NOAH WEBSTER

A COLLECTION OF ESSAYS AND FUGITIV WRITINGS

Noah Webster

A Collection of Essays and Fugitiv Writings

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Noah Webster
A Collection of Essays and Fugitiv Writings / On Moral, Historical, Political, and Literary Subjects

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TO

The PRESIDENT,

The VICE PRESIDENT,

The SENATORS, and

The REPRESENTATIVS

OF THE

UNITED STATES of AMERICA,

The following PUBLICATION,

Designed to

Aid the Principles of the Revolution,

TO

Suppress Political Discord,

AND TO

Diffuse a Spirit of Enquiry,

Favorable to Morals, to Science, and Truth,

Is most humbly inscribed,

Hartford, *June, 1790*.

PREFACE

The following Collection consists of Essays and Fugitiv Peeces, ritten at various times, and on different occasions, az wil appeer by their dates and subjects. Many of them were dictated at the moment, by the impulse of impressions made by important political events, and abound with a correspondent warmth of expression. This freedom of language wil be excused by the frends of the revolution and of good guvernment, who wil recollect the sensations they hav experienced, amidst the anarky and distraction which succeeded the cloze of the war. On such occasions a riter wil naturally giv himself up to hiz feelings, and hiz manner of *riting* wil flow from hiz manner of *thinking*.

Most of thoze peeces, which hav appeered before in periodical papers and Magazeens, were published with fictitious signatures; for I very erly discuvered, that altho the name of an old and respectable karacter givs credit and consequence to hiz ritings, yet the name of a yung man iz often prejudicial to hiz performances. By conceeling my name, the opinions of men hav been prezerved from an undu bias arizing from personal prejudices, the faults of the ritings hav been detected, and their merit in public estimation ascertained.

The favorable reception given to a number of theze Essays by an indulgent public, induced me to publish them in a volum, with such alterations and emendations, az I had heerd suggested by frends or indifferent reeders, together with some manuscripts, that my own wishes led me to hope might be useful.

During the course of ten or twelv yeers, I hav been laboring to correct popular errors, and to assist my yung brethren in the road to truth and virtue; my publications for theze purposes hav been numerous; much time haz been spent, which I do not regret, and much censure incurred, which my hart tells me I do not dezerv. The influence of a yung writer cannot be so powerful or extensiv az that of an established karacter; but I hav ever thot a man's usefulness depends more on *exertion* than on *talents*. I am attached to America by berth, education and habit; but abuv all, by a philosophical view of her situation, and the superior advantages she enjoys, for augmenting the sum of social happiness.

I should hav added another volum, had not recent experience convinced me, that few large publications in this country wil pay a printer, much less an author. Should the Essays here presented to the public, proov undezerving of notice, I shal, with cheerfulness, resign my other papers to oblivion.

The reeder wil obzerv that the orthography of the volum iz not uniform. The reezon iz, that many of the essays hav been published before, in the common orthography, and it would hav been a laborious task to copy the whole, for the sake of changing the spelling.

In the essays, ritten within the last year, a considerable change of spelling iz introduced by way of experiment. This liberty waz taken by the writers before the age of queen Elizabeth, and to this we are indeted for the preference of modern spelling over that of Gower and Chaucer. The man who admits that the change of *housbonde*, *mynde*, *ygone*, *moneth* into *husband*, *mind*, *gone*, *month*, iz an improovment, must acknowlege also the riting of *helth*, *breth*, *rong*, *tung*, *munth*, to be an improovment. There iz no alternativ. Every possible reezon that could ever be offered for altering the spelling of wurds, stil exists in full force; and if a gradual reform should not be made in our language, it wil proov that we are less under the influence of reezon than our ancestors.

Hartford, June, 1790.

A COLLECTION OF ESSAYS

No. I

NEW YORK, 1788.

On the EDUCATION *of* YOUTH *in* AMERICA

The Education of youth is, in all governments, an object of the first consequence. The impressions received in early life, usually form the characters of individuals; a union of which forms the general character of a nation.

The mode of Education and the arts taught to youth, have, in every nation, been adapted to its particular stage of society or local circumstances.

In the martial ages of Greece, the principal study of its Legislators was, to acquaint the young men with the use of arms, to inspire them with an undaunted courage, and to form in the hearts of both sexes, an invincible attachment to their country. Such was the effect of their regulations for these purposes, that the very women of Sparta and Athens, would reproach their own sons, for surviving their companions who fell in the field of battle.

Among the warlike Scythians, every male was not only taught to use arms for attack and defence; but was obliged to sleep in the field, to carry heavy burthens, and to climb rocks and precipices, in order to habituate himself to hardships, fatigue and danger.

In Persia, during the flourishing reign of the great Cyrus, the Education of youth, according to Xenophon, formed a principal branch of the regulations of the empire. The young men were divided into classes, each of which had some particular duties to perform, for which they were qualified by previous instructions and exercise.

While nations are in a barbarous state, they have few wants, and consequently few arts. Their principal objects are, defence and subsistence; the Education of a savage therefore extends little farther, than to enable him to use, with dexterity, a bow and a tomahawk.

But in the progress of manners and of arts, war ceases to be the employment of whole nations; it becomes the business of a few, who are paid for defending their country. Artificial wants multiply the number of occupations; and these require a great diversity in the mode of Education. Every youth must be instructed in the business by which he is to procure subsistence. Even the civilities of behavior, in polished society, become a science; a bow and a curtesy are taught with as much care and precision, as the elements of Mathematics. Education proceeds therefore, by gradual advances, from simplicity to corruption. Its first object, among rude nations, is safety; its next, utility; it afterwards extends to convenience; and among the opulent part of civilized nations, it is directed principally to show and amusement.

In despotic states, Education, like religion, is made subservient to government. In some of the vast empires of Asia, children are always instructed in the occupation of their parents; thus the same arts are always continued in the same families. Such an institution cramps genius, and limits the progress of national improvement; at the same time it is an almost immoveable barrier against the introduction of vice, luxury, faction and changes in government. This is one of the principal causes, which have operated in combining numerous millions of the human race under one form of government, and preserving national tranquillity for incredible periods of time. The empire of China, whose government was founded on the patriarchical discipline, has not suffered a revolution in laws, manners or language, for many thousand years.

In the complicated systems of government which are established among the civilized nations of Europe, Education has less influence in forming a national character; but there is no state, in which it has not an inseparable connection with morals, and a consequential influence upon the peace and happiness of society.

Education is a subject which has been exhausted by the ablest writers, both among the ancients and moderns. I am not vain enough to suppose I can suggest any new ideas upon so trite a theme as Education in general; but perhaps the manner of conducting the youth in America may be capable of some improvement. Our constitutions of civil government are not yet firmly established; our national character is not yet formed; and it is an object of vast magnitude that systems of Education should be adopted and pursued, which may not only diffuse a knowlege of the sciences, but may implant, in the minds of the American youth, the principles of virtue and of liberty; and inspire them with just and liberal ideas of government, and with an inviolable attachment to their own country. It now becomes every American to examin the modes of Education in Europe, to see how far they are applicable in this country, and whether it is not possible to make some valuable alterations, adapted to our local and political circumstances. Let us examin the subject in two views. First, as it respects arts and sciences. Secondly, as it is connected with morals and government. In each of these articles, let us see what errors may be found, and what improvements suggested, in our present practice.

The first error that I would mention, is, a too general attention to the dead languages, with a neglect of our own.

This practice proceeds probably from the common use of the Greek and Roman tongues, before the English was brought to perfection. There was a long period of time, when these languages were almost the only repositories of science in Europe. Men, who had a taste for learning, were under a necessity of recurring to the sources, the Greek and Roman authors. These will ever be held in the highest estimation both for stile and sentiment; but the most valuable of them have English translations, which, if they do not contain all the elegance, communicate all the ideas of the originals. The English language, perhaps, at this moment, is the repository of as much learning, as one half the languages of Europe. In copiousness it exceeds all modern tongues; and though inferior to the Greek and French in softness and harmony, yet it exceeds the French in variety; it almost equals the Greek and Roman in energy, and falls very little short of any language in the regularity of its construction.[1]

In deliberating upon any plan of instruction, we should be attentive to its future influence and probable advantages. What advantage does a merchant, a mechanic, a farmer, derive from an acquaintance with the Greek and Roman tongues? It is true, the etymology of words cannot be well understood, without a knowlege of the original languages of which ours is composed. But a very accurate knowlege of the meaning of words and of the true construction of sentences, may be obtained by the help of Dictionaries and good English writers; and this is all that is necessary in the common occupations of life. But suppose there is some advantage to be derived from an acquaintance with the dead languages, will this compensate for the loss of five or perhaps seven years of valuable time? Life is short, and every hour should be employed to good purposes. If there are no studies of more consequence to boys, than those of Latin and Greek, let these languages employ their time; for idleness is the bane of youth. But when we have an elegant and copious language of our own, with innumerable writers upon ethics, geography, history, commerce and government; subjects immediately interesting to every man; how can a parent be justified in keeping his son several years over rules of Syntax, which he forgets when he shuts his book; or which, if remembered, can be of little or no use in any branch of business? This absurdity is the subject of common complaint; men see and feel the impropriety of the usual practice; and yet no arguments that have hitherto been used, have been sufficient to change the system; or to place an English school on a footing with a Latin one, in point of reputation.

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[1] This remark is confined solely to *its construction*; in point of orthography, our language is intolerably irregular.

It is not my wish to discountenance totally the study of the dead languages. On the other hand I should urge a more close attention to them, among young men who are designed for the learned professions. The poets, the orators, the philosophers and the historians of Greece and Rome, furnish the most excellent models of Stile, and the richest treasures of Science. The slight attention given to a few of these authors, in our usual course of Education, is rather calculated to make pedants than scholars; and the time employed in gaining superficial knowlege is really wasted.[2]

"A little learning is a dangerous thing,
Drink deep, or taste not the Pierian spring."

But my meaning is, that the dead languages are not necessary for men of business, merchants, mechanics, planters, &c. nor of utility sufficient to indemnify them for the expense of time and money which is requisite to acquire a tolerable acquaintance with the Greek and Roman authors. Merchants often have occasion for a knowlege of some foreign living language, as, the French, the Italian, the Spanish, or the German; but men, whose business is wholly domestic, have little or no use for any language but their own; much less, for languages known only in books.

There is one very necessary use of the Latin language, which will always prevent it from falling into neglect; which is, that it serves as a common interpreter among the learned of all nations and ages. Epitaphs, inscriptions on monuments and medals, treaties, &c. designed for perpetuity, are written in Latin, which is every where understood by the learned, and being a dead language is liable to no change.

But the high estimation in which the learned languages have been held, has discouraged a due attention to our own. People find themselves able without much study to write and speak the English intelligibly, and thus have been led to think rules of no utility. This opinion has produced various and arbitrary practices, in the use of the language, even among men of the most information and accuracy; and this diversity has produced another opinion, both false and injurious to the language, that there are no rules or principles on which the pronunciation and construction can be settled.

This neglect is so general, that there is scarcely an institution to be found in the country, where the English tongue is taught regularly, from its elements to its true and elegant construction, in prose and verse. Perhaps in most schools, boys are taught the definition of the parts of speech, and a few hard names which they do not understand, and which the teacher seldom attempts to explain; this is called *learning grammar*. This practice of learning questions and answers without acquiring any ideas, has given rise to a common remark, *that grammar is a dry study*; and so is every other study which is prosecuted without improving the head or the heart. The study of geography is equally dry, when the subject is not understood. But when grammar is taught by the help of visible objects; when children perceive that differences of words arise from differences in things, which they may learn at a very early period of life, the study becomes entertaining, as well as improving. In general, when a study of any kind is tiresome to a person, it is a presumptive evidence that he does not make any proficiency in knowlege, and this is almost always the fault of the instructor.

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[2] In our colleges and universities, students read some of the ancient Poets and Orators; but the Historians, which are perhaps more valuable, are generally neglected. The student just begins to read Latin and Greek to advantage, then quits the study. Where is the seminary, in which the students read Herodotus, Thucydides, Xenophon, Polybius, Dionysius Halicarnasseus, Livy, Velleius, Paterculus and Tacitus? How superficial must be that learning, which is acquired in four years! Severe experience has taught me the errors and defects of what is called a liberal education. I could not read the best Greek and Roman authors while in college, without neglecting the established classical studies; and after I left college, I found time only to dip into books, that every scholar should be master of; a circumstance that often fills me with the deepest regret. "Quis enim ignorat et eloquentiam et cæteras artes descivisse ab ista vetere gloria, non inopia hominum, sed desidia juventutis, et negligentia parentum, et inscientia præcipientium, et oblivione moris antiqui?—Nec in auctoribus cognoscendis, nec in evolvenda antiquitate, nec in notitia vel rerum, vel hominum, vel temporum satis operæ insumitur."—*Tacitus, de Orat. Dial. 28. 29.*

In a few instances perhaps the study of English is thought an object of consequence; but here also there is a great error in the common practice; for the study of English is preceded by several years attention to Latin and Greek. Nay, there are men, who contend that the best way to become acquainted with English, is to learn Latin first. Common sense may justly smile at such an opinion; but experience proves it to be false.

If language is to be taught mechanically, or by rote, it is a matter of little consequence whether the rules are in English, Latin or Greek: But if children are to acquire *ideas*, it is certainly easier to obtain them in a language which they understand, than in a foreign tongue. The distinctions between the principal parts of speech are founded in nature, and are within the capacity of a school boy. These distinctions should be explained in English, and when well understood, will facilitate the acquisition of other languages. Without some preparation of this kind, boys will often find a foreign language extremely difficult, and sometimes be discouraged. We often see young persons of both sexes, puzzling their heads with French, when they can hardly write two sentences of good English. They plod on for some months with much fatigue, little improvement, and less pleasure, and then relinquish the attempt.

The principles of any science afford pleasure to the student who comprehends them. In order to render the study of language agreeable, the distinctions between words should be illustrated by the differences in visible objects. Examples should be presented to the senses, which are the inlets of all our knowlege. That *nouns are the names of things, and that adjectives express their qualities*, are abstract definitions, which a boy may repeat five years without comprehending the meaning. But that *table* is the name of an article, and *hard* or *square* is its property, is a distinction obvious to the senses, and consequently within a child's capacity.

There is one general practice in schools, which I censure with diffidence; not because I doubt the propriety of the censure, but because it is opposed to deep rooted prejudices: This practice is the use of the Bible as a school book. There are two reasons why this practice has so generally prevailed: The first is, that families in the country are not generally supplied with any other book: The second, an opinion that the reading of the scriptures will impress, upon the minds of youth, the important truths of religion and morality. The first may be easily removed; and the purpose of the last is counteracted by the practice itself.

If people design the doctrines of the Bible as a system of religion, ought they to appropriate the book to purposes foreign to this design? Will not a familiarity, contracted by a careless disrespectful reading of the sacred volume, weaken the influence of its precepts upon the heart?

Let us attend to the effect of familiarity in other things.

The rigid Puritans, who first settled the New England States, often chose their burying ground in the center of their settlements. Convenience might have been a motive for the choice; but it is probable that a stronger reason was, the influence which they supposed the frequent burials and constant sight of the tombs would have upon the lives of men. The choice, however, for the latter purpose, was extremely injudicious; for it may be laid down as a general rule, that those who live in a constant view of death, will become hardened to its terrors.

No person has less sensibility than the Surgeon, who has been accustomed to the amputation of limbs. No person thinks less of death, than the Soldier, who has frequently walked over the carcasses of his slain comrades; or the Sexton, who lives among the tombs.

Objects that affect the mind strongly, whether the sensations they excite are painful or pleasureable, always lose their effect by a frequent repetition of their impressions.[3] Those parts of the

[3] The veneration we have for a great character, ceases with an intimate acquaintance with the man. The same principle is observable in the body. High seasoned food, without frequent intervals of abstinence, loses its relish. On the other hand, objects that make slight impressions at first, acquire strength by repetition. An elegant simplicity in a building may not affect the mind with great pleasure at first light; but the pleasure will always increase with repeated examinations of the structure. Thus by habit, we become excessively fond of food which does not relish at first tasting; and strong attachments between the sexes often take place from indifference, and

scripture, therefore, which are calculated to strike terror to the mind, lose their influence by being too frequently brought into view. The same objection will not apply to the history and morality of the Bible; select passages of which may be read in schools to great advantage. In some countries, the common people are not permitted to read the Bible at all: In ours, it is as common as a newspaper, and in schools, is read with nearly the same degree of respect. Both these practices appear to be extremes. My wish is not to see the Bible excluded from schools, but to see it used as a system of religion and morality.

These remarks suggest another error which is often committed in our inferior schools: I mean that of putting boys into difficult sciences, while they are too young to exercise their reason upon abstract subjects. For example; boys are often put to the study of mathematics, at the age of eight or ten years; and before they can either read or write. In order to show the impropriety of such a practice, it is necessary to repeat what was just now observed, that our senses are the avenues of knowlege. This fact proves that the most natural course of Education is that which employs, first the senses or powers of the body, or those faculties of the mind which first acquire strength; and then proceeds to those studies which depend on the power of comparing and combining ideas. The art of writing is mechanical and imitative; this may therefore employ boys, as soon as their fingers have strength sufficient to command a pen. A knowledge of letters requires the exercise of a mental power, memory; but this is coeval almost with the first operations of the human mind; and with respect to objects of sense, is almost perfect even in childhood. Children may therefore be taught reading, as soon as their organs of speech have acquired strength sufficient to articulate the sounds of words.[4]

But those sciences, a knowlege of which is acquired principally by the reasoning faculties, should be postponed to a more advanced period of life. In the course of an English Education, mathematics should be perhaps the last study of youth in schools. Years of valuable time are sometimes thrown away, in a fruitless application to sciences, the principles of which are above the comprehension of the students.

There is no particular age, at which every boy is qualified to enter upon mathematics to advantage. The proper time can be best determined by the instructors, who are acquainted with the different capacities of their pupils.

Another error, which is frequent in America, is that a master undertakes to teach many different branches in the same school. In new settlements, where people are poor, and live in scattered situations, the practice is often unavoidable: But in populous towns, it must be considered as a defective plan of Education. For suppose the teacher to be equally master of all the branches which he attempts to teach, which seldom happens, yet his attention must be distracted with a multiplicity of objects, and consequently painful to himself and not useful to the pupils. Add to this the continual interruptions which the students of one branch suffer from those of another, which must retard the progress of the whole school. It is a much more eligible plan to appropriate an apartment to each branch of Education, with a teacher who makes that branch his sole employment. The principal academies in Europe and America are on this plan, which both reason and experience prove to be the most useful.

With respect to literary institutions of the first rank, it appears to me that their local situations are an object of importance. It is a subject of controversy, whether a large city or a country village is the most eligible situation for a college or university. But the arguments in favor of the latter, appear to me decisive. Large cities are always scenes of dissipation and amusement, which have a tendency

even from aversion.

[4] Great caution should be observed in teaching children to pronounce the letters of the alphabet. The labials are easily pronounced; thus the first words a child can speak are *papa* and *mama*. But there are some letters, particularly *l* and *r*, which are of difficult pronunciation, and children should not be pressed to speak words in which they occur. The difficulty may produce a habit of stammering.

to corrupt the hearts of youth and divert their minds from their literary pursuits. Reason teaches this doctrine, and experience has uniformly confirmed the truth of it.

Strict discipline is essential to the prosperity of a public seminary of science; and this is established with more facility, and supported with more uniformity, in a small village, where there are no great objects of curiosity to interrupt the studies of youth or to call their attention from the orders of the society.

That the morals of young men, as well as their application to science, depend much on retirement, will be generally acknowleged; but it will be said also, that the company in large towns will improve their manners. The question then is, which shall be sacrificed; the advantage of an *uncorrupted heart* and an *improved head*; or of polished manners. But this question supposes that the virtues of the heart and the polish of the gentleman are incompatible with each other; which is by no means true. The gentleman and the scholar are often united in the same person. But both are not formed by the same means. The improvement of the head requires close application to books; the refinement of manners rather attends some degree of dissipation, or at least a relaxation of the mind. To preserve the purity of the heart, it is sometimes necessary, and always useful, to place a youth beyond the reach of bad examples; whereas a general knowlege of the world, of all kinds of company, is requisite to teach a universal propriety of behavior.

But youth is the time to form both the head and the heart. The understanding is indeed ever enlarging; but the seeds of knowlege should be planted in the mind, while it is young and susceptible; and if the mind is not kept untainted in *youth*, there is little probability that the moral character of the *man* will be unblemished. A genteel address, on the other hand, *may* be acquired at any time of life, and *must* be acquired, if ever, by mingling with good company. But were the cultivation of the understanding and of the heart, inconsistent with genteel manners, still no rational person could hesitate which to prefer. The goodness of a heart is of infinitely more consequence to society, than an elegance of manners; nor will any superficial accomplishments repair the want of principle in the mind. It is always better to be *vulgarly right*, than *politely wrong*.

But if the amusements, dissipation and vicious examples in populous cities render them improper places for seats of learning; the monkish mode of sequestering boys from other society, and confining them to the apartments of a college, appears to me another fault. The human mind is like a rich field, which, without constant care, will ever be covered with a luxuriant growth of weeds. It is extremely dangerous to suffer young men to pass the most critical period of life, when the passions are strong, the judgement weak, and the heart susceptible and unsuspecting, in a situation where there is not the least restraint upon their inclinations. My own observations lead me to draw the veil of silence over the ill effects of this practice. But it is to be wished that youth might always be kept under the inspection of age and superior wisdom; that literary institutions might be so situated, that the students might live in decent families, be subject, in some measure, to their discipline, and ever under the control of those whom they respect.

Perhaps it may also be numbered among the errors in our systems of Education, that, in all our universities and colleges, the students are all restricted to the same course of study, and by being classed, limited to the same progress. Classing is necessary, but whether students should not be removeable from the lower to the higher classes, as a reward for their superior industry and improvements, is submitted to those who know the effect of emulation upon the human mind.

But young gentlemen are not all designed for the same line of business, and why should they pursue the same studies? Why should a merchant trouble himself with the rules of Greek and Roman syntax, or a planter puzzle his head with conic sections? Life is too short to acquire, and the mind of man too feeble to contain, the whole circle of sciences. The greatest genius on earth, not even a Bacon, can be a perfect master of *every* branch; but any moderate genius may, by suitable application, be perfect in any *one* branch. By attempting therefore to teach young gentlemen every thing, we make

the most of them mere smatterers in science. In order to qualify persons to figure in any profession, it is necessary that they should attend closely to those branches of learning which lead to it.

There are some arts and sciences which are necessary for every man. Every man should be able to speak and write his native tongue with correctness; and have some knowlege of mathematics. The rules of arithmetic are indispensably requisite. But besides the learning which is of common utility, lads should be directed to pursue those branches which are connected more immediately with the business for which they are destined.

It would be very useful for the farming part of the community, to furnish country schools with some easy system of practical husbandry. By repeatedly reading some book of this kind, the mind would be stored with ideas, which might not indeed be understood in youth, but which would be called into practice in some subsequent period of life. This would lead the mind to the subject of agriculture, and pave the way for improvements.

Young gentlemen, designed for the mercantile line, after having learned to write and speak English correctly, might attend to French, Italian, or such other living language, as they will probably want in the course of business. These languages should be learned early in youth, while the organs are yet pliable; otherwise the pronunciation will probably be imperfect. These studies might be succeeded by some attention to chronology, and a regular application to geography, mathematics, history, the general regulations of commercial nations, principles of advance in trade, of insurance, and to the general principles of government.

It appears to me that such a course of Education, which might be completed by the age of fifteen or sixteen, would have a tendency to make better merchants than the usual practice which confines boys to Lucian, Ovid and Tully, till they are fourteen, and then turns them into a store, without an idea of their business, or one article of Education necessary for them, except perhaps a knowlege of writing and figures.

Such a system of English Education is also much preferable to a university Education, even with the usual honors; for it might be finished so early as to leave young persons time to serve a regular apprenticeship, without which no person should enter upon business. But by the time a university Education is completed, young men commonly commence *gentlemen*; their age and their pride will not suffer them to go thro the drudgery of a compting house, and they enter upon business without the requisite accomplishments. Indeed it appears to me that what is now called a *liberal Education*, disqualifies a man for business. Habits are formed in youth and by practice; and as business is, in some measure, mechanical, every person should be exercised in his employment, in an early period of life, that his habits may be formed by the time his apprenticeship expires. An Education in a university interferes with the forming of these habits; and perhaps forms opposite habits; the mind may contract a fondness for ease, for pleasure or for books, which no efforts can overcome. An academic Education, which should furnish the youth with some ideas of men and things, and leave time for an apprenticeship, before the age of twenty one years, would in my opinion, be the most eligible for young men who are designed for activ employments.

The method pursued in our colleges is better calculated to fit youth for the learned professions than for business. But perhaps the period of study, required as the condition of receiving the usual degrees, is too short. Four years, with the most assiduous application, are a short time to furnish the mind with the necessary knowlege of the languages and of the several sciences. It might perhaps have been a period sufficiently long for an infant settlement, as America was, at the time when most of our colleges were founded. But as the country becomes populous, wealthy and respectable, it may be worthy of consideration, whether the period of academic life should not be extended to six or seven years.

But the principal defect in our plan of Education in America, is, the want of good teachers in the academies and common schools. By good teachers I mean, men of unblemished reputation, and possessed of abilities, competent to their stations. That a man should be master of what he undertakes

to teach, is a point that will not be disputed; and yet it is certain that abilities are often dispensed with, either thro inattention or fear of expense.

To those who employ ignorant men to instruct their children, permit me to suggest one important idea: That it is better for youth to have *no* Education, than to have a bad one; for it is more difficult to eradicate habits, than to impress new ideas. The tender shrub is easily bent to any figure; but the tree, which has acquired its full growth, resists all impressions.

Yet abilities are not the sole requisites. The instructors of youth ought, of all men, to be the most prudent, accomplished, agreeable and respectable. What avail a man's parts, if, while he is the "wisest and brightest," he is the "meanest of mankind?" The pernicious effects of bad example on the *minds* of youth will probably be acknowleged; but with a view to *improvement*, it is indispensably necessary that the teachers should possess good breeding and agreeable manners. In order to give full effect to instructions, it is requisite that they should proceed from a man who is loved and respected. But a low bred clown, or morose tyrant, can command neither love nor respect; and that pupil who has no motive for application to books, but the fear of a rod, will not make a scholar.

The rod is often necessary in school; especially after the children have been accustomed to disobedience and a licentious behavior at home. All government originates in families, and if neglected there, it will hardly exist in society; but the want of it must be supplied by the rod in school, the penal laws of the state, and the terrors of divine wrath from the pulpit. The government both of families and schools should be absolute. There should, in families, be no appeal from one parent to another, with the prospect of pardon for offences. The one should always vindicate, at least apparently, the conduct of the other. In schools the master should be absolute in command; for it is utterly impossible for any man to support order and discipline among children, who are indulged with an appeal to their parents. A proper subordination in families would generally supersede the necessity of severity in schools; and a strict discipline in both is the best foundation of good order in political society.

If parents should say, "we cannot give the instructors of our children unlimited authority over them, for it may be abused and our children injured;" I would answer, they must not place them under the direction of any man, in whose temper, judgement and abilities, they do not repose perfect confidence. The teacher should be, if such can be found, as judicious and reasonable a man as the parent.

There can be little improvement in schools, without strict subordination; there can be no subordination, without principles of esteem and respect in the pupils; and the pupils cannot esteem and respect a man who is not in himself respectable, and who is not treated with respect by their parents. It may be laid down as an invariable maxim, that a person is not fit to superintend the Education of children, who has not the qualifications which will command the esteem and respect of his pupils. This maxim is founded on a truth which every person may have observed; that children always *love* an *amiable* man, and always *esteem* a *respectable* one. Men and women have their passions, which often rule their judgement and their conduct. They have their caprices, their interests and their prejudices, which at times incline them to treat the most meritorious characters with disrespect. But children, artless and unsuspecting, resign their hearts to any person whose manners are agreeable, and whose conduct is respectable. Whenever, therefore, pupils cease to respect their teacher, he should be instantly dismissed.

Respect for an instructor will often supply the place of a rod of correction. The pupil's attachment will lead him to close attention to his studies; he fears not the *rod* so much as the *displeasure* of his teacher; he waits for a smile, or dreads a frown; he receives his instructions and copies his manners. This generous principle, the fear of offending, will prompt youth to exertions; and instead of severity on the one hand, and of slavish fear, with reluctant obedience on the other, mutual esteem, respect and confidence strew flowers in the road to knowlege.

With respect to morals and civil society, the other view in which I proposed to treat this subject, the effects of Education are so certain and extensiv, that it behooves every parent and guardian to be particularly attentiv to the characters of the men, whose province it is to form the minds of youth.

From a strange inversion of the order of nature, the cause of which it is not necessary to unfold, the most important business in civil society, is, in many parts of America, committed to the most worthless characters. The Education of youth, an employment of more consequence than making laws and preaching the gospel, because it lays the foundation on which both law and gospel rest for success; this Education is sunk to a level with the most menial services. In most instances we find the higher seminaries of learning intrusted to men of good characters, and possessed of the moral virtues and social affections. But many of our inferior schools, which, so far as the heart is concerned, are as important as colleges, are kept by men of no breeding, and many of them, by men infamous for the most detestable vices.[5] Will this be denied? will it be denied, that before the war, it was a frequent practice for gentlemen to purchase convicts, who had been transported for their crimes, and employ them as private tutors in their families?

Gracious Heavens! Must the wretches, who have forfeited their lives, and been pronounced unworthy to be inhabitants of a *foreign* country, be entrusted with the Education, the morals, the character of *American* youth?

Will it be denied that many of the instructors of youth, whose examples and precepts should form their minds for good men and useful citizens, are often found to sleep away, in school, the fumes of a debauch, and to stun the ears of their pupils with frequent blasphemy? It is idle to suppress such truths; nay more, it is wicked. The practice of employing low and vicious characters to direct the studies of youth, is, in a high degree, criminal; it is destructive of the order and peace of society; it is treason against morals, and of course, against government; it ought to be arraigned before the tribunal of reason, and condemned by all intelligent beings. The practice is so exceedingly absurd, that it is surprising it could ever have prevailed among rational people. Parents wish their children to be *well bred*, yet place them under the care of *clowns*. They wish to secure their hearts from *vicious principles* and *habits*, yet commit them to the care of men of the most *profligate lives*. They wish to have their children taught *obedience* and *respect* for superiors, yet give them a master that both parents and children *despise*. A practice so glaringly absurd and irrational has no name in any language! Parents themselves will not associate with the men, whose company they *oblige* their children to keep, even in that most important period, when habits are forming for life.[6]

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[5] How different this practice from the manner of educating youth in Rome, during the flourishing ages of the republic! There the attention to children commenced with their birth; an infant was not educated in the cottage of a hireling nurse, but in the very bosom of its mother, whose principal praise was, that she superintended her family. Parents were careful to choose some aged matron to take care of their children; to form their first habits of speaking and acting; to watch their growing passions, and direct them to their proper objects; to guard them from all immodest sports, preserve their minds innocent, and direct their attention to liberal pursuits."—Filius —non in cella emptæ nutricis sed gremio ac sinu matris educabatur, cujus præcipua laus, tueri domum, et inservire liberis. Eligebatur autem aliqua major natu propinqua, cujus probatis spectatisque moribus, omnis cujuspiam familiæ soboles committeretur, coram qua neque dicere fas erat quod turpe dictu, neque facere quod inhonestum factu videretur. Ac non studia modo curasque, sed remissiones etiam lusus que puerorum, sanctitate quadam ac verecundia temperabat." In this manner were educated the Gracchi, Cæsar, and other celebrated Romans. "Quæ disciplina ac severitas eo pertinebat, ut sincera et interga et nullis pravitatibus detorta unius cujusque natura, toto statem pectore, arriperet artes honestas."– *Tacitus de Orat. Dial. 28.*The historian then proceeds to mention the corruption of manners, and the vicious mode of Education, in the later ages of Rome. He says, children were committed to some maid, with the vilest slaves; with whom they were initiated in their low conversation and manners. "Horum fabulis et erroribus teneri slatim et rudes animi imbuuntur; nec quis quam in toto domo pensi habet, quid coram infante domino aut dicat aut faciat."– *Ibid. 29.*

[6] The practice of employing low characters in schools is not novel—Ascham, preceptor to Queen Elizabeth, gives us the following account of the practice in his time. "Pity it is that commonly more care is had; yea and that among very wise men, to find out rather a cunning man for their horse, than a cunning man for their children. They say, nay, in word; but they do so, in deed. For to one they will give a stipend of two hundred crowns, and loth to offer the other two hundred shillings. God, that sitteth in the Heaven, laugheth their choice to scorn and rewardeth their liberality as it should: for he suffereth them to have *tame* and *well ordered horses*; but *wild* and *unfortunate children*: and therefore in the end they find more pleasure in their horse, than comfort in their child."This is *old language*, but the facts stated are *modern truths*. The barbarous Gothic practice has survived all the attacks of common sense, and in many parts of America, a gentleman's groom is on a level with his schoolmaster, in point of reputation. But hear another authority

Are parents and guardians ignorant, that children always imitate those with whom they live or associate? That a boy, bred in the woods, will be a savage? That another, bred in the army, will have the manners of a soldier? That a third, bred in a kitchen, will speak the language, and possess the ideas, of servants? And that a fourth, bred in genteel company, will have the manners of a gentleman? We cannot believe that many people are ignorant of these truths. Their conduct therefore can be ascribed to nothing but inattention or fear of expense. It is perhaps literally true, that a wild life among savages is preferable to an Education in a kitchen, or under a drunken tutor; for savages would leave the mind uncorrupted with the vices, which reign among slaves and the depraved part of civilized nations. It is therefore a point of infinite importance to society, that youth should not associate with persons whose manners they ought not to imitate; much less should they be doomed to pass the most susceptable period of life, with clowns, profligates and slaves.

There are people so ignorant of the constitution of our natures, as to declare, that young people should see vices and their consequences, that they may learn to detest and shun them. Such reasoning is like that of the novel writers, who attempt to defend their delineations of abandoned characters; and that of stage players, who would vindicate the obscene exhibitions of a theater; but the reasoning is totally false.[7] Vice always spreads by being published; young people are taught many vices by fiction, books or public exhibitions; vices, which they never would have known, had they never read such books or attended such public places. Crimes of all kinds, vices, judicial trials necessarily obscene, and infamous punishments, should, if possible, be concealed from the young. An examination in a court of justice may teach the tricks of a knave, the arts of a thief, and the evasions of hackneyed offenders, to a dozen young culprits, and even tempt those who have never committed a crime, to make a trial of their skill. A newspaper may spread crimes; by communicating to a nation the knowlege of an ingenious trick of villainy, which, had it been suppressed, might have died with its first inventor. It is not true that the effects of vice and crimes deter others from the practice; except when rarely seen. On the other hand, frequent exhibitions either cease to make any impressions on the minds of spectators, or else reconcile them to a course of life, which at first was disagreeable.

"Vice is a monster of so frightful mien,
As to be hated, needs but to be seen;
Yet seen too oft, familiar with her face,
We first endure, then pity, then embrace."

For these reasons, children should keep the best of company, that they might have before them the best manners, the best breeding, and the best conversation. Their minds should be kept untainted, till their reasoning faculties have acquired strength, and the good principles which may be planted in their minds, have taken deep root. They will then be able to make a firm and probably a successful resistance, against the attacks of secret corruption and brazen libertinism.

Our legislators frame laws for the suppression of vice and immorality; our divines thunder, from the pulpit, the terrors of infinite wrath, against the vices that stain the characters of men. And do laws and preaching effect a reformation of manners? Experience would not give a very favorable answer to this inquiry. The reason is obvious; the attempts are directed to the wrong objects. Laws can only check the public effects of vicious principles; but can never reach the principles themselves; and preaching is not very intelligible to people, till they arrive at an age when their principles are rooted, or their habits firmly established. An attempt to eradicate old habits, is as absurd, as to lop

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for the practice in England."As the case now stands, those of the first quality pay their *tutors* but little above half so much as they do their *footmen*."—*Guardian*, No. 94."'Tis monstrous indeed that men of the best estates and families are more solicitous about the tutelage of a favorite *dog* or *horse*, than of their *heirs mate*."—*Ibm.*

[7] The fact related by Justin, of an ancient people, will apply universally. "Tanto plus in illis proficit victiorum ignoratio, quam in his cognitio virtutis." An ignorance of vice has a better effect, than a knowlege of virtue.

off the branches of a huge oak, in order to root it out of a rich soil. The most that such clipping will effect, is to prevent a further growth.

The only practicable method to reform mankind, is to begin with children; to banish, if possible, from their company, every low bred, drunken, immoral character. Virtue and vice will not grow together in a great degree, but they will grow where they are planted, and when one has taken root, it is not easily supplanted by the other. The great art of correcting mankind therefore, consists in prepossessing the mind with good principles.

For this reason society requires that the Education of youth should be watched with the most scrupulous attention. Education, in a great measure, forms the moral characters of men, and morals are the basis of government.[8] Education should therefore be the first care of a Legislature; not merely the institution of schools, but the furnishing of them with the best men for teachers. A good system of Education should be the first article in the code of political regulations; for it is much easier to introduce and establish an effectual system for preserving morals, than to correct, by penal statutes, the ill effects of a bad system. I am so fully persuaded of this, that I shall almost adore that great man, who shall change our practice and opinions, and make it respectable for the first and best men to superintend the Education of youth.

Another defect in our schools, which, since the revolution, is become inexcuseable, is the want of proper books. The collections which are now used consist of essays that respect foreign and ancient nations. The minds of youth are perpetually led to the history of Greece and Rome or to Great Britain; boys are constantly repeating the declamations of Demosthenes and Cicero, or debates upon some political question in the British Parliment. These are excellent specimens of good sense, polished stile and perfect oratory; but they are not interesting to children. They cannot be very useful, except to young gentlemen who want them as models of reasoning and eloquence, in the pulpit or at the bar.

But every child in America should be acquainted with his own country. He should read books that furnish him with ideas that will be useful to him in life and practice. As soon as he opens his lips, he should rehearse the history of his own country; he should lisp the praise of liberty, and of those illustrious heroes and statesmen, who have wrought a revolution in her favor.

A selection of essays, respecting the settlement and geography of America; the history of the late revolution and of the most remarkable characters and events that distinguished it, and a compendium of the principles of the federal and provincial governments, should be the principal school book in the United States. These are interesting objects to every man; they call home the minds of youth and fix them upon the interests of their own country, and they assist in forming attachments to it, as well as in enlarging the understanding.

"It is observed by the great Montesquieu, that the laws of education ought to be relative to the principles of the government."[9]

In despotic governments, the people should have little or no education, except what tends to inspire them with a servile fear. Information is fatal to despotism.

In monarchies, education should be partial, and adapted to the rank of each class of citizens. But "in a republican government," says the same writer, "the whole power of education is required." Here every class of people should *know* and *love* the laws. This knowlege should be diffused by means of schools and newspapers; and an attachment to the laws may be formed by early impressions upon the mind.

Two regulations are essential to the continuance of republican governments: 1. Such a distribution of lands and such principles of descent and alienation, as shall give every citizen a power of acquiring what his industry merits.[10] 2. Such a system of education as gives every citizen an

[8] Plus ibi boni mores valent, quam alibi bonæ leges.Tac. de Mor. Germ. 19.

[9] Spirit of Laws. Book 4.

[10] The power of entailing real estates is repugnant to the spirit of our American governments.

opportunity of acquiring knowlege and fitting himself for places of trust. These are fundamental articles; the *sine qua non* of the existence of the American republics.

Hence the absurdity of our copying the manners and adopting the institutions of Monarchies.

In several States, we find laws passed, establishing provision for colleges and academies, where people of property may educate their sons; but no provision is made for instructing the poorer rank of people, even in reading and writing. Yet in these same States, every citizen who is worth a few shillings annually, is entitled to vote for legislators.[11] This appears to me a most glaring solecism in government. The constitutions are *republican*, and the laws of education are *monarchical*. The *former* extend civil rights to every honest industrious man; the *latter* deprive a large proportion of the citizens of a most valuable privilege.

In our American republics, where government is in the hands of the people, knowlege should be universally diffused by means of public schools. Of such consequence is it to society, that the people who make laws, should be well informed, that I conceive no Legislature can be justified in neglecting proper establishments for this purpose.

When I speak of a diffusion of knowlege, I do not mean merely a knowlege of spelling books, and the New Testament. An acquaintance with ethics, and with the general principles of law, commerce, money and government, is necessary for the yeomanry of a republican state. This acquaintance they might obtain by means of books calculated for schools, and read by the children, during the winter months, and by the circulation of public papers.

"In Rome it was the common exercise of boys at school, to learn the laws of the twelve tables by heart, as they did their poets and classic authors."[12] What an excellent practice this in a free government!

It is said, indeed by many, that our common people are already too well informed. Strange paradox! The truth is, they have too much knowlege and spirit to resign their share in government, and are not sufficiently informed to govern themselves in all cases of difficulty.

There are some acts of the American legislatures which astonish men of information; and blunders in legislation are frequently ascribed to bad intentions. But if we examin the men who compose these legislatures, we shall find that wrong measures generally proceed from ignorance either in the men themselves, or in their constituents. They often mistake their own interest, because they do not foresee the remote consequences of a measure.

It may be true that all men cannot be legislators; but the more generally knowlege is diffused among the substantial yeomanry, the more perfect will be the laws of a republican state.

Every small district should be furnished with a school, at least four months in a year; when boys are not otherwise employed. This school should be kept by the most reputable and well informed man in the district. Here children should be taught the usual branches of learning: submission to superiors and to laws; the moral or social duties; the history and transactions of their own country; the principles of liberty and government. Here the rough manners of the wilderness should be softened, and the principles of virtue and good behaviour inculcated. The *virtues* of men are of more consequence to society than their *abilities*; and for this reason, the *heart* should be cultivated with more assiduity than the *head*.

Such a general system of education is neither impracticable nor difficult; and excepting the formation of a federal government that shall be efficient and permanent, it demands the first attention of American patriots. Until such a system shall be adopted and pursued; until the Statesman and Divine shall unite their efforts in *forming* the human mind, rather than in loping its excressences, after it has been neglected; until Legislators discover that the only way to make good citizens and subjects,

[11] I have known instructions from the inhabitants of a county, two thirds of whom could not write their names. How competent must such men be to decide an important point in legislation!

[12] Middleton's life of Cicero, volume 1, page 14.

is to nourish them from infancy; and until parents shall be convinced that the *worst* of men are not the proper teachers to make the *best*; mankind cannot know to what a degree of perfection society and government may be carried. America affords the fairest opportunities for making the experiment, and opens the most encouraging prospect of success.[13]

In a system of education, that should embrace every part of the community, the female sex claim no inconsiderable share of our attention.

The women in America (to their honor it is mentioned) are not generally above the care of educating their own children. Their own education should therefore enable them to implant in the tender mind, such sentiments of virtue, propriety and dignity, as are suited to the freedom of our governments. Children should be treated as children, but as children that are, in a future time, to be men and women. By treating them as if they were always to remain children, we very often see their childishness adhere to them, even in middle life. The silly language called *baby talk*, in which most persons are initiated in infancy, often breaks out in discourse, at the age of forty, and makes a man appear very ridiculous.[14] In the same manner, vulgar, obscene and illiberal ideas, imbibed in a nursery or a kitchen, often give a tincture to the conduct through life. In order to prevent every evil bias, the ladies, whose province it is to direct the inclinations of children on their first appearance, and to choose their nurses, should be possessed, not only of amiable manners, but of just sentiments and enlarged understandings.

But the influence of women in forming the dispositions of youth, is not the sole reason why their education should be particularly guarded; their influence in controling the manners of a nation, is another powerful reason. Women, once abandoned, may be instrumental in corrupting society; but such is the delicacy of the sex, and such the restraints which custom imposes upon them, that they are generally the last to be corrupted. There are innumerable instances of men, who have been restrained from a vicious life, and even of very abandoned men, who have been reclaimed, by their attachment to ladies of virtue. A fondness for the company and conversation of ladies of character, may be considered as a young man's best security against the attractives of a dissipated life. A man who is attached to *good* company, seldom frequents that which is *bad*. For this reason, society requires that females should be well educated, and extend their influence as far as possible over the other sex.

But a distinction is to be made between a *good* education, and a *showy* one; for an education, merely superficial, is a proof of corruption of taste, and has a mischievous influence on manners. The education of females, like that of males, should be adapted to the principles of the government, and correspond with the stage of society. Education in Paris differs from that in Petersburg, and the education of females in London or Paris should not be a model for the Americans to copy.

In all nations a *good* education, is that which renders the ladies correct in their manners, respectable in their families, and agreeable in society. That education is always *wrong*, which raises a woman above the duties of her station.

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[13] It is worthy of remark, that in proportion as laws are favorable to the equal rights of men, the number of crimes in a state is diminished; except where the human mind is debased by extreme servitude, or by superstition. In France, there are but few crimes; religion and the rigor of a military force prevent them; perhaps also, ignorance in the peasantry may be assigned as another reason. But in England and Ireland the human mind is not so depressed, yet the distribution of property and honors is not equal; the lower classes of people, bold and independent, as well as poor, feel the injuries which flow from the feudal system, even in its relaxed state; they become desperate, and turn highwaymen. Hence those kingdoms produce more culprits than half Europe besides.The character of the Jews, as sharpers, is derived from the cruel and villanous proscriptions, which they have suffered from the bigotry of Christians in every part of Europe.Most of the criminals condemned in America are foreigners. The execution of a native, before the revolution, was a novelty. The distribution of property in America and the principles of government favor the rights of men; and but few men will commence enemies to society and government, if they can receive the benefits of them. Unjust governments and tyrannical distinctions have made most of the villains that ever existed.

[14] It has been already observed that a child always imitates what he sees and hears: For this reason, he should hear no language which is not correct and decent. Every word spoken to a child, should be pronounced with clearness and propriety. Banish from children all diminutive words, all whining and all bad grammar. A boy of six years old may be taught to speak as correctly, as Cicero did before the Roman Senate.

In America, female education should have for its object what is *useful*. Young ladies should be taught to speak and write their own language with purity and elegance; an article in which they are often deficient. The French language is not necessary for ladies. In some cases it is convenient, but, in general, it may be considered as an article of luxury. As an accomplishment, it may be studied by those whose attention is not employed about more important concerns.

Some knowlege of arithmetic is necessary for every lady. Geography should never be neglected. Belles Letters learning seems to correspond with the dispositions of most females. A taste for Poetry and fine writing should be cultivated; for we expect the most delicate sentiments from the pens of that sex, which is possessed of the finest feelings.

A course of reading can hardly be prescribed for all ladies. But it should be remarked, that this sex cannot be too well acquainted with the writers upon human life and manners. The Spectator should fill the first place in every lady's library. Other volumes of periodical papers, tho inferior to the Spectator, should be read; and some of the best histories.

With respect to novels, so much admired by the young, and so generally condemned by the old, what shall I say? Perhaps it may be said with truth, that some of them are useful, many of them pernicious, and most of them trifling. A hundred volumes of modern novels may be read, without acquiring a new idea. Some of them contain entertaining stories, and where the descriptions are drawn from nature, and from characters and events in themselves innocent, the perusal of them may be harmless.

Were novels written with a view to exhibit only one side of human nature, to paint the social virtues, the world would condemn them as defective: But I should think them more perfect. Young people, especially females, should not see the vicious part of mankind. At best novels may be considered as the toys of youth; the rattle boxes of sixteen. The mechanic gets his pence for his toys, and the novel writer, for his books; and it would be happy for society, if the latter were in all cases as innocent play things as the former.

In the large towns in America, music, drawing and dancing, constitute a part of female education. They, however, hold a subordinate rank; for my fair friends will pardon me, when I declare, that no man ever marries a woman for her performance on a harpsichord, or her figure in a minuet. However ambitious a woman may be to command admiration *abroad*, her real merit is known only at *home*. Admiration is useless, when it is not supported by domestic worth. But real honor and permanent esteem, are always secured by those who preside over their own families with dignity.[15]

Before I quit this subject, I beg leave to make some remarks on a practice which appears to be attended with important consequences; I mean that of sending boys to Europe for an education, or sending to Europe for teachers. This was right before the revolution; at least so far as national attachments where concerned; but the propriety of it ceased with our political relation to Great Britain.

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[15] Nothing can be more fatal to domestic happiness in America, than a taste for copying the luxurious manners and amusements of England and France. Dancing, drawing and music, are principal articles of education in those kingdoms; therefore every girl in America must pass two or three years at a boarding school, tho her father cannot give her a farthing when she marries. This ambition to educate females above their fortunes pervades every part of America. Hence the disproportion between the well bred females and the males in our large towns. A mechanic or shopkeeper in town, or a farmer in the country, whose sons get their living by their father's employments, will send their daughters to a boarding school, where their ideas are elevated, and their views carried above a connexion with men in those occupations. Such an education, without fortune or beauty, may possibly please a girl of fifteen, but must prove her greatest misfortune. This fatal mistake is illustrated in every large town in America. In the country, the number of males and females, is nearly equal; but in towns, the number of genteelly bred women is greater than of men; and in some towns, the proportion is, as three to one.The heads of young people of both sexes are often turned by reading descriptions of splendid living, of coaches, of plays, and other amusements. Such descriptions excite a desire to enjoy the same pleasures. A fortune becomes the principal object of pursuit; fortunes are scarce in America, and not easily acquired; disappointment succeeds, and the youth who begins life with expecting to enjoy a coach, closes the prospect with a small living, procured by labor and economy.Thus a wrong education, and a taste for pleasures which our fortune will not enable us to enjoy, often plunge the Americans into distress, or at least prevent early marriages. Too fond of show, of dress and expense, the sexes wish to please each other; they mistake the means, and both are disappointed.

In the first place, our honor as an independent nation is concerned in the establishment of literary institutions, adequate to all our own purposes; without sending our youth abroad, or depending on other nations for books and instructors. It is very little to the reputation of America to have it said abroad, that after the heroic atchievements of the late war, these independent people are obliged to send to Europe for men and books to teach their children A B C.

But in another point of view, a foreign education is directly opposite to our political interests, and ought to be discountenanced, if not prohibited.

Every person of common observation will grant, that most men prefer the manners and the government of that country where they are educated. Let ten American youths be sent, each to a different European kingdom, and live there from the age of twelve to twenty, and each will give the preference to the country where he has resided.

The period from twelve to twenty is the most important in life. The impressions made before that period are commonly effaced; those that are made during that period *always* remain for many years; and *generally* thro life.

Ninety nine persons of a hundred who pass that period in England or France, will prefer the people, their manners, their laws, and their government, to those of their nativ country. Such attachments are injurious, both to the happiness of the men, and to the political interests of their own country. As to private happiness, it is universally known how much pain a man suffers by a change of habits in living. The customs of Europe are and ought to be different from ours; but when a man has been bred in one country, his attachments to its manners make them, in a great measure, necessary to his happiness. On changing his residence, he must therefore break his former habits, which is always a painful sacrifice; or the discordance between the manners of his own country, and his habits, must give him incessant uneasiness; or he must introduce, into a circle of his friends, the manners in which he was educated. These consequences may follow, and the last, which is inevitable, is a public injury. The refinement of manners in every country should keep pace exactly with the increase of its wealth; and perhaps the greatest evil America now feels is, an improvement of taste and manners which its wealth cannot support.

A foreign education is the very source of this evil; it gives young gentlemen of fortune a relish for manners and amusements which are not suited to this country; which however, when introduced by this class of people, will always become fashionable.

But a corruption of manners is not the sole objection to a foreign education: An attachment to a *foreign* government, or rather a want of attachment to our *own*, is the natural effect of a residence abroad, during the period of youth. It is recorded of one of the Greek cities, that in a treaty with their conquerors, it was required that they should give a certain number of *male children* as hostages for the fulfilment of their engagements. The Greeks absolutely refused, on the principle that these children would imbibe the ideas and embrace the manners of foreigners, or lose their love for their own country: But they offered the same number of *old* men, without hesitation. This anecdote is full of good sense. A man should always form his habits and attachments in the country where he is to reside for life. When these habits are formed, young men may travel without danger of losing their patriotism. A boy who lives in England from twelve to twenty, will be an *Englishman* in his manners and his feelings; but let him remain at home till he is twenty, and form his attachments, he may then be several years abroad, and still be an *American*.[16] There may be exceptions to this

[16] Cicero was twenty eight years old when he left Italy to travel into Greece and Asia. "He did not stir abroad," says Dr. Middleton, "till he had completed his education at home; for nothing can be more pernicious to a nation, than the necessity of a foreign one."—*Life of Cicero, vol. 1. p. 48.* Dr. Moore makes a remark precisely in point. Speaking of a foreign education, proposed by a certain Lord, who objected to the public schools in England, he says, "I have attended to his Lordship's objections, and after due consideration, and weighing every circumstance, I remain of opinion, that no country but Great Britain is proper for the education of a British subject, who proposes to pass his life in his own country. The most important point, in my mind, to be secured in the education of a young man of rank of our country, is to make him an Englishman; and this can be done no where so effectually as in England." See his *View of Society and Manners*, &c. vol. 1, page 197, where the reader will find many judicious remarks upon this subject. The following are

observation; but living examples may be mentioned to prove the truth of the general principle here advanced, respecting the influence of habit.

It may be said that foreign universities furnish much better opportunities of improvement in the sciences than the American. This may be true, and yet will not justify the practice of sending young lads from their own country. There are some branches of science which may be studied to much greater advantage in Europe than in America, particularly chymistry. When these are to be acquired, young gentlemen ought to spare no pains to attend the best professors. It may, therefore, be useful, in some cases, for students to cross the atlantic to *complete* a course of studies; but it is not necessary for them to go early in life, nor to continue a long time. Such instances need not be frequent even now; and the necessity for them will diminish in proportion to the future advancement of literature in America.

It is, however, much questioned, whether, in the ordinary course of study, a young man can enjoy greater advantages in Europe than in America. Experience inclines me to raise a doubt, whether the danger to which a youth must be exposed among the sons of dissipation abroad, will not turn the scale in favor of our American colleges. Certain it is, that four fifths of the great literary characters in America never crossed the atlantic.

But if our universities and schools are not so good as the English or Scotch, it is the business of our rulers to improve them, not to endow them merely; for endowments alone will never make a flourishing seminary; but to furnish them with professors of the first abilities and most assiduous application, and with a complete apparatus for establishing theories by experiments. Nature has been profuse to the Americans, in genius, and in the advantages of climate and soil. If this country, therefore, should long be indebted to Europe for opportunities of acquiring any branch of science in perfection, it must be by means of a criminal neglect of its inhabitants.

The difference in the nature of the American and European governments, is another objection to a foreign education. Men form modes of reasoning, or habits of thinking on political subjects, in the country where they are bred; these modes of reasoning may be founded on fact in all countries; but the same principles will not apply in all governments, because of the infinite variety of national opinions and habits. Before a man can be a good Legislator, he must be intimately acquainted with the temper of the people to be governed. No man can be thus acquainted with a people, without residing amongst them and mingling with all companies. For want of this acquaintance, a Turgot and a Price may reason most absurdly upon the Constitutions of the American states; and when any person has been long accustomed to believe in the propriety or impropriety of certain maxims or regulations of government, it is very difficult to change his opinions, or to persuade him to adapt his reasoning to new and different circumstances.

One half the European Protestants will now contend that the Roman Catholic religion is subversive of civil government. Tradition, books, education, have concurred to fix this belief in their minds; and they will not resign their opinions, even in America, where some of the highest civil offices are in the hands of Roman Catholics.

It is therefore of infinite importance that those who direct the councils of a nation, should be educated in that nation. Not that they should restrict their personal acquaintance to their own country, but their first ideas, attachments and habits should be acquired in the country which they are to govern and defend. When a knowlege of their own country is obtained, and an attachment to its laws and interests deeply fixed in their hearts, then young gentlemen may travel with infinite advantage and perfect safety. I wish not therefore to discourage travelling, but, if possible, to render it more useful to individuals and to the community. My meaning is, that *men* should travel, and not *boys*.

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too pertinent to be omitted.—"It is thought, that by an early foreign education, all ridiculous English prejudices, will be avoided. This may be true; but other prejudices, perhaps as ridiculous, and much more detrimental, will be formed. The first cannot be attended with many inconveniencies; the second may render the young people unhappy in their own country when they return, and disagreeable to their countrymen all the rest of their lives." These remarks, by a change of names are applicable to America.

It is time for the Americans to change their usual route, and travel thro a country which they never think of, or think beneeth their notice: I mean the United States.

While these States were a part of the British Empire, our interest, our feelings, were those of Englishmen; our dependence led us to respect and imitate their manners, and to look up to them for our opinions. We little thought of any national interest in America; and while our commerce and governments were in the hands of our parent country, and we had no common interest, we little thought of improving our acquaintance with each other, or of removing prejudices, and reconciling the discordant feelings of the inhabitants of different Provinces. But independence and union render it necessary that the citizens of different States should know each others characters and circumstances; that all jealousies should be removed; that mutual respect and confidence should succeed, and a harmony of views and interests be cultivated by a friendly intercourse.

A tour thro the United States ought now to be considered as a necessary part of a liberal education. Instead of sending young gentlemen to Europe to view curiosities and learn vices and follies, let them spend twelve or eighteen months in examining the local situation of the different States; the rivers, the soil, the population, the improvements and commercial advantages of the whole; with an attention to the spirit and manners of the inhabitants, their laws, local customs and institutions. Such a tour should at least precede a tour to Europe; for nothing can be more ridiculous than a man travelling in a foreign country for information, when he can give no account of his own. When, therefore, young gentlemen have finished an academic education, let them travel thro America, and afterwards to Europe, if their time and fortunes will permit. But if they cannot make a tour thro both, that in America is certainly to be preferred; for the people of America, with all their information, are yet extremely ignorant of the geography, policy and manners of their neighbouring States. Except a few gentlemen whose public employments in the army and in Congress, have extended their knowlege of America, the people in this country, even of the higher classes, have not so correct information respecting the United States, as they have respecting England or France. Such ignorance is not only disgraceful, but is materially prejudicial to our political friendship and federal operations.

Americans, unshackle your minds, and act like independent beings. You have been children long enough, subject to the control, and subservient to the interest of a haughty parent. You have now an interest of your own to augment and defend: You have an empire to raise and support by your exertions, and a national character to establish and extend by your wisdom and virtues. To effect these great objects, it is necessary to frame a liberal plan of policy, and build it on a broad system of education. Before this system can be formed and embraced, the Americans must *believe*, and *act* from the belief, that it is dishonorable to waste life in mimicking the follies of other nations and basking in the sunshine of foreign glory.

No. II

NEW YORK, 1788.

PRINCIPLES of GOVERNMENT *and* COMMERCE

All mankind are, by nature, free, and have a right to enjoy life, liberty and property.

One person has no right to take from another his life, health, peace, or good name; to take away or lessen his freedom of thinking and acting, or to injure his estate in the smallest degree.

A collection of individuals forms a *society*; and every society must have *government*, to prevent one man from hurting another, and to punish such as commit crimes. Every person's safety requires that he should submit to be governed; for if one man may do harm without suffering punishment, every man has the same right, and no person can be safe.

It is necessary therefore that there should be laws to control every man. Laws should be made by consent or concurrence of the greatest part of the society.

The whole body of people in society is the sovereign power or state; which is called, the body politic. Every man forms a part of this state, and so has a share in the sovereignty; at the same time, as an individual, he is a subject of the state.

When a society is large, the whole state cannot meet together for the purpose of making laws; the people therefore agree to appoint deputies, or representativs, to act for them. When these agents are chosen and met together, they represent the whole state, and act as the sovereign power. The people resign their own authority to their representativs; the acts of these deputies are in effect the acts of the people; and the people have no right to refuse obedience.

It is as wrong to refuse obedience to the laws made by our *representativs*, as it would be to break laws made by *ourselves*. If a law is bad and produces general harm, the people may appoint new deputies to repeal it; but while it is a law, it is the act and will of the sovereign power, and ought to be obeyed.

The people in free governments, make their own laws by agents or representativs, and appoint the executiv officers. An executiv officer is armed with the authority of the whole state and cannot be resisted. He cannot do wrong, unless he goes beyond the bounds of the laws.

An executiv officer can hardly be too arbitrary; for if the laws are good, they should be strictly executed and religiously obeyed: If they are bad, the people can alter or repeal them; or if the officer goes beyond his powers, he is accountable to those who appoint him. A neglect of good and wholesome laws is the bane of society.

Judges and all executiv officers should be made as much as possible, independent of the will of the people at large. They should be chosen by the representativs of the people and answerable to them only: For if they are elected by the people, they are apt to be swayed by fear and affection; they may dispense with the laws, to favor their friends, or secure their office. Besides, their election is apt to occasion party spirit, cabals, bribery and public disorder. These are great evils in a state, and defeat the purposes of government.

The people have a right to advise their representativs in certain cases, in which they may be well informed. But this right cannot often be exercised with propriety or safety: Nor should their instructions be binding on their representativs: For the people, most of whom live remote from each other, cannot always be acquainted with the general interest of the state; they cannot know all the reasons and arguments which may be offered for, or against a measure, by people in distant parts of the state; they cannot tell at home, how they *themselves* would think and act, in a general assembly of *all* the citizens.

In this situation, if the people of a certain district, bind their representativ to vote in a particular manner, they may bind him to do *wrong*. They make up their minds, upon a partial view of facts, and form a resolution, which they themselves, on a fair state of all the facts, in the general assembly, might see reasons to change. There have been instances, in which these binding, positiv instructions, have obliged a representativ to give his vote, contrary to the conviction of his own mind and what he thought the good of the state; consequently his vote was a violation of his oath.

But the opinions of the people should, if possible, be collected; for the general sense of a nation is commonly right. When people are well informed, their general opinion is perhaps always right. But they may be uninformed or misinformed and consequently their measures may be repugnant to their own interest. This is often the case, with particular districts of people; and hence the bad policy of giving binding instructions to representativs. The sense of a nation is collected by the opinions of people in particular districts; but as some of these opinions may be wrong, a representativ should be left with discretionary powers to act for the good of the state.

Representativs are chosen by the inhabitants of certain districts, because this is most convenient: But when they act as lawgivers, they act for the whole state. When a man is considering the propriety of a general measure, he is not to be influenced by the interest of a single district or part of a state; but by the collectiv interest of the whole state. A good lawgiver will not ask solely what is *my* interest, or the interest of *my* town or constituents? but, what will promote the interest of the community; '*what will produce the greatest possible good, to the greatest number of people*?'

When a legislativ body makes *laws*, it acts for *itself* only, and can alter or repeal the laws when they become inconvenient. But when it makes *grants* or *contracts*, it act as a party, and cannot take back its grant, or change the nature of its contracts, without the consent of the other party. A state has no more right to neglect or refuse to fulfil its engagements, than an individual. There may be an exception in the case of a grant, for if a state has made a grant, which, contrary to its expectations, clearly endangers the safety of the community, it may resume that grant. The public safety is a consideration superior to all others. But the danger must be great and obvious; it must be generally seen and felt, before the state can be justified in recalling its grant. To take back a gift, or break a contract, for small causes or slight inconveniencies, is a most wanton abuse of power. Bargains, conveyances, and voluntary grants, where two parties are concerned, are *sacred things*; they are the supports of social confidence and security; they ought not to be sported with, because one party is stronger than the other; they should be religiously observed.

As the state has no right to break its own promises, so it has no right to alter the promises of individuals. When one man has engaged to pay his debt in wheat, and his creditor expects the promise to be fulfiled, the legislature has no right to say, the debt shall be paid in flax or horses. Such an act saps all the supports of good faith between man and man; it is the worst kind of tyranny.

For this reason, all *tender laws*, which oblige a creditor to take, for his debt, some article which he never intended nor engaged to take, are highly *unjust* and *tyrannical*. The intention of the contracting parties should be strictly regarded; the state may enforce that intention, but can never have a right to interfere and defeat it. A legislature has no right to put a bargain on any footing, but that on which the parties *have* placed it or *are willing* to place it.

If a state is poor, and people owe more money than can be procured, a legislature may perhaps go so far as to suspend the collection of debts; or to ordain that a certain part only of the debts shall be recoverable immediately, and the payment of the remainder suspended. This may ease the debtors; but can be justified in extreme cases only, when the people are generally and greatly involved.

A people should not generally be in debt: The consumers of goods should not get credit. Heavy and numerous debts are great evils to a state. If the people will giv and take extensiv credit, the state should check their imprudence, by putting debts out of the protection of law. When it becomes a practice to collect debts by law, it is a proof of corruption and degeneracy among the people. Laws and courts are necessary to settle controverted points between man and man; but a man should pay

an acknowledged debt, not because there is a law to oblige him, but because it is *just* and *honest*, and because he has PROMISED to pay it.

Money, or a medium in trade, is necessary in all great states; but *too much* is a greater evil than *too little*. When people can get money without labor, they neglect business and become idle, prodigal and vicious; and when they have nothing but money, they are poor indeed. Spain was ruined by its mines of gold and silver in South America. That kingdom possessed all the money in Europe, and yet was the *poorest*; it will never be rich and flourishing, till its mines are exhausted. The discovery of rich mines in this country, would be the greatest misfortune, that can befall the United States.

Money is a mere representativ of property; it is the *change* which facilitates trade. But the *wealth* of a country is its *produce*; and its strength consists in the number of its industrious inhabitants. A man cannot become rich, unless he earns more than he spends. It is the same with a country. The labouring men are the support of a nation.

The value of money depends on the quantity in circulation. A medium of trade respects all commercial nations; and like water, it will find its level. Money will go where it is wanted, if the people have any thing to purchase it. If one state or country has more money than another, it is a proof that the people are more industrious or saving. It would be happy for the world, if no more money could be made: There is already too much. Silver is become very burdensome, merely because there is too much in the world. If there were but one quarter of the money which now circulates, one quarter of a dollar would buy as much as a dollar will now.

Hence the mistaken policy of those people who attempt to increase the medium of trade by coinage or by a paper currency. They can add to the quantity, as much as they please; but not to the value. If America were shut out from all intercourse with other nations, and ten millions of dollars were circulating in the country, every article of life would have a certain price. If in this case, wheat should be one dollar a bushel, let the money be instantly doubled, the price of wheat would then be two dollars, and the price of every article would rise in the same proportion. So that twenty millions of dollars would be worth no more than ten, because they would buy no more of the useful commodities: America would be no richer in the one case than in the other.

But as there is a communication with other nations, a million of dollars, added to the circulating specie, does not increase the permanent medium in quantity; for just so much money as is added, will leave the country. If there is too much money in a country, the price of labor will rise, and the produce cannot find market abroad without a loss. This was the case with American produce, at the close of the war. If money is scarce in a country, the price of labor will be low, and consequently the produce of that country will be cheap at home, and a great profit will be made on the exportation. This profit will be returned, partly in goods and partly in money, and the country is enriched.

But the great principle, which should constitute the corner stone of government, is *public justice*. The fountain head should be pure, or the streams will be foul indeed. That Legislatures, or bodies politic, should make laws, annex penalties for disobedience, institute courts for deciding controversies and trying offenders, and execute punishments on those that are convicted; yet at the same time neglect to do justice themselves by paying their own debts; this is of all absurdities the most glaring. To compel individuals to perform contracts and yet break their own solemn promises; to punish individuals for neglect, and yet set a general example of delinquency, is to undermine the foundation of social confidence, and shake every principle of commutativ justice.

These are general principles in government and trade, and ought to be deeply impressed upon the minds of every American.

No. III

NEW YORK, 1788.

BILLS *of* RIGHTS

One of the principal objections to the new Federal Constitution, is, that it contains no *Bill of Rights*. This objection, I presume to assert, is founded on ideas of government that are totally false. Men seem determined to adhere to old prejudices, and reason *wrong*, because our ancestors reasoned *right*. A Bill of Rights against the encroachments of Kings and Barons, or against any power independent of the people, is perfectly intelligible; but a Bill of Rights against the encroachments of an electiv Legislature, that is, against our *own* encroachments on *ourselves*, is a curiosity in government.

The English nation, from which we descended, have been gaining their liberties, inch by inch, by forcing concessions from the crown and the Barons, during the course of six centuries.[17] *Magna Charta*, which is called the palladium of English liberty, was dated in 1215, and the people of England were not represented in Parliament till the year 1265. Magna Charta established the rights of the Barons and clergy against the encroachments of royal perogativ; but the commons or people were hardly noticed in that deed. There was but one clause in their favor, which stipulated, that "no villain or rustic should, by any fine, be bereaved of his carts, plows and instruments of husbandry." As for the rest, they were considered as a part of the property belonging to an estate, and were transferred, as other moveables, at the will of their owners. In the succeeding reign, they were permitted to send Representativs to Parliament; and from that time have been gradually assuming their proper degree of consequence in the British Legislature. In such a nation, every law or statute that defines the powers of the crown, and circumscribes them within determinate limits, must be considered as a barrier to guard popular liberty. Every acquisition of freedom must be established as a *right*, and solemnly recognized by the supreme power of the nation; lest it should be again resumed by the crown under pretence of ancient prerogativ: For this reason, the habeas corpus act passed in the reign of Charles 2d, the statute of the 2d of William and Mary, and many others which are declaratory of certain privileges, are justly considered as the pillars of English freedom.

These statutes are however not esteemed because they are unalterable; for the same power that enacted them, can at any moment repeal them; but they are esteemed, because they are barriers erected by the Representativs of the nation, against a power that exists independent of their own choice.

But the same reasons for such declaratory constitutions do not exist in America, where the supreme power is *the people in their Representativs*. The *Bills of Rights*, prefixed to several of the constitutions of the United States, if considered as assigning the reasons of our separation from a foreign government, or as solemn declarations of right against the encroachments of a foreign jurisdiction, are perfectly rational, and were doubtless necessary. But if they are considered as barriers against the encroachments of our own Legislatures, or as constitutions unalterable by posterity, I venture to pronounce them nugatory, and to the last degree, absurd.

In our governments, there is no power of legislation, independent of the people; no power that has an interest detached from that of the public; consequently there is no power existing against which it is necessary to guard. While our Legislatures therefore remain electiv, and the rulers have the same

[17] Not that the English nation was originally in slavery; for the primitiv Saxons and Germans were free. But the military tenures, established by the Gothic conquests, depressed the people; so that under the rigor of the feudal system, about the date of Magna Charta, the King and Nobles held their tenants in extreme servitude. From this depression, the English have gradually emerged into ancient freedom.

interest in the laws, as the subjects have, the rights of the people will be perfectly secure without any declaration in their favor.

But this is not the principal point. I undertake to prove that a standing *Bill of Rights* is *absurd*, because no constitutions, in a free government, can be unalterable. The present generation have indeed a right to declare what *they* deem a *privilege*; but they have no right to say what the *next* generation shall deem a privilege. A state is a supreme corporate body that never dies. Its powers, when it acts for itself, are at all times equally extensiv; and it has the same right to *repeal* a law this year, as it had to *make* it the last. If therefore our posterity are bound by our constitutions, and can neither amend nor annul them, they are to all intents and purposes our slaves.

But it will be enquired, have we then no right to say, that trial by jury, the liberty of the press, the habeas corpus writ, and other invaluable privileges, shall never be infringed nor destroyed? By no means. We have the same right to say that lands shall descend in a particular mode to the heirs of the deceased proprietor, and that such a mode shall never be altered by future generations, as we have to pass a law that the trial by jury shall never be abridged. The right of Jury trial, which we deem invaluable, may in future cease to be a privilege; or other modes of trial more satisfactory to the people, may be devised. Such an event is neither impossible nor improbable. Have we then a right to say that our posterity shall not be judges of their own circumstances? The very attempt to make *perpetual* constitutions, is the assumption of a right to control the opinions of future generations; and to legislate for those over whom we have as little authority as we have over a nation in Asia. Nay we have as little right to say that trial by jury shall be perpetual, as the English, in the reign of Edward the Confessor, had, to bind their posterity forever to decide causes by fiery Ordeal, or single combat. There are perhaps many laws and regulations, which from their consonance to the eternal rules of justice, will always be good and conformable to the sense of a nation. But most institutions in society, by reason of an unceasing change of circumstances, either become altogether improper, or require amendment; and every nation has at all times, the right of judging of its circumstances and determining on the propriety of changing its laws.

The English writers talk much of the omnipotence of Parliament; and yet they seem to entertain some scruples about their right to change particular parts of their constitution. I question much whether Parliament would not hesitate to change, on any occasion, an article of Magna Charta. Mr. Pitt, a few years ago, attempted to reform the mode of representation in Parliament. Immediately an uproar was raised against the measure, as *unconstitutional*. The representation of the kingdom, when first established, was doubtless equal and wise; but by the increase of some cities and boroughs, and the depopulation of others, it has become extremely *unequal*. In some boroughs there is scarcely an elector left to enjoy its privileges. If the nation feels no great inconvenience from this change of circumstances, under the old mode of representation, a reform is unnecessary. But if such a change has produced any national evils of magnitude enough to be felt, the present form of electing the Representativs of the nation, however *constitutional*, and venerable for its antiquity, may at any time be amended, if it should be the sense of Parliament. The *expediency* of the alteration must always be a matter of opinion; but all scruples as to the right of making it are totally groundless.

Magna Charta may be considered as a contract between two parties, the King and the Barons, and no contract can be altered but by the consent of both parties. But whenever any article of that deed or contract shall become inconvenient or oppressiv, the King, Lords and Commons may either amend or annul it at pleasure.

The same reasoning applies to each of the United States, and to the Federal Republic in general. But an important question will arise from the foregoing remarks, which must be the subject of another paper.

No. IV

NEW YORK, 1788.

On GOVERNMENT

The important question I proposed to discuss in this number, is this: "Whether, in a free State, there ought to be any distinction between the powers of the people, or electors, and the powers of the Representativs in the Legislature." Or in other words, "whether the legislativ body is not, or ought not to be, a standing convention, invested with the whole power of their constituents."

In supporting the affirmativ of this question, I must face the opinions and prejudices of my countrymen; yet if we attend closely to the merits of the question, stripped of all its specious covering, we shall perhaps find more arguments in favor of the opinion, than we at first suspect.

In the first place, a Legislature must be the supreme power, whose decisions are laws binding upon the whole State. Unless the Legislature is the supreme power, and invested with *all* the authority of the State, its acts are not laws, obligatory upon the whole State.[18] I am sensible that it is a favorite idea in this country, bandied about from one demagogue to another, that *rulers are the servants of the people*. So far as their business is *laborious* and *embarrassing*, it implies a degree of servitude; but in any other view, the opinion is totally false. The people ought at least to place their rulers, who are generally men of the first abilities and integrity, on a level with themselves; for that is an odd kind of government indeed, in which, *servants* govern their *masters*. The truth is, a Representativ, as an individual, is on a footing with other people; as a Representativ of a State, he is invested with a share of the sovereign authority, and is so far a *governor* of the people. In short, the collectiv body of the Representativs, is the collectiv sense and authority of the people; and so far are the members from being the *servants* of the people, that they are just as much *masters*, *rulers*, *governors*, whatever appellation we give them, as the people would be themselves in a convention of the whole State.

But in the second place, the public good or safety requires that the powers of a Legislature should be coextensiv with those of the people. That a Legislature should be competent to pass any law that the public safety and interest may require, is a position that no man will controvert. If therefore it can be proved that the reservation of any power in the hands of the people, may at times interfere with the power of the Legislature to consult the public interest, and prevent its exercise, it must be acknowleged, that such a reservation is not only impolitic, but unjust. That a Legislature should have unlimited power to do *right*, is unquestionable; but such a power they cannot have, unless they have all the power of the State; which implies an unlimited power to do *wrong*. For instance, suppose the constitution of any state to declare, that no standing army shall be kept up in time of peace; then the Legislature cannot raise and maintain a single soldier to guard our frontiers, without violating the constitution. To say that new enlistments every year will save the constitution, is idle; for if a body of troops raised for thirty years is a standing army, then a body raised for twenty years, or for six months, is a standing army; and the power to raise troops for a year, is a power to raise them at any time and maintain them forever; but with the addition of much trouble and a load of expense. Since therefore there never was, and probably never will be a time, till the millenium shall arrive, when troops will not be necessary to guard the frontiers of States, a clause in a constitution, restricting a Legislature from maintaining troops in time of peace, will unavoidably disable them from guarding the public

[18] The first convention of deputies in a state, is usually designed to direct the mode in which future legislatures shall be organized. This convention cannot abridge the powers of future legislatures, any further than they are abridged by the moral law, which forbids all wrong in general.

interest. That a power to raise and equip troops at pleasure, may be abused, is certain; but that the public safety cannot be established without that power, is equally certain. The liberty of a people does not rest on any reservation of power in their hands paramount to their Legislature; it rests singly on this principle, *a union of interests between the governors and governed*. While a Legislator himself, his family and his property, are all liable to the consequences of the laws which he makes for the State, the rights of the people are as safe from the invasion of power, as they can be on this side heaven. This union of interest depends partly on the laws of property; but mostly on the *freedom of election*. The right of electing rulers is the people's prerogativ; and while this remains unabridged, it is a sufficient barrier to guard all their other rights. This prerogativ should be kept sacred; and if the people ever suffer any abridgment of this privilege, it must be their own folly and an irrecoverable loss.

Still further, I maintain that a people have no right to say, that any civil or political regulation shall be perpetual, because they have no right to make laws for those who are not in existence. This will be admitted; but still the people contend that they have a right to prescribe rules for their Legislature, rules which shall not be changed but by the people in a convention. But what is a convention? Why a body of men chosen by the people in the manner they choose the members of the Legislature, and commonly composed of the same men; but at any rate they are neither wiser nor better. The sense of the people is no better known in a convention, than in the Legislature.[19]

But admit the right of establishing certain rules or principles which an ordinary Legislature cannot change, and what is the consequence? It is this, a change of circumstances must supersede the propriety of such rules, or render alterations necessary to the safety or freedom of the State; yet there is no power existing, but in the people at large, to make the necessary alterations. A convention then must be called to transact a business, which an ordinary Legislature can transact just as well; a convention differing from the Legislature merely in name, and in a few formalities of their proceedings. But when people have enjoyed a tolerable share of happiness under a government, they will not readily step out of the common road of proceeding; and evils insensibly increase to an enormous degree, before the people can be persuaded to a change. The reservation therefore of certain powers may, by an imperceptible change of circumstances, prove highly pernicious to a State. For example: When the Commons of England were first admitted to a share in the legislation of that kingdom, which was probably in the reign of Henry III, in 1265,[20] the representation was tolerably equal. But the changes in the population of different parts of the kingdom have destroyed all equality. The mode of election therefore should be reformed. But how shall it be done? If there is a constitution in that kingdom, which settles the mode of election, and that constitution is an act of the people, paramount to the power of the Parliament, and unchangeable by them, a convention of the people must be called to make an alteration which would be as well made in Parliament. This would occasion infinite trouble and expense.

But the danger is, that as an evil of this kind increases, so will the lethargy of the people, and their habits of vice and negligence. Thus the disease acquires force, for want of an early remedy, and a dissolution ensues. But a Legislature, which is always watching the public safety, will more

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[19] The *nominal* distinction of *Convention* and *Legislature* was probably copied from the English; but the American distinction goes farther, it implies, in common acceptation, a difference of *power*. This difference does not exist in G. Britain. The assembly of Lords and Commons which restored Charles II, and that which raised the Prince of Orange to the throne, were called *Conventions*, or *parliamentary Conventions*. But the difference between these Conventions and an ordinary Parliament, is merely a difference in the manner of assembling; a *Convention* being an assembly or meeting of Lords and Commons, on an emergency, without the King's writ, which is the regular constitutional mode of summoning them, and by custom necessary to render the meeting a *Parliament*. But the powers of this assembly, whether denominated a *Convention* or a *Parliament*, have ever been considered as coextensive and supreme. I would just remark further, that the impossibility of establishing perpetual, or even permanent forms of government, is proved already by the experience of two States in America. Pensylvania and Georgia, have suffered under bad Constitutions, till they are glad to go thro the process of calling a new Convention. After the new forms of government have been tried some time, the people will discover new defects, and must either call a third Convention, or let the governments go on without amendment, because their Legislatures, which ought to have supreme power, cannot make altertations.–[1789.]

[20] This is the date of the first writs now extant, for summoning the Knights and Burgesses.

early discover the approaches of disorders, and more speedily apply a remedy. This is not precisely the case with the British constitution; for it was not committed at once to parchment and ratified by the people. It consists rather of practice, or common law, with some statutes of Parliament. But the English have been too jealous of changing their practice, even for the better. All the writers on the English constitution agree, that any Parliament can change or amend every part of it; yet in practice, the idea of an *unalterable constitution* has had too much influence in preventing a reform in their representation.

But we have an example nearer home directly in point. The charter of Connecticut declares that each town shall have liberty to send *one* or *two* deputies to the General Court; and the constant practice has been to send *two*. While the towns were few, the number of Representativs was not inconvenient; but since the complete settlement of the State, and the multiplication of the towns, the number has swelled the Legislature to an unwieldly and expensive size. The house of Representativs consists of about 170 members: An attempt has been made, at several sessions, to lessen the representation, by limiting each town to one Deputy. A question arises, have the Assembly a right to lessen the representation? In most States, it would be decided in the negativ. Yet in that State it is no question at all; for there is a standing law expressly delegating the *whole* power of all the freemen to the Legislature. But I bring this instance to prove the possibility of changes in any system of government, which will require material alterations in its fundamental principles; and the Legislature should always be competent to make the necessary amendments, or they have not an unlimited power to do right.[21]

The distinction between the *Legislature* and a *Convention* is, for the first time, introduced into Connecticut, by the recommendation of the late convention of States, in order to adopt the new constitution. The Legislature of the State, without adverting to laws or practice, immediately recommended a convention for that purpose. Yet a distinction between a *Convention* and a *Legislature* is, in that State, a palpable absurdity, even by their own laws; for there is no constitution in the State, except its laws, which are always repealable by an ordinary Legislature; and the laws and uniform practice, from the first organization of the government, declare that *the Legislature has all the power of all the people*. A convention therefore can have no more power, and differs no more from an ordinary Legislature, than one Legislature does from another. Or rather it is no more than a Legislature chosen for *one particular purpose* of supremacy; whereas an ordinary Legislature is competent to *all* purposes of supremacy. But had the Legislature of that State ratified or rejected the new constitution, without consulting their constituents, their act would have been valid and binding. This is the excellence of the constitution of Connecticut, that the *Legislature* is considered as the *body of the people*; and the people have not been taught to make a distinction which should never exist, and consider themselves as *masters* of their *rulers*, and their power as paramount to the laws. To this excellence in her frame of government, that State is indebted for uniformity and stability in public measures, during a period of one hundred and fifty years; a period of unparalleled tranquillity, never once disturbed by a violent obstruction of justice, or any popular commotion or rebellion. Wretched indeed would be the people of that State, should they adopt the vulgar maxim, that their rulers are their *servants*. We then may expect that the *laws* of those *servants* will be treated with the same contempt, as they are in some other States.[22]

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[21] In Pensylvania, after the late choice of Delegates to Congress by the people, one of the Gentlemen sent his resignation to the President and Council, who refered it to the Legislature then sitting. This body, compozed of the servants of the people, I suppoze, solemnly resolved, that there was no power in the State which could accept the resignation. The resolv was grounded on the idea that the power of the people is paramount to that of the Legislature; whereas the people hav no power at all, except in choosing representativs. All Legislativ and Executiv powers are vested in their Representativs, in Councilor Assembly, and the Council should have accepted the resignation and issued a precept for another choice. Their compelling the man to serve was an act of tyranny.

[22] This pernicious error subverts the whole foundation of government. It resembles the practice of some Gentlemen in the country, who hire a poor strolling vagabond to keep a school, and then let the children know that he is a mere *servant*. The consequence is, the children despise him and his rules, and a constant war is maintained between the master and his pupils. The boys think themselves more respectable than the master, and the master has the rod in his hand, which he never fails to exercise. A proper degree of respect

But from the manner in which government is constituted, it is evident that there is no power residing in the State at large, which does not reside in the legislature. I know it is said that government originates in *compact*; but I am very confident, that if this is true, the *compact* is different from any other kind of compact that is known among men. In all other *compacts*, *agreements* or *covenants*, the assent of every person concerned, or who is to be bound by the compact, is requisite to render it valid and obligatory upon such person. But I very much question whether this ever takes place in any constitution of government.

Perhaps so far there is an *implied compact* in government, that every man consents to be bound by the opinion of a majority; but this is all a *supposition*; for the consent of a hundredth part of a society is never obtained.

The truth is, government originates in *necessity* and *utility*; and whether there is an implied compact or not, the opinions of the *few* must be overruled, and submit to the opinions of the *many*. But the opinions of a majority cannot be known, but in an Assembly of the whole society; and no *part* of the society has a right to decide upon a measure which equally affects the *whole*, without a consultation with the whole, to hear their arguments and objections. It is said that *all* power resides in the *people*; but it must be remembered, that let the supreme power be where it will, it can be exercised only in an *Assembly of the whole State*, or in an *Assembly of the Representativs of the whole State*.

Suppose the power to reside in the people, yet they cannot, and they have no right to exercise it in their scattered districts, and the reason is very obvious; it is impossible that the propriety of a measure can be ascertained, without the best general information, and a full knowlege of the opinions of the men on whom it is to operate.

By opinions here I would not be understood to mean, the various opinions formed on a view of a particular interest, for these opinions may be obtained by sending to each district, and collecting instructions; but I mean the *opinions* of the *whole society*, formed on the *information* and *debates* of the *whole society*. These opinions can be formed no where but in a Convention of the *whole State*, or of their *Representativs*. So far therefore are the people from having a power paramount to that of their Representativs in Convention, that they can exercise no act of supremacy or legislation at all, but in a Convention of the whole State by Representativs.[23] Unless therefore, it can be proved that a *Convention*, so called, which is composed mostly of the same men as a Legislature, possesses some wisdom, power or qualifications, which a Legislature *does not* and *cannot*, then the distinction is useless and trifling. A Legislature is supposed to consist of men whom the people judge best qualified to superintend their interests; a convention cannot be composed of better men; and in fact we find it generally composed of the *same men*. If therefore no act of sovereignty can be exercised but in an Assembly of Representativs, of what consequence is it, whether we call it a *Convention* or a *Legislature*? or why is not the Assembly of Representativs of a people, at all times a *Convention*, as well as a *Legislature*?

To me it appears that a distinction is made without a difference; but a distinction that will often prevent good measures, perpetuate evils in government, and by creating a pretended power paramount to the Legislature, tend to bring laws into contempt.

POSTSCRIPT.– This reasoning applies solely to the individual States, and not to the United States, before they were formed into a federal body. An important distinction must be observed between the *Constitution of a sovereign State*, and of *thirteen distinct sovereignties*. In a sovereign State, whatever they may suggest to the contrary, the voices of a majority are binding upon the minority, even in framing the first plan of government. In general, a majority of the votes of the *Representativs*

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for the man and his laws, would prevent a thousand hard knocks. This is *government in miniature*. Men are taught to believe that their rulers are their *servants*, and then are rewarded with a prison and a gallows for despising their laws.

[23] "In a democracy there can be no exercise of sovereignty but by suffrage: In England, where the people do not debate in a collective body, but by representation, the exercise of this sovereignty consists in the *choice of Representatives*." *Blackstone's Com. b. 1. ch. 2.* This is the sole power of the people in America.

in Legislature or Convention have been admitted as obligatory upon every member of the State, in forming and establishing a Constitution: But when the Constitution has been submitted to the people, as it is called, in town meetings or other small assemblies, the assent of every individual could not be expressly obtained; and the dissent of any number, less than half the freemen present, who might not be one half the whole number in the State, could not prevent the establishment of the government, nor invalidate the obligation of *every man* to submit peaceably to its operation. The members of a state or community, cannot *from necessity*, be considered as parties to a contract, where the assent of every man is necessary to bind him to a performance of the engagement. But the several States, enter into a negociation like *contracting parties*; they agree that the assent of every individual State, shall be requisite to bind that State; and the frame of government, so agreed upon, is considered as a compact between independent sovereignties, which derives its binding force from the mutual and unanimous consent of the parties, and not merely from a necessity that the major part of the people should compel the rest to submission.

But in this very compact, the States have resigned their independent sovereignty, and become a single body or state, as to certain purposes; for they have solemnly contracted with each other, that *three fourths of* their number may alter and amend the first compact. They are therefore no longer separate individuals and contracting parties; but they form a single State or body politic; and a majority of three fourths can exert every act of sovereignty, except in two or three particulars, expressly reserved in the compact.

No. V

NEW YORK, 1788.

On GOVERNMENT

The constitution of Virginia, like that of Connecticut, stands on the true principles of a Republican Representativ Government. It is not shackled with a Bill of Rights, and every part of it, is at any time, alterable by an ordinary Legislature. When I say *every part* of the constitution is alterable, I would except the right of elections, for the Representativs have not power to prolong the period of their own delegation. This is not numbered among the rights of legislation, and deserves a separate consideration. This right is not vested in the Legislature; it is in the people at large; it cannot be alienated without changing the form of government. Nay the right of election is not only the *basis*, but the *whole frame* or essence of a republican constitution; it is not merely *one*, but it is the *only* legislativ or constitutional act, which the people at large can with propriety exercise.

The simple principle for which I contend is this, "That in a representativ democracy, the delegates chosen for Legislators ought, at all times, to be competent to every possible act of legislation *under that form of government*; but not to *change that form*." Besides it is contrary to all our ideas of *deputation* or *agency for others*, that the person acting should have the power of extending the period of agency beyond the time specified in his commission. The Representativ of a people is, as to his powers, in the situation of an Attorney, whose letters commission him to do every thing which his constituent would do, where he on the spot; but for a limited time only. At the expiration of that time his powers cease; and a Representativ has no more right to extend that period, than a plenipotentiary has to renew his commission. The British Parliament, by prolonging the period of their existence from one to three, and from three to seven years, committed an unjust act; an act however which has been confirmed by the acquiescence of the nation, and thus received the highest constitutional sanction. I am sensible that the Americans are much concerned for the liberties of the British nation; and the act for making Parliaments septennial is often mentioned as an arbitrary, oppressiv act, destructiv of English liberty.[24] The English are doubtless obliged to us for our tender concern for their happiness; yet for myself I entertain no such ideas: The English have generally understood and advocated their rights as well as any nation, and I am confident that the nation enjoys as much happiness and freedom, and much more tranquillity, under septennial Parliaments, than they would with annual elections. Corruption to obtain offices will ever attend wealth; it is generated with it, grows up with it, and will always fill a country with violent factions and illegal practices. Such are the habits of the people, that money will have a principal influence in carrying elections; and such vast sums are necessary for the purpose, that if elections were annual, none but a few of the wealthiest men could defray the expense; the landholders of moderate estates would not offer themselves as candidates; and thus in fact annual elections, with the present habits of the people, would actually diminish the influence of the Commons, by throwing the advantage into the hands of a corrupt ministry, and a few overgrown nabobs. Before annual elections would be a blessing to the English, their habits must be changed; but this cannot be effected by human force. I wish my countrymen would believe that other nations understand and can guard their privileges, without any lamentable outcries from this side of the Atlantic. Government will always take its complexion from the habits of the people; habits are continually changing from age to age; a body of Legislators taken from the people, will generally represent these habits at the time when they are chosen: Hence these

[24] The septennial act was judged the only guard against a Popish reign, and therefore highly popular.

two important conclusions, 1st, That a legislativ body should be frequently renewed and always taken from the people: 2d, That a government which is perpetual, or incapable of being accommodated to every change of national habits, must in time become a *bad* government.

With this view of the subject, I cannot suppress my surprise at the reasoning of Mr. Jefferson on this very point.[25] He considers it as a defect in the constitution of Virginia, that *it can be altered by an ordinary Legislature*. He observes that the Convention which framed the present constitution of that State, "received no powers in their creation which were not given to every Legislature before and since. So far and no farther authorised, they organized the government by the ordinance entitled a Constitution or form of government. It pretends to no higher authority than the other ordinances of the same session; it does not say, that it shall be perpetual; that it shall be unalterable by other Legislatures; that it shall be transcendant above the powers of those, who they knew would have equal powers with themselves."

But suppose the framers of this ordinance had said, that it should be *perpetual* and *unalterable*; such a declaration would have been void. Nay, altho the people themselves had individually and unanimously declared the ordinance perpetual, the declaration would have been invalid. One Assembly cannot pass an act, binding upon a subsequent Assembly of equal authority;[26] and the people in 1776, had no authority, and consequently could delegate none, to pass a single act which the people in 1777, could not repeal and annul. And Mr. Jefferson himself, in the very next sentence, assigns a reason, which is an unanswerable argument in favor of my position, and a complete refutation of his own. These are his words. "Not only the silence of the instrument is a proof they thought it would be alterable, but their own practice also: For this very Convention, meeting as a House of Delegates in General Assembly with the new Senate in the autumn of that year, passed acts of Assembly in contradiction to their ordinance of government; and *every Assembly from that time to this, has done the same*."

Did Mr. Jefferson reflect upon the inference that would be justly drawn from these facts? Did he not consider that he was furnishing his opponents with the most effectual weapons against himself? The acts passed by *every subsequent Assembly in contradiction to the first ordinance*, prove that all the Assemblies were *fallible* men; and consequently not competent to make *perpetual Constitutions* for future generations. To give Mr. Jefferson, and the other advocates for *unchangeable Constitutions*, the fullest latitude in their argument, I will suppose every freeman of Virginia, could have been assembled to deliberate upon a form of government, and that the present form, or even one more perfect, had been the result of their Councils; and that they had declared it unalterable. What would have been the consequence? Experience would probably have discovered, what is the fact; and what forever will be the case; that *Conventions* are not possessed of *infinite wisdom*; that the wisest men cannot devise a perfect system of government. After all this solemn national transaction, and a formal declaration that their proceedings should be unalterable, suppose a single article of the Constitution should be found to interfere with some national benefit, some material advantage; where would be the power to change or reform that article? In the same general Assembly of all the people, and in no other body. But must a State be put to this inconvenience, to find a remedy for every defect of constitution?

Suppose, however, the *Convention* had been empowered to declare the form of government *unalterable*: What would have been the consequence? Mr. Jefferson himself has related the consequence. Every succeeding Assembly has found errors or defects in that frame of government, and has happily applied a remedy. But had not every Legislature had power to make these alterations, Virginia must have gone thro the farce, and the trouble of calling an *extraordinary* Legislature, to do that which an *ordinary* Legislature could do just as well, in their annual session; or those errors must have remained in the constitution, to the injury of the State.

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[25] Notes on Virginia, page 197. Lond. Edit. Query 13.

[26] Contracts, where a Legislature is a party, are excepted.

The whole argument for Bills of Rights and unalterable Constitutions rests on two suppositions, viz. that the Convention which frames the government, is *infallible*; and that future Legislatures will be *less honest*, *less wise*, and *less attentiv to the interest of the State*, than a present Convention: The first supposition is *always false*, and the last is *generally* so. A declaration of perpetuity, annexed to a form of government, implies a supposition of *perfect wisdom and probity* in the framers; which is both arrogant and impudent; and it implies a supposed power in them, to abridge the power of a succeeding Convention, and of the future state or body of people. The last supposition is, in every possible instance of legislation, *false*; and an attempt to exercise such a power, a high handed act of tyranny. But setting aside the argument, grounded on a want of power in one Assembly to abridge the power of another, what occasion have we to be so jealous of future Legislatures? Why should we be so anxious to guard the future rights of a nation? Why should we not distrust the people and the Representativs of the present age, as well as those of future ages, in whose acts we have not the smallest interest? For my part, I believe that the peeple and their Representativs, two or three centuries hence, will be as honest, as wise, as faithful to themselves, and will understand their rights as well, and be as able to defend them, as the people are at this period. The contrary supposition is absurd.

I know it is said, that other nations have lost their liberties by the ambitious designs of their rulers, and we may do the same. The experience of other nations, furnishes the ground of all the arguments used in favor of an unalterable constitution. The advocates seem determined that posterity shall not lose their liberty, even if they should be willing and desirous to surrender it. If a few declarations on parchment, will secure a single blessing to posterity, which they would otherwise lose, I resign the argument, and will receive a thousand declarations. Yet so thoroughly convinced am I of the opposite tendency and effect of such unalterable declarations, that, were it possible to render them valid, I should deem every article an infringement of civil and political liberty. I should consider every article as a restriction which might impose some duty which in time might cease to be useful and necessary, while the obligation of performing it might remain; or which in its operation might prove pernicious, by producing effects which were not expected, and could not be foreseen. There is no one single right, no privilege, which is commonly deemed fundamental, which may not, by an unalterable establishment, preclude some amendment, some improvement in future administration of government. And unless the advocates for unalterable constitutions of government, can prevent all changes in the wants, the inclinations, the habits, and the circumstances of people, they will find it difficult, even with all their declarations of unalterable rights, to prevent changes in government. A paper declaration is a very feeble barrier against the force of national habits, and inclinations.

The loss of liberty, as it is called, in the kingdoms of Europe, has, in several instances, been a mere change of government, effected by a change of habits, and in some instances this change has been favorable to liberty. The government of Denmark, was changed from a mixed form, like that of England, to an absolute monarchy, by a solemn deliberate act of the people or States. Was this a loss of liberty? So far from it, that the change removed the oppressions of faction, restored liberty to the subject and tranquillity to the kingdom. The change was a blessing to the people. It indeed lodged a power in the Prince to dispose of life and property; but at the same time it lodged in him a *power to defend both*; a power which before was lodged *no where*; and it is infinitely better that such a power should be vested in a *single hand*, than that it should *not exist at all*. The monarchy of France has grown out of a number of petty states and lordships; yet it is a fact, proved by history and experience, that the subjects of that kingdom have acquired liberty, peace and happiness, in proportion to the diminution of the powers of the petty sovereignties, and the extension of the prerogativs of the Monarch. It is said that Spain lost her liberties under the reign of Charles Vth; but I question the truth of the assertion; it is probable that the subject has gained as much by an abridgement of the powers of the nobility, as he lost by an annihilation of the Cortez. The United Netherlands fought with more bravery and perseverance to preserve their rights, than any other people since the days of Leonidas; and yet no sooner established a government, so jealously guarded as to defeat its own designs, and prevent the

good effects of government, than they neglected its principles; the freemen resigned the privilege of election, and committed their liberties to a rich aristocracy. There was no compulsion, no external force in producing this revolution; but the form of government, which had been established on paper, and solemnly ratified, was not suited to the genius of the subjects. The burghers had the right of electing their rulers; but they neglected it voluntarily; and a *bill of rights*, a *perpetual constitution* on parchment, guaranteeing that right, was a useless form of words, because opposed to the temper of the people. The government assumed a complexion, more correspondent to their habits, and tho in theory no constitution is more cautiously guarded against an infringement of popular privileges, yet in practice it is a real aristocracy.

The progress of government in England has been the reverse: The people have been gaining freedom by intrenching upon the powers of the nobles and the royal prerogativs. These changes in government do not proceed from *bills of rights*, *unalterable forms* and *perpetual establishments*; liberty is never secured by such paper declarations, nor lost for want of them. The truth is, Government originates in necessity, and takes its form and structure from the genius and habits of the people; and if on paper a form is not accommodated to those habits, it will assume a new form, in spite of all the formal sanctions of the supreme authority of a State. Were the monarchy of France to be dissolved, and the wisest system of republican government ever invented, solemnly declared, by the King and his council, to be the constitution of the kingdom; the people with their present habits, would refuse to receive it; and resign their privileges to their beloved sovereign. But so opposite are the habits of the Americans, that an attempt to erect a monarchy or an aristocracy over the United States, would expose the authors to the loss of their heads.[27] The truth is, the people of Europe, since they have become civilized, have, in no kingdom, possessed *all* the true principles of liberty. They could not therefore lose what they never possessed. There have been, from time immemorial, some rights of government, some prerogativs vested in some man or body of men, independent of the suffrages of the body of the subjects. This circumstance distinguishes the governments of Europe and of all the world, from those of America. There has been in the free nations of Europe an incessant struggle between freedom or national rights, and hereditary prerogativs. The contest has ended variously in different kingdoms; but generally in depressing the power of the nobility; ascertaining and limiting the prerogativs of the crown, and extending the privileges of the people. The Americans have seen the records of their struggles; and without considering that the objects of the contest *do not exist in this country*; they are laboring to guard rights which there is no party to attack. They are as jealous of their rights, as if there existed here a King's prerogativs, or the powers of nobles, independent of their own will and choice, and ever eager to swallow up their liberties. But there is *no man* in America, who claims any rights but what are common to *every man*; there is no man who has an interest in invading popular privileges, because his attempt to curtail another's rights, would expose his own to the same abridgement. The jealousy of people in this country has no proper object against which it can rationally arm them; it is therefore directed *against themselves*, or against an invasion which they *imagine* may happen in future ages. The contest for *perpetual bills of rights* against a future tyranny, resembles Don Quixote's fighting windmills; and I never can reflect on the declamation about an *unalterable constitution* to guard certain rights, without wishing to add another article, as necessary as those that are generally mentioned, viz. "that no future Convention or Legislature shall cut their own throats, or those of their constituents." While the habits of the Americans remain as they are, the people will choose their Legislature from their own body; that Legislature will have an interest inseparable from that of the people, and therefore an act to restrain their power in any article of legislation, is as unnecessary as an act to prevent them from committing suicide.

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[27] Some jealous people ignorantly call the proposed Constitution of Federal Government, an *aristocracy*. If such men are honest, their honesty deserves pity: There is not a feature of true aristocracy in the Constitution; the whole frame of Government is a pure Representativ Republic.

Mr. Jefferson, in answer to those who maintain that the form of government in Virginia is unalterable, because it is called a *constitution*, which, ex vi termini, means an act above the power of the ordinary Legislature, asserts that *constitution*, *statute*, *law* and *ordinance*, are synonymous terms, and convertible as they are used by writers on government. Constitutio dicitur jus quod a principe conditur. Constitutum, quod ab imperatoribus rescriptum statutumve est. Statutum, idem quod lex.[28] Here the words *constitution*, *statute* and *law*, are defined by each other; they were used as convertible terms by all former writers, whether Roman or British; and before the terms of the civil law were introduced, our Saxon ancestors used the correspondent English words, *bid* and *set*.[29] From hence he concludes that no inference can be drawn from the meaning of the word, that a *constitution* has a higher authority than a law or statute. This conclusion of Mr. Jefferson is just.

He quotes Lord Coke also to prove that any parliament can abridge, suspend or qualify the acts of a preceding Parliament. It is a maxim in their laws, that "Leges posteriores priores contrarias abrogant." After having fully proved that *constitution*, *statute*, *law* and *ordinance*, are words of similar import, and that the constitution of Virginia is at any time alterable by the ordinary Legislature, he proceeds to prove the danger to which the rights of the people are exposed, for want of an *unalterable form of government*. The first proof of this danger he mentions, is, the power which the Assembly exercises of determining its own quorum. The British Parliament fixes its own quorum: The former Assemblies of Virginia did the same. During the war the Legislature determined that *forty* members should be a quorum to proceed to business, altho not a fourth part of the whole house. The danger of delay, it was judged, would warrant the measure. This precedent, our writer supposes, is subversive of the principles of the government, and dangerous to liberty.

It is a dictate of natural law that a *majority should govern*; and the principle is universally received and established in all societies, where no other mode has been arbitrarily fixed. This natural right cannot be alienated *in perpetuum*; for altho a Legislature, or even the body of the people, may resign the powers of government to forty, or to four men, when they please, yet they may likewise resume them at pleasure.

The people may, if they please, create a dictator on an emergency in war, but his creation would not *destroy*, but merely *suspend* the natural right of the *Lex majoris partis*. Thus forty members, a minority of the Legislature of Virginia, were empowered during a dangerous invasion, to legislate for the State; but any subsequent Assembly might have divested them of that power. During the operation of the law, vesting them with this power, their acts were binding upon the State; because their power was derived from the general sense of the State; it was actually derived from a legal majority. But that majority could, at any moment, resume the power and practice on their natural right.

It is a standing law of Connecticut, that forty men shall be a quorum of the House of Representativs, which consists of about 170 members. This law, I am confident, never excited a murmur, or a suspicion that the liberties of the people were in danger; yet this law creates an oligarchy; it is an infringement of natural right; it subjects the State to the possibility, and even the probability of being governed at times by a minority. The acquiescence of the State, in the existence of the law, gives validity, and even the sanction of a majority, to the acts of that minority; but the majority may at any time resume their natural right, and make the assent of more than half of the members, necessary to give validity to their determinations.

The danger therefore arising from a power in the Assembly to determine their own quorum, is merely ideal, for no law can be perpetual; the authority of a majority of the people, or of their Representativs, is always competent to repeal any act that is found unjust or inconvenient. The acquiescence however of the people of the States mentioned, and that in one of them for a long course of years, under an oligarchy; or their submission to the power of a minority, is an incontestible

[28] Calvini Lexicon Juridicum.

[29] See Laws of the Saxon Kings.

proof of what I have before observed, that *theories* and *forms of government* are *empty things*; that the spirit of a government springs immediately from the temper of the people, and the exercise of it will generally take its tone from their feelings. It proves likewise that a *union of interests* between the rulers and the people, which union will always coexist with free elections, is not only the *best*, but the *only* security for their liberties which they can wish for and demand. The Government of Connecticut is a solid proof of these truths. The Assembly of that State, have always had power to abolish trial by jury, to restrain the liberty of the press, to suspend the habeas corpus act, to maintain a standing army, in short to command every engine of despotism; yet by some means or other, it happens that the rights of the people are not invaded, and the subjects have generally been better satisfied with the laws, than the people of any other State. The reason is, the Legislature is a part of the people, and has the *same interest*. If a law should prove bad, the Legislature can repeal it; but in the *unalterable* bills of rights in some of the States, if an article should prove wrong and oppressiv, an ordinary Legislature cannot repeal or amend it; and the State will hardly think of calling a special Convention for so trifling a purpose. There are some articles, in several of the State Constitutions, which are glaring infractions of the first rights of freemen; yet they affect not a majority of the community; and centuries may elapse before the evil can be redressed, and a respectable class of men restored to the enjoyment of their rights.[30]

To prove the want of an *unalterable Constitution* in Virginia, Mr. Jefferson informs us that in 1776, during the distressed circumstances of the State, a proposition was made in the House of Delegates to create a Dictator, invested with every power, legislativ, executiv and judicial, civil and military. In June, 1781, under a great calamity, the proposition was repeated, and was near being passed. By the warmth he discovers in reprobating this proposal, one must suppose that the creation of a Dictator even for a few months, would have buried every remain of freedom. Yet he seems to allow that the step would have been justified, had there existed an *irresistible necessity*.

Altho it is possible that a case may happen, in which the creation of a Dictator might be the only resort to save life, liberty, property and the State, as it happened in Rome more than once; yet I should dread his power as much as any man, were I not convinced that the same men that appointed him, could, in a moment, strip him of his tremendous authority. A Dictator, with an army superior to the strength of the State, would be a despot; but Mr. Jefferson's fears seem grounded on the authority derived from the Legislature. A concession of power from the Legislature, or the people, is a voluntary suspension of a natural *unalienable* right; and is resumeable at the expiration of the period specified, or the moment it is abused. A State can never alienate a *natural right*; for it cannot legislate for those who are not in existence. It may consent to suspend that right for great and temporary purposes; but were every freeman in Virginia to assent to the creation of a *perpetual Dictator*, the act in itself would be void. The expedient of creating a Dictator is dangerous, and no free people would willingly resort to it; but there may be times when this expedient is necessary to save a State from ruin, and when every man in a State would cheerfully give his suffrage for adopting it. At the same time, a temporary investiture of unlimited powers in one man, may be abused; it may be an influential precedent; and the continuance of it, may furnish the Dictator with the means of perpetuating his office. The distress of a people must be extreme, before a serious thought of a Dictator can be justifiable. But the people who create, can annihilate a Dictator; their right to govern themselves cannot be resigned by any act whatever, altho extreme cases may vindicate them in suspending the exercise of it. Even prescription cannot exist against this right; and *every* nation in Europe has a *natural* right to depose its King,

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[30] Such is the article, which excludes the clergy from a right to hold civil offices. The people, might, with the same propriety, have declared, that no merchants nor lawyers should be eligible to civil offices. It is a common opinion that the business of the clergy is wholly *spiritual*. Never was a grosser error. A part of their business is to inform the minds of people on all subjects, and correct their morals; so that they have a direct influence on government. At any rate they are subjects of law, and ought as freemen to be eligible to a seat in the Legislature; provided the people incline to choose them.

and take the government into its own hands; altho it may forever be inexpedient for any of them to exercise the right.

No. VI

NEW YORK, 1788.

On GOVERNMENT

I have said,[31] "that the people ought not to give binding instructions to Representativs." "That they cannot exercise any act of supremacy or legislation at all but in a Convention of the whole State, or of the Representativs of the whole State." And "That the right of election is the *only* constitutional right which they can with propriety exercise." That these positions, however repugnant to the received opinions of the present age, are capable of political demonstration, is to me unquestionable. They all convey nearly the same idea, and if true, they contravene, in some measure, a fundamental maxim of American politics, which is, that "the sovereign power resides in the people."

I am not desirous of subverting this favorite maxim; but I am very desirous it should be properly qualified and understood; for the abuse of it is capable of shaking any government; and I have no doubt that the mistakes which this maxim has introduced, have been the principal sources of rebellion, tumult and disorder in several of the American States.

It is doubtless true, that the individuals who compose a political society or State, have a sovereign right to establish what form of government they please in their own territories. But in order to deliberate upon the subject, they must all convene together, as in Rome and Athens; or must send deputies, vested with powers to act for them, as is the practice in England and America. If they adopt the first method, then the Supreme Legislativ power resides, to all intents and purposes, in the whole body of the people. If, from the local circumstances of the people, the whole body cannot meet for deliberation, then the Legislativ powers do not reside in the people at large, but in an assembly of men delegated by the whole body.

To prove this last position, it is necessary to enquire, what is the object of law, and on what principles ought it to be founded? A law, if I understand the term, is an act of the *whole State*, operating upon the *whole State*, either by command or prohibition: It is thus distinguished from a *resolve* which more properly respects an individual or a part of the State.[32] The object of a law is to prevent positiv evil or produce positiv good to the *whole State*; not merely to a particular part. The principle therefore on which all laws should be founded, is, *a regard to the greatest good which can be produced to the greatest number of individuals in the State*. The principle is so obvious, that I presume it will not be controverted. Permit me then to enquire, whether the people of any district, county or town, in their local meetings, are competent to judge of this *general good*? A law, which is, in its operation *general*, must be founded on the best *general information*: The people themselves have no right to consent to a law, without this general information: They have no right to consent to a law, on a view of a local interest; nor without hearing the objections and arguments, and examining the amendments, suggested by every part of the community, which is to be affected by that law. To maintain the contrary is to defend the most glaring contradictions. But can the inhabitants, in

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[31] No. II. IV. V.

[32] It is a capital defect in some of the States, that the government is so organized as not to admit subordinate acts of legislation in small districts. In these States, every little collection of people in a village must petition the Legislature for liberty to lay out a highway or build a bridge; an affair in which the State at large has very little interest, and of the necessity and utility of which the Legislature are not suitable judges. This occasions much trouble for the State; it is a needless expense. A State should be divided into inferior corporations, veiled with powers competent to all acts of local police. What right have the inhabitants of Suffolk to interfere in the building of a bridge in Montgomery?[This was written in New York] Who are the most competent judges of a local convenience; the whole State, or the inhabitants of the particular district?

detached associations, be acquainted with these objections and arguments? Can they know the minds of their brethren at the distance of three or five hundred miles? If they cannot, they do not possess the right of legislation. Little will it avail to say, that the people acquire the necessary information by newspapers, or other periodical publications: There are not more than two States in the thirteen, where one half the freemen read the public papers. But if every freeman read the papers, this would not give him the information necessary to qualify him for a Legislator; for but a small part of the intelligence they contain is official, which alone can be the ground of law; nor can the collectiv sense of a nation or state be gathered from newspapers. The whole body of people, or Representativs of the whole body, are the only vehicles of information which can be trusted, in forming a judgement of the true interest of the whole State.

If the *collectiv sense* of a State is the basis of law, and that sense can be known officially no where but in an Assembly of all the people or of their Representativs; or in other words, if there can be no such thing as a *collection of sentiments* made in any other manner, than by a Convention of the whole people or their Delegates, where is the right of *instructing Representativs*? The sense of the people, taken in small meetings, without a general knowlege of the objections, and reasonings of the whole State, ought not to be considered as the true sense of the State; for not being possessed of the best general information, the people often form wrong opinions of their own interest. Had I the journals of the several Legislatures in America, I would prove to every man's satisfaction, that most of the schemes for paper money, tender laws, suspension of laws for the recovery of debts, and most of the destructiv measures which have been pursued by the States, have originated in towns and counties, and been carried by positiv instructions from constituents to Representativs. The freemen, in these cases, have wrong ideas of their own interest; their error, in the first instance, is ascribeable merely to ignorance, or a want of that just information, which they themselves would obtain in a General Assembly.[33] The right therefore of prescribing rules to govern the votes of Representativs, which is so often assumed, frequently amounts to a right of doing infinite mischief, with the best intentions. There is perhaps no case in which the people at large are so capable of knowing and pursuing their own interest, as their Delegates are when assembled for consultation and debate. But the practice of giving binding instructions to Representativs, if it has any foundation, is built on this maxim, that the constituents, on a view of their local interests, and either with none, or very imperfect information, are better judges of the propriety of a law, and of the general good, than the most judicious men are (for such generally are the Representativs) after attending to the best official information from every quarter, and after a full discussion of the subject in an Assembly, where clashing interests conspire to detect error, and suggest improvements. This maxim is obviously false; and a practice built on it, cannot fail to produce laws, inaccurate, contradictory, capricious and subversive of the first rights of men. Perhaps no country, except America, ever experienced the fatal effects of this practice, and I blush to remark, what candor itself must avow, that few arbitrary governments, have in so short a period, exhibited so many *legal infractions* of sacred right; so many public invasions of private property; so many wanton abuses of legislativ powers! Yet the people are generally honest; and as well informed as the people of any country. Their errors proceed from ignorance; from false maxims of governments. The people attempt to legislate without the necessary qualifications for lawgivers; yes, *they legislate at home!* and while this practice subsists, our public measures will be often weak, imperfect, and changeable; and sometimes *extremely iniquitous*. From these considerations, it appears that the powers of a Representativ should be wholly discretionary when he acts as a Legislator; but as an agent for a town or small society, he may have positiv instructions. His constituents, in the last case, are competent to instruct him, because they are the whole body concerned; but in the first instance, they are but a part of the State, and not competent to judge fully of the interest of the whole.

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[33] An error, originating in mistake, is often pursued thro obstinacy and pride; and sometimes a familiarity with *falsehood*, makes it appear like *truth*.

To place the matter in the strongest point of light, let us suppose a small State, in which the whole body of people meet for the purpose of making laws. Suppose in this democracy, the people of a town or other district should desire a particular act, for instance, a tender law. Would the inhabitants of this town, have a right to meet a few weeks before the General Assembly, where they all would expect to be present, to debate and vote; and in this town meeting take an oath, or otherwise bind themselves to vote for the act? Would they have a right to shut their ears against argument; to lay a restraint upon their own minds; to exclude the possibility of conviction, and solemnly swear to vote in a certain manner, whether right or wrong! If in this case, the people of a district have no right to lay a restraint upon themselves before they enter the General Assembly, neither have they a right, in representativ democracies, to lay such a restraint upon their Delegates. The very reason why they are incompetent to direct their *Deputies*, is that they cannot determine how to act *themselves*, till they come into the Assembly. The very doctrine of representation in government excludes the right of giving binding instructions to Deputies. The design of choosing Representativs is to *collect the wisdom of the State*; the Deputies are *to unite* their Councils; *to meet* and *consult for* the public safety: But positiv instructions prevent this effect; they are dictated by local interests, or opinions formed on an imperfect view of facts and arguments; in short they totally counteract the good effects of public deliberations, and prevent those salutary measures which may result from united Councils. They make the opinions of a small part of the State a rule for the whole; they imply a decision of a question, before it is heard; they reduce a Representativ to a mere machine, by restraining the exercise of his reason; they subvert the very principles of republican government.

But let us attend to the inconsistency of the practice. The oath required of a Representativ, before he takes his seat, binds him to vote or act from a regard to the public good, *according to his judgement* and *the best of his abilities*. Some of the Constitutions contain an oath that binds a Representativ, *not to assent to, or vote for, any act that he shall deem injurious to the people*. But what opinion, what judgement can a man exercise, who is under the restraint of positiv instructions? Suppose a man so instructed should in conscience believe that a bill, if enacted, would be prejudicial to his constituents, yet his orders bind him to vote for it; how would he act between his oath and his instructions? In his oath he has sworn to act according to his judgment, and for the good of the people; his instructions forbid him to use his judgment, and bind him to vote for a law which he is convinced will injure his constituents. He must then either abandon his orders or his oath; perjury or disobedience is his only alternativ.

This is no imaginary situation; I presume that many men have experienced it. One very worthy member of the Legislature in this State[34] a few years since, was in that very predicament; and I heard him express great anxiety upon the occasion.

How noble was the conduct of that gentleman in Sandwich (Mass.) who, being chosen to represent the town in the late Convention, and instructed to vote against the Constitution, *at all events; notwithstanding any thing that might be said in favor of it*; rather than submit to be fettered in this manner, resigned his appointment. The name of this gentleman, Thomas Bourn, Esq. ought to be held in veneration by every true friend to his country, and his address to the electors on that occasion, ought to be written in letters of gold. It is recorded in these words: "Fellow Townsmen—The line of conduct which has appeared to me right, I have ever wished to pursue. In the decline of life, when a few revolving suns at most will bring me to the bar of impartial justice, I am unwilling to adopt a different, and less honest mode of acting. It is true, my sentiments at present are not in favor of the Constitution; open however to conviction, they may be very different, when the subject is fairly discussed by able and upright men. To place myself in a situation, where conviction could be followed only by a bigotted persistence in error, would be extremely disagreeable to me. Under the restrictions with which your Delegates are fettered, *the greatest ideot may answer your purpose as well as the*

[34] New York.

greatest man. The suffrages of our fellow men, when they neither repose confidence in our integrity, nor pay a tribute of respect to our abilities, can never be agreeable. I am therefore induced positivly to decline accepting a seat in Convention, whilst I sincerely wish you, gentlemen, and my countrymen, every blessing which a wise and virtuous administration of a free government can secure."

Such a bold and honest independence of mind are the marks of a good Legislator. With such men as Mr. Bourn, in the legislativ department, our lives, liberties and properties are safe. Such a genius, rising amidst the obscurity of errors and false maxims, like a star emerging from chaos, spreads the rays of truth and illuminates the surrounding hemisphere. Considering the circumstances in which this gentleman was then placed, I had rather be the author of that short address, than of all the labored dissertations which have been written upon the proposed constitution.

Another error, which is connected with the practice of instructing Representativs, and may perhaps be one cause of it, is the opinion that a Deputy chosen by a certain number of freemen, is *their Representativ only* or *particularly*: It seems to be believed that a Representativ is bound to attend to the *particular interest of the men who elect him*, rather than to the *general interest*. If this were true, it would obviate, in some measure, the objections against instructions. But with respect to every general act, the opinion is *clearly false*. The reason why men are chosen by small societies of freemen, and not by the whole body, is, that the whole body cannot be well acquainted with the most able men in the different parts of the State. It is the best expedient to correct the defects of government, or rather, it is the best *practicable* mode of election. To render the mode perfect, the *whole body of freemen* should be at liberty to choose their Delegates from the *whole body*. This would destroy, in a great measure, the local views and attachments which now embarrass government; every Representativ would be chosen by the whole body; and the interest of the whole number of constituents would be his object.

This mode is either impracticable or hazardous; notwithstanding this, when a Delegate is elected by a *part* of the State, he is really the Representativ of the *whole*, as much as if he were *elected* by the whole. The constituents of every Representativ are not solely those who *voted* for him, but the *whole State*, and the man that acts from a *local* interest, and attends merely to the wishes of those men who elected him, violates his oath, and abuses his trust. Hence the absurdity of instructions, which are generally dictated by a partial interest, and can perhaps in no case be the sole rule of a Legislator's conduct. When therefore a Representativ says, *such is the wish of my constituents; such are their directions*; his declaration is but partially true; for his instructions are the wishes of a *part* only of his constituents. His constituents, whom he actually represents, and whose greatest interest is the sole rule of his conduct, are *the whole body of freemen*. This is an important truth, and I must repeat it; the man who is deputed to make laws for a State, and suffers a local interest to influence his conduct, abuses a sacred trust; and the Representativ who obeys his instructions, in opposition to the conviction of his own mind, arising from a general view of public good, *is guilty of a species of perjury*.

Such are the opinions, which after long deliberation, I have formed respecting the principles of a republican government. I feel a diffidence in publishing sentiments so repugnant to the principles received by my countrymen and recognized by some of the State Constitutions. But a strong persuasion of the truth of these opinions, acquired by reasoning, and confirmed by several years observations, forbids me to suppress them.

A summary of the truths, deduced from the foregoing reasoning, is this: That the power of a State is at all times equal; that neither the people themselves, nor a Convention of their Delegates, have either the power or the right to make an unalterable Constitution; that the power of creating a legislativ body, or the sovereign right of election, is solely in the people; but the sovereign power of making laws is solely in an Assembly of their Representativs; that the people have no right to give binding instructions to their Representativs; consequently a distinction between a *Convention* and a *Legislature*, can be merely a difference of *forms*; that Representativs have no right to prolong the period of their delegation; that being taken from the mass of the people, and having a common interest with them, they will be influenced, even by private interest, to promote the public good; and

that such a government, which is a novelty on earth, is perhaps the best that can be framed, and the only form which will always have for its object, the general good.

No. VII

PHILADELPHIA, 1787.

REMARKS *on the* MANNERS, GOVERNMENT, *and* DEBT *of the* United States

Since the declaration and establishment of a general peace, and since this country has had an opportunity to experience the effects of her independence, events have taken place, which were little expected by the friends of the revolution. It was expected, that on the ratification of peace, by the belligerent powers, America would enjoy perfect political tranquillity. The statesman in his closet, and the divine in his addresses to heaven, predicted and anticipated the happy period, when every man would rest, unmolested, under his own vine and his own fig tree. The merchant foresaw, in vision, the ports of all nations open to his ships, and the returns of a favorable commerce pouring wealth into his coffers. The honest laborer, in the shop and the field, was told that independence and peace would forever remove the fears of oppression, would lighten his burthen, and give him legal security for the uninterrupted possession of his rights. This flattering prospect inspired an irresistible enthusiasm in war. The contention for freedom was long and arduous; the prize was obtained; the delusion vanished, and America is surprized at the disappointment.

Instead of general tranquillity, *one* State has been involved in a civil war, and most of them are torn with factions, which weaken or destroy the energy of government. Instead of a free commerce with all the world, our trade is every where fettered with restraints and impositions, dictated by foreign interest; and instead of pouring wealth into our country, its present tendency is, to impoverish both the merchant and the public. Instead of legal security of rights under governments of our own choice, and under our own control, we find property at least unsafe, even in our best toned government. Our charters may be wrested from us without a fault, our contracts may be changed or set aside without our consent, by the breath of a popular Legislature. Instead of a dimunition of taxes, our public charges are multiplied; and to the weight of accumulating debts, we are perpetually making accessions by expensiv follies. Instead of a union of States and measures, essential to the welfare of a great nation, each State is jealous of its neighbor, and struggling for the superiority in wealth and importance, at the hazard even of our federal existence.

This is the dark side of our public affairs; but such are the facts. The public and private embarrassments, which are both seen and felt, are the topics of incessant declamation. The rhapsodies of orators, and the publications in gazettes, from the northern to the southern extremity of the United States, concur in deprecating the present state of this country, and communicate the intelligence of our distresses to the whole civilized world. Nor are newspapers the only heralds of our calamities. The contempt of government among one class of men, the silent murmurs of poverty in the peaceful cottage, and numerous bankrupts in every quarter, are irresistible evidence to a thinking mind, that something is wrong.

But declamation is idle, and murmurs fruitless. Time has been when the minds of people were alarmed at the approaches of despotism: Then harangues roused attention; then mobs raised the temple of freedom, and declared themselves ready to be sacrificed upon her altar. But violent passions in the public as well as in the human body, are always transitory. That enthusiasm which was called *public spirit, heroic virtue, and love of country*, has long ago subsided, and is absorbed in the general steady principle, private interest. That enthusiasm is not to be rekindled. The expostulations of our rulers and patriotic writers, have no more effect in reviving public spirit, than the attraction of a meteor in raising a tide.

Men, who embraced revolution principles, because independence might save a few shillings in taxes, or extend the imaginary sphere of freedom; who expected that peace would place them in a paradise of blessings, where they might riot without the fatigue of exertion; such men had narrow views of the consequence of detaching America from a transatlantic jurisdiction. They viewed but a small part of the great event: They are, they *ought to be* disappointed. Such men expect effects without causes, and are ready to despond, or commence enemies to a glorious event, because miracles are not wrought to verify their ill founded predictions.

In this view, this insect view of things, the revolution ought to be considered as extremely unfortunate; for to the present generation, it must certainly prove so.

But on the general scale of human happiness, every man of reflection must rejoice at the illustrious event. Even the propriety of the independence of these States, is so obviously dictated by their local situation, that a generous European ought to have consented to the measure on this single principle. But taking into consideration the vast field which is here opened for improvements in science, in government, in religion, and in morals; the philosopher will felicitate himself with the prospect of discoveries favorable to arts and happiness; the statesman will rejoice that there is a retreat from the vassalage of Europe; the divine will bless God that a place has been reserved for an uncorrupted church; and the philanthropist, who compares the yeomanry of America with the peasantry of Europe, will congratulate himself on an event which has removed millions of people from the ambition of princes, and from a participation of the vices, which mark the decline of nations.

The revolution of America, whatever may be the present effects, must, on the universal scale of policy, prove fortunate, not only for the parties, but for mankind in general. The period, however, when this country will realize the happy consequences of her separation, must be remote; probably beyond the lives of the present generation.

It is worth our curiosity to inquire into the causes of our present political evils; not the more obvious causes, which every man sees and laments, but those radical causes which lie hid from common observation; whose operations are imperceptible, but whose effects are visible, even to a vulgar eye.

A fundamental mistake of the Americans has been, that they considered the revolution as completed, when it was but just begun. Having raised the pillars of the building, they ceased to exert themselves, and seemed to forget that the whole superstructure was then to be erected. This country is independent in government; but totally dependent in manners, which are the basis of government. Men seem not to attend to the difference between Europe and America, in point of age and improvement; and are disposed to rush, with heedless emulation, into an imitation of manners, for which we are not prepared.

Every person tolerably well versed in history, knows that nations are often compared to individuals and to vegetables, in their progress from their origin to maturity and decay. The resemblance is striking and just. This progress is as certain in nations as in vegetables; it is as obvious, and its causes more easily understood; in proportion as the secret springs of action in government are more easily explained, than the mechanical principles of vegetation.

This progress therefore being assumed as a conceded fact, suggests a forcible argument against the introduction of European manners into America. The business of men in society is, first, to secure their persons and estates by arms and wholesome laws; then to procure the conveniences of life by arts and labor; but it is in the last stages only of national improvement, when luxury and amusements become public benefits, by dissipating accumulations of wealth, and furnishing employment and food for the poor. And luxury then is not beneficial, except when the wealth of a nation is wasted within itself. It is perhaps always true, that an old civilized nation cannot, with propriety, be the model for an infant nation, either in morals, in manners or fashions, in literature or in government.

The present ambition of Americans is, to introduce as fast as possible, the fashionable amusements of the European courts. Considering the former dependence of America on England, her

descent, her connexion and present intercourse, this ambition cannot surprise us. But it must check this ambition to reflect on the consequences. It will not be denied, that there are vices predominant in the most polite cities in Europe, which are not only unknown, but are seldom mentioned in America; and vices that are infamous beyond conception. I presume it will not be denied that there must be an amazing depravation of mind in a nation, where a farce is a publication of more consequence than Milton's Poem; and where an opera dancer, or an Italian singer, receives a salary equal to that of an Ambassador. The facts being known and acknowleged, I presume the consequence will not be denied. Not that this charge is good against every individual; even in the worst times, there will be found many exceptions to the general character of a nation.

If these vices and the depravation of mind do actually exist, it is a proof of a gradual corruption; for there was a time when they did not exist. There was a time when decency was a virtue, even at Venice. The progress is also slow, unless hastened by some external circumstances. It was more than two thousand years from the building of Rome to the pontificate of Alexander the VIth whose naked revelings filled the measure of public vice, and strike the human mind with horror.

A constant increase of wealth is ever followed by a multiplication of vices: This seems to be the destiny of human affairs; wisdom, therefore, directs us to retard, if possible, and not to accelerate the progress of corruption. But an introduction of the fashionable diversions of Europe into America, is an acceleration of the growth of vices which are yet in their infancy, and an introduction of new ones too infamous to be mentioned. A dancing school among the Tuscaroras, is not a greater absurdity than a masquerade in America. A theater, under the best regulations, is not essential to our public and private happiness. It may afford entertainment to individuals; but it is at the expense of private taste and public morals. The great misfortune of all exhibitions of this kind is this; that they reduce all taste to a level. Not only the vices of all classes of people are brought into view, but of all ages and nations. The intrigues of a nobleman, and the scurrility of shoe blacks, are presented to the view of both sexes, of all ages; the vices of the age of Elizabeth and of Charles IId are recorded by the masterly pens of a Shakespeare and a Congreve, and by repeated representation, they are "hung on high," as the poet expresses it, "to poison half mankind." The fact is, that all characters must be presented upon a theater, because all characters are spectators; and a nobleman and a sailor, a dutchess and a washer woman, that attend constantly on the exhibitions of vice, become equally depraved; their tastes will be nearly alike as to vice; the one is as prepared for a crime as the other. It is for this reason, that many of the amusements of nations more depraved than ourselves, are highly pernicious in this country. They carry us forward by hasty strides, to the last stages of corruption; a period that every benevolent man will deprecate and endeavor to retard. This circumstance, the difference in the stages of our political existence, should make us shun the vices which may be politic and even necessary in older states; and endeavor to preserve our manners by being our own standards. By attaching ourselves to foreign manners, we counteract the good effects of the revolution, or rather render them incomplete. A revolution in the form of government, is but a revolution in name; unless attended with a change of principles and manners, which are the springs of government.

This leads me to treat more particularly of the influence of fashions on the interests of these States; an article in which the ladies are deeply interested.

Fashion in itself is a matter of indifference, as affecting neither morals nor politeness. It is of no consequence whether a lady is clad with a gown or a frock; or whether a gentleman appears in public with a cap or a wig. But there may be times and situations in which the most trifling things become important. The practice of imitating foreign modes of dress, cannot cost America less than 100,000l. a year. I speak not of the necessary articles of dress; but merely of changes of fashions.

To understand this fact, it is necessary to advert to the different circumstances of this country, and of the European kingdoms, which we take as our models.

Two circumstances distinguish most of the commercial countries of Europe from America; a feudal division of real property, and manufactures. Where vast estates are hereditary and unalienable,

a great part of the people are dependent on the rich, and if the rich do not employ them, they must starve. Thus in England and France, a great landholder possesses a hundred times the property that is necessary for the subsistence of a family; and each landlord has perhaps a hundred families dependent on him for subsistence. On this statement, if the landlord should live penuriously, and supply his own family only with necessaries, all his dependents must starve. In order to subsist the ninety nine families, he must create wants, which their employment must supply; for the natural wants of a few rich people will not furnish employment for great multitudes of poor. Hence the good policy, the necessity of luxury in most European kingdoms. Hence originate all the changes and varieties of fashion. A gentleman or lady in London must not appear in public twice in the same suit. This is a regulation of custom, but it is highly political; for were the nobility and rich gentry to wear out all their clothes, one half the people must be beggars. The fashions of England and France are not merely matter of fancy: Fancy may dictate new and odd figures in dress; but the general design of frequent and continual changes of fashion, is wise systematic policy, at the courts of London and Paris.

But let us see with how little discretion and policy *we* adopt foreign luxuries. America is a young country, with small inequalities of property, and without manufactures. Few people are here dependent on the rich, for every man has an opportunity of becoming rich himself. Consequently few people are supported by the luxuries of the wealthy; and even these few are mostly foreigners.

But we have no body of manufacturers to support by dissipation. All our superfluities are imported, and the consumption of them in this country enriches the merchants and supports the poor of Europe. We are generous indeed! generous to a fault. This is the pernicious, the fatal effect of our dependence on foreign nations for our manners. We labor day and night, we sacrifice our peace and reputation, we defraud our public creditors, involve ourselves in debts, impoverish our country: Nay, many are willing to become bankrupts and take lodgings in a prison, for the sake of being as foolish as those nations which subsist their poor and grow rich and respectable by their follies.

No objection can be made to rich and elegant dresses among people of affluent circumstances. But perhaps we may safely calculate that one third of the expenses incurred by dress in this country, add nothing either to convenience or elegance.

A new dress is invented in London or Paris, not for the sake of superior elegance, because it frequently happens that a new dress is less rich and elegant than an old one; but for the sake of giving food to manufacturers. That new fashion is sent across the Atlantic; let it be ever so troublesome and uncouth, we admire its novelty; we adopt it because it is fashionable; and merely for a change, that may be made in half an hour by a tailor or a milliner, 20, 30, or 50,000 pounds are drawn from the capital stocks of property in America, to enrich nations which command our commerce and smile at our folly.

But it is not only the wealth of this country that is sacrificed by our servile imitation of other nations; our complaisance often requires us to dispense with good taste.

It will probably be admitted that amidst the infinite variety of dresses which are fashionable, during a course of ten or fifteen years, some of them must be more convenient and elegant than others. True taste in dress consists in setting off the person to the best advantage. That dress which unites the articles of convenience, simplicity and neatness, in the greatest perfection, must be considered as the most elegant. But true taste goes farther; it has reference to age, to shape, to complexion, and to the season of the year. The same dress which adorns a miss of fifteen, will be frightful on a venerable lady of seventy. The same dress will embellish one lady and disfigure another. But the passive disposition of Americans in receiving every mode that is offered them, sometimes reduces all ages, shapes and complexions to a level.

I will not undertake to say that people ought not, in the article of dress, to sacrifice taste to national interest. A sacrifice of that kind, in a manufacturing country, may be laudable; it will at least be pardonable. But in a reverse of situation, in America, where a waste of property and a group of political evils accompany a bad taste, the sacrifice admits of no apology.

It is not unfrequent to hear ladies complain severely of the inconvenience of fashion. Their good sense disapproves and their taste revolts at incumbrances. And yet where is the lady who would not sooner submit to any fatigue, rather than be ridiculous. I speak of ladies particularly; in point of expense, the gentlemens' dresses are exceptionable as well as the ladies; in point of convenience, the ladies are the greatest sufferers by fashion, as their dress admits of the greatest variety of incumbrances.

Perhaps the trouble of conforming entirely to the fashions of Europe is as great a tax upon the ladies, as the expense is to their husbands and parents.

One society of people, the Friends, are happily released from the tyranny and inconveniencies of fashion. However disagreeable the restraints of their religion may appear in other respects, it must be acknowledged that, in point of dress, the rules of their society conform to purity of taste.

Perhaps we may safely estimate, that the ladies of that society dress with two thirds of the expense which other ladies incur, even when the articles of their dress are equally rich and expensiv; the difference is saved by neglecting superfluous finery. And are not their taste in dress, their simplicity and neatness, universally admired? Does it not set off their persons to the best advantage? Do not gentlemen almost universally give the preference to the taste of Quaker ladies? Nay, I would ask, whether other ladies themselves, under a strong bias in favor of a tawdry dress, are not frequently lavishing encomiums on the superior elegance and convenience of the Friends' dresses? And how often do they sigh beneath the trouble of their own dress, and wish that particular articles would go out of fashion.

If there is any thing on earth, which can make a rational mind disgusted with society, it is that cruel necessity, which obliges a person to sacrifice both his interest and his taste, or run the hazard of being laughed at for his singularity.

In some Asiatic countries, people never change their modes of dress. This uniformity, which continues for ages, proceeds from the same principles as the monthly changes in England and France; both proceed from necessity and policy. Both arise from good causes which operate in the several governments; that is, the manners of each government are subservient to its particular interest. The reverse is true of this country. Our manners are wholly subservient to the interest of foreign nations. Where do we find, in dress or equipage, the least reference to the circumstances of this country! Is it not the sole ambition of the Americans to be just like other nations, without the means of supporting the resemblance? We ought not to harbor any spleen or prejudice against foreign kingdoms. This would be illiberal. They are wise, they are respectable. We should despise the man that piques himself on his own country, and treats all others with indiscriminate contempt. I wish to see much less jealousy and ill nature subsisting between the Americans and English. But in avoiding party spirit and resentment on the one hand, we should be very careful of servility on the other. There is a manly pride in true independence, which is equally remote from insolence and meanness; a pride that is characteristic of great minds. Have Americans discovered this pride since the declaration of peace? We boast of independence, and with propriety. But will not the same men, who glory in this great event, even in the midst of a gasconade, turn to a foreigner and ask him, "what is the latest fashion in Europe!" He has worn an elegant suit of clothes for six weeks; he might wear it a few weeks longer, but it has not so many buttons as the last suit of my lord –: He throws it aside, and gets one that has. The suit costs him a sum of money; but it keeps him in the fashion, and feeds the poor of Great Britain or France. It is a singular phenomenon, and to posterity it will appear incredible, that a nation of heroes, who have conquered armies, and raised an empire, should not have the spirit to say—*we will wear our clothes as we please*.

Let it not be thought that this is a trifling subject; a matter of no consequence. Mankind are governed by opinion; and while we flatter ourselves that we enjoy independence, because no foreign power can impose laws upon us, we are groaning beneath the tyranny of opinion; a tyranny more

severe than the laws of monarchs; a dominion voluntary indeed, but for that reason, more effectual; an authority of manners which commands our services, and sweeps away the fruits of our labor.

I repeat the sentiment with which I began; the revolution of America is yet incomplete. We are now in a situation to answer all the purposes of the European nations; independent in government, and dependent in manners. They give us their fashions, they direct *our* taste to make a market for *their* commodities; they engross the profits of our industry, without the hazard of defending us, or the expense of supporting our civil government. A situation more favorable to *their* interest, or more repugnant to our *own*, *they* could not have chosen for us, nor *we* embraced.

If such is the state of facts, and if the influence of foreign manners does actually defeat the purposes of the revolution; if our implicit submission to the prevailing taste of European courts, involves individuals and the public in unnecessary expenses, it is in the power of a few influential characters in each of our commercial cities to remedy the whole evil. And in a reformation of this kind, the ladies would have no inconsiderable share.

It is really a matter of astonishment, that the pride of the Americans has so long submitted tamely to a foreign yoke. Aside of all regard to interest, we should expect that the idea of being a nation of apes would mortify minds accustomed to freedom of thought, and would prompt them to spurn their chains.

Have the ladies in America no ingenuity, no taste? Do they not understand what dresses are most convenient and elegant? What modes are best adapted to the climate, or other circumstances of this country? They most certainly do. Foreigners acknowlege that the nativ beauty and understanding of the American ladies are not excelled in any country, and equalled in very few. And one would imagin that the modes of embellishing so many personal charms ought not, in all cases, to be prescribed by the milliners and manteau makers on the other side of the Atlantic. A noble pride should forbid that ladies of birth and breeding should be wholly indebted to the taste of others, for the decorations of their beauty.

When the gentlemen in America shall exercise spirit enough to be their own judges of taste in dress: When they have wisdom to consult the circumstances of this country, and fortitude enough to retain a fashion as long as their *own interest* requires, instead of changing it when *other nations* direct: When the ladies shall exercise the rights of their sex, and say, we will *give* the laws of fashion to our *own nation*, instead of *receiving* them from *another*, we will perform our part of the revolution: When both sexes shall take more pride and pleasure in being their own standards, than in being the humble imitators of those who riot on the profits of our commerce; we shall realize a new species of independence; an independence flattering to generous minds, and more productive of wealth than all the laws of power, or the little arts of national policy. And in this revolution of manners, there needs not any sacrifice of real dress. I will venture to estimate, that the retrenching of superfluous articles; articles which constitute no part of dress, and serve but to disfigure an elegant person; articles that are made and sent to us to support the sixpenny day laborers of Europe; I say, a retrenching of these trifling articles only, would be an annual saving to America sufficient to pay one half of the interest of our federal debt. We can throw no blame on foreign nations; they are wise, and profit by our want of spirit and taste.

On the footing that all mankind are brethren, perhaps it is generous in us to assist foreigners, who are a part of the Great Family.

It is to be wished, however, that we might first discharge our honest debts: That the soldier, whose labor and blood have purchased our empire, and whose services have been repaid with a shadow of reward, might be indemnified by the justice of his country: That the widow and orphan might at least receive the stipulated satisfaction for losses which money cannot repair. Yes, let us first be *just*, and then *generous*. When we have no better use for our superfluous property, then let us bestow it upon our wretched brethren of the human race. They will repay our charity with gratitude,

and bless God that he has peopled one half the world with a race of freemen, to enrich the tyrants, and support the vassals of the other.

In another particular, our dependence on nations farther advanced in society than ourselves, has a very unhappy effect.

I assume it as a fact, conceded by all philosophers and historians, that there has been, in every civilized nation, a particular period of time, peculiarly favorable to literary researches; and that in this period, language and taste arrive to purity; the best authors flourish, and genius is exerted to benefit mankind.

This period in Greece was the age of Themistocles, immediately after the invasion of Xerxes. In Rome, it was the reign of Augustus Cæsar, when a revolution had left the empire in a state of tranquillity. In France, the reign of Louis the XIVth was distinguished for the number and eminence of its authors, and the correctness of taste. The corresponding period of taste in England, commenced about the middle of the sixteenth century, and ended with the reign of George the IId. Scotland was later in improvement; but perhaps has now seen its meridian splendor.

There seems to be a certain point of improvement beyond which every step in refinement is corruption; moral sentiment is postponed to wit, and sense is sacrificed to sound. This has been the case in all nations, and is now true of England. The candid among the nation acknowlege and lament the decline of true taste and science. Very few valuable writings appear in the present age; plays, novels, farces, and compilations fill the catalogue of new publications; and the library of a man of fashion consists of Chesterfield's Letters, Tristram Shandy, and a few comedies.

A gentleman in high office in London, in a letter to an eminent literary character in America, which I had the honor to read, informs, "that so low is the taste of the nation, that were Milton's Poem to be now first published, it would not find purchasers: Music and painting are the only arts that have royal encouragement." He says further, "that there is a national combination to oppose the fame of every American art, production and character." I would hope that this account is an exaggeration of the truth; but we have the best testimony to convince us that every thing is sacrificed to amusement and pleasure.

We ought not therefore to form our taste after such models: In order to write, think and act with propriety, we should go back half a century, to the style and morality of Addison and his cotemporaries; there we may find the most perfect models.

By making the present taste of Europe our standards, we not only debase our own, but we check the attempts of genius in this country.

Eminence is sometimes apt to impose errors upon people, whose respect for the character may silence all scruple, and prevent them from examining into the grounds of his opinion. Such is the implicit confidence reposed in the opinions of certain celebrated writers, that when an American ventures to call in question a received principle or opinion of theirs, his countrymen charge him with arrogance, and exclaim, how should this man be as good a judge of the subject as a foreigner! Such false notions of the perfection of particular character, fetter the mind, and in concert with credulity and idleness, prepare it for the reception of any errors, however enormous.

This same veneration for eminent foreigners, and the bewitching charms of fashion, have led the Americans to adopt the modern corruptions of our language. Very seldom have men examined the structure of the language, to find reasons for their practice. The pronunciation and use of words have been subject to the same arbitrary or accidental changes, as the shape of their garments. My lord wears a hat of a certain size and shape; he pronounces a word in a certain manner; and both must be right, for he is a fashionable man. In Europe this is right in dress; and men who have not an opportunity of learning the just rules of our language, are in some degree excuseable for imitating those whom they consider as superiors. But in men of science, this imitation can hardly be excused.

Our language was spoken in purity about eighty years ago; since which time, great numbers of faults have crept into practice about the theater and court of London. An affected erroneous

pronunciation has in many instances taken place of the true; and new words or modes of speech have succeeded the ancient correct English phrases.

Thus we have, in the modern English pronunciation, their natshures, conjunctshures, constitshutions, and tshumultshuous legislatshures; and a long catalogue of fashionable improprieties. These are a direct violation of the rules of analogy and harmony; they offend the ear, and embarrass the language. Time was, when these errors were unknown; they were little known in America before the revolution. I presume we may safely say, that our language has suffered more injurious changes in America, since the British army landed on our shores, than it had suffered before, in the period of three centuries. The bucks and bloods tell us that there is no proper standard in language; that it is all arbitrary. The assertion, however, serves but to show their ignorance. There are, in the language itself, decisive reasons for preferring one pronunciation to another; and men of science should be acquainted with these reasons. But if there were none, and every thing rested on practice, we should never change a general practice without substantial reasons: No change should be introduced, which is not an obvious improvement.

But our leading characters seem to pay no regard to rules, or their former practice. To know and embrace every change made in Great Britain, whether right or wrong, is the extent of their inquiries, and the height of their ambition. It is to this deference we may ascribe the long catalogue of errors in pronunciation and of false idioms which disfigure the language of our mighty fine speakers. And should this imitation continue, we shall be hurried down the stream of corruption, with older nations, and our language, with theirs, be lost in an ocean of perpetual changes. The only hope we can entertain is, that America, driven by the shock of a revolution, from the rapidity of the current, may glide along near the margin with a gentler stream, and sometimes be wafted back by an eddy.

The foregoing remarks suggest some of the causes which operate to defeat the true end of the revolution. Every man sees and feels our political embarrassments; the foes of the revolution ascribe them all to that event, and the friends charge them upon the enmity and resentment of our parent country. Both are wrong. The revolution is, and will ultimately prove, a happy event for us and for the world. The English, as a nation, are wise and respectable: As citizens of the world, we should esteem them: As a commercial people, we should cultivate a friendly intercourse with them; but as a foreign nation, whose political circumstances are very different from ours, we should not make them, in all cases, our standard. I repeat the declaration I before made: The independence of this country is incomplete: There has been a total change in government, with little or no change in the principles which give energy to the operations of government.

In the preceding remarks, I have endeavored to shew in what respect the revolution of America is yet incomplete, and that an independence of manners and opinion is necessary to give full effect to an independence of government. I propose now to make some remarks on government, to state the effects of the revolution on the morals of people, and the influence of money on mens' sense of justice and moral obligation.

It is perhaps a fundamental principle of government, that men are influenced more by habit, than by any abstract ideas of right and wrong. Few people examin into the propriety of particular usages or laws; or if they examin, few indeed are capable of comprehending their propriety. But every man knows what is a law or general practice, and he conforms to it, not because it is right or best, but because it has been the practice. It is for this reason that habits of obedience should not be disturbed. There are perhaps in every government, some laws and customs, which, when examined on theoretical principles, will be found unjust and even impolitic. But if the people acquiesce in those laws and customs, if they are attached to them by habit, it is wrong in the Legislature to attempt an innovation which shall alarm their apprehensions. There are multitudes of absurdities practised in society, in which people are evidently happy. Arraign those absurdities before the tribunal of examination; people may be convinced of their impropriety; they may even be convinced that better schemes may be projected; and yet it might be impossible to unite their opinions so as to establish

different maxims. On the other hand, there are many good institutions, in which, however, there may be theoretical faults, which, if called into public view, and artfully represented, might shake the best government on earth.

Speculativ philosophers and historians have often described, and sometimes ridiculed the warmth with which nations have defended errors in religion and government. With the most profound deference for wise and respectable men, I must think they are guilty of a mistake; and that the errors which nations fight to defend, exist only in the heads of these theorists. Whatever speculation may tell us, experience and the peace of society, require us to consider every thing as right, which a nation believes to be so. Every institution, every custom, may be deemed just and proper, which does not produce inconveniencies that the bulk of mankind may see and feel. The tranquillity of society therefore should never be disturbed for a philosophical distinction.

It will perhaps be objected, that these doctrines, if practised, would prevent all improvements, in science, religion and government. By no means; but they point out the method in which all improvements should be made, when opinion and fixed habits are to be overthrown, or changed. They show that all reformation should be left to the natural progress of society, or to the conviction of the mind. They show the hazard and impracticability of making changes, before the minds of the body of the people are prepared for the innovation. I speak not of despotic governments, where the will of the prince is enforced by an army; and yet even absolute tyrants have been assassinated for not attending to the spirit and habits of their subjects.

In vain do rulers oppose the general opinion of the people. By such opposition, Philip IId, of Spain, kept one part of his subjects, for half a century, butchering the other, and in the end, lost one third of his dominions. By not regarding the change of habits in the nation, Charles Ist, of England, lost his head. By carrying his changes too far, Cromwell began to oppose the spirit of the nation, and had he lived to prosecute his system, that spirit would, in a few years, have brought his neck to the block. The general spirit of the nation restored to the throne, the son of the prince, whom that spirit had but a few years before arraigned and condemned. By opposing that spirit, James was obliged to leave his kingdom, and the sense of the nation still excludes the family which, by their own law of succession, has the best title to the throne. But there is no prescription against general opinion; no right that can enter the list against the sense of a nation; that sense, which after all our reasoning, will forever determin what is best.

The truth of these remarks is proved by examples in this country. An immense revenue might have been drawn from America without resistance, in almost any method but that which the British parliament adopted. But their first attempts were made upon articles of common necessity; the attempts were too visible; the people felt and resisted. Their apprehensions were alarmed; their fears, whether well founded or imaginary, were multiplied and confirmed by newspaper rhapsodies, and finally produced a combined opposition to all British taxation. Then Great Britain should have compounded; she did not; she opposed the general sense of three millions of her subjects, and lost the whole.

A dispute existed between Connecticut and Pensylvania, respecting a tract of land; a federal court decided the jurisdiction, or State claim, in favor of Pensylvania; five thousand inhabitants, seated on the lands, acknowlege the jurisdiction, but contend that their original purchase, and subsequent labor, entitle them to the lands. Notwithstanding the invalidity of their State claim, the settlers determin to maintain their lands. The question of right is at once suspended, and the only inquiry is, which is the best policy, to indemnify a few individuals by a pecuniary composition, or sacrifice five thousand subjects. This question, left to the commonwealth, would be decided by a great majority, in favor of the settlers, and against the very principles of right on which the State holds the jurisdiction.

I am not competent to judge of the merits of the dispute between New York and Vermont; but if the usurpation of Vermont were a conceded fact, and that usurpation to be defended by arms, and

the question of granting them independence were left to the State of New York, I am confident that nine tenths of the people would decide for the independence of Vermont against their own rights.

Thus it often happens, that a general opinion, grounded on rational expediency, will, and ought to decide political questions, contrary to the strict principles of justice and equity.

I would, by no means, be understood to defend, by such doctrines, the insurrections of a neighboring State. I reprobate every thing that wears the least appearance of opposition to lawful authority. It is evident however, that the Legislature of Massachusetts were too inattentive to the general spirit of the State. The murmurs of the people were heard long before they broke out into rebellion, and were treated with too much neglect. They were a proof at least that something was wrong. This the Legislature acknowleged in their late acts, and the complaints of the populace might once have been silenced by such conciliatory measures.

But an opposition so violent must suddenly cease, or acquire system. In the latter case, the demands of the insurgents will rise in proportion to their strength; they will ask unreasonable concessions, and the sword must decide their claims. The insurgents took wrong steps to obtain redress; they should have rested their agrievances on petitions, and the event of an election; but one rash step leads to a second, and to a third. These fatal effects of popular discontent afford one useful lesson, that rulers should not attempt to carry a measure against the general voice of a people.[35] But a question will arise, how far may the people be opposed, when their schemes are evidently pernicious? I answer, this can never happen thro design; and errors, even of the populace, may gradually be removed. If the people cannot be convinced, by reason and argument, of the impolicy or injustice of a favorite scheme, we have only to wait for the consequences to produce conviction. All people are not capable of just reasoning on the great scale of politics; but all can feel the inconveniencies of wrong measures, and evils of this kind generally furnish their own remedy. All popular Legislatures are liable to great mistakes. Many of the acts of the American Legislatures, respecting money and commerce, will, to future generations, appear incredible. After repeated experiments, people will be better informed, and astonished that their fathers could make such blunders in legislation.

If the people of this State[36] are not already convinced, they certainly will be, that the addition of 150,000l. of paper, to the current specie of the State, did not increase the permanent value of circulating medium a single farthing. They were perhaps told that such a sum of paper would shut up the specie, or enable the merchant to export it; but their jealousy made them believe these the suggestions of interest; and nothing but the experiment could satisfy their wishes. Every man of reflection must regret that he is subject to the evils consequent on popular mistakes in judgement; but this is the price of our independence and our forms of government.

Let us attend to the immediate and necessary consequences of the American revolution.

So great an event as that of detaching millions of people from their parent nation, could not have been effected without the operation of powerful causes. Nothing but a series of real or imaginary evils could have shaken the habits by which we were governed, and produced a combined opposition against the power of Great Britain. I shall not enumerate any of these evils; but observe that such evils, by twenty years operation upon the fears or feelings of the Americans, had alienated their affections or weakened those habits of respect, by which they were predisposed to voluntary obedience. When a government has lost respect, it has lost the main pillar of its authority. Not even a military force can supply the want of respect among subjects. A change of sentiment prepares the way for a change

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[35] Some have suspected from these sentiments, that I favor the insurrection in Massachusetts. If it is necessary to be more explicit than I have been in the declaration, "*I reprobate, &c.*" I must add, that in governments like ours, derived from the people, I believe there is no *possible situation* in which violent opposition to laws can be justified; because it can never be necessary. *General evils* will always be legally redressed, and *partial evils* must be borne, if the majority require it. A tender law, which interferes with *past* contracts, is perhaps the wickedest act that a Legislature can be guilty of; and yet I think the people in Rhode Island have done right, in not opposing their's, in a violent manner.

[36] Pensylvania.

of government, and when that change of sentiment had become general in America, nothing could have prevented a revolution.

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