we do not take to our aid the foregone studies of men reputed intelligent and learned, we shall be

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always beginners. But in effect, men must learn somewhere; and the new teachers mean no more than what they effect, that is, to deprive men of the benefit of the collected wisdom of mankind, and to make them blind disciples of their own particular presumption. Talk to these deluded creatures, (all the disciples and most of the masters) who are taught to think themselves so newly fitted up and furnished, and you will find nothing in their houses but the refuse of *Knaves Acre*; nothing but the rotten stuff, worn out in the service of delusion and sedition in all ages, and which being newly furbished up, patched, and varnished, serves well enough for those who being unacquainted with the conflict which has always been maintained between the sense and the nonsense of mankind, know nothing of the former existence and the antient refutation of the same follies. It is ear two thousand years since it has been observed, that these devices of ambition, avarice, and turbulence, were antiquated. They are, indeed, the most antient of all common places; common places, sometimes of good and necessary causes; more frequently of the worst, but which decide upon neither. — *Eadem semper causa, libido et avaritia, et mutandarum rerum amor.* — *Ceterum libertas et speciosa nomina pretextuntur; nec quisquam alienum servitium, et dominationem sibi concupivit, ut non eadem ista vocabula usurparet.*

Rational and experienced men, tolerably well know, and have always known, how to distinguish between true and false liberty; and between the genuine adherence and the false pretence to what is true. But none, except those who are profoundly studied, can comprehend the elaborate contrivance of a fabric fitted to unite private and public liberty with public force, with order, with peace, with justice, and, above all, with the contrivances formed for bestowing

bestowing permanence and stability through ages, upon this invaluable whole.

Place, for instance, before your eyes, such a man as Montesquieu. Think of a genius not born in every country, or every time; a man gifted by nature with a penetrating aquiline eye; with a judgment prepared with the most extensive erudition; with an herculean robustness of mind, and nerves not to be broken with labour; a man who could spend twenty years in one pursuit. Think of a man, like the universal patriarch in Milton (who had drawn up before him in his prophetic vision the whole series of the generations which were to issue from his loins) a man capable of placing in review, after having brought together, from the east, the west, the north, and the south, from the coarseness of the rudest barbarism to the most refined and subtle civilization, all the schemes of government which had ever prevailed amongst mankind; weighing, measuring, collating, and comparing them all, joining fact with theory, and calling into council, upon all this infinite assemblage of things, all the speculations which have fatigued the understandings of profound reasoners in all times!—Let us then consider, that all these were but so many preparatory steps to qualify a man, and such a man, tinctured with no national prejudice, with no domestic affection, to admire, and to hold out to the admiration of mankind the constitution of England! And shall we Englishmen revoke to such a suit? Shall we, when so much more than he has produced, remains still to be understood and admired, instead of keeping ourselves in the schools of real science, choose for our teachers men incapable of being taught, whose only claim to know is, that they have never doubted; from whom we can learn nothing but their own indocility; who would teach us to scorn what in the silence of our hearts we ought to adore?

Different from them are all the great critics. They have taught us one essential rule. I think the excellent and philosophic artist a true judge, as well as a perfect follower of nature, Sir Joshua Reynolds has somewhere applied it, or something like it, in his own profession. It is this, That if ever we should find ourselves disposed not to admire those writers, Livy and Virgil for instance, whom all the learned had admired, not to follow our own fancies, but to study them until we know how and what we ought to admire; and if we cannot arrive at this combination of admiration with knowledge, rather to believe that we are dull, than that the rest of the world has been imposed on. It is as good a rule, at least, with regard to this admired constitution. We ought to understand it according to our measure; and to venerate where we are not able presently to comprehend.

Such were our fathers to whom we owe this splendid inheritance. Let us improve it with zeal, but with fear. Let us follow our ancestors, men not without a rational, though without an exclusive confidence in themselves; who, by respecting the reason of others, who, by looking backward as well as forward, by the modesty as well as by the energy of their minds, went on, insensibly drawing this constitution nearer and nearer to its perfection by never departing from its fundamental principles, nor introducing any amendment which had not a subsisting root in the laws, constitution, and usages of the kingdom. Let those who have the trust of political or of natural authority ever keep watch against the desperate enterprizes of innovation: Let even their benevolence be fortified and armed. They have before their eyes the example of a monarch, insulted, degraded, confined, deposed; his family dispersed, scattered, imprisoned; his wife insulted to his face like the vilest of the sex, by the vilest

vilest of all populace; himself three times dragged by these wretches in an infamous triumph; his children torn from him, in violation of the first right of nature, and given into the tuition of the most desperate and impious of the leaders of desperate and impious clubs; his revenues dilapidated and plundered; his magistrates murdered; his clergy proscribed, persecuted, famished; his nobility degraded in their rank, undone in their fortunes, fugitives in their persons; his armies corrupted and ruined; his whole people impoverished, disunited, dissolved; whilst through the bars of his prison, and amidst the bayonets of his keepers, he hears the tumult of two conflicting factions, equally wicked and abandoned, who agree in principles, in dispositions, and in objects, but who tear each other to pieces about the most effectual means of obtaining their common end; the one contending to preserve for a while his name and his person, the more easily to destroy the royal authority—the other clamouring to cut off the name, the person, and the monarchy together, by one sacrilegious execution. All this accumulation of calamity, the greatest that ever fell upon one man, has fallen upon his head, because he had left his virtues unguarded by caution; because he was not taught that where power is concerned, he who will confer benefits must take security against ingratitude.

I thought here to close what I had to say, wishing not to enter further into the discussions which diverge and ramify in all ways from this productive subject. But there is one topic upon which I hope I shall be excused in going a little beyond my design. The factions, now so busy amongst us, in order to divert men of all love for their country, and to remove from their minds all duty with regard to the state, endeavour to propagate an opini-

on, that the *people*, in forming their commonwealth, have by no means parted with their power over it. This is an impregnable citadel, to which these gentlemen retreat whenever they are pushed by the battery of laws, and usages, and positive conventions. Indeed it is of such and of so great force, that all they have done in defending their out-works is so much time and labour thrown away. Discuss any of their schemes—their answer is—It is the act of the *people*, and that is sufficient. Are we to deny to a *majority* of the people the right of altering even the whole frame of their society, if such should be their pleasure? They may change it, say they, from a monarchy to a republic to-day, and to-morrow back again from a republic to a monarchy; and so backward and forward as often as they like. They are masters of the commonwealth; because in substance they are themselves the commonwealth. The French revolution, say they, was the act of the majority of the people; and if the majority of any other people, the people of England for instance, wish to make the same change, they have the same right.

Just the same undoubtedly. That is, none at all. Neither the few nor the many have a right to act merely by their will, in any matter connected with duty, trust, engagement, or obligation. The constitution of a country being once settled upon some compact, tacit or expressed, there is no power existing of force to alter it, without the breach of the covenant, or the consent of all the parties. Such is the nature of a contract. And the votes of a majority of the people, whatever their infamous flatterers may teach in order to corrupt their minds, cannot alter the moral any more than they can alter the physical essence of things. The people are not to be taught to think lightly of their engagements to their governors;

vernors; else they teach governors to think lightly of their engagements towards them. In that kind of game in the end the people are sure to be losers. To flatter them into a contempt of faith, truth, and justice, is to ruin them; for in these virtues consists their whole safety. To flatter any man, or any part of mankind, in any description, by asserting, that in engagements he or they are free whilst any other human creature is bound, is ultimately to vest the rule of morality in the pleasure of those who ought to be rigidly submitted to it; to subject the sovereign reason of the world to the caprices of weak and giddy men.

But, as no one of us men can dispense with public or private faith, or with any other tie of moral obligation, so neither can any number of us. The number engaged in crimes, instead of turning them into laudable acts, only augments the quantity and the intensity of the guilt. I am well aware, that men love to hear of their power, but have an extreme disrelish to be told of their duty. This is of course; because every duty is a limitation of some power. Indeed arbitrary power is so much to the depraved taste of the vulgar, of the vulgar of every description, that almost all the dissensions which lacerate the commonwealth, are not concerning the manner in which it is to be exercised, but concerning the hands in which it is to be placed. Somewhere they are resolved to have it. Whether they desire it to be vested in the many or the few, depends with most men upon the chance which they imagine they themselves may have of partaking in the exercise of that arbitrary sway, in the one mode or in the other.

It is not necessary to teach men to thirst after power. But it is very expedient that, by moral instruction, they should be taught, and by their civil constitutions they should be compelled, to put many

restrictions upon the immediate exercise of it, and the inordinate desire. The best method of obtaining these two great points forms the important, but at the same time the difficult problem to the true statesman. He thinks of the place in which political power is to be lodged, with no other attention, than as it may render the more or the less practicable, its salutary restraint, and its prudent direction. For this reason no legislator, at any period of the world, has willingly placed the seat of active power in the hands of the multitude: Because there it admits of no control, no regulation, no steady direction whatsoever. The people are the natural control on authority; but to exercise and to control together is contradictory and impossible.

As the exorbitant exercise of power cannot, under popular sway, be effectually restrained, the other great object of political arrangement, the means of abating an excessive desire of it, is in such a state still worse provided for. The democrattick commonwealth is the foodful nurse of ambition. Under the other forms it meets with many restraints. Whenever, in states which have had a democrattick basis, they have endeavoured to put restraints upon ambition, their methods were as violent, as in the end they were ineffectual; as violent indeed as any the most jealous despotism could invent. The ostracism could not very long save itself, and much less the state which it was meant to guard, from the attempts of ambition, one of the natural inbred incurable distempers of a powerful democracy.

But to return from this short digression, which however is not wholly foreign to the question of the effect of the will of the majority upon the form or the existence of their society. I cannot too often recommend it to the serious consideration of all men, who think civil society to be within the province of moral jurisdiction, that if we owe to it any  
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duty, it is not subject to our will. Duties are not voluntary. Duty and will are even contradictory terms. Now though society might be at first a voluntary act (which in many cases it undoubtedly was) its continuance is a covenant. Men without their choice derive benefits from it, without their will are subjected to duties, and enter into a virtual obligation as binding as any that is actual; indeed more so, as we derive from it benefits of much longer continuance, and much greater and more essential than the first contracting parties could have obtained from their agreement. Indeed much the greatest and strongest moral obligations are such as were never the results of our choice. If indeed there exists no supreme ruler, wise to form and potent to enforce the moral law, I know of no sanction to any contract, actual or virtual, against the will of prevalent power. The first question decides upon the last. Into that question indeed all the rest resolve themselves ultimately. We have but this one appeal against irresistible power :

*Si genus humanum et mortalia temnitis arma,  
At sperate Deos memores fandi atque nefandi.*

Taking it for granted that I do not write to the disciples of the Parisian philosophy, I may assume, that the awful author of our being is the author of our place in the order of existence; and that having disposed and marshalled us by a divine tactick, not according to our will, but according to his, he has, in and by that disposition, virtually subjected us to act the part which belongs to the place assigned us. We have obligations to mankind at large, which are not in consequence of any special voluntary pact. On the contrary, the force of all the pacts which we enter into with any of them, depends upon those prior obligations. When we marry, the choice is voluntary, but the duties are not matter of choice. They are dictated

dictated by the nature of the situation. Dark and inscrutable are the ways by which we come into the world. The instincts which give rise to this mysterious process of nature are not of our making. But out of physical causes, unknown to us, perhaps unknowable, arise moral duties, which, as we are able perfectly to comprehend, we are bound indispensably to perform. Children are not consenting to their relation, but their relation, without their actual consent, binds them to its duties; or rather it implies their consent, because the presumed consent of a rational creature is in unison with the predisposed order of things. Men come in that manner into a community with the social state of their parents, endowed with all the benefits, loaded with all the duties of their situation. If the social ties and ligaments, spun out of those relations which are the elements of the commonwealth, in most cases begin, and always continue independently of our will, so does that relation called our country, which comprehends (as it has been well said) "all the charities of all," bind us to it without any stipulation on our part. Nor are we left without powerful instincts to make this duty as dear and grateful to us, as it is awful and coercive. Our country is not a thing of mere physical locality. It consists, in a great measure, in the ancient order into which we are born. We may have the same geographical situation, but another country; as we may have the same country in another soil. The place that determines our duty is a social, civil relation.

These are the opinions of the author whose cause I defend. I lay them down not so much to enforce them upon others by disputation, but as an account of his proceedings. On them he acts; and from them he is convinced that neither he nor any man, or number of men, have a right (except what

what necessity, which is out of and above all rule, rather imposes than bestows) to free themselves from that primary engagement into which every man born into a community as much contracts by his being born into it, as he contracts an obligation to certain parents by his having been derived from their bodies. The place of every man determines his duty. If you ask, *Quem te Deus esse iussit?* You will be answered when you resolve this other question, *Humana qua parte locatus es in re\*?*

I admit, indeed, that in morals, as in all things else, difficulties will sometimes occur. Duties will sometimes cross one another. Then questions will arise, which of them is to be placed in subordination; which of them may be entirely superseded? These doubts give rise to that part of moral science called *casuistry*; which, though necessary to be well studied by those who would become expert in that learning, who aim at becoming what, I think Cicero somewhere calls, *artifices officiorum*; it requires a very solid and discriminating judgment, great modesty and caution, and much sobriety of mind in the handling; else there is a danger that it may totally subvert those offices which it is its object only to methodize and reconcile. Duties, at their extreme bounds, are drawn very fine, so as to become almost evanescent. In that state, some shade of doubt will always rest on these questions, when they are pursued with great subtilty. But the

\* A few lines in Persius contain a good summary of all the objects of moral investigation, and hint the result of our enquiry: There human will has no place.

Quid sumus? et quidnam *victuri* gignimur? ordo  
 Quis datus? et metæ quis mollis flexus et unde?  
 Quis modus argento? Quid fas optare? Quid asper  
 Utile nummus habet? Patriæ charisque propinquis  
 Quantum elargiri debeat?—Quem te Deus esse  
 Iussit?—et humana qua parte locatus es in re?

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very habit of stating these extreme cases is not very laudable or safe : because, in general, it is not right to turn our duties into doubts. They are imposed to govern our conduct, not to exercise our ingenuity ; and therefore, our opinions about them ought not to be in a state of fluctuation, but steady, sure, and resolved.

Amongst these nice, and therefore dangerous, points of casuistry may be reckoned the question so much agitated in the present hour—Whether, after the people have discharged themselves of their original power by an habitual delegation, no occasion can possibly occur which may justify their resumption of it ? This question, in this latitude, is very hard to affirm or deny : but I am satisfied that no occasion can justify such a resumption, which would not equally authorize a dispensation with any other moral duty, perhaps with all of them together. However, if in general it be not easy to determine concerning the lawfulness of such devious proceedings, which must be ever on the edge of crimes, it is far from difficult to foresee the perilous consequences of the resuscitation of such a power in the people. The practical consequences of any political tenet go a great way in deciding upon its value. Political problems do not primarily concern truth or falsehood. They relate to good or evil. What in the result is likely to produce evil, is politically false : that which is productive of good, politically is true.

Believing it therefore a question at least arduous in the theory, and in the practice very critical, it would well become us to ascertain, as well as we can, what form it is that our incantations are about to call up from darkness and the sleep of ages. When the supreme authority of the people is in question, before we attempt to extend or to confine it, we ought to fix in our minds, with some degree  
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of distinctness, an idea of what it is we mean when we say the PEOPLE.

In a state of *rude* nature there is no such thing as a people. A number of men in themselves have no collective capacity. The idea of a people is the idea of a corporation. It is wholly artificial; and made like all other legal fictions by common agreement. What the particular nature of that agreement was, is collected from the form into which the particular society has been cast. Any other is not their covenant. When men, therefore, break up the original compact or agreement which gives its corporate form and capacity to a state, they are no longer a people; they have no longer a corporate existence; they have no longer a legal coactive force to bind within, nor a claim to be recognized abroad. They are a number of vague loose individuals, and nothing more. With them all is to begin again. Alas! they little know how many a weary step is to be taken before they can form themselves into a mass, which has a true politic personality.

We hear much from men, who have not acquired their hardiness of assertion from the profundity of their thinking, about the omnipotence of a *majority*, in such a dissolution of an ancient society as hath taken place in France. But amongst men so disbanded, there can be no such thing as majority or minority; or power in any one person to bind another. The power of acting by a majority, which the gentlemen theorists seem to assume so readily, after they have violated the contract out of which it has arisen, (if at all it existed) must be grounded on two assumptions; first, that of an incorporation produced by unanimity; and secondly, an unanimous agreement, that the act of a mere majority (say of one) shall pass with them and with others as the act of the whole.

We are so little affected by things which are habitual,

tual, that we consider this idea of the decision of a *majority* as if it were a law of our original nature: But such constructive whole, residing in a part only, is one of the most violent fictions of positive law, that ever has been or can be made on the principles of artificial incorporation. Out of civil society nature knows nothing of it; nor are men, even when arranged according to civil order, otherwise than by very long training, brought at all to submit to it. The mind is brought far more easily to acquiesce in the proceedings of one man, or a few, who act under a general procuration for the state, than in the vote of a victorious majority in councils in which every man has his share in the deliberation. For there the beaten party are exasperated and soured by the previous contention, and mortified by the conclusive defeat. This mode of decision, where wills may be so nearly equal, where, according to circumstances, the smaller number may be the stronger force, and where apparent reason may be all upon one side, and on the other little else than impetuous appetite; all this must be the result of a very particular and special convention, confirmed afterwards by long habits of obedience, by a sort of discipline in society, and by a strong hand, vested with stationary permanent power, to enforce this sort of constructive general will. What organ it is that shall declare the corporate mind is so much a matter of positive arrangement, that several states, for the validity of several of their acts, have required a proportion of voices much greater than that of a mere majority. These proportions are so entirely governed by convention, that in some cases the minority decides. The laws in many countries to *condemn* require more than a mere majority; less than an equal number to *acquit*. In our judicial trials we require unanimity either to condemn or to absolve. In some incorporations one man speaks for the whole; in

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others, a few. Until the other day, in the constitution of Poland, unanimity was required to give validity to any act of their great national council or diet. This approaches much more nearly to rude nature than the institutions of any other country. Such, indeed, every commonwealth must be, without a positive law to recognize in a certain number the will of the entire body.

If men dissolve their antient incorporation, in order to regenerate their community, in that state of things each man has a right, if he pleases, to remain an individual. Any number of individuals, who can agree upon it, have an undoubted right to form themselves into a state apart and wholly independent. If any of these is forced into the fellowship of another, this is conquest and not compact. On every principle, which supposes society to be in virtue of a free covenant, this compulsive incorporation must be null and void.

As a people can have no right to a corporate capacity without universal consent, so neither have they a right to hold exclusively any lands in the name and title of a corporation. On the scheme of the present rulers in our neighbouring country, regenerated as they are, they have no more right to the territory called France than I have. I have a right to pitch my tent in any unoccupied place I can find for it; and I may apply to my own maintenance any part of their unoccupied soil. I may purchase the house or vineyard of any individual proprietor who refuses his consent (and most proprietors have, as far as they dared, refused it) to the new incorporation. I stand in his independent place. Who are these insolent men calling themselves the French nation, that would monopolize this fair domain of nature? Is it because they speak a certain jargon? Is it their mode of chattering, to me unintelligible,

gible, that forms their title to my land? Who are they who claim by prescription and descent from certain gangs of banditti called Franks, and Burgundians, and Visigoths, of whom I may have never heard, and ninety-nine out of an hundred of themselves certainly never have heard; whilst at the very time they tell me, that prescription and long possession form no title to property? Who are they that presume to assert that the land which I purchased of the individual, a natural person, and not a fiction of state, belongs to them, who in the very capacity in which they make their claim can exist only as an imaginary being, and in virtue of the very prescription which they reject and disown? This mode of arguing might be pushed into all the detail, so as to leave no sort of doubt, that on their principles, and on the sort of footing on which they have thought proper to place themselves, the crowd of men on the other side of the channel, who have the impudence to call themselves a people, can never be the lawful exclusive possessors of the soil. By what they call reasoning without prejudice, they leave not one stone upon another in the fabric of human society. They subvert all the authority which they hold, as well as all that which they have destroyed.

As in the abstract, it is perfectly clear, that, out of a state of civil society, majority and minority are relations which can have no existence; and that in civil society, its own specific conventions in each incorporation, determine what it is that constitutes the people, so as to make their act the signification of the general will, so it is, in particular, equally clear, that neither in France nor in England has the original, or any subsequent compact of the state, expressed or implied, constituted *a majority of men, told by the head*, to be the acting people of their several communities.

communities. And I see as little of policy or utility as there is of right, in laying down a principle that a majority of men told by the head are to be considered as the people, and that as such their will is to be law. What policy can there be found in arrangements made in defiance of every political principle? To enable men to act with the weight and character of a people, and to answer the ends for which they are incorporated into that capacity, we must suppose them (by means immediate or consequential) to be in that state of habitual social discipline, in which the wiser, the more expert, and the more opulent, conduct, and by conducting enlighten and protect the weaker, the less knowing, and the less provided with the goods of fortune. When the multitude are not under this discipline, they can scarcely be said to be in civil society. Give once a certain constitution of things, which produces a variety of conditions and circumstances in a state, and there is in nature and reason a principle which, for their own benefit, postpones, not the interest but the judgment, of those who are *numero plures*, to those who are *virtute et honore minores*. Numbers in a state (supposing, which is not the case of the French, that a state does exist) are always of consideration—but they are not the whole consideration. It is in things more serious than a play, that it may be truly said, *satis est equitem mihi plaudere*.

A true natural aristocracy is not a separate interest in the state, or separable from it. It is an essential integrant part of any large people rightly constituted. It is formed out of a class of legitimate presumptions, which, taken as generalities, must be admitted for actual truths. To be bred in a place of estimation; To see nothing low and sordid from one's infancy; To be taught to respect one's self; To be habituated to the censorial inspection of the public eye; To look early to

public opinion ; To stand upon such elevated ground as to be enabled to take a large view of the wide-spread and infinitely diversified combinations of men and affairs in a large society ; To have leisure to read, to reflect, to converse ; To be enabled to draw the court and attention of the wise and learned wherever they are to be found ; To be habituated in armies to command and to obey ; To be taught to despise danger in the pursuit of honour and duty ; To be formed to the greatest degree of vigilance, foresight, and circumspection, in a state of things in which no fault is committed with impunity, and the slightest mistakes draw on the most ruinous consequences—To be led to a guarded and regulated conduct, from a sense that you are considered as an instructor of your fellow-citizens in their highest concerns, and that you act as a reconciler between God and man—To be employed as an administrator of law and justice, and to be thereby amongst the first benefactors to mankind—To be a professor of high science, or of a liberal and ingenuous art—To be amongst rich traders, who from their success are presumed to have sharp and vigorous understandings, and to possess the virtues of diligence, order, constancy, and regularity, and to have cultivated an habitual regard to commutative justice.—These are the circumstances of men, who form what I should call a *natural* aristocracy, without which there is no nation.

The state of civil society, which necessarily generates this aristocracy, is a state of nature ; and much more truly so than a savage and incoherent mode of life ; for man is by nature reasonable, and he is never perfectly in his natural state, but when he is placed where reason may be best cultivated, and most predominates. Art is man's nature. We are as much, at least, in a state of nature in formed manhood, as in immature and helpless infancy. To

give no more importance; in the social order, to such descriptions of men as I have stated, than that of so many units, is an horrible usurpation. Men so qualified form in nature, as she operates in the common modification of society, the leading, guiding, and governing part: It is the soul to the body, without which the man does not exist.

When great multitudes act together, under that discipline of nature, I recognize the PEOPLE. I acknowledge something that perhaps equals, and ought always to guide, the sovereignty of convention. In all things the voice of this grand chorus of national harmony ought to have a mighty and decisive influence. But when you disturb this harmony; when you break up this beautiful order, this array of truth and nature, as well as of habit and prejudice; when you separate the common sort of men from their proper chieftains so as to form them into an adverse army, I no longer know that venerable object called the people in such a disbanded race of deserters and vagabonds. For a while they may be terrible indeed; but in such a manner as wild beasts are terrible. The mind owes to them no sort of submission. They are, as they have always been reputed, rebels. They may lawfully be fought with, and brought under, whenever an advantage offers. Those who attempt by outrage and violence to deprive men of any advantage which they hold under the laws, and to destroy the order of life, proclaim war against them.

We have read in history of that furious insurrection of the common people in France called the *Jacquerie*; for this is not the first time that the people have been enlightened into treason, murder, and rapine. Its object was to extirpate the gentry. The *Captal de Buche*, a famous foldier of those days, dishonoured the name of a gentleman and of a man by taking, for their cruelties, a cruel vengeance on  
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these deluded wretches: It was, however, his right and his duty to make war upon them, and afterwards, in moderation, to bring them to punishment for their rebellion; though in the sense of the French revolution, and of some of our clubs, they were the *people*; and were truly so, if you will call by that appellation *any majority of men told by the head*.

At a time not very remote from the same period (for these humours never have affected one of the nations without some influence on the other) happened several risings of the lower commons in England. These insurgents were certainly the majority of the inhabitants of the counties in which they resided; and Cade, Ket, and Straw, at the head of their national guards, and fomented by certain titles of high rank, did no more than exert, according to the doctrines of ours and the Parisian societies, the sovereign power inherent in the majority.

We call the time of those events a dark age. Indeed we are too indulgent to our own proficiency. The Abbé John Ball understood the rights of man as well as the Abbé Gregoire. That reverend patriarch of sedition, and prototype of our modern preachers, was of opinion with the national assembly, that all the evils which have fallen upon men had been caused by an ignorance of their "having been born and continued equal as to their rights." Had the populace been able to repeat that profound maxim all would have gone perfectly well with them. No tyranny, no vexation, no oppression, no care, no sorrow, could have existed in the world. This would have cured them like a charm for the tooth-ach. But the lowest wretches, in their most ignorant state, were able at all times to talk such stuff; and yet at all times have they suffered many evils and many oppressions, both before and since the republication by the national assembly of this spell

spell of healing potency and virtue. The enlightened Dr. Ball, when he wished to rekindle the lights and fires of his audience on this point, chose for the text the following couplet :

When Adam delved and Eve span,  
Who was then the gentleman ?

Of this sapient maxim, however, I do not give him for the inventor. It seems to have been handed down by tradition, and to have been in some sort proverbial ; but whether then composed, or only applied, thus much must be admitted, that in learning, sense, energy, and comprehensiveness, it is fully equal to all the modern dissertations on the equality of mankind ; and it has one advantage over them,—that it is in rhyme.

There is no doubt, but that this great teacher of the rights of man decorated his discourse on this valuable text, with lemmas, theorems, scholia, corollaries, and all the apparatus of science, which was furnished in as great plenty and perfection out of the dogmatic and polemic magazines, the old horse-armory, of the schoolmen, among whom the Rev. Dr. Ball was bred, as they can be supplied from the new arsenal at Hackney. It was no doubt disposed with all the adjutancy of definition and division, in which (I speak it with submission) the old marshals were as able as the modern martinets. Neither can we deny, that the philosophic auditory, when they had once obtained this knowledge, could never return to their former ignorance ; or after so instructive a lecture be in the same state of mind as if they had never heard it \*. But these poor people, who were not to be envied

\* See the wise remark on this subject, in the Defence of Rights of Man, circulated by the societies,

for their knowledge, but pitied for their delusion, were not reasoned (that was impossible) but beaten out of their lights. With their teacher they were delivered over to the lawyers; who wrote in their blood the statutes of the land, as harshly, and in the same sort of ink, as they and their teachers had written the rights of man.

Our doctors of the day are not so fond of quoting the opinions of this antient sage as they are of imitating his conduct; First, because it might appear, that they are not as great inventors as they would be thought; and next, because, unfortunately for his fame, he was not successful. It is a remark, liable to as few exceptions as any generality can be, that they who applaud prosperous folly, and adore triumphant guilt, have never been known to succour or even to pity human weakness or offence when they become subject to human vicissitude, and meet with punishment instead of obtaining power. Abating for their want of sensibility to the sufferings of their associates, they are not so much in the wrong: for crimes and wickedness are things foul and deformed in themselves; and stand in need of all the coverings and trappings of fortune to recommend them to the multitude. Nothing can be more loathsome in their naked nature.

Aberrations like these, whether antient or modern, unsuccessful or prosperous, are things of passage. They furnish no argument for supposing *a multitude told by the head to be the people*. Such a multitude can have no sort of title to alter the seat of power in the society, in which it ever ought to be the obedient, and not the ruling or presiding part. What power may belong to the whole mass, in which mass, the natural *aristocracy*, or what by convention is appointed to represent and strengthen it, acts in its proper place, with its proper weight, and without being subjected to violence, is  
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a deeper question. But in that case, and with that concurrence, I should have much doubt whether any rash or desperate changes in the state, such as we have seen in France, could ever be effected.

I have said, that in all political questions the consequences of any assumed rights are of great moment in deciding upon their validity. In this point of view let us a little scrutinize the effects of a right in the mere majority of the inhabitants of any country of superseding and altering their government *at pleasure*.

The sum total of every people is composed of its units. Every individual must have a right to originate what afterwards is to become the act of the majority. Whatever he may lawfully originate, he may lawfully endeavour to accomplish. He has a right therefore in his own particular to break the ties and engagement which bind him to the country in which he lives; and he has a right to make as many converts to his opinions, and to obtain as many associates in his designs, as he can procure: For how can you know the dispositions of the majority to destroy their government, but by tampering with some part of the body? You must begin by a secret conspiracy, that you may end with a national confederation. The mere pleasure of the beginner must be the sole guide; since the mere pleasure of others must be the sole ultimate sanction, as well as the sole actuating principle in every part of the progress. Thus arbitrary will (the last corruption of ruling power) step by step, poisons the heart of every citizen. If the undertaker fails, he has the misfortune of a rebel, but not the guilt. By such doctrines, all love to our country, all pious veneration and attachment to its laws and customs, are obliterated from our minds; and nothing can result from this opinion, when grown into a principle, and

animated by discontent, ambition, or enthusiasm, but a series of conspiracies and seditions, sometimes ruinous to their authors, always noxious to the state. No sense of duty can prevent any man from being a leader or a follower in such enterprizes. Nothing restrains the tempter; nothing guards the tempted. Nor is the new state, fabricated by such arts, safer than the old. What can prevent the mere will of any person, who hopes to unite the wills of others to his own, from an attempt wholly to overturn it? It wants nothing but a disposition to trouble the established order, to give a title to the enterprize.

When you combine this principle of the right to change a fixed and tolerable constitution of things at pleasure, with the theory and practice of the French assembly, the political, civil, and moral irregularity are if possible aggravated. The assembly have found another road, and a far more commodious, to the destruction of an old government, and the legitimate formation of a new one, than through the previous will of the majority of what they call the people. Get, say they, the possession of power by any means you can into your hands; and then a subsequent consent (what they call an *adresse of adhesion*) makes your authority as much the act of the people as if they had conferred upon you originally that kind and degree of power, which, without their permission, you had seized upon. This is to give a direct sanction to fraud, hypocrisy, perjury, and the breach of the most sacred trusts that can exist between man and man. What can be found with such horrid discordance in the moral ear, as this position, That a delegate with limited powers may break his sworn engagements to his constituent, assume an authority, never committed to him, to alter all things at his pleasure; and then, if he can persuade a large number of men to flatter him  
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in the power he has usurped, that he is absolved in his own conscience, and ought to stand acquitted in the eyes of mankind? On this scheme the maker of the experiment must begin with a determined perjury. That point is certain. He must take his chance for the expiatory addresses. This is to make the success of villainy the standard of innocence.

Without drawing on, therefore, very shocking consequences, neither by previous consent, nor by subsequent ratification of a *mere reckoned majority*, can any set of men attempt to dissolve the state at their pleasure. To apply this to our present subject. When the several orders, in their several bailliages, had met in the year 1789, such of them, I mean, as had met peaceably and constitutionally, to choose and to instruct their representatives, so organized, and so acting, (because they were organized and were acting according to the conventions which made them a people) they were the *people* of France. They had a legal and a natural capacity to be considered as that people. But observe, that whilst they were in that state, that is, whilst they were a people, in no one of their instructions did they charge or even hint at any of those things, which have drawn upon the usurping assembly, and their adherents, the detestation of the rational and thinking part of mankind. I will venture to affirm, without the least apprehension of being contradicted by any person who knows the then state of France, that if any one of the changes were proposed, which form the fundamental parts of their revolution, and compose its most distinguishing acts, it would not have had one vote in twenty thousand in any order. Their instructions purported the direct contrary to all those famous proceedings, which are defended as the acts of the people. Had such proceedings been expected, the great probability is, that the people would then have risen, as to a man, to prevent

them. The whole organization of the assembly was altered, the whole frame of the kingdom was changed, before these things could be done. It is long to tell, by what evil arts of the conspirators, and by what extreme weakness and want of steadiness in the lawful government, this equal usurpation on the rights of the prince and people, having first cheated, and then offered violence to both, has been able to triumph, and to employ with success the forged signature of an imprisoned sovereign, and the spurious voice of dictated addresses, to a subsequent ratification of things that had never received any previous sanction, general or particular, expressed or implied, from the nation (in whatever sense that word is taken) or from any part of it.

After the weighty and respectable part of the people had been murdered, or driven by the menaces of murder from their houses, or were dispersed in exile into every country in Europe; after the soldiery had been debauched from their officers; after property had lost its weight and consideration, along with its security; after voluntary clubs and associations of factious and unprincipled men were substituted in the place of all the legal corporations of the kingdom arbitrarily dissolved; after freedom had been banished from \* those popular meetings, whose sole recommendation is freedom — After it had come to that pass, that no dissent dared to appear in any of them, but at the certain price of life; after even dissent had been anticipated, and assassination was as quick as suspicion; such pretended ratification by addresses could be no act of what any lover of the people would choose to call by their name. It is that voice which every successful usurpation, as well as this before us, may easily procure, even without making (as these tyrants have

\* The primary assemblies.

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made) donatives from the spoil of one part of the citizens to corrupt the other.

To close all—The pretended *rights of man*, which have made this havock, cannot be the rights of the people. For to be a people, and to have these rights, are things incompatible. The one supposes the presence, the other the absence of a state of civil society. The reader has seen, that in this country at least, our Whig ancestors proceeded on no such principles. The Whigs of this day have before them, in this Appeal, their constitutional ancestors: They have the doctors of the modern school. They will choose for themselves. The author of the Reflections has chosen for himself. If a new order is coming on, and all the political opinions must pass away as dreams, which our ancestors have worshipped as revelations, I say for him, that he would rather be the last (as certainly he is the least) of that race of men, than the first and greatest of those who have coined to themselves Whig principles from a French die, unknown to the impress of our fathers in the constitution.

F I N I S.

