LETTER XXXI.

ANCIENT REPUBLICS, AND OPINIONS OF PHILOSOPHERS.

MY DEAR SIR,

THE generation and corruption of governments, which may in other words be called the progreſs and courſe of human paſſions in ſociety, are ſubjects which have engaged the attention of the greateſt writers; and whether the eſſays they have left us were copied from hiſtory, or wrought out of their own conjectures and reaſonings, they are very much to our purpoſe, to ſhew the utility and neceſſity of different *orders* of men, and of an *equilibrium* of powers and privileges. They demonſtrate the corruptibility of every ſpecies of ſimple government, by which I mean a power without a check, whether in one, a few, or many. It might be ſufficient to ſhew this tendency in ſimple democracy alone, for ſuch is the government of one aſſembly, whether of the people collectively or repreſentatively: but as the generation and corruption of all kinds of government have a ſimilitude with one another, and proceed from the ſame qualities in human nature, it will throw the more light upon our ſubject, the more particularly we examine it. I ſhall confine myſelf chiefly to Plato, Polybius, and your nameſake, Sir Thomas Smith.

Polybius thinks it manifeſt, both from reaſon and experience, that the beſt form of government is not ſimple, but compounded, becauſe of the

tendency of each of the ſimple forms to degenerate; even democracy, in which it is an eſtabliſhed cuſtom to worſhip the gods, honour their parents, reſpect the elders, and *obey the laws*, has a ſtrong tendency to change into a government where the multitude have a power of doing whatever they deſire, and where inſolence and contempt of parents, elders, gods, and laws, ſoon ſucceed.

From whence do governments originally ſpring? From the weakneſs of men, and the conſequent neceſſity to aſſociate, and he who excels in ſtrength and courage, gains the command and authority over the reſt; as among inferior animals, who are not influenced by opinion, the ſtrongeſt are, by common conſent, allowed to be maſters. This is monarchy. But when the nation, by living together, acquires ſome tincture of honour and juſtice, gratitude, duty, and their oppoſites, and the monarch countenances theſe moral qualities, and treats every one according to his merit, they are no longer afraid of violence, but ſubmit to him, and unite in ſupporting his government, although he may again become weak and advanced in years. By this means a monarch inſenſibly becomes a king, that is, when the power is transferred from courage and ſtrength to reaſon. This is the origin of true *kingly government*, for the people preſerve the command, not only to them, but to their deſcendants, being perſuaded, that thoſe who have received their birth and education from ſuch men will reſemble them in their principles. But if they are diſſatisfied with their deſcendants, they then chooſe magiſtrates and kings, with regard only to ſuperior ſenſe and reaſon, and not to ſtrength and courage; having by experience been convinced of the difference between them. Thoſe who were once choſen and inveſted with the royal dignity,

dignity, grew old in the enjoyment of it, poſſeſſed themſelves of a territory, ſurrounded it with walls, and fortified advantageous poſts: thus conſulting the ſecurity of their ſubjects, and ſupplying them with plenty of proviſions, differing little in their clothes or tables from the people with whom they paſſed their lives, they continued blameleſs and unenvied. But their poſterity, ſucceeding to the government by right of inheritance, and finding every thing provided for ſecurity and ſupport, they were led by ſuperfluity to indulge their appetites, and to imagine that it became princes to appear in a different dreſs, to eat in a more luxurious manner, and enjoy, without contradiction, the forbidden pleaſures of love. The firſt produced envy, the other reſentment and hatred. By which means kingly government degenerated into tyranny.

At the ſame time a foundation was laid, and a conſpiracy formed, for the deſtruction of thoſe who exerciſed it; the accomplices of which were not men of inferior rank, but perſons of the moſt generous, exalted, and enterprizing ſpirit; for ſuch men can leaſt bear the inſolence of thoſe in power. The people, having theſe to lead them, and uniting againſt their rulers, kingly government and monarchy were extirpated, and ariſtocracy began to be eſtabliſhed, for the people, as an immediate acknowledgement to thoſe who had deſtroyed monarchy, choſe theſe leaders for their governors, and left all their concerns to them.

Theſe, at firſt, preferred the advantage of the public to all other conſiderations, and adminiſtered all affairs, both public and private, with care and vigilance. But their ſons having ſucceeded them in the ſame power, unacquainted with evils, ſtrangers to civil equality and liberty, educated from

their infancy in the ſplendour of the power and dignities of their parents, ſome giving themſelves up to avarice, others to intemperance, and others to the abuſe of women, by this behaviour changed *the ariſtocracy into an oligarchy*.

Their cataſtrophe became the ſame with that of the *tyrants*; for if any perſon, obſerving the general envy and hatred which theſe rulers have incurred, has the courage to ſay or do any thing againſt them, he finds the whole body of the people inſpired with the ſame paſſions they were before poſſeſſed with againſt the tyrant, and ready to aſſiſt him. Thereupon they put ſome of them to death, and baniſh others; but dare not, after that, appoint a king to govern them, being ſtill afraid of the injuſtice of the firſt; neither dare they entruſt the government with any number of men, having ſtill before their eyes the errors which thoſe had before committed: ſo that having no hope, but in themſelves, they convert the government from an *oligarchy to a democracy*, and take upon themſelves the care and charge of public affairs.

And as long as any are living, who felt the power and dominion of the *few*, they acquieſce under the preſent eſtabliſhment, and look upon equality and liberty as the greateſt of bleſſings. But when a new race of men grow up, theſe, no longer regarding equality and liberty, from being accuſtomed to them, aim at a greater ſhare of power than the reſt, particularly thoſe of the greateſt fortunes, who, grown now ambitious, and being unable to obtain the power they aim at by their own merit, diſſipate their wealth, by alluring and corrupting the people by every method; and when, to ſerve their wild ambition, they have once taught them to receive bribes and entertainments, from that moment the democracy is at an

end, and changes to force and violence. For the people, accuſtomed to live at the expence of others, and to place their hopes of a ſupport in the fortunes of their neighbours, if headed by a man of a great and enterprizing ſpirit, will then have recourſe to violence, and getting together, will murder, baniſh, and divide among themſelves the lands of their adverſaries, till, grown wild with rage, they again find a maſter and a monarch.

This is the rotation of governments, and this the order of nature, by which they are changed, transformed, and return to the ſame point of the circle.

Lycurgus obſerving that all this was founded on neceſſity and the laws of nature, concluded, that every form of government that is ſimple, by ſoon degenerating into that vice that is allied to it, and naturally attends it, muſt be unſtable. For as ruſt is the natural bane of iron, and worms of wood, by which they are ſure to be deſtroyed, ſo there is a certain vice implanted by the hand of nature in every ſimple form of government, and by her ordained to accompany it. The vice of kingly government is monarchy; that of ariſtocracy, oligarchy; and of democracy, *rage and violence*; into which all of them, in proceſs of time, muſt neceſſarily degenerate. To avoid which Lycurgus united in one all the advantages of the beſt governments, to the end that no branch of it, by ſwelling beyond its bounds, might degenerate into the vice that is congenial to it, and that, while each was mutually acted upon by *oppoſite powers*, no one part might outweigh the reſt. The Romans arrived at the ſame end by the ſame means.

Polybius, you perceive, my dear Sir, is more charitable in his repreſentation of human nature

than Hobbes, Mandeville, Rochefoucault, Machiavel, Beccaria, Rouſſeau, De Lolme, or even than our friend Dr. Price. He candidly ſuppoſes, that the firſt kingly government will be wiſely and honeſtly adminiſtered during the life of the father of his people; that the firſt ariſtocracy will be conducted with caution and moderation, by the band of patriots to whom is due the glory of the expulſion of the tyrant; and that the people, for a generation at leaſt, who have depoſed the oligarchy, will behave with decorum.

But perhaps it might be more exactly true and natural to ſay, that the king, the ariſtocracy, and the people, as ſoon as ever they felt themſelves ſecure in the poſſeſſion of their power, would begin to abuſe it.

In M. Turgot's ſingle aſſembly, thoſe who ſhould think themſelves moſt diſtinguiſhed by blood and education, as well as fortune, would be moſt ambitious; and if they found an oppoſition among their conſtituents to their elections, would immediately have recourſe to entertainments, ſecret intrigues, and every popular art, and even to bribes, to increaſe their parties. This would oblige their competitors, though they might be infinitely better men, either to give up their pretenſions, or to imitate theſe dangerous practices. There is a natural and unchangeable inconvenience in all popular elections. There are always competitions, and the candidates have often merits nearly equal. The virtuous and independent electors are often divided: this naturally cauſes too much attention to the moſt profligate and unprincipled, who will ſell or give away their votes for other conſiderations than wiſdom and virtue. So that he who has the deepeſt purſe, or the feweſt ſcruples about uſing it, will generally prevail.

It is from the natural ariſtocracy in a ſingle aſſembly that the firſt danger is to be apprehended in the preſent ſtate of manners in America; and with a balance of landed property in the hands of the people, ſo decided in their favour, the progreſs to degeneracy, corruption, rage, and violence, might not be very rapid; nevertheleſs it would begin with the firſt elections, and grow faſter or ſlower every year.

Rage and violence would ſoon appear in the aſſembly, and from thence be communicated among the people at large.

The only remedy is to throw the rich and the proud into one group, in a ſeparate aſſembly, and there tie their hands; if you give them ſcope with the people at large, or their repreſentatives, they will deſtroy *all equality and liberty, with the conſent and acclamations of the people themſelves.* They will have much more power, mixed with the repreſentatives, than ſeparated from them. In the firſt caſe, if they unite, they will give the law, and govern all; if they differ, they will divide the ſtate, and go to a deciſion by force. By placing them alone by themſelves, the ſociety avails itſelf of all their abilities and virtues: they become a ſolid check to the repreſentatives themſelves, as well as to the executive power, and you diſarm them entirely of the power to do miſchief.

LETTER XXXII.

ANCIENT REPUBLICS, AND OPINIONS OF PHILOSOPHERS.

DEAR SIR,

DIONYSIUS Halicarnaſſenſis, in his ſeventh book, has given us an excellent ſpeech in the ſenate, made by Manlius Valerius, a man venerable for his age and wiſdom, and remarkable for his conſtant friendſhip for the people.

"If any of you, fathers! alarmed with an apprehenſion that you will introduce a pernicious cuſtom into the commonwealth, if you grant the people a power of giving their ſuffrages againſt the patricians, and entertain an opinion that the tribunitian power, if conſiderably ſtrengthened, will prove of no advantage, let them learn, that their opinion is erroneous, and their imagination contrary to ſound reaſoning: for if any meaſure can tend to preſerve this commonwealth, to aſſure both her liberty and power, and to eſtabliſh a perpetual union and harmony in all things, the moſt effectual will be to give the people a ſhare in the government: and the moſt advantageous thing to us will be, not to have a ſimple and unmixed form of government; neither a monarchy, an oligarchy, nor a democracy, but a conſtitution tempered with all of them: for each of theſe forms, when ſimple, very eaſily deviates into abuſe and exceſs; but when all of them are *equally* mixed, that part which happens to innovate, and to exceed the cuſtomary bounds, is alwa reſtrained by another that is ſober, and adheres to the eſtabliſhed order.

order.—Thus monarchy, when it becomes cruel and inſolent, and begins to purſue tyrannical meaſures, is ſubverted by an oligarchy, conſiſting of good men; and an oligarchy, compoſed of the beſt men, which is your form of government, when elated with riches and dependants, pays no regard to juſtice, or to any other virtue, and is deſtroyed by a wiſe people: and in a democracy, when the people, from being modeſt in their deportment, and obſervant of the laws, begin to run into diſorders and exceſſes, they are forced to return to their duty by the power with which, upon thoſe occaſions, the beſt men of the commonwealth is inveſted. You, fathers, have uſed all poſſible precautions to prevent monarchical power from degenerating into tyranny; for, inſtead of a ſingle perſon, you have inveſted two with the ſupreme power; and though you committed this magiſtracy to them, not for an indefinite time, but only for a year, you nevertheleſs appointed three hundred patricians, the moſt reſpectable, both for their virtue and their age, of whom this ſenate is compoſed, to watch over their conduct; but you do not ſeem hitherto to have appointed any to watch over your own, and to keep you within proper bounds. As for yourſelves, I am as yet under no apprehenſions, leſt you ſhould ſuffer your minds to be corrupted by great and accumulated proſperity, who have lately delivered your country from a long tyranny; and, through continual and laſting wars, have not as yet had leiſure to grow inſolent and luxurious. But with regard to your ſucceſſors, when I conſider how great alterations length of time brings with it, I am afraid, leſt the men of power in the ſenate ſhould innovate, and ſilently tranſform our conſtitution to a monarchical tyranny: whereas,

whereas, if you admit the people to a ſhare in the government, no miſchief can ſpring from the ſenate; but the man who aims at greater power than the reſt of his fellow citizens, and has formed a faction in the ſenate, of all who are willing to partake of his counſel and his crimes (for thoſe who deliberate concerning public affairs ought to foreſee every thing that is probable) this great, this awful perſon, I ſay, when called by the tribunes to appear before the people, muſt give an account both of his actions and thoughts to this people, inconſiderable as they are, and ſo much his inferiors; and, if found guilty, ſuffer the puniſhment he deſerves: and, leſt the people themſelves, when veſted with ſo great a power, ſhould grow wanton, and, ſeduced by the worſt of demagogues, become dangerous to the beſt of citizens, (for the multitude generally give birth to tyranny) ſome perſon of conſummate prudence, created dictator by yourſelves, will guard againſt this evil, and not allow them to run into exceſs; and being inveſted with abſolute power, and ſubject to no account, will cut off the infected part of the commonwealth, and not ſuffer that which is not yet infected to be vitiated, reform the laws, excite the citizens to virtue, and appoint ſuch magiſtrates as he thinks will govern with the greateſt prudence: and having effected theſe things within the ſpace of ſix months, he will again become a private man, without receiving any other reward for theſe actions, than that of being honoured for having performed them. Induced, therefore, by theſe conſiderations, and convinced that this is the moſt perfect form of government, debar the people from nothing; but as you have granted them a power of chooſing the annual magiſtrates, who are to preſide over the

the commonwealth, of confirming and repealing laws, of declaring war, and making peace, which are the greateſt and moſt important affairs that come under the conſideration of our government, not one of which you have ſubmitted to the abſolute determination of the ſenate, allow them, in like manner, the power of trying offenders, particularly ſuch as are accuſed of crimes againſt the ſtate, of raiſing a ſedition, of aiming at tyranny, of concerting meaſures with our enemies to betray the commonwealth, or of any other crimes of the like nature; for the more formidable you render the tranſgreſſion of the laws, and the alteration of diſcipline, by appointing many inſpectors, and many guards over the inſolent and the ambitious, the more will your conſtitution be improved."

It is ſurpriſing that Valerius ſhould talk of an equal mixture of monarchical, ariſtocratical, and democratical powers, in a commonwealth where they were ſo unequally mixed as they were in Rome. There can be no equal mixture without a negative in each branch of the legiſlature. But one example of an equal mixture has ever exiſted in Europe, and that is in England. The conſuls in Rome had no negative; the people had a negative, but a very unequal one, becauſe they had not the ſame time and opportunity for cool deliberation. The appointment of tribunes was a very inadequate remedy. What match for a Roman ſenate was a ſingle magiſtrate ſeated among them? his abilities could not be equal; his firmneſs could not be always depended on: but what is worſe, he was liable to be intimidated, flattered, and bribed. It is really aſtoniſhing, that ſuch people as Greeks and Romans ſhould ever have thought four or five ephori, or a ſingle tribune,

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or a college of ten tribunes, an adequate repreſentation of themſelves. If Valerius had propoſed, that the conſul ſhould have been made an integral part of the legiſlature, and that the Roman people ſhould chooſe another council of two or three hundred, equally repreſenting them, to be another integral part, he would then have ſeen, that the appointment of a dictator could never in any caſe become neceſſary.

LETTER XXXIII.

ANCIENT REPUBLICS, AND OPINIONS OF PHILOSOPHERS.

PLATO.

MY DEAR SIR,

PLATO has given us the moſt accurate detail of the natural viciſſitudes of manners and principles, the uſual progreſs of the paſſions in ſociety, and revolutions of governments into one another.

In the fourth book of his Republic, he deſcribes his perfect commonwealth, where kings are philoſophers, and philoſophers kings: where the whole city might be in the happieſt condition, and not any one tribe remarkably happy beyond the reſt: in one word, where the *laws govern*, and juſtice is eſtabliſhed: where the guardians of the laws are ſuch in reality, and preſerve the conſtitution, inſtead of deſtroying it, and promote the happineſs of the whole city, not their own particularly: where the ſtate is one, not many: where there

there are no parties of the poor and the rich at war with each other: where, if any deſcendant of the guardians be vicious, he is diſmiſſed to the other claſſes; and if any deſcendant of the others be worthy, he is raiſed to the rank of the guardians: where education, the grand point to be attended to, produces good geniuſes, and good geniuſes, partaking of ſuch education, produce ſtill better than the former: where the children, receiving from their infancy an education agreeable to the laws of the conſtitution, grow up to be worthy men, and obſervant of the laws: where the ſyſtem, both of laws and education, is contrived to produce the virtues of fortitude, temperance, wiſdom, and juſtice, in the whole city, and in all the individual citizens: where, if among the rulers, or guardians of the laws, there be one ſurpaſſing the reſt, it may be called a monarchy, or kingly government; if there be ſeveral, an ariſtocracy.

Although there is but one principle of virtue, thoſe of vice are infinite; of which there are four which deſerve to be mentioned. There are as many ſpecies of ſoul as there are of republics: five of each. That which is above deſcribed is one.

In the eighth book of his Republic he deſcribes the other four, and the revolutions from one to another. The firſt he calls the Cretan, or Spartan, or the ambitious republic; the ſecond, oligarchy; the third, democracy; and the fourth, tyranny, the laſt diſeaſe of a city.

As republics are generated by the manners of the people, to which, as into a current, all other things are drawn, of neceſſity there muſt be as many ſpecies of men as of republics. We have already, in the fourth book, gone over that which we have pronounced to be good and juſt. We

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are now to go over the contentious and ambitious man, who is formed according to the Spartan republic; and then, him reſembling an oligarchy; then the democratic; and then the tyrannic man, that we may contemplate the moſt unjuſt man; and ſet him in oppoſition to the moſt juſt, that our inquiry may be completed! The ambitious republic is firſt to be conſidered: it is indeed difficult for a city in this manner conſtituted, i. e. like Sparta, to be changed; but *as every thing which is generated is liable to corruption, even ſuch a conſtitution as this will not remain for ever, but be diſſolved.* (I ſhall paſs over all the aſtrological and myſtical whimſies which we meet with ſo often in Plato, interſperſed among the moſt ſublime wiſdom and profound knowledge, and inſert only what is intelligible.) The amount of what he ſays in this place about numbers and muſic, is, that miſtakes will inſenſibly be made in the choice of perſons for guardians of the laws; and by theſe guardians, in the rewards and promotion of merit. They will not always expertly diſtinguiſh the ſeveral ſpecies of geniuſes, the golden, the ſilver, the brazen, and the iron. Whilſt iron ſhall be mixed with ſilver, and braſs with gold, diſſimilitude and diſcord ariſe, and generate war, and enmity, and ſedition. When ſedition is riſen, two of the ſpecies of geniuſes, the iron and brazen, will be carried away after gain, and the acquiſition of land and houſes, gold and ſilver. But the golden and ſilver geniuſes, as they are not in want, but naturally rich, will lead the ſoul towards virtue and the original conſtitution. Thus divided, drawing contrary ways, and living in a violent manner, will not this republic be in the middle, between ariſtocracy and oligarchy, imitating, in ſome things, the former republic, and in others, oligarchy? They will honour

their rulers; their military will abſtain from agriculture and mechanic arts; they will have common meals, gymnaſtic exerciſes, and conteſts of war, as in the former republic; but they will be afraid to bring wiſe men into the magiſtracy, becauſe they have no longer any ſuch as are truly ſimple and inflexible, but ſuch as are of a mixed kind, more forward and rough, more fitted by their natural genius for war than peace, eſteeming tricks and ſtratagems; ſuch as theſe ſhall deſire wealth and hoard up gold and ſilver, as thoſe who live in oligarchies. While they ſpare their own, they will love to ſquander the ſubſtance of others upon their pleaſures: they will fly from the law, as children from a father, who have been educated not by perſuaſion but by force. Such a republic, mixed of good and ill, will be moſt remarkable for the prevalence of the contentious and ambitious ſpirit.

What now ſhall *the man* be, correſpondent to this republic? He will be arrogant and rough towards inferiors; mild towards equals, but extremely ſubmiſſive to governors; fond of dignity and the magiſtracy, but thinking that political management, and military performances, not eloquence, nor any ſuch thing, ſhould entitle him to them: while young he may deſpiſe money, but the older he grows the more he will value it, becauſe he is of a covetous temper, and not ſincerely affected to virtue and reaſon. Such an ambitious youth reſembles ſuch a city, and is formed ſomehow in this manner:—His father, a worthy man, in an ill-regulated city, ſhuns honours, and magiſtracies, and law-ſuits, and all public buſineſs, that, as he can do no good, he may have no trouble. The ſon hears his mother venting her indignation, and complaining that

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ſhe is neglected among other women, becauſe her huſband is not in the magiſtracy, nor attentive to the making of money; that he is unmanly and remiſs, and ſuch other things as wives are apt to cant over concerning ſuch huſbands. The domeſtics, too, privately ſay the ſame things to the ſons, ſtimulating them to be more of men than their father, and more attentive to their money. When they go abroad they hear the ſame things, and ſee that thoſe who mind their own affairs are called ſimple, and ſuch as mind not their affairs are commended. The young man comparing the conduct, ſpeeches, and purſuits of his father with thoſe of other men, the one watering the rational part of his ſoul, and the others the concupiſcible and iraſcible, he delivers up the government within himſelf to a middle power, that which is iraſcible and fond of contention, and ſo he becomes a haughty and ambitious man.—We have now the ſecond republic, and the ſecond man.

This ſecond republic will be ſucceeded by oligarchy, founded on men's valuations, in which the rich bear rule, and the poor have no ſhare in the government. The change from the ambitious republic to oligarchy is made by that treaſury which every one has filled with gold: for firſt of all they and their wives find out methods of expence, and to this purpoſe ſtrain and diſobey the laws; one obſerving and rivalling another, the generality become of this kind; and proceeding to greater deſires of making money, the more honourable they account this to be, the more will virtue be thought diſhonourable. Virtue is ſo different from wealth, that they always weigh againſt each other. Whilſt wealth and the wealthy are held in honour in the city, both virtue and the good muſt be more diſhonoured, and what is

honoured

honoured is purſued, and what is diſhonoured is neglected. Inſtead then of ambitious men, they will become lovers of gain. The rich they praiſe and admire, and bring into the magiſtracy, but the poor man they deſpiſe. They then make laws, marking out the boundary of the conſtitution, and regulating the quantity of oligarchic power, according to the quantity of wealth; more to the more wealthy, and leſs to the leſs: ſo that he who hath not the valuation ſettled by law, is to have no ſhare in the government. What think you of this conſtitution? If we ſhould appoint pilots according to their valuation, but never entruſt a ſhip with a poor man, though better ſkilled in his art, we ſhould make very bad navigation.—Again, ſuch a city is not one, but of neceſſity two; one, conſiſting of the poor, and the other of the rich, dwelling in one place, and always plotting againſt one another. They are, moreover, incapable to wage war, becauſe of the neceſſity they are under, either of employing the armed multitude, and of dreading them more than the enemy, or to appear in battle, truly oligarchic, and at the ſame time be unwilling to advance money for the public ſervice, through a natural diſpoſition of covetouſneſs.

In ſuch a government almoſt all are poor, except the governors; and where there are poor, there are ſomewhere concealed thieves, and purſe-cutters, and ſacrilegious perſons, and workers of all other evils: theſe the magiſtracy with diligence and force reſtrains; theſe are drones in a city with dangerous ſtings.

This is oligarchy. Now let us conſider the man who reſembles it. The change from the ambitious to the oligarchic man is chiefly in this man-

ner:—The ambitious man has a ſon, who emulates his father, and follows his ſteps; afterwards he daſhes on the city, as on a rock, waſting his ſubſtance in the office of a general, or ſome other principal magiſtracy; then falling into courts of juſtice, deſtroyed by ſycophants, ſtripped of his dignities, diſgraced, and loſing all his ſubſtance. When he has thus ſuffered, and loſt his ſubſtance, in a terror he puſhes headlong from the throne of his ſoul that ambitious diſpoſition; and, being humbled by his poverty, turns to the making of money, lives ſparingly and meanly, and applying to work, ſcrapes together ſubſtance. He then ſeats in that throne the avaricious diſpoſition, and makes it a mighty king within himſelf, decked out with Perſian crowns, bracelets, and ſcepters. Having placed the virtuous and ambitious diſpoſition low on the ground, he reaſons on nothing but how leſſer ſubſtance ſhall be made greater, admires and honours nothing but riches and rich people. This is the change from an ambitious youth to a covetous one, and this is the oligarchic man.

Democracy is next to be conſidered, in what manner it ariſes, and what kind of man it produces when ariſen. The change from oligarchy to democracy is produced through the inſatiable deſire of becoming as rich as poſſible. As thoſe who are governors in it, govern on account of their poſſeſſing great riches, they will be unwilling to reſtrain by law ſuch of the youth as are diſſolute, from having the liberty of ſquandering and waſting their ſubſtance; that ſo, by purchaſing the ſubſtance of ſuch perſons, and lending them on uſury, they may ſtill become richer, and be held in greater honour. While they neglect education, and ſuffer the youth to grow licentious, they

ſome-

ſometimes lay under a neceſſity of becoming poor, ſuch as are of no ungenerous diſpoſition: theſe ſit in the city, ſome of them in debt, others in contempt, hating and conſpiring againſt thoſe who poſſeſs their ſubſtance, and with others very deſirous of a change. But the money-catchers, ſtill brooding over it, and drawing to themſelves exorbitant uſury, fill the city with drones and poor. They neglect every thing but making of money, and make no more account of virtue than the poor do. When theſe governors and their ſubjects meet on the road, at public ſhows, in military marches, as fellow ſoldiers or ſailors, or in common dangers, the poor are by no means contemned by the rich. A robuſt fellow, poor and ſun-burnt, beſide a rich man, bred up in the ſhade, ſwoln with fleſh, and panting for breath, and in agony in battle, thinks it is through his own and his fellows fault that ſuch men grow rich, and ſays, Our rich men are good for nothing. The city ſoon grows into ſedition between the oligarchic and democratic parties; and the poor prevailing over the rich, kill ſome and baniſh others, and ſhare the places in the republic, and the magiſtracies, equally among the remainder, and for the moſt part the magiſtracies are diſpoſed in it by lot. In what manner do theſe live, and what ſort of republic is this? A democracy. The city is full of all freedom of action and ſpeech, and liberty to do in it what any one inclines: every one will regulate his own method of life in whatever way he pleaſes. In ſuch a republic will ariſe men of all kinds. This is the fineſt of all republics, variegated like a robe with all kinds of flowers, and diverſified with all ſorts of manners. The multitude, it is likely, judge this republic the beſt, like children and women gazing

at variegated things. In truth, it contains all kinds of republics, and it appears neceſſary for any one, who wants to conſtitute a city, as we do at preſent, to come to a democratic city, as to a general fair of republics, and chooſe the form that he fancies: he will not be in want of models. Is not this a ſweet and divine manner of life for the preſent? To be under no neceſſity to govern, although you were able to govern; nor to be ſubject, unleſs you incline; nor to be engaged in war when others are; nor to live in peace when others do ſo, unleſs you be deſirous of peace; and though there be a law reſtraining you from governing or adminiſtering juſtice, to govern nevertheleſs, and adminiſter juſtice if you incline. Have you not obſerved, in ſuch a republic, men condemned to death or baniſhment, continuing ſtill, or returning like heroes, and walking up and down openly, as if no one obſerved them? Is not this indulgence of the city very generous, in magnificently deſpiſing all care of education and diſcipline, and in not regarding from what ſort of purſuits one comes to act in public affairs, but honouring him, if he only ſay he is well-affected towards the multitude? Theſe things, and ſuch as theſe, are to be found in a democracy; and it would be a pleaſant ſort of republic, anarchical and variegated, diſtributing a certain equality to all alike without diſtinction.

Let us conſider now the character of a democratical man, and how he ariſes out of that parſimonious one who, under the oligarchy, was trained up by his father in his manners. Such a one by force governs his own pleaſures, which are expenſive, and tend not to making money, and are called unneceſſary. Eating, ſo far as conduces to preſerve life, health, and a good habit of body, is a plea-

pleaſure of the neceſſary kind: but the deſire of theſe things beyond theſe purpoſes, is capable of being curbed in youth; and, being hurtful to the body and to the ſoul, with reference to her attaining wiſdom and temperance, may be called unneceſſary: in the ſame manner we ſhall ſay of venereal deſires, and others. We juſt now denominated a drone, the man who was full of ſuch deſires and pleaſures; but the oligarchic man, him who was under the neceſſary ones. The democratic appears to ariſe from the oligarchic man in this manner: When a young man, bred up without proper inſtruction, and in a parſimonious manner, comes to taſte the honey of the drones, and aſſociates with thoſe vehement and terrible creatures, who are able to procure pleaſures every way diverſified from every quarter; thence imagine there is the beginning of a change in him from the oligarchic to the democratic. And as the city was changed by the aſſiſtance of an alliance from without, with one party of it with which it was of kin, ſhall not the youth be changed in the ſame manner by the aſſiſtance of one ſpecies of deſires from without, to another within him which reſembles it, and is akin to it? By all means. If any aſſiſtance be given to the oligarchic party within him by his father, or the others of his family, admoniſhing and upbraiding him, then truly ariſes ſedition and oppoſition, and a fight within him with himſelf. Sometimes the democratic party yields to the oligarchic; ſome of the deſires are deſtroyed, others retire, on the riſe of a certain modeſty in the ſoul of the youth, and he is again rendered ſomewhat decent. Again, when ſome deſires retire, there are others akin to them, which grow up, and through attention to the father's inſtructions, become both many and powerful,

draw towards intimacies among themſelves, and generate a multitude, ſeize the citadel of the ſoul of the youth, finding it evacuated of noble learning and purſuits, and of true reaſoning, which are the beſt watchmen and guardians in the underſtandings of men beloved of the gods; and then falſe and boaſting reaſonings and opinions, ruſhing up in their ſtead, poſſeſs the ſame place in ſuch a one. Theſe falſe and boaſting reaſonings, denominating modeſty to be ſtupidity; temperance, unmanlineſs; moderation, ruſticity; decent expence, illiberality; thruſt them all out diſgracefully, and expel them their territories, and lead in, in triumph, inſolence and anarchy, and luxury and impudence, with encomiums and applauſes, ſhining with a great retinue, and crowned with crowns. Inſolence they denominate education; anarchy, liberty; luxury, magnificence; and impudence, manhood. In this manner, a youth, bred up with the neceſſary deſires, changes into the licentiouſneſs and remiſſneſs of the unneceſſary and unprofitable pleaſures; his life is not regulated by any order, but deeming it pleaſant, free, and happy, he puts all laws whatever on a level; like the city, he is fine and variegated, and many men and women too would deſire to imitate his life, as he hath in him a great many patterns of republics and of manners.

It remains, that we go over the moſt excellent republic, which is tyranny, and the moſt excellent man, who is the tyrant. The change is from democracy to tyranny, as from oligarchy to democracy. An inſatiable deſire of riches, and a neglect of other things, through attention to making money, deſtroys oligarchy; and an inſatiable thirſt of liberty deſtroys democracy. When a city is under a democracy, and is thirſting after liberty,

berty, and happens to have bad cup-bearers, and grows drunk with an unmixed draught of it, beyond what is neceſſary, it puniſhes even the governors, if they will not be entirely tame, and afford a deal of liberty, accuſing them as corrupted, and leaning towards oligarchy. Such as are obedient to magiſtrates are abuſed, as willing ſlaves, and good for nothing. Magiſtrates who reſemble ſubjects, and ſubjects who reſemble magiſtrates, are commended and honoured, both in public and private; in ſuch a city they of neceſſity ſoon go to the higheſt pitch of liberty, and this inbred anarchy deſcends into private families. The father reſembles the child, and is afraid of his ſons. The ſons accuſtom themſelves to reſemble the father, and neither revere nor ſtand in awe of their parents. Strangers are equalled with citizens. The teacher fears and flatters the ſcholars, and the ſcholars deſpiſe their teachers and tutors. The youth reſemble the more advanced in years, and rival them in words and deeds. The old men, ſitting down with the young, are full of merriment and pleaſantry, mimicking the youth, that they may not appear to be moroſe and deſpotic. The ſlaves are no leſs free than thoſe who purchaſe them; and wives have a perfect equality and liberty with their huſbands, and huſbands with their wives. The ſum of all theſe things, collected together, make the ſouls of the citizens ſo delicate, that if any one bring near to them any thing of ſlavery, they are filled with indignation, and cannot endure it; and at length *they regard not the laws*, written or unwritten, that no one whatever, by any manner of means, may become their maſter. This is that government ſo beautiful and youthful, whence tyranny ſprings. But any thing in exceſs, in animal or vegetable bodies,

in ſeaſons or in republics, is wont to occaſion a mighty change to the reverſe; and exceſſive liberty ſeems to change into nothing but exceſſive ſlavery, both with a private perſon and a city. Thus licentiouſneſs deſtroys the democracy. Out of no other republic is tyranny conſtituted but out of democracy; and out of the moſt exceſſive liberty, the greateſt and moſt ſavage ſlavery. The race of idle and profuſe men, one part of which was more brave, and were leaders, the other more cowardly, and followers, were compared to drones, ſome with ſtings, others with none. Theſe two ſpringing up in a republic, raiſe diſturbance, as phlegm and bile in a natural body. Let us divide a democratic city into three, as it really is; for one ſuch ſpecies as the above grows through licentiouſneſs in it, no leſs than in the oligarchic, but is much more fierce: in oligarchy, becauſe it is not in places of honour, but is debared from the magiſtracies, it is unexerciſed, and does not become ſtrong; but in a democracy this is the preſiding party, excepting a few; and now it ſays and does the moſt outrageous things. Some other party is now always ſeparated from the multitude; and while the whole are ſomehow in purſuit of gain, ſuch as are the moſt temperate become the wealthieſt, and have the greateſt quantity of honey; hence the greateſt quantity of honey, and what comes with the greateſt eaſe, is preſſed out of theſe by the drones. Such wealthy people are the paſture of the drones. The people who mind their own affairs, and meddle not with any others, who have not much property, but yet are the moſt numerous, and the moſt prevalent in democracy, *whenever it is fully aſſembled*, would be a third ſpecies: but it will not often fully aſſemble, if it does not get ſome ſhare of the honey. It does, however, always get a ſhare, for their

their leaders rob thoſe who have ſubſtance and give it to the people, that they may have the moſt themſelves. Theſe, then, who are thus deſpoiled, are obliged to defend themſelves, ſaying and doing all they can among the people. Others, then, give them occaſion to form deſigns againſt the people, and ſo they become oligarchic, even although they ſhould have no inclination to introduce a change of government: thence they go to accuſations, law-ſuits, and conteſts, one with another, the leaders ſlandering, and the drones ſtinging.

The people are wont always to ſet ſome one in a conſpicuous manner over themſelves, to cheriſh him, and greatly to increaſe his power. Whenever a tyrant riſes, it is from this root, and from nothing elſe, that he bloſſoms. What then is the beginning of a change from a preſident into a tyrant?—The wolf in the temple of Arcadia, dedicated to Lycæan Jupiter, had this inſcription, "That whoever taſted human entrails, mixed with other ſacrifices, neceſſarily became a wolf." In the ſame manner, he who, being preſident of the people, and receiving an extremely ſubmiſſive multitude, abſtaineth not from kindred blood, but unjuſtly accuſing them, and bringing them into courts of juſtice, ſtains himſelf with bloodſhed, and baniſhes and ſlays, and propoſes the abolition of debts and diviſion of lands;—muſt not ſuch a one either be deſtroyed by his enemies, or exerciſe tyranny, and, from being a man, become a wolf? He now becomes ſeditious towards thoſe who have ſubſtance, and when he fails he goes againſt his enemies with open force, and becomes an accompliſhed tyrant; and if they be unable to expel him, or put him to death by an accuſation before the city, they conſpire to cut him off privately by a violent death. On this account,

account, all thoſe who mount up to tyranny invent the celebrated tyrannical demand of the people, certain guards for their perſons, that the aſſiſtance of the people may be ſecured to them. The people, afraid of his ſafety, but ſecure as to their own, grant them. Then thoſe who have ſubſtance, and the crime of hating the people, fly; and if any one of them is caught, he is put to death. This preſident of a city, thus not behaving like a truly great man, tumbles down many others, and ſits in his chair a conſummate tyrant, inſtead of a preſident of the city. Conſider now the happineſs of the man and the city in which ſuch a mortal ariſes: in the firſt days, he ſmiles and ſalutes every one he meets, ſays he is no tyrant, promiſes many things, both in private and in public, frees from debts, diſtributes lands both to the people in general and thoſe about him, affects to be mild and of the patriot ſpirit towards all. But when he has reconciled to himſelf ſome of his foreign enemies, and tranquillity is reſtored, he raiſes wars, that the people may want a leader, and that, being rendered poor by the payment of taxes, they may be under a neceſſity of becoming intent on a daily ſuſtenance, and leſs ready to conſpire againſt him. If he ſuſpects any of them, who are of free ſpirits, will not allow him to govern, in order to have ſome pretext for deſtroying them, he expoſes them to the enemy. On theſe accounts, a tyrant is always under a neceſſity of raiſing war. While he is doing theſe things, he muſt become more hateful to his citizens: ſome of thoſe who have been promoted along with him, and are in power, ſpeak out freely, both to him and among themſelves, finding fault with the tranſactions. It behoves the tyrant then to cut off all thoſe who are of a more manly ſpirit, if he means to govern, till he

he leave no one, friend or foe, worth any thing; he muſt carefully obſerve who is courageous, magnanimous, wiſe, rich, and of neceſſity he muſt be an enemy to all theſe, and lay ſnares, until he cleanſe the city of them. Thus he muſt live with wicked people, and be hated by them too, or not live at all; the more he is hated, the more guards he will want. But the worthy men being deſtroyed, the worſt muſt be his guards. What a bleſſed poſſeſſion! But this army of the tyrant, ſo beautiful, ſo numerous, and multiform, muſt be maintained. If there be any ſacred things in the city, theſe they will ſpend, and the people obliged to pay the lighter taxes. When theſe fail, he and his drunken companions and aſſociates, male and female, ſhall be maintained out of the paternal inheritance; and the people who have made the tyrant ſhall nouriſh him. If the people be enraged, and ſay that they did not make him, to be ſlaves to his ſlaves, but that they might be ſet at liberty from the rich in the city, who are now called good and worthy men, and order him and his companions to be gone out of the city, as a father drives out of his houſe his ſon, with his tumultuary, drunken companions; then, indeed, the people ſhall know what a beaſt they are themſelves, and what a beaſt they have generated, hugged, and bred up. While they are the weaker, they attempt to drive out the ſtronger. The tyrant will ſtrip them of their armour. The people, defending themſelves againſt the ſmoke of ſlavery, have fallen into the fire of deſpotiſm; inſtead of that exceſſive and unſeaſonable liberty, embracing the moſt rigorous and wretched ſlavery of bondmen.—Thus, to ſpeak modeſtly, we have ſufficiently ſhewn how tyranny ariſes out of democracy, and what it is after it is riſen.

END OF THE EIGHTH BOOK.

THE

THE NINTH BOOK.

THE tyrannical man himſelf remains yet to be conſidered, in what manner he ariſes out of the democratic, and what kind of man he is, and whether he is wretched or happy: of thoſe pleaſures and deſires which are not neceſſary, *ſome are repugnant to law*; theſe, indeed, appear to ſpring up in every one, but being *chaſtiſed by the laws*, and the better deſires, along with reaſon, they either forſake ſome men altogether, or are leſs in number and feeble; in others they are in greater number and more powerful. Theſe lawleſs deſires are ſuch as are excited in ſleep, when the rational part of the ſoul which governs it is aſleep, and the part which is brutal and ſavage, being filled with meats and drunkenneſs, friſks about, and puſhing away ſleep, wants to go and accompliſh its practices; in ſuch a one it dares to do every thing, as being looſed and diſengaged from all modeſty and diſcretion; for it ſcruples not the embraces, as it imagines, of gods, men, or beaſts; nor to kill any one; in one word, is wanting in no folly nor impudence. There is in every one a certain ſpecies of deſires, which is terrible, ſavage, and irregular, even in ſome who ſeem to us to be entirely moderate.

Recollect now what kind of man we ſaid the democratic one was; educated from his infancy under a parſimonious father, who valued the avaricious deſires alone; but being afterwards converſant with thoſe who are more refined, running into their manner, and all ſort of inſolence, from a deteſtation of his father's parſimony; however, having a better natural temper than thoſe who corrupt him, and being drawn oppoſite ways, he ſettles into a manner in the middle of both, and participating moderately, as he imagines, of each

of them, he leads a life neither illiberal nor licentious, becoming a democratic man from an ariſtocratic. His ſon is educated in his manners, but the ſame things happening to him as to his father, he is drawn into all kinds of licentiouſneſs, which is termed, however, by thoſe who draw him off, the moſt complete liberty. His father, the domeſtics, and others, are aiding to thoſe deſires which are in the middle: but when the tyrant-makers have no hopes of retaining the youth in their power any other way, they contrive to excite in him a certain love which preſides over the indolent deſires, and ſuch as miniſter readily to their pleaſures; and when other deſires make a noiſe about him, full of their odours and perfumes, and crowns and wines, and the pleaſures of the moſt diſſolute kind, then truly he is ſurrounded with madneſs as a life guard, and that preſident of the ſoul rages with phrenzy, till he kills all modeſty, is cleanſed of temperance, and filled with additional madneſs. This is the formation of a tyrannical man. After this there are feaſtings among them, and revellings, banquetting, and miſtreſſes, and all ſuch things as may be expected where the tyrant's love, drunkenneſs, and madneſs govern all in the ſoul. After this there is borrowing and pillaging of ſubſtance, and ſearching for every thing which they are able, by rage and phrenzy, deceit and violence, to carry off; pilfering and beguiling parents. When the ſubſtance of father and mother fails, he will break into houſes, rob in the ſtreets, rifle temples. Thoſe deſires which heretofore were only looſe from their ſlavery in ſleep, when he was yet *under the laws* and his father, when under democratic government, now when he is tyrannized over by his paſſions, ſhall be equally as looſe when he is awake, and from

from no horrid ſlaughter or deed ſhall he abſtain; but the tyrant within him, *living without any reſtraint of law and government*, ſhall lead him on to every mad attempt. Such as theſe eſtabliſh as tyrant, the man who among them hath himſelf moſt of the tyrant, and in greateſt ſtrength within his own ſoul. If the city relucts, he ſhall bring in other young people, and chaſtiſe his formerly *beloved mother and father country*, as the Cretans ſay. But liberty and true friendſhip the tyrannic diſpoſition never taſted. Let us finiſh then our worſt man: he will be awake ſuch as we deſcribed him aſleep, and he who appears the moſt wicked, ſhall really be the moſt wretched; as many men as many minds; as city is to city, as to virtue and happineſs, ſo will man be to man; kingly government is the beſt, and tyranny is the worſt. No city is more wretched than that which is under tyranny, nor any more happy than that under regal power. Both the city and the tyrant ſhall be ſlaviſh, poor, timorous; and you will find more lamentations and groans, weepings and torments, than in any other city. *We ſhould not merely conjecture about matters of ſuch importance, but moſt thoroughly inquire into them, by reaſoning of this kind, for the inquiry is concerning the moſt important matter, a good life and a bad.*

Such private men as are rich, and poſſeſs many ſlaves, have this reſemblance at leaſt of tyrants, that they rule over many: if they live ſecurely, and are not afraid of their domeſtics, it is becauſe the whole city gives aſſiſtance to each particular man: but if a god ſhould lift a man, his wife and children, with fifty ſlaves, out of the city, and let them down in a deſart, in what kind of fear would he be about himſelf, his wife and children, leſt they ſhould be deſtroyed by the domeſtics?

Such,

Such, and much worſe, is the tyrant in his tyrannical city ;—envious, faithleſs, cowardly, unjuſt, unfriendly, unholy, and a ſink and breeder of all wickedneſs.

Now tell me which is the firſt and which the laſt, as to happineſs, the regal, the ambitious, the oligarchic, the democratic, and the tyrannic man and city. The beſt and juſteſt is the happieſt.

Thus, Sir, you have ſome of Plato's ſentiments of morals and politics, how much they are to M. Turgot's purpoſe, we may ſhew in another letter ; mean time I am, &c.

LETTER XXXIV.

MY DEAR SIR,

I PROMISED you to add to the reſearches of Polybius and Plato, concerning the mutability of governments, thoſe of Sir Thomas Smith, who, as he tells us, on the 28th of March, 1565, in the 7th of Eliz. and 51ſt year of his age, was ambaſſador from that queen to the court of France, and then publiſhed " The Commonwealth of England," not as Plato made his Republic, Xenophon his Kingdom of Perſia, or Sir Thomas Moore his Utopia, feigned commonwealths, ſuch as never were nor ſhall be, vain imaginations, phantaſies of philoſophers, but as England ſtood, and was governed at that day,

In his 7th chapter, and the two following, he gives us his opinion of the origin of a kingdom,

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an ariſtocracy, and democracy. The third he ſuppoſes to grow naturally out of the ſecond, and the ſecond out of the firſt, which originated in patriarchal authority. But as there is nothing remarkable, either in favour of our ſyſtem or againſt it, I ſhould not have quoted the book in this place, but for the ſake of its title. The conſtitution of England is in truth a republic, and has been ever ſo conſidered by foreigners, and by the moſt learned and enlightened Engliſhmen, although the word commonwealth has become unpopular and odious, ſince the unſucceſsful and injudicious attempts to aboliſh monarchy and ariſtocracy, between the years 1640 and 1660.

Let us proceed then to make a few obſervations upon the Diſcourſes of Plato and Polybius, and ſhew how forcibly they prove the neceſſity of permanent laws, to reſtrain the paſſions and vices of men, and to ſecure to the citizens the bleſſings of ſociety, in their peaceable enjoyment of their lives, liberties, and properties; and the neceſſity of different orders of men, with various and oppoſite powers, prerogatives, and privileges to watch over one another, to balance each other, and to compel each other at all times to be real guardians of the laws.

Every citizen muſt look up to the laws, as his maſter, his guardian, and his friend; and whenever any of his fellow citizens, whether magiſtrates or ſubjects, attempt to deprive him of his right, he muſt appeal to the laws; if the ariſtocracy encroach, he muſt appeal to the democracy; if they are divided, he muſt appeal to the monarchical power to decide between them, by joining with that which adheres to the laws; if the democracy is on the ſcramble for power, he muſt appeal to the ariſtocracy, and the monarchy, which by uniting

ing may reſtrain it. If the regal authority preſumes too far, he muſt appeal to the other two. Without three diviſions of power, ſtationed to watch each other, and compare each other's conduct with the laws, it will be impoſſible that the laws ſhould at all times preſerve their authority, and govern all men.

Plato has ſufficiently aſſerted the honour of the laws, and the neceſſity of proper guardians of them; but has no where delineated the various orders of guardians, and the neceſſity of a balance between them: he has, nevertheleſs, given us premiſes from whence the abſolute neceſſity of ſuch orders and equipoiſes may be inferred; he has ſhewn how naturally every ſimple ſpecies of government degenerates. The ariſtocracy, or ambitious republic, becomes immediately an oligarchy.—What ſhall be done to prevent it? Place two guardians of the laws to watch the ariſtocracy: one in the ſhape of a king, on one ſide of it; another in the ſhape of a democratical aſſembly, on the other ſide. The ariſtocracy, become an oligarchy, changes into a democracy.—How ſhall it be prevented? By giving the natural ariſtocracy in ſociety its rational and juſt weight, and by giving it a regal power to appeal to againſt the madneſs of the people. Democracy becomes a tyranny.—How ſhall this be prevented? By giving it an able independent ally in an ariſtocratical aſſembly, with whom it may unite againſt the unjuſt and illegal deſigns of any one man.

LETTER XXXV.

ANCIENT DEMOCRATICAL REPUBLICS.

CARTHAGE.

MY DEAR SIR,

IN order to ſhew the theory of Socrates, as reported by Plato, in a clearer light, and to be convinced that he has not exaggerated in his deſcription of the mutability in the characters of men, and the forms of government, we ſhould look into the hiſtory of thoſe ancient republics from whence he drew his obſervations and reaſonings. Although it is probable that Greece was his principal theatre, yet we may reaſonably ſuppoſe that Carthage, and a multitude of other republics in Italy, beſides that of Rome, were not unknown to him.

The hiſtory of Greece ſhould be to our countrymen, what is called in many families on the continent a boudoir; an octagonal apartment in a houſe, with a full-length mirror on every ſide, and another in the ceiling. The uſe of it is, when any of the young ladies, or young gentlemen if you will, are at any time a little out of humour, they may retire to a place, where, in whatever direction they turn their eyes, they ſee their own faces and figures multiplied without end. By thus beholding their own beautiful perſons,

ſons, and ſeeing at the ſame time the deformity brought upon them by their anger, they may recover their tempers and their charms together. A few ſhort ſketches of the ancient republics will ſerve to ſhew, not only that the *orders* we defend were common to all of them; that the proſperity and duration of each was in proportion to the care taken to *balance* them; and that they all were indebted for their frequent ſeditions, the riſe and progreſs of corruption, and their decline and fall, to the imperfection of their orders, and their defects in the balance.

As there are extant no writings of any Carthaginian philoſopher, ſtateſman, or hiſtorian, we have no exact information concerning the form of their commonwealth, but what appears in a few hints of Greek and Roman authors. Their commerce and riches, their empire of the ſea, and extenſive dominion of two thouſand miles on the ſea-coaſt, their obſtinate military conteſts with Rome, and the long duration of their government, prove both that their population and power were very great, and their conſtitution good; eſpecially, as for the ſpace of five hundred years, their tranquillity was never interrupted by ſedition, nor their liberties attempted by the ambition of any of their citizens.

The national character was military, as well as commercial; and although they were avaricious, they were not effeminate.

The monarchical power was in two ſuffetes, the ariſtocratical in the ſenate, and the democratical was held by the people in a body. Theſe are ſaid to have been nicely balanced, but we know not in what manner. The chief magiſtrates were annually elected by the people. The ſena-

tors were elected too, and although it is not certain, it is moſt probable, by the people; but it appears, that three qualifications were indiſpenſable in every ſenator—birth, merit, and wealth: this laſt requiſite rendered commerce honourable, even in the firſt of the patricians and ſenators themſelves, and animated the commercial genius of the nation. This government thus far reſembles thoſe of the United States of America more than any other of the ancient republics, perhaps more than any of the modern: but when we inquire for the balance, it is not to be found. The ſuffetes had not more authority than Roman conſuls; they had but a part of the executive power, and none of the legiſlative: much of the executive, and all the legiſlative, was in the ſenate and people: the balance then could only be between theſe two. Now it is impoſſible to balance two aſſemblies, without introducing a third power; one or other will be moſt powerful, and whichever it is, it will continually ſcramble till it gets the whole: in fact, the people here had the whole, as much as in any of our ſtates; ſo that while the citizens were uncorrupted, and gave their votes honeſtly for ſuffetes and ſenators, all went well: and it is extremely remarkable, that with all their acknowledged eagerneſs for money, this people were ſo many centuries untainted with luxury and venality, and preſerved their primitive frugality of manners, and integrity in elections. As to the Roman accuſations of inſincerity, there is no more reaſon to believe them, than there would be to believe a Carthaginian who ſhould retort the reproach. This, as well as other inſtances, may lead us to doubt the univerſality of the doctrine, that commerce corrupts manners.

manners. There was another remarkable inſtitution, that the ſenate ſhould always be unanimous; and if any one ſenator inſiſted upon his own opinion againſt all the reſt, there could be no deciſion but by an appeal to the people. This again gave a ſtrong democratical caſt to the conſtitution. Such a tendency could only be balanced by the laws, which requiring a large fortune for every ſenator and public officer, in order to ſupport his dignity, and ſecure him againſt the temptations to corruption, confined the choice to the firſt families and abilities united. This was liable to great objection, becauſe great abilities might often be poſſeſſed by men of obſcurer original, and ſmaller property, who were thereby excluded. To this law, nevertheleſs, may be aſcribed the duration of the republic.

Another remarkable check, which was perhaps the original model from whence the Venetian inquiſition was copied, was a committee of one hundred and four members of the ſenate, appointed to watch the ambition of the great families. To this body all their admirals and generals were required to render an account of their conduct at the end of every year.

Out of this body were elected a ſub-committee of five, who had very great power: their office was for life; and they filled up their own vacancies out of the one hundred and four, and all the vacancies, even in the one hundred and four, out of the ſenate; they had the ſupreme tribunal of criminal juriſdiction. This power muſt have been terrible to all; to the people, ſenate, and ſuffetes; yet it was the check which preſerved the ſtate from ſedition and convulſions.

It grew unpopular; and the law which at laſt made it annual and elective, probably laid the foundation of the ruin of the commonwealth, by changing the balance, and introducing the *dominatio plebis*. The balances in this, the moſt democratical republic of antiquity, contrived by the people themſelves to temper their own power, are extremely remarkable: the ſuffetes repreſented, like the conſuls at Rome, the majeſty of the commonwealth, and had a ſhare of executive authority; the council of five had criminal juriſdiction, and inquiſitorial power; the one hundred and four were a body choſen out of the ſenate, by the five, for their ſupport; then comes the ſenate at large; and, laſt of all, the people at large. Here are five orders completely diſtinct, beſides the neceſſary legal qualification of great wealth: yet all theſe checks, although they preſerved the ſtate five hundred years, could not prolong its period above ſeven hundred; becauſe, after all, the balance was not natural nor effectual. The executive power was not ſeparated from the legiſlative, nor the different parts of the legiſlature properly divided or balanced: the executive power and judicial were both chiefly in legiſlative hands.

The noble families thus ſecured in poſſeſſion both of legiſlative and executive power, could not be reſtrained by all the ligaments which had been contrived to preſerve the equipoiſe between them and the people: they divided into two factions, with the family of Hanno at the head of one, and that of Barcas of the other; firſt attacked the council of five, whoſe power was unpopular, as well as odious to the nobles; eaſily procured a law to make that annually elective,

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or, in other words, an inſtrument always in the hands of the prevailing faction, as ſuch a ſmall body, ſo changeable, muſt ever be, and overturned the conſtitution. The Romans had all the advantage of theſe diſſenſions in the war, by which they finally deſtroyed their rival power ſo effectually, that ſcarce a trace of it remains to be ſeen, even in ruins. Their virtues were not extinguiſhed to the laſt, and ſome of the greateſt examples of patriotiſm and heroiſm were exhibited even in their expiring agonies.

LETTER XXXVI.

ANCIENT ARISTOCRATICAL REPUBLICS.

ROME.

MY DEAR SIR,

DIONYSIUS Halicarnaſſenſis has not only given us his own judgement, that the moſt perfect form of government is that which conſiſts of an equal mixture of monarchy, ariſtocracy, and democracy, in the ſpeech which he puts into the mouth of Valerius, but has repeated the ſame ſentiment in his own name in other parts of his work. In the ſeventh ſection of his ſecond book of the Roman Antiquities, he ſays

of Romulus, that he was extremely capable of inſtituting the moſt perfect form of government. And again, "I ſhall firſt ſpeak of the form of government he inſtituted, which I look upon, of all others, to be the moſt ſelf-ſufficient to anſwer all the ends both of peace and war." This is a mixture of monarchy, ariſtocracy, and democracy, extolled by Polybius, and is nearly the ſame with that of Lycurgus, inſtituted at Sparta about a hundred years before. As the conſtitutions of Rome and Sparta laſted ſo many centuries longer than others of Greece and Italy, and produced effects ſo amazing upon the human character, we may rationally aſcribe that duration and thoſe effects to this compoſition, although the balance was very imperfect in both. The legal power, both of the kings and people, in both, were unequal to that of the ſenate, and therefore the predominant character in both was ariſtocracy. In Sparta, the influence of the monarchy and democracy was derived chiefly from the oath taken by the kings and ephori to ſupport each other. An authority founded thus in opinion, in religion, or rather ſuperſtition, not in legal power, would keep the ſenate in ſome awe, but not in any certain reſtraint.

Romulus divided all the people into three parts, and appointed a perſon of the firſt rank to be the chief of each of them. Then he ſubdivided each of theſe into ten others, and appointed as many of the braveſt men to be the leaders of theſe. The greater diviſions he called tribes, and the leſſer curiæ: the commanders of the tribes were called tribuni; and thoſe of the curiæ, curiones. He then divided the land into

thirty

thirty portions, and gave one of them to each curia. He diſtinguiſhed thoſe who were eminent for their birth, virtues, and riches; and to theſe he gave the name of fathers. The obſcure, the mean, and the poor, he called plebeians, in imitation of the government at Athens, where, at that time, thoſe who were diſtinguiſhed by their birth and fortune were called "well-born," to whom the adminiſtration of government was committed: and the reſt of the people, who had no ſhare in it, "huſbandmen." Romulus appointed the patricians to be prieſts, magiſtrates, and judges. The inſtitution by which every plebeian was allowed to chooſe any patrician for his patron, introduced an intercourſe of good officers between theſe orders, made the patricians emulate each other in acts of civility and humanity to their clients, and contributed to preſerve the peace and harmony of Rome in ſo remarkable a manner, that in all the conteſts which happened for ſix hundred and twenty years, they never proceeded to bloodſhed.

The king, according to the inſtitution of Romulus, had ſeveral important functions, viz. 1. Supremacy in religion, ceremonies, ſacrifices, and worſhip. 2. The guardianſhip of the laws, and adminiſtration of juſtice in all caſes, whether founded on the law of nature, or the civil law: he was to take cognizance of the greateſt crimes in perſon, leaving the leſſer to the ſenate; and to obſerve, that no errors were committed in their judgements: he was to aſſemble both the ſenate and the people; to deliver his opinion firſt, and purſue the reſolutions of the majority.—Romulus, however, wiſely avoided that remarkable Spartan abſurdity, of two kings.

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The ſenate were to deliberate, and determine by a majority of votes, all queſtions which the king ſhould propoſe to them. This inſtitution alſo Romulus took from the conſtitution of the Lacedæmonians. The kings, in both conſtitutions, were ſo far from being abſolute, that they had not the whole executive power, nor any negative upon the legiſlature; in ſhort, the whole power of the government was veſted in the ſenate.

The people had three privileges; to chooſe magiſtrates (yet all the great employments muſt be confined to the patricians;) to enact laws; and to determine concerning war, when propoſed by the king: but the concurrence of the ſenate being neceſſary to give a ſanction to their deciſions, their power was not without controul.

To ſeparate the executive from the legiſlative power, and the judicial from both, and to give the king, the ſenate, and people, each a negative in the legiſlature, is ſo ſimple, and to us appears ſo obvious an improvement of this plan, that it is ſurpriſing it did not occur to Romulus, as well as to Lycurgus: but, in thoſe early times, perhaps neither kings, nor nobles, nor people, were willing to have their prerogatives and privileges ſo exactly aſcertained. The nobles, in both nations, had almoſt all the influence, and were, no doubt, as jealous of royal as they were of popular power. It is certain that, although the government was called monarchical, it was in reality ariſtocratical in an high degree. There is a remarkable example of ariſtocratical art in the manner of obtaining the determination of the people: they were not permitted to vote in one common aſſembly; they were called in their cu-

riæ; the majority of votes in a curia decided its voice; and a majority of curiæ was the reſolve of the whole people.

Had Romulus died in peace, and left a ſon, his monarchy would probably have deſcended in his family; but a conteſt aroſe immediately here (as it has done in all other nations where the people had not a negative, and where the executive power has been partly in the hands of a king, and partly in a ſenate) between the king and the nobles; and Romulus was put to death by the patricians, for aiming, as they pretended, at more power than his ſhare. This enabled the patricians to carry their firſt point; for it is always the firſt point of the ariſtocracy to make the firſt magiſtrate elective: in this they are always at firſt joined by the people; but, after ſeeing the uſe which the nobles make of theſe elections a few times, the people themſelves have always made it hereditary.

Numa was choſen, a man of peace, piety, and humanity, who had addreſs enough to make the nobles and people believe that he was married to the goddeſs Egeria, and received from his celeſtial conſort all his laws and meaſures.

Tullus Hoſtilius, a man of great merit, was choſen in his ſtead; but after a glorious, at leaſt a victorious reign of thirty-two years, was murdered by the patricians, headed by Ancus Marcius, grandſon of Numa by his only daughter, who thought his family-right prior to that of Tullius.

Ancus was elected king, and died a natural death.

Lucius Tarquinius, after a reign of thirty-eight years, in which he had enlarged the territory, beautified the city, and ſhewn himſelf worthy

thy of the crown, was aſſaſſinated in his palace by the two ſons of Ancus Marcius, who had learned the family policy: but their project was unfortunate; the people loved Lucius, executed the inſtruments of the murder, baniſhed the two ſons of Ancus, and confiſcated their eſtates.

Servius Tullius, who had married the daughter of Lucius, was now elevated to the throne by the people, much againſt the will of the ſenate and patricians, becauſe Lucius was not one of them, but of Greek extraction. Tullius was chiefly ſupported by the people, always diſagreeable to the patricians, who held his advancement to the throne to be illegal. The adminiſtration of Tullius is an artful ſyſtem of duplicity, to preſerve his character, of the man of the people, and, at the ſame time, appeaſe the fury of the patricians, by really undermining the authority of the people, and throwing the whole power into their hands. In purſuance of his principle to pleaſe both ſides, he made excellent equitable regulations for regiſtering the people, eſtabliſhing a militia, and proportioning the burdens of war according to the property and abilities of all ranks; but he ſubdivided the ſix claſſes into one hundred and ninety-three centuries: the firſt claſs was compoſed wholly of the rich, and contained ninety-eight of the centuries. If the centuries of the firſt claſs were unanimous, as they generally were, they carried every point by a majority of three; if they diſagreed, the centuries of the ſecond claſs were called; if they diſagreed, the third came forward; and ſo on, till ninety-ſeven centuries agreed: if the numbers continued equal, ninety-ſix to ninety-ſix, the ſixth claſs was called, which was compoſed wholly of the pooreſt people, and contained

contained but one century; but even the votes of the fourth claſs were rarely called for, and the votes of the fifth and ſixth were generally uſeleſs. When the people voted by curiæ, the vote of every citizen was given, and, as the poor were moſt numerous, they were always ſure of a large majority; but when thus taken by centuries, that numerous body of the poor which compoſed the ſixth century, were wholly inſignificant, and thoſe of the fifth and fourth very nearly ſo. By changing the votes from curiæ to centuries, Tullius wholly changed the fundamental conſtitution, and threw the elections of magiſtrates, civil and military, the power of enacting and repealing laws, declaring war, and making peace, all into the power of the rich patricians. The people had not ſenſe enough to ſee this; nor to ſee another thing of more importance, viz. that the king had been driven to the neceſſity of this artful flattery of the patricians by his not being independent of them, and by their ſharing with him in the executive power. Tullius had two daughters, married to the grandſons of his predeceſſor, Aruns and Tarquinius. The patricians were ſtill caballing againſt Tullius, and ſet up Tarquin, one of his ſons-in-law, againſt him; but as a majority were not for his depoſition, Tarquin and his impious and inceſtuous wife joined the cabal in the murder of her firſt huſband and her father. Tarquin, in time, murdered, on all hands, patricians and plebeians.—He was expelled by Brutus.

This whole hiſtory, from Romulus to Tarquin, is one continued ſtruggle of the noble families for the firſt place; and another unanſwerable proof of the neceſſity of having three orders, and each order independent, in order to form an effectual equilibrium. The people were very little

regarded by the ſenate or patricians; the kings only now and then courted the people for ſupport againſt their rivals among the patrician families. The tyranny of Tarquin made the *name of king* odious and unpopular: the patricians, who were the principal conductors of the revolution, took advantage of this;—for what? To reſtore and improve Romulus's plan of a mixed government? No; but to eſtabliſh their favourite ariſtocracy upon the ruins of monarchy. Two conſuls, in imitation of the two Spartan kings, were to be elected annually by the votes of the people, which carried the name of a democratical power; but the votes were taken by centuries, not by tribes, which made the patricians maſters of the elections, and conſtituted an ariſtocracy in reality. From this moment a haughty faction of ſelfiſh patricians appears, who affected to deſpiſe the people, to reduce them to ſervitude, and eſtabliſh a deſpotic oligarchy. The people had ſuffered their prejudices to blind them ſo far as to be tricked out of their king, who was at leaſt a better friend to them than the patricians were, and now the conteſts were wholly between patricians and plebeians: the former had now got the conſuls, and conſequently the executive power, as much in their hands as ever the nobles in Venice had their doge, or as the nobles in Poland have their king.

The plebeians were now in a moſt wretched ſituation. They were obliged to ſerve in the wars, to keep out the Tarquins and their allies, at their own expence, which frequently obliged them to borrow money at exorbitant intereſt of the patricians, who had engroſſed the greater part of the wealth; and, as the country was often ravaged by the enemy, many loſt all their effects. Unable

able to pay the principal, with accumulated loads of intereſt upon intereſt, they were frequently confined by their creditors in chains, and ſcourged with whips; for the law, to which they had fooliſhly conſented, had made the debtor a ſlave to the creditor. The people began to demand an abolition of debts; the ſenate appointed a dictator. A confuſion of foreign wars and domeſtic diſſenſions enſues, till we come to the ſtory ſo beautifully told by Livy and Dionyſius, of the man who had been in twenty-eight battles, who appeared before the people, and ſhewed on his back the bleeding ſcars inflicted by a mercileſs creditor. At this time the patricians had plunged into their uſual difficulty, a violent conteſt among themſelves, between a furious headlong party, which always appear for an oligarchy, and the moderate men, who deſire to continue the ariſtocracy; the young patricians generally follow the haughty Claudius, and the mild Valerius courts the people. The oligarchy prevails, and the decemvirate is eſtabliſhed: their tyranny drives the people to the ſacred mountain; and, at laſt, the tribunate was eſtabliſhed.—Here is the firſt ſymptom of any ſyſtem purſued by the people: this was a balance—but what kind of balance? Nobody thought of another council, a houſe of repreſentatives, who ſhould have a negative; and, if they had, it would not have availed without a king; for ſuch a new aſſembly would ſoon have been either wholly ſubjected to the ſenate, or would have voted it uſeleſs. In truth, the monarchical power being ſuppreſſed, and the executive authority, as well as legiſlative, being now only in the ſenate and people, a ſtruggle commenced between theſe two.

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The people were on the ſcramble for more power; and firſt obtained a law, that all laws paſſed in their aſſembly by tribes, ſhould have equal force with thoſe made in the aſſembly by centuries; then, that all poſts and dignities ſhould be enjoyed by the plebeians equally with the patricians: and that the decrees of the people ſhould have the ſame force, and affect the patricians in the ſame manner, as thoſe paſſed by the ſenate. All this was very juſt, and only brought the democracy to an equality with the ariſtocracy; but whenever theſe two are equal in legal power, numbers will ſoon turn the balance in favour of the democracy, unleſs there is a third power to intervene. Accordingly it ſo happened, and the people went on from ſtep to ſtep, increaſing their own importance, and diminiſhing that of the ſenate, until it was found ſhut up in Utica; but before this, the people were divided into parties, and Cæſar, at the head of one, paſſed the Rubicon, that is, ſet the moſt ſacred law of his country at open defiance. From this time the government became a government of men, and the worſt of men.

From this example, as from all others, it appears, that there can be no government of laws without a balance, and that there can be no balance without three orders; and that even three orders can never balance each other, unleſs each in its department is independent and abſolute. For want of this, the ſtruggle was firſt between the king and ſenate; in which caſe the king muſt always give way, unleſs ſupported by the people. Before the creation of tribunes, the people were in no ſenſe independent, and therefore could not ſupport the kings. After the abolition of kings, the ſenate had no balance either way.

way, and accordingly became at once a tyrannical oligarchy. When the people demanded their right, and obtained a check, they were not ſatisfied; and graſped at more and more power, until they obtained all, there being no monarchical power to aid the ſenate. But the moment the power became collected into this one center, it was found in reality ſplit into three; and as Cæſar had the largeſt of the three ſhares, he inſtantly uſurped the whole.

LETTER XXXVII.

ANCIENT MONARCHICAL REPUBLICS.

TACITUS.

DEAR SIR,

BEFORE we proceed to the Greeks, we may even mention the ſavages. Every nation in North America has a king, a ſenate, and a people. The royal office is elective, but it is for life; his ſachems are his ordinary council, where all the national affairs are deliberated and reſolved in the firſt inſtance: but in the greateſt of all, which is declaring war, the king and ſachems call a national aſſembly round a great council fire, communicate to the people their reſolution, and ſacrifice an animal. Thoſe of the people who approve the war, partake of the ſacrifice; throw the hatchet into a tree, after the example of the king;

king, and join in the ſubſequent war ſongs and dances. Thoſe who diſapprove, take no part of the ſacrifice, but retire.

ANCIENT GERMANS.

THE ancient German nations mentioned by Tacitus, had among them at leaſt two ſorts of governments. One was monarchy: and the king was abſolute, as appears by theſe words: "Exceptis "iis gentibus quæ regnantur; ibi enim et ſuper "ingenuos, et ſuper nobiles, aſcendunt liberti: "apud ceteros, impares libertini, libertatis argu- "mentum."* The other ſpecies of government was ariſtocracy; for though there was a mixture of monarchy, ariſtocracy, and democracy, yet the power of the king and people was ſo feeble, and that of the nobles, as comprehended under the titles of princes, dukes, and counts, was ſo predominant,

* There cannot be a ſtronger proof that this, that the monarchy was of the moſt abſolute kind, that it was indeed a ſimple deſpotiſm; and Tacitus himſelf gives the explanation of it, in his account of the original of this kind of ſlavery. "Aleam ſobrii inter ſeria exercent, tanta lucrandi "perdendive temeritate, ut, cum omnia defecerunt, ex- "tremo ac noviſſimo jactu, de libertate et de corpore "contendant. Victus voluntariam ſervitutem adit; quan- "quam junior, quanquam robuſtior, alligari ſe ac venire "patitur: ea eſt in re prava pervicacia; ipſi fidem vocant. "Servos conditionis hujus per commercia tradunt, ut ſe "quoque pudore victoriæ exſolvant. Liberti non multum "ſupra ſervos ſunt, raro aliquod momentum in domo, nun- "quam in civitate, exceptis duntaxat iis gentibus quæ "regnantur," &c. If in theſe nations thoſe freedmen, who were nothing in the others, neither in the family or the ſtate, were held in more eſtimation, and advanced to more power, than the citizens, even than the nobles, theſe kings muſt have been deſpots, in the ſtricteſt ſenſe of the word; otherwiſe neither nobles nor people would have ſuffered the indignity.

that

that the government muſt be denominated ariſtocratical. "De minoribus rebus principes con-
"ſultant, de majoribus omnes; *ita tamen*, ut ea
"quoque, quorum penes plebem arbitrium eſt,
"apud principes pertractentur." If thoſe things which are moſt clearly in the power of the people, were firſt diſcuſſed among the nobles, the reference to the people afterwards ſeems to have been rather a communication to them of the reſult of the ſenate, than a ſubmiſſion of it to the popular judgement.

The nature and extent of the royal dignity and authority appears from theſe words: "Reges
"ex nobilitate ſumunt; nec regibus infinita aut
"libera poteſtas." Kings were taken from the nobility, or kings were choſen for their noble deſcent; ſo that ordinarily the office deſcended to the next of kin: but it is here expreſsly aſcertained that their power was neither unlimited nor independent. They had no negative, and might in all things be over-ruled, at leaſt by the nobles and people conjointly.

The nature and extent of the ariſtocratical dignities and authorities may be collected from what follows: "Duces ex virtute ſumunt; et duces exem-
"plo potius quam imperio, ſi prompti, ſi conſpicui;
"ſi ante aciem agant, admiratione præſunt." The feudal hierarchy, even in theſe early times, was fully eſtabliſhed, although it was afterwards enlarged. The titles of dukes and counts, the rank and power they conferred, deſcended in families, although there was the bare formality of an election in the grand council. "Arma ſumere, non ante cuiquam moris,
"quam civitas ſuffecturum probaverit: tum, in ip-
"ſo conſilio, vel principum aliquis, vel pater, vel
"propinquus, ſcuto frameaque juvenem ornant.
"Inſignis nobilitas, aut magna patrum merita,
"principis dignationem etiam adoleſcentulis aſ-

" ſignant."—"When the young men were firſt ad-
" mitted into public ſociety, it was in the great
" council; when ſome one of the dukes, or the
" father, or other relation, adorned the youth
" with arms. And if he is of very noble birth,
" or his father has great merit, the dignity of a
" duke is aſſigned to him, young as he is."—
From this it is pretty clear that the crown, as well as the titles of dukes and counts, deſcended in the family line, although the formality of an admiſſion into council was kept up. The nobles, among whom the king was little more than the firſt among equals—at leaſt, he was not more ſuperior to the dukes, than the dukes were to the counts—had the game in their own hands, and managed a rude people as they pleaſed. This will appear probable from other paſſages: "Cæ-
" teris robuſtioribus, ac jam pridem probatis, ag-
" gregantur; nec rubor inter comites aſpici,
" gradus quinetiam et ipſe comitatus habet,
" judicio ejus quem ſectantur. Magnaque et
" comitum æmulatio, quibus primus apud prin-
" cipem ſuum locus; et principum, cui plurimi
" et acerrimi comites. Hæc dignitas, hæ vires,
" magno ſemper electorum juvenum globo cir-
" cumdari, in pace decus, in bello præſidium;
" nec ſolum in ſua gente cuique, ſed apud fini-
" timas quoque civitates, id nomen, ea gloria
" eſt, ſi numero ac virtute comitatus emineat;
" expetuntur enim legationibus, et muneribus or-
" nantur, et ipſa plerumque fama bella profli-
" gant. Cum ventum in aciem, turpe principi
" virtute vinci, turpe comitatui virtutem princi-
" pis non adæquare. Jam vero infame in omnem
" vitam, ac probroſum, ſuperſtitem principi ſuo
" ex acie receſſiſſe. Illum defendere, tueri, ſua
" quoque fortia facta gloriæ ejus aſſignare, præ-

" cipuum

" cipuum ſacramentum eſt. Principes pro vic-
" toria pugnant, comites pro principe. Si civi-
" tas, in qua orti ſunt, longa pace et otio torpeat,
" plerique nobilium adoleſcentium petunt ultro
" eas nationes quæ tum bellum aliquod gerunt;
" quia et ingrata genti quies, et facilius inter
" ancipitia clareſcunt, magnumque comitatum
" non niſi vi belloque tueare; exigunt enim
" principis ſui liberalitate illum bellatorem
" equum, illam cruentam victricemque fra-
" meam: nam epulæ, et quanquam incompti
" largi, tamen, apparatus pro ſtipendio cedunt;
" materia magnificentiæ per bella et raptus.
" Nec arare terram, aut expectare annum, tam
" facile perſuaſeris quam vocare hoſtes, et
" vulnera mereri; pigram quinimo et iners vi-
" detur, ſudore acquirere quod poſſis ſanguine
" parare."

When the foregoing ties, by which the people or the common ſoldiers were attached to the nobles, and the young and inferior nobles to the ſuperior, are conſidered, a better judgement may be formed of the authority which the people really had in the grand council or national aſſembly.

The powers and privileges of the people, in aſſembly, appears from the following paſſages: " Coeunt, niſi quid fortuitum et ſubitum incide-
" rit, certis diebus, cum aut inchoatur luna aut
" impletur; nam agendis rebus hoc auſpicatiſſi-
" mum initium credunt.—Illud ex libertate vi-
" tium, quod non *ſimul nec juſſi conveniunt*, ſed et
" alter et tertius dies cunctatione coeuntium ab-
" ſumitur." By this it ſhould ſeem that the people were ſo far from eſteeming the privilege of meeting, that the king and nobles could ſcarcely get them together. They had ſuch an averſion to

theſe civil and political deliberations, that the chiefs could hardly collect them to receive their orders.—" Ut turbæ placuit, conſidunt armati. " Silentium per ſacerdotes, quibus tum et coer- " cendi jus eſt, imperatur. Mox *rex*, vel *prin-* " *ceps*, prout ætas cuique, prout nobilitas, prout " decus bellorum, prout facundia, audiuntur, " auctoritate ſuadendi magis quam jubendi po- " teſtate. Si diſplicuit ſententia, fremitu aſper- " nantur; ſin placuit, frameas concutiunt." Here is ſome appearance of popular liberty: but when it is conſidered that the nobles were probably all the ſpeakers; that the numbers were not counted, nor voices diſtinctly taken; aſſent expreſſed by a claſh of arms, and diſſent by a murmur or a groan; and eſpecially the dependence of the people on their leaders, and attachment to them by oath; we may conſider theſe aſſemblies rather as called to receive the proclamation of the laws or minds of the nobles, than as any effectual democratical check. There was one thing, however, of great importance, done in theſe aſſemblies; judges, the poſſe comitatus, and juries, were here appointed to adminiſter juſtice. " Eliguntur in " iiſdem conciliis et principes, qui jura per pa- " gos vicoſque reddunt. Centeni ſingulis ex " plebe comites, conſilium ſimul et auctoritas, " adſunt."—An hundred commoners attended the judge, and out of theſe were juries appointed to give their opinion, " conſilium;" and others, or perhaps the ſame, to afford their aſſiſtance, " auctoritas," in putting the ſentences and judgement into execution.

From other particulars related by Tacitus, it is very probable there had been communications between Germany and Greece; from the worſhip of Hercules, Mars, Minerva, &c.; if not from

from the altar of Ulyſſes, and the name of Laertes, and the other monuments and inſcriptions in Greek letters, of which he ſpeaks more doubtfully.—However this may have been, there is a remarkable analogy between theſe political inſtitutions of the Germans, and thoſe deſcribed by Homer in the times of the Trojan war. It was, in both, the prerogative of the king to lead in war, and to rule in peace; but it is probable he was not fond of deliberating, any more than of fighting, without company: and though he may have done both ſometimes, yet numbers of his followers were ready to attend him in either. The nation acknowledged him for their leader; but they were accuſtomed, on great occaſions, to aſſemble, and, without any ſtudied form of democracy, took the ſovereignty upon themſelves, as often as their paſſions were ſtrongly enough affected to unite them in a body. The ſuperior claſſes, among themſelves, came as naturally to hold their meetings apart; and aſſembled frequently, when the occaſion was not ſufficient to engage the attention of the whole.—There is one remarkable difference between the Germans and the Greeks. Among the former, the prieſts were a diſtinct body, and ſeem to have had more deciſive authority than the kings, nobles, or people, in the general aſſemblies—"Silentium per ſacerdotes, quibus tum et coercendi jus eſt, impe-ratur:" whereas, among the latter, the kings were themſelves at the head of the prieſthood.

In this ſecond kind of German governments, we ſee the three orders of king, nobles, and commons, diſtinctly marked, but no balance fixed, no delineation of the powers of each: which left room for each to claim the ſovereignty, as we know they afterwards did; at leaſt the king and

the nobles claimed and contended for it for many ages: the people ſometimes claimed it, but at laſt gave it up to the king, as the leaſt evil of the two, in every country except England.

LETTER XXXVIII.

HOMER.

PHÆACIA.

DEAR SIR,

IN the kingdom, or rather ariſtocracy, of Phæacia, as repreſented in the Odyſſey, we have a picture at full length of thoſe forms of government which at that time prevailed in Greece.

There is a king Alcinous; there is a council of twelve other kings, princes, archons, or peers, for they are called by all theſe names; and there is a multitude: but the laſt do not appear to have any regular, legal, or cuſtomary part in the government. They might be ſummoned together by the heralds, or called by the ſound of trumpet, or a horn, to receive information of the reſults of their chiefs; to aſſiſt at a ſacrifice or proceſſion; to ſee a ſtranger or a ſhow, or to partake of a feaſt; or they might aſſemble of themſelves in a rage againſt an oppreſſor, from enthuſiaſm for the royal ſcepter, or other cauſes:—and the kings had often much dependance on their attachment to their hereditary right, their deſcent from the gods, and the ſacred authority of the poets, who were generally royaliſts.—The archons, too, were often afraid of the ſuperſtition of their people for the king, and his regal popularity. But the legal

power of the people was very far from being a conſtitutional check;—and the ſtruggle lay between the kings and nobles. The laſt finally prevailed, as they ever will againſt a king who is not ſupported by an adequate popular power. The authority in Phæacia was collected into one center, and that center was thirteen kings confederated together under a preſident only. Each archon was a king in his own iſland, ſtate, or diſtrict, in which his dignity and power were hereditary; and in caſe of a foreign war he commanded his own diviſion in the general camp.

Ulyſſes is repreſented, at his firſt entrance into the Phæacian dominions, as obſerving and admiring the palaces of the archons, after having ſurveyed the gardens, palace, and particular territory of Alcinous:

He next their princes lofty domes admires,
In ſeparate iſlands crown'd with riſing ſpires.
Od. vii. 57.

Alcinous is afterwards repreſented as deſcribing the form of government to Ulyſſes:

Twelve princes in our realm dominion ſhare,
O'er whom ſupreme imperial pow'r I bear.
Od. viii. 425.

Mr. Pope, indeed, in his tranſlation, has given him the air of a ſovereign; but there is nothing like it in the original. There Alcinous, with all poſſible ſimplicity and modeſty, only ſays, "Twelve illuſtrious kings, or archons, rule over "the people, and I myſelf am the thirteenth." Alcinous and his twelve archons were all preſent at this interview:

Night

Night now approaching, in the palace ſtand,
With goblets crown'd, the rulers of the land,&c.
Od. viii. 182.

The nobles gaze, with awful fear oppreſt;
Silent they gaze, and eye the godlike gueſt, &c.
Od. viii. 192.

Pleas'd with his people's fame the monarch hears,
And thus benevolent accoſts the peers, &c.
Od. viii. 421.

Th' aſſenting peers, obedient to the king,
In haſte their heralds ſend the gifts to bring.
Od. viii. 433.

The precious gifts th' illuſtrious heralds bear,
And to the court th' embodied peers repair.
Od. viii. 453.

Then to the radiant thrones they move in ſtate,
Aloft the king in pomp imperial ſate.
Od. viii. 457.

We muſt not forget the poet, who, with his inſpiration from the Muſes, was a principal ſupport of every Grecian king. It was the bard who ſung the praiſes of the king, and propagated the opinion that he was ſprung from Jupiter, and inſtructed as well as dearly beloved by him.

The bard an herald guides; the gazing throng
Pay low obeiſance as he moves along.
Od. viii. 515.

Beneath a ſculptur'd arch he ſits enthron'd,
The peers, encircling, form an awful round.

Lives

Lives there a man beneath the ſpacious ſkies,
Who ſacred honours to the bard denies?
The Muſe the bard inſpires, exalts his mind;
The Muſe, indulgent, loves th' harmonious kind.
O, more than man! thy ſoul the Muſe inſpires,
Or Phœbus animates with all his fires.
Od. viii. 532.

Every peer, in his own diſtrict or ſtate, had another ſubordinate council, and a people; ſo that the three powers, of the one, the few, and the many, appeared in every archonſhip; and every archon, in his own diſtrict, claimed his office to be hereditary in his family: and all the archons agreed together to ſupport each other in this claim, even by arms. This, therefore, was rather a confederacy of thirteen little kingdoms, than one great one. The firſt archon of the confederation was called king of all the people, and claimed his office as hereditary, and often as abſolute. The other archons were always diſpoſed to diſpute the hereditary deſcent, and to make it elective. The ſubordinate councils of the archons, in their ſeveral diſtricts, were probably often diſpoſed to deny their offices to be hereditary, and to inſiſt upon elections. Ulyſſes, who was himſelf one of the greateſt and ableſt of the Grecian kings, diſcovers his perfect knowledge of the hearts of Alcinous, his queen, and nobles, in the compliment he makes them. Addreſſing himſelf to the queen, the daughter of great Rhexenor,

To thee, thy conſort, and this royal train,
To all that ſhare the bleſſings of thy reign,
* * * * * *
So may the gods your better days increaſe,
And all your joys deſcend on all your race;

So

So reign for ever on your country's breaſt,
Your people bleſſing, by your people bleſt.

This ſupplication was addreſſed to the king and queen, the princes, archons, dukes, counts, barons, peers, call them by what name you pleaſe, and it concludes with a compliment very flattering to all. Ulyſſes knew the ruling paſſion of Grecian kings and nobles to be, that their dignities, even ſuch as had been conferred by the election of the people, ſhould become hereditary. Mr. Pope has diſguiſed this ſentiment, and made it conformable to the notions of Engliſhmen and Americans; but has departed from the ſenſe of Homer, and from the fact:

"May you tranſmit to your children your "poſſeſſions in your houſes, and whatever gifts, "rewards, or honours the people hath given "you."

It is plain the kings claimed an hereditary right; yet the ſucceſſion was ſometimes ſet aſide in favour of ſome other noble, or branch of the royal blood: and perhaps it was always ſet aſide when any one of the nobles had more power than the heir apparent. The nobles, too, claimed their honours to be hereditary; and they generally were ſo: but the people were ſometimes bold enough to ſet up competitors, and give them trouble. But, perhaps, there were never any very formal elections; preſenting a ſucceſſor, in preſence of the king and the other nobles, to the people for their acclamations, was probably the moſt that was done: for as there were no records, nor written conſtitution, or laws, the right of kings, archons, and people, muſt have been very looſe and undefined.

LETTER

LETTER XXXIX.

HOMER.

ITHACA.

DEAR SIR,

THE court of Ithaca, in the abſence of Ulyſſes, is an admirable example of the intrigues of the archons, and their inſatiable ambition. The throne of Ithaca, and the ſcepter of Laertes and former kings, were the objects which had ſo many charms in the eyes of the ſuitors; and Penelope's hand was chiefly courted, becauſe that would reconcile the archon who ſhould poſſeſs her to the ſuperſtition of the people, and enable them to wield the ſceptre. The ſuitors deny the ſcepter to be hhereditary; and Telemachus himſelf is doubtful: he threatens, indeed, to call a council or aſſembly of the people, but is afraid to truſt them; for fear they ſhould ſet up ſome other Grecian prince, whoſe blood might be nearer that of their ancient kings.

To tempt the ſpouſeleſs queen with amorous wiles,
Reſort the nobles from the neighbouring iſles;
From Samos, circled with th' Ionian main,
Dulichium, and Zacynthus' ſylvan reign:

Ev'n

Ev'n with preſumptuous hope her bed t' aſcend,
The lords of Ithaca their right pretend.
Od. i. 315.

My ſentence hear; with ſtern diſtaſte avow'd,
To their own diſtricts drive the ſuitor crowd.
Od. i. 352.

I to the peers aſſembled ſhall propoſe
The firm reſolve I here in few diſcloſe;
No longer live the cankers of my court,
All to your *ſeveral ſtates* with ſpeed reſort;
Waſte in wild riot what *your land* allows,
There ply the early feaſt and late carouſe.
Od. i. 475.

If ruin to our royal race ye doom,
Be you the ſpoilers, and our wealth conſume;
Then might we hope redreſs from juſter laws,
And raiſe all Ithaca to aid our cauſe:
But while your ſons commit th' unpuniſh'd wrong,
You make the arm of violence too ſtrong.
Od. ii. 83.

Elect by Jove his delegate of ſway,
With joyous pride the ſummons I'd obey.
Should factious pow'r diſpute my lineal right,
* * * * * *
Some *other Greeks* a fairer claim may plead,
To your pretence their title would precede.
At leaſt, the ſcepter loſt, I ſtill ſhould reign
Sole o'er my vaſſals and domeſtic train.
Od. i. 501.

To heaven alone
Refer the choice to fill the vacant throne;
Your

Your patrimonial ſtates in peace poſſeſs,
Undoubted all your filial claim confeſs:
Your private right ſhould impious power invade,
The peers of Ithaca would arm in aid.
Od. i. 509.

It is thus agreed on all hands, that, as one of the archons, his hereditary title of his eſtates, vaſſals, and government, was indiſputable. This was the common cauſe of all the archons, and they would arm in ſupport of the claim of any one. But the throne and ſcepter of Ithaca were to be diſpoſed of by augury, by the will of Jove, ſignified by ſome omen. To this Telemachus pays ſome reſpect, but ſtill inſiſts on his right of blood; and ſays, that if the omen ſhould be unfavourable to him, it would not promote the hopes of any of the archons of Ithaca; but ſome other Greeks, nearer of kin to the royal blood, would ſet up their claims. The archons, not likely to ſucceed in their ſcheme of getting the ſcepter by the marriage of Penelope, nor by perſuading Telemachus to ſubmit the queſtion to Jupiter and his omens, and afraid to appeal to the people, or to call them out in arms to diſpute the ſucceſſion, knowing the family of Laertes and Ulyſſes to be more popular than themſelves, they take the reſolution to aſſaſſinate the young prince.

But die he ſhall; and, thus condemn'd to bleed,
Be now the ſcene of inſtant death decreed:
Wait ye till he to arms in council draws
The Greeks, averſe too juſtly to our cauſe;
Strike, ere the ſtates conven'd the foe betray,
Our murd'rous ambuſh on the wat'ry way.

Or

Or chooſe, ye vagrant, from their rage to fly,
Outcaſts of earth, to breathe an unknown ſky?
But if ſubmiſſive you reſign the ſway,
Slaves to a boy, go flatter and obey;
Retire we inſtant to our native reign,
Nor be the wealth of kings conſum'd in vain.
Od. xvi. 386.

Telemachus had before declared, that if any archon of Ithaca, or any other Greek, obtained the ſcepter, he would no longer remain in the confederation, but would reign ſeparately over his paternal domain. Now Antinous declares, that if the reſt of the archons ſubmit to the boy, he will not, but will retire to his native archonſhip.

Amphinomus aſcends,
Who o'er Dulichium ſtretch'd his ſpacious reign,
A land of plenty, bleſs'd with ev'ry grain.
O friends, forbear, and be the thought with-
ſtood!
'Tis horrible to ſhed imperial blood;
Conſult we firſt th' all-ſeeing pow'rs above,
And the ſure oracles of righteous Jove.

Neither in Poland nor in Venice was the ariſtocratical rage to render weak, unſteady, and uncertain, the royal authority, more conſpicuous than it was here. They were afraid of the people and the auguries; but neither was a legal check: and we ſhall ſee hereafter, that theſe ſtruggles of the archons very ſoon aboliſhed every monarchy in Greece, even that of Sparta, until it was renewed upon another plan by Lycurgus. And the ſame progreſs of paſſions, through ſeditions, rebellions, and maſſacres, muſt, for ever,

take

take place in a body of nobles againſt the crown, where they are not effectually reſtrained by an independent people, known and eſtabliſhed in the legiſlature, collectively or by repreſentation.

That the Grecian kings, claiming from Jupiter, and ſupported by their auguries and bards, thought themſelves abſolute, and often puniſhed the crimes of the archons very tyrannically, is true.—Ulyſſes is an example of it. Inſtead of bringing the ſuitors to trial before the nation, or their peers, he ſhoots them all, without judge or jury, with his own bow.—A more remarkable aſſertion of a claim to abſolute monarchy cannot be imagined.

Antinous would retire to his native diſtrict, and ſpend his revenues among his own people, not conſume his royal wealth by attendance at a court of a confederation which would be no longer to his taſte. This was a popular ſentiment in his own dominions; his people wiſhed to have their king reſide among them, and were very willing to have the confederacy broken. This principle it was that afterwards crumbled all the Greek confederations to duſt.

LETTER XXXIX.

ANCIENT MONARCHICAL REPUBLICS.

HOMER.

MY DEAR SIR,

THE ſimilitude between the ancient Greek monarchies, as they are generally called, though the predominance of ariſtocracy in all of them is very manifeſt, and the feudal ariſtocracies deſcribed by Tacitus, is very obvious. The democratical power is nevertheleſs much more regular, though not independent, in the latter; for, in addition to what is before quoted, it appears, that the judicial authority was commonly exerciſed in national aſſemblies—"Licet apud "concilium accuſare quoque, et diſcrimen capi- "tis intendere. Diſtinctio pœnarum ex delicto, "proditores et transfugas arboribus ſuſpendunt; "ignavos, et imbelles, et corpore infames, cœno "ac palude, injecta inſuper crate, mergunt. Di- "verſitas ſupplicii illuc reſpicit, tanquam ſce- "lera oſtendi opporteat dum puniuntur, flagitia "abſcondi. Sed et levioribus delictis, pro modo "pœnarum, equorum pecorumque numero con- "victi multantur; pars multæ, regi vel civitati, "pars ipſi qui vindicatur vel propinquis ejus "exſolvitur."

Although the mixture of monarchy, ariſtocracy, and democracy, is viſible in the republic of

of Phæacia, yet the king appears little more among the archons than the firſt among equals, and the authority of the people is ſtill more faint and feeble. In Ithaca there appears a ſtrong claim of ſovereignty in the king, and as ſtrong a pretenſion to it in the archons; and, although the people are dreaded by both, and their claim to interfere in the diſpoſition of the crown is implicitly acknowledged, yet it ſeems rather to be as judges of certain religious ceremonies, by which the will of Jupiter was to be collected, than as any regular civil authority.

Homer was a royaliſt, at leaſt as much as Plato and Ariſtotle:

" Jove loves our chief, from Jove his honour ſprings,
" Beware! for dreadful is the wrath of kings.
" Be ſilent, wretch! and think not here allow'd
" That worſt of tyrants, an uſurping crowd:
" To one ſole monarch Jove commits the ſway;
" His are the laws—and him let all obey.
Il. ii. 233—241.

The name of a republic is not found in any of his writings: yet, in every Grecian government deſcribed by him, we find a mixture, not only of an ariſtocracy, conſiſting in a council of princes, but of a democracy, in an aſſembly of the people.

Agamemnon, in the ſecond Iliad, calls together the whole body:

Bid him in arms draw forth th' embattled train,
Lead all his Grecians to the duſty plain.

The king diſpatch'd his heralds with commands
To range the camp, and ſummon all the bands.
The gath'ring hoſts the monarch's word obey,
While to the fleet Atrides bends his way:
In his black ſhip the Pylean prince he found,
There calls a ſenate of the peers around.
Th' aſſembly plac'd, the king of men expreſt
The counſels labouring in his artful breaſt:
Friends and confed'rates! with attentive ear
Receive my words, and credit what you hear;
Ill fits a chief who mighty nations guides,
Directs in councils, and in war preſides,
To whom its ſafety a whole people owes,
To waſte long nights in indolent repoſe.
Now, valiant chiefs! ſince Heav'n itſelf alarms,
Unite, and rouſe the ſons of Greece to arms;
But firſt with caution try what yet they dare,
Worn with nine years of unſucceſsful war.
To move the troops to meaſure back the main,
Be mine, and yours the province to detain.

———The kings, without delay,
Diſſolve the council, and their chief obey.
The ſcepter'd rulers lead; the following hoſt,
Pour'd forth by thouſands, darken all the coaſt.
Nine ſacred heralds now, proclaiming loud
The monarch's will, ſuſpend the liſt'ning crowd.
The king of kings his awful figure rais'd,
High in his hand the golden ſcepter blaz'd—
Ye ſons of Mars! partake your leader's care,
Heroes of Greece, and brothers of the war,
Fly, Grecians, fly! your ſails and oars employ,
And dream no more of heaven-defended Troy!
His deep deſign unknown, the hoſts approve
Atrides' ſpeech;—the mighty numbers move.

It appears from the whole narration, that the great body of the people were discontented, and desirous of raising the siege. The king, alarmed, was obliged to call them together, with an artful design to obtain their consent to persevere. He feigns an intention to return home; the people were rejoiced at it. Then Ulysses and the other chiefs, in concert with Agamemnon, receives the scepter of command, and endeavours to persuade the people to make another effort. To this end Ulysses harangues them:

He runs, he flies through all the Grecian train:
Each prince of name, or chief in arms approv'd,
He fir'd with praise, or with persuasion mov'd.
But if a clamorous vile plebeian rose,
Him with reproof he check'd, or tam'd with blows:
Be still, thou slave, and to thy betters yield,
Unknown alike in council or in field!
Ye gods! what dastards would our host command!
Swept to the war, the lumber of the land.
Be silent, wretch! and think not here allow'd
That worst of tyrants, an usurping crowd.
With words like these the troops Ulysses rul'd,
The loudest silenc'd, and the fiercest cool'd.
Back to th' assembly roll the thronging train,
Desert the ships, and pour upon the plain.
Thersites only clamour'd in the throng,
Loquacious, loud, and turbulent of tongue:
Aw'd by no shame, by no respect controul'd,
In scandal busy, in reproaches bold,
With witty malice, studious to defame,
Scorn all his joy, and laughter all his aim:

But chief he gloried, with licentious ſtile
To laſh the great, and monarchs to revile.
Spleen to mankind his envious heart poſſeſt,
And much he hated all, but moſt the beſt;
Ulyſſes or Achilles ſtill his theme,
But royal ſcandal his delight ſupreme.
Long had he liv'd the ſcorn of ev'ry Greek,
Vext when he ſpoke, yet ſtill they heard him ſpeak.

If from this only, and the ſubſequent harangue of Therſites, we were to form a judgement, we ſhould conclude, that popular aſſemblies were very frequent, and that the freedom of ſpeech in them was far advanced and well eſtabliſhed; but the furious anſwer of Ulyſſes, and the unmerciful flogging he gives him for his boldneſs, in the face of the whole aſſembly, which is applauded univerſally, ſhews, that the demagogues had yet but very little influence, very little courage, and that popular aſſemblies had as yet very little conſtitutional power.

The principles of government were very little underſtood, and all the political inſtitutions extremely confuſed, in the times of the Trojan war, and from thence to Homer's time.—Nothing was preciſely defined; no laws were written. The moſt diſtinct rules which are now to be traced, were a ſupremacy in kings, in religion and war: ſometimes they exerciſed judicial power. Monarchies were generally hereditary; yet a right of the nation to interfere, and alter the ſucceſſion, is admitted. The right of the ſons of the archons to ſucceed to their eſtates and diſtricts, was an agreed point among them; but theſe very archons choſe to keep open to competition the ſucceſſion

to the throne, ſo that there might always be room for the pretenſions of the moſt powerful, who would eaſily make themſelves thought the moſt worthy. The moſt celebrated kings, when advanced in years, and unable to ſuſtain the fatigues of war, and cares of government, were obliged to reſign their power. The anxiety of Achilles, expreſſed to Ulyſſes in the ſhades, is a proof of this:

Say, if my ſire, the reverend Peleus, reigns
Great in his Pthia, and his throne maintains?
Or, weak and old, my youthful arm demands
To fix the ſcepter ſtedfaſt in his hands?
Oh, might the lamp of life re-kindled burn,
And death releaſe me from the ſilent urn!
This arm, that thunder'd o'er the Phrygian plain,
And ſwell'd the ground with mountains of the ſlain,
Should vindicate my injur'd father's fame,
Cruſh the proud rebel, and aſſert his claim!
Od. ii. 605.

Kings and their families, claiming their deſcent and power from Jupiter, contended very naturally and conſiſtently, that the one was hereditary, and the other abſolute; and accordingly, when the prince who ſwayed the ſcepter was active, brave, and able, he kept the archons in awe, and governed as he pleaſed; but when he was feeble, the archons grew ambitious, diſputed the ſucceſſion, and limited the royal power. To this end both they and the kings, or heirs of kings, ſometimes looked to the people, and ſeemed to admit in them a right to be preſent

at the religious ceremonies by which the will of Jupiter was to be declared; for all parties agree, that the will of Jupiter confers the ſcepter, not the mere election of the people.

The right of primogeniture was favoured by popular opinion, as well as hereditary deſcent, becauſe the family was the family of Jupiter, related to him, and deſcended from him by blood; and it was natural to ſuppoſe, that Jupiter's inclinations for deſcent and primogeniture reſembled thoſe of other fathers of families.

The chiefs, who are all called kings, as well as the head of them, or archons, were like the Teutonic counts or feudal barons, who exerciſed royal rights within their own diſtricts, ſtates, or ſeparate territories. This principle preſerved the real and legal power chiefly in their hands, and conſtituted the whole government more properly an ariſtocracy than a royalty. This gave an uncontroulable pride to theſe nobles, which could not willingly ſubmit to the pretenſions of the kings (as repreſentatives of Jupiter) to omnipotence, at leaſt to unlimited power. Hence the continual ſtruggle between the kings and archons, from Homer's time to that great and memorable revolution throughout Greece, from monarchy to ariſtocracy; that is, from kings to archons. The people not yet poſſeſſing nor claiming an authority ſufficiently regular and independent to be a check to monarchy or ariſtocracy, the latter at laſt prevailed over the former, as it ever did, and ever will, where the conteſt is merely between theſe two.

The people, only in extraordinary caſes, in the moſt eſſential matters, and when the chiefs were greatly divided, were at all conſulted; yet, in the courſe

courſe of the ſtruggle between the kings and archons, the multitude were ſo often called upon, and ſo much courted, that they came by degrees to claim the whole power, and prepared the way, in many of the Grecian ſtates, for another ſubſequent revolution, from ariſtocracy to democracy.

Through the whole of Tacitus and Homer, the three orders are viſible both in Germany and Greece; and the continual fluctuations of law, the uncertainty of life, liberty, and property, and the contradictory claims and continual revolutions, aroſe entirely from the want of having the prerogatives and privileges of thoſe orders defined, from the want of independence in each of them, and a balance between them.

LETTER XL.

ANCIENT ARISTOCRATICAL REPUBLICS.

LACEDÆMON.

MY DEAR SIR,

FROM the days of Homer to thoſe of Licurgus, the governments in Greece were monarchical in name and pretenſion, but ariſtocratical in reality. The archons were impatient of regal government, conſtantly ſtruggling againſt their kings; and had prevailed in every other city, except

except Sparta, to aboliſh the royal authority, and ſubſtitute an ariſtocracy of archons in its place. In Lacedæmon, too, where there were eight-and-twenty archons contending againſt two kings, they had brought the whole country into the utmoſt confuſion. The circumſtance of two kings, which, perhaps, prolonged the regal power longer in Sparta than in any other city, originated in the fondneſs of a mother. Ariſtodemus, one of the deſcendents of Hercules, to whoſe ſhare Laconia fell, upon the diviſion of the Peloponneſus, after the return of that family from baniſhment, leaving twin ſons, Euriſthenes and Procles, their mother refuſing to determine which had the right of primogeniture, it was agreed that both ſhould ſucceed to the crown with equal authority, and that the poſterity of each ſhould inherit. The nobles took advantage of all the jealouſies which aroſe between the two families, obliged each to court them, and from time to time to make them conceſſions, until the royal authority was loſt; and as the archons could not agree, each party now began to court the people, and univerſal anarchy prevailed.

Lycurgus, of the family of Procles, and only in the tenth deſcent from Hercules, ſucceeded his brother Polidectes; but being told his brother's widow was with child, he declared himſelf protector only, and reſigned the crown. Such a diſintereſted indifference to a crown in any one of royal or noble blood, was ſo unexampled in that age, that no wonder it was much admired and very popular. The ambitious princeſs, his ſiſter, offered to marry him, and remove out of his way the only competitor by procuring an abortion. He deceived her by counterfeited tenderneſs, and diverted her from the thoughts of an abortion, by promiſing

promiſing to take the diſpoſition of the child upon himſelf when it ſhould be born. The infant was ſent to him when at ſupper with the principal magiſtrates: he took it in his arms, and cried, "A "king, Spartans, is born to you," and placed it in his own ſeat. The company were touched at the tenderneſs of the ſcene, and fell into a tranſport of enthuſiaſm, both of piety to the blood of Hercules, and admiration of the diſintereſted integrity of Lycurgus, who, like an able ſtateſman, perpetuates the memory of the event, and the joy at it, by the name with which, upon the ſpot, he chriſtens the boy, Charilaus, *the people's joy*. But all this exalted merit, added to his acknowledged divine deſcent, and the undoubted poſſeſſion of royal power, were not ſufficient to over-awe the jealouſy of the nobles, a ſtrong party of whom joined the irritated queen and her brother, and raiſed continual factions againſt him. Weary of cabals, and ſtimulated with a thirſt for knowledge, he determined to travel; viſited Crete and Egypt, the two ſources of the theology and policy of Greece; and brought home with him, on his return to his own country, Thales the poet, and the writings of Homer, with the reſolution of adopting the martial diſcipline and political liberty which he read in the poet, and had ſeen exemplified in Crete. Nothing could be better calculated than his two poets, to inſpire the nation with that enthuſiaſm which he wanted, and confirm the belief, that kings were from Jupiter, and beloved by him, excepting the reſponſe of the oracle, which he took care to procure: "Wel- "come, Lycurgus, to this happy place; thou "favourite of Heaven! I ſtand in doubt whether "I ſhall pronounce thee god or man: inclining "ſtill to think thou art a god!"—Herodotus.

The

The diſorders in Sparta were now become inſupportable; the kings had as little authority as the laws. All parties, except the two kings, in deſpair of their private ſchemes, applied to the great legiſlator, pointed out to all, by his divine original, the inſpiration of Homer and Thales, his own integrity, wiſdom, knowledge, and commanding authority over the minds of men, as well as his ſpecial divine miſſion pronounced by the oracle, to be the only man capable of new-modelling the conſtitution.

In Crete he had acquired a deep inſight into human nature, at leaſt he had informed himſelf fully of the length and breadth, the height and depth, of the paſſion of ambition in the human heart; that complication of affections, which is called by ſo many names; the love of eſteem, of praiſe, of fame, of glory; that ſenſe of honour in which Monteſquieu tells us monarchies are founded; which Tacitus tells us made the ancient Teutons ſubmit quietly to be ſold by their inferiors, when they had gambled away their liberty; which at this day enforces ſo punctual a payment of debts of honour contracted at play; which ſupports, againſt all laws throughout Europe, the cuſtom of duelling, and produces more ſuicides than any other cauſe; which is commonly known by the denomination of *the point of honour*, and may with as much propriety be called ambition;--Lycurgus appears to have underſtood better than any other legiſlator, and to have made the foundation of his inſtitution: for this reaſon, Plato with great propriety calls it "The ambitious Republic."

Lycurgus in ſecret conſulted the nobles, but not the kings; formed a powerful party, called an aſſembly of the people, before whom his friends

appeared in arms. Charilaus and Archilaus were not in the ſecret, but found themſelves obliged to ſubmit. What is all this but a body of nobles completing, by the aid of Lycurgus, that abolition of monarchy which they had been purſuing for ages, unreſtrained by any legal check in the people, and unreſiſted by any adequate power in the crown? But what was his new inſtitution?

In compliance with old prejudices, and from attachment to his family, he confirmed the two families on the throne, eſtabliſhed the hereditary deſcent of the crown, but limited its authority. The kings were to continue high prieſts, to be commanders in chief of the armies, and preſidents of the ſenate. Charilaus and Archilaus, terrified by the fate of all the other kings of Greece, agreed to accept of a certain, though limited authority, in lieu of pretenſions more abſolute and more precarious.

The ancient dignities of the nobles were confirmed and enlarged: a ſenate of eight-and-twenty of their chiefs was formed, at the head of whom the two kings were placed. To the people he committed the election of future ſenators; but as the preſent twenty-eight were for life, and the influence of kings and ſenators would be commonly uſed with great unanimity in favour of the eldeſt ſon, to fill up a vacancy made by the death of his father; and as the people were not permitted to debate, their choice was, perhaps, little more than a conſent by acclamations to a nomination made by the king, and amounted to the ſame thing with an hereditary houſe of peers. To this ſenate the whole executive power was committed, and the moſt important part of the legiſlative; for as all laws were to originate there only, they had a negative before debate. Here

is,

is, indeed, all authority nearly collected into one center, and that center the nobility; for the king was but the firſt among equals, having no negative upon the ſenate. If the legiſlature had reſted here, his inſtitution would have been in effect a ſimple hereditary oligarchy, poſſeſſed of the whole legiſlative, executive, and judicial power, and probably as reſtleſs as ever to reduce the kings to elections for life, or years, and then to take from them the power of religion, the command of armies, and then to change the title from king to archon, or from the family of Hercules to other houſes. With a view to counterbalance this dangerous authority, he inſtituted aſſemblies of the people, but intruſted them only with the power of confirming or rejecting what the ſenate propoſed, and expreſsly forbade them all debate. The citizens were to give their ſimple ayes or noes without being allowed to ſpeak, even ſo far as to give a reaſon for their vote. He inſtituted, moreover, as a farther check upon the ſenate, five magiſtrates to inſpect the adminiſtration, and maintain the conſtitution; to convoke, prorogue, and diſſolve both the greater aſſembly of the people, compoſed of nine thouſand inhabitants of the city, and the leſſer, conſiſting of thirty thouſand inhabitants of the country or inferior villages. Theſe magiſtrates were called the ephori, and were to be annually appointed. But the lawgiver ſaw that the king and people were both too weak, and the ſenate would ſtill have power to ſcramble after both; he therefore contrived a kind of ſolemn alliance to be perpetually renewed between the monarchical and democratical branches, by which the ſenate might be awed into moderation. He ordered an oath to be taken every month by the kings and the ephori: the former

former ſwore to obſerve the laws, and the latter ſwore, for themſelves and the people whom they repreſented, to maintain the hereditary honours of the race of Hercules, to revere them as miniſters of religion, to obey them as judges, and follow them as leaders. This was indeed a balance founded in opinion and in religion, though not a legal and independent check, as it was not a negative in either. In this conſtitution then were three orders, and a balance, not indeed equal to that of England, for want of a negative in each branch, but the neareſt reſembling it of any we have yet ſeen. The kings, the nobles, the ſenate, and the people in two aſſemblies, are ſurely more orders than a governor, ſenate, and houſe. The balance here attempted was as ſtrong as religion operating on human nature could make it, though not equivalent to a negative in each of the three branches. Another balance was attempted, in the rigorous ſeparation of the city from the country, in two aſſemblies : it avoided the danger of jealouſies between town and country in the deliberations of the people, and doubled the chances both of the monarchy and democracy, for preſerving their importance in caſe of encroachments by the ſenate. If the ſenate and nobles ſhould prevail in one aſſembly of the people ſo far as to carry any unconſtitutional point, the kings and ephori would find a reſource in the other to lead them back. The Lacedæmonian republic may then, with propriety, be called monarchical, and had the three eſſential parts of the beſt poſſible government ; it was a mixture of monarchy, ariſtocracy, and democracy. It failed, however, in that eſſential particular, the balance. The ariſtocracy had a legal power, ſo eminent above that of king or people, that it would ſoon have annihilated

lated both, if other precautions had not been taken, which deſtroyed all the real merit of this celebrated inſtitution. That the glory of the deſcendents of Hercules, and of their republic, might be the pride of every citizen, and that a ſuperſtitious attachment to both might be perpetuated, it was neceſſary to extinguiſh every other appetite, paſſion, and affection, in human nature. The equal diviſion of property; the baniſhment of gold and ſilver; the prohibition of travel, and intercourſe with ſtrangers; the prohibition of arts, trades, and agriculture; the diſcouragement of literature; the public meals; the inceſſant warlike exerciſes; the doctrine, that every citizen was the property of the ſtate, and that parents ſhould not educate their own children;—although they ſerved to keep up the conſtant belief of the divine miſſion of Lycurgus, and an ethuſiaſtic paſſion for the glory of the republic, and the race of Hercules; and although they are celebrated by the ariſtocratical philoſophers, hiſtorians, and ſtateſmen of antiquity; muſt be conſidered as calculated to gratify his own family pride, rather than promote the happineſs of his people. Four hundred thouſand ſlaves muſt be devoted to forty thouſand citizens; weak and deformed children muſt be expoſed; morality and humanity, as well as all the comforts, elegancies, and pleaſures of life, muſt be ſacrificed to this glaring phantom of vanity, ſuperſtition, and ambition. Separated from the reſt of mankind, they lived together, deſtitute of all buſineſs, pleaſure, and amuſement, but war and politics, pride and ambition; and theſe occupations and paſſions they tranſmitted from generation to generation for ſeven hundred years; as if fighting and intriguing, and not life and happineſs, were the end of man, and ſociety;

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as if the love of one's country and of glory were amiable paſſions, when not limited by juſtice and general benevolence; and as if nations were to be chained together for ever, merely that one family might reign among them. Whether Lycurgus believed the deſcent of his anceſtor from Jupiter, the divine inſpiration of Homer and Thales, or the divinity of the Oracle, any more than Mahomet believed his divine miſſion, may well be doubted. Whether he did or not, he ſhackled the Spartans to the ambitious views of his family for fourteen ſucceſſions of Herculean kings, at the expence of the continual diſturbance of all Greece, and the conſtant miſery of his own people. Amidſt the contradictions of ancient and modern writers, that account has been followed concerning the inſtitution of the ephori, which appears moſt favourable to Lycurgus. The Roman tribunes, and, perhaps, the Venetian inquiſitors, were borrowed from this inſtitution.

Human nature periſhed under this frigid ſyſtem of national and family pride. Population, the ſureſt indication of national happineſs, decreaſed ſo faſt, that not more than one thouſand old Spartan families remained, while nine thouſand ſtrangers had intruded in ſpite of all their prohibitory laws. The conqueſt of Athens gave them a taſte of wealth, and even the fear of the penalty of death could not reſtrain them from travelling. Intercourſe with ſtrangers brought in foreign manners. The ephori were ſometimes bribed. Diviſions aroſe between the two kings, Agis and Leonidas: one joined with the people, the other with the nobles, and the ſedition proceeded to blood. Kings became ſo fond of ſubſidies from foreign powers, that Ageſilaus received them from a king of Egypt, and his enemy at the ſame

time. Agis was murdered by the order of the ephori, who, inſtead of honouring the blood of Hercules, according to their oath, took the ſovereign power into their own hands.—Here the balance broke; Cleomenes, who endeavoured like Agis, to reſtore the old laws and maxims, fell a ſacrifice, and nothing appears afterwards in the hiſtory of Sparta but profligacy, tyranny, and cruelty, like that in Rome under the worſt of the Cæſars.

The inſtitution of Lycurgus was well calculated to preſerve the independence of his country, but had no regard to its happineſs, and very little to its liberty. As the people's conſent was neceſſary to every law, it had ſo far the appearance of political liberty; but the civil liberty of it was little better than that of a man chained in a dungeon; a liberty to reſt as he is. The influence of this boaſted legiſlation on the human character was to produce warriors and politicians, and nothing elſe. To ſay that this people were happy, is to contradict every quality in human nature, except ambition. They had no other gratification: ſcience and letters were ſacrificed, as well as commerce, to the ruling paſſion; and Milton had no reaſon to "wonder how muſeleſs and unbookiſh "they were, minding nought but the feats of "war," ſince it was not ſo much becauſe Lycurgus was "addicted to elegant learning, or "to mollify the Spartan ſurlineſs with ſmooth "ſongs and odes, the better to plant among "them law and civility," that he brought the ſcattered works of Homer from Ionia, and Thales from Crete, but merely to propagate his own and his family impoſture. The plan was profound, and means were, with great ability, fitted to the end: but as a ſyſtem of legiſlation, which ſhould never

never have any other end than the greateſt happineſs of the greateſt number, *ſaving to all their rights*, it was not only the leaſt reſpectable, but the moſt deteſtable in all Greece. To do it juſtice, however, it is much to be deſired, that exerciſes like thoſe eſtabliſhed by Lycurgus, running, wreſtling, riding, ſwimming, ſcating, fencing, dancing, ſhould be introduced into public and private education in America, which would fortify the bodies and invigorate the minds of youth; inſtead of thoſe ſedentary amuſements which debilitate, and are taking entire poſſeſſion of ſociety all over the world. The ladies, too, might honour ſome of theſe entertainments, though not all, with their preſence and participation, to the great advantage of their own health, and that of poſterity, without injury to their charms, or their reputations. But, above all, the exiſtence of an all-perfect Intelligence, the parent of nature, the wiſe and moral ruler of it; the reſponſibility of every ſubordinate intellectual and moral agent; a future ſtate of rewards and puniſhments; and the ſacred obligations of oaths, as well as of the relative duties of ſocial life, cannot be too clearly fixed by rational arguments in the minds of all the citizens. In this reſpect Lycurgus merits praiſe.

But as a civil and political conſtitution, taken all together, it is infinitely inferior to another which Americans have taken for their model. The Engliſh conſtitution is the reſult of the moſt mature deliberation on univerſal hiſtory and philoſophy. If Harrington's council of legiſlators had read over the hiſtory, and ſtudied the conſtitution of every nation ancient and modern, remarked the inconveniencies and defects of each, and bent the whole force of their invention to diſcover a

remedy for it, they would have produced no other regulations than thoſe of the Engliſh conſtitution in its theory, unleſs they had found a people ſo circumſtanced as to be able to bear annual elections of the king and ſenate. This improvement the Americans, in the preſent ſtage of ſociety among them, have ventured on; ſenſible, however, of the danger, and knowing perfectly well a remedy, in caſe their elections ſhould become turbulent. Of this, at preſent, there is no appearance.

LETTER XLI.

ANCIENT DEMOCRATICAL REPUBLICS.

ATHENS.

MY DEAR SIR,

CECROPS, an Egyptian, conducted a colony that ſettled in Athens, and firſt engaged the wandering ſhepherds and hunters of Attica to unite in villages of huſbandmen. Although the government of Egypt was an abſolute monarchy, he found it neceſſary to eſtabliſh his own upon a more limited plan.

The two rival families of Perſeus and Pelops anciently contended for the dominion of the Grecian peninſula. The fortune of the deſcendants of the latter prevailed, and their ſuperior proſperity led them to perſecute their enemies. The deſcendants of Hercules, who was a ſon of Jupiter by Alcmena, of the line of Perſeus, was ſtripped of all their poſſeſſions, and driven into exile. After a ſeries of misfortunes, Temenus, Creſphontes, and

and Ariſtodemus, deſcendants, in the fifth degree, from Hercules, conducted an expedition into Greece, and conquered the whole country.

The governments of the little ſtates of Greece, in the firſt ages, though of no very regular and certain conſtitution, were all limited monarchies. When, therefore, the Heraclides poſſeſſed themſelves of Peloponneſus, they eſtabliſhed every where that hereditary limited monarchy, which was the only government aſſimilated to the ideas and temper of the age, and an equality among themſelves. Thoſe vigorous principles of ariſtocracy, and ſome traces of the ſpirit of democracy, which had always exiſted in the Grecian governments, began to ferment; and, in the courſe of a few ages, monarchy was every where aboliſhed: the very name of king was proſcribed; a republic was thought the only government to which it became men to ſubmit; and the term tyrant was introduced to denote thoſe who, in oppoſition to theſe new political principles, acquired monarchical authority. Abſolute monarchy was unknown as a legal conſtitution. The title of king implied a ſuperiority of lawful dignity and authority in one perſon, above all others, for their benefit, not a right of abſolute power. Legiſlation was never within their prerogative. A diſtinction of families into thoſe of higher and lower rank obtained very early throughout Greece, and no where more than at Athens, where, by the conſtitution of Theſeus, the eupatrides, or nobly-born, formed a diſtinct order of the ſtate with great privileges. Afterwards wealth became the principal criterion of rank, which amounted probably to the ſame thing, as the nobly-born were generally moſt wealthy. Every citizen in every Grecian ſtate was bound to military ſervice, as in modern times

among the feudal kingdoms. It was natural that the rich ſhould ſerve on horſeback; and this was the origin of knighthood both in ancient and modern nations. Where the noble or the rich held all the power, they called their own government ariſtocracy, or government of the better ſort, or optimacy, government of the beſt ſort. The people allowed the appellation of ariſtocracy only to thoſe governments where perſons, elected by themſelves for their merit, held the principal power. Democracy ſignified a government by all the freemen of the ſtate, or the people at large, forming in aſſembly the legal, abſolute ſovereign: but as this, above all others, was ſubject to irregularity, confuſion, and abſurdity, when unchecked by ſome balancing power lodged in fewer hands, it was called ochlocracy, or mob rule. Moſt of the Grecian ſtates had ſome mixture of two or more of theſe forms. The mixture of oligarchy and democracy, in which the former was ſuperior, yet the latter ſufficed to ſecure liberty and equal right to the people, might, according to Ariſtotle, be called ariſtocracy. That mixture where the democratic power prevailed, yet was in ſome degree balanced by authority lodged in ſteadier hands, is diſtinguiſhed by that great author by the name of polity. An equal mixture of all three was never known in Greece, and therefore never obtained a diſtinct name in that language.

A war happened between the Athenians and Peloponneſians; the armies were encamped near each other, and the Delphian oracle was conſulted. The anſwer of the Pythoneſs implied, that the Peloponneſians would be victorious, provided they did not kill the Athenian king. Codrus diſguiſing himſelf like a clown, with a faggot on his

ſhoulder, and a fork in his hand, determined to devote his life, entered the enemy's camp, and was killed. The Peloponneſian chiefs finding the body to be Codrus, and fearing the prophecy, withdrew their forces, and a peace enſued. Medon, the eldeſt ſon of Codrus, was lame; and bodily ability was held in ſo high rank in popular eſteem, that his younger brother diſputed the ſucceſſion. Each had a powerful party; but the diſpute brought forward a third, which was for aboliſhing the royalty, and having no king but Jupiter. Fatal diſſenſions were apprehended, when a declaration of the oracle was procured in favour of Medon; and it was amicably accommodated that Medon ſhould be firſt magiſtrate, with title of archon, but not king. Although the honour was to be hereditary, and that the archon ſhould be accountable to the aſſembly of the people for his adminiſtration, it was agreed that a colony ſhould be ſent to Aſia Minor under Nelius and Androclus, younger ſons of Codrus. The moſt reſtleſs ſpirits joined in the migration, and no further materials for hiſtory remain for ſeveral generations.

From the period where Homer's hiſtory ceaſes, to that in which the firſt proſe hiſtorians lived, a ſpace of 250 years, there is little light to be obtained. Twelve archons are named, who followed Medon by hereditary ſucceſſion, and filled up 300 years. On the death of Alcmeon, Charops was raiſed to the archonſhip, upon condition of holding it for ten years only. Six archons followed Charops, by appointment, for ten years; but on the expiration of the archonſhip of Eryxias, it was reſolved that the office ſhould be annual, and that there ſhould be nine perſons to execute it. They had not all equal dignity, nor the ſame functions:

one repreſented the majeſty of the ſtate, and was uſually called the archon; the ſecond had the title of king, and was head of the church; the polemarch was third, and chief of military affairs. The other ſix had the title of theſmothetes; they preſided as judges in ordinary courts of juſtice. The nine together formed the council of ſtate; here, methinks, I ſee the Poliſh nobles running down the king, or thoſe of Venice the doge, and dividing the ſpoils of his prerogatives among themſelves. Legiſlation was in the aſſembly of the people; but the whole adminiſtration, civil, military, religious, and judiciary, was with the archons, who were commonly appointed by lot; but ſometimes the aſſembly of the people interfered, and exerciſed the power of naming them. From the appointment of annual archons there was nothing but inteſtine troubles. That weight which, from earlieſt times, a few principal families poſſeſſed among the Attic people, and which was in a great degree confirmed to them by the conſtitution of Theſeus, remained, amid all the turbulence of democracy, to a late period. Among thoſe families the Alcmæonides, claiming ſome connection by blood with the perpetual archons and kings of the ancient Neleid line, were of great fame. Megacles, head of this family, was archon when Cylon, a man of a very ancient and powerful family, attempted to acquire the ſovereignty of his country. He ſeized the citadel of Athens with ſome troops he received from Theagerus, tyrant of Megara, whoſe daughter he had married. His vanity was excited not only by his birth and marriage, but his perſonal merit, having been victor in a chariot race at the Olympic games. The people ran to arms under their archons, and laid ſiege to the citadel. Cylon fled,

and

and his party fled to the altars: they were promiſed pardon, but condemned and executed. This was an atrocious infidelity, and made the actors in it as odious, as it rendered Cylon and his party again popular and powerful.

The miſeries of a fluctuating juriſprudence became inſufferable, and all parties united at laſt in the reſolution to appoint a lawgiver. Draco was raiſed to this important office; a man whoſe morals and integrity recommended him to the people, but whoſe capacity was equal to no improvement in the political conſtitution, and to no greater invention for reforming the judicatures, than that of inflicting capital puniſhments in all offences: and the knowing ones had no other remedy, than to get the oracle to pronounce that the laws of Draco were written in blood; an expreſſion which ſtruck the imagination and touched the heart, and therefore ſoon rendered this ſyſtem unpopular.

Salamis, perceiving the diviſions at Athens, revolted, and allied itſelf to Megara. Several attempts to recover it having failed, the lower people, in oppoſition to their chiefs, carried a law, making it capital to propoſe a renewal of the enterprize. Solon, of an ancient royal family, who had hitherto purſued nothing but literature and poetry, perceiving that this raſh act of the populace began to give general diſguſt and repentance, eſpecially to the young Athenians, ventured to lead the people to repeal it. He cauſed it to be reported that he was mad, and for ſome time kept his houſe: in this retirement he compoſed a poem, ſuch as he thought would excite the multitude; then watching his opportunity, during an aſſembly of the people, he ran into the Agora like one frantic,

frantic, mounted on a rock, and read his poem to the people. Some of his friends, who were in the ſecret, were preſent, and ready to wonder and applaud. The enthuſiaſm ſpread, the law was repealed, and an expedition ſent under Solon's friends, which, being ſkilfully conducted, recovered the iſland. But the party of Cylon were ſtill clamorous againſt the partiſans of Megacles for their breach of faith. Solon perſuaded the accuſed to ſubmit to a trial: they were condemned to baniſhment; but this puniſhment not being ſufficient to appeaſe the Deity, the bones of thoſe who had been executed were removed beyond the mountains. During theſe troubles Salamis was retaken. Superſtition now gained the aſcendant; phantoms and omens were ſeen, and expiations and purifications were neceſſary. Epimenides, a Cretan philoſopher of great reputation for religious knowledge, and an intimate friend of Solon, was invited to ſuperintend the religion of Athens. Epimenides was the oſtenſible director, but Solon concerted with him the various improvements in juriſprudence. By means of religious pomp, ceremony, ſacrifices, and proceſſions, he amuſed the people into ſome degree of order and ſuſpenſion of their factions; but the tranquillity was not likely to be laſting. Three political parties exiſted: one for democracy, compoſed of the landholders of the mountains; another for an ariſtocracy, of the rich, conſiſting of the poſſeſſors of the plain; a third preferred a mixture of oligarchy and democracy, conſiſting of the inhabitants of the coaſt, and the moſt diſintereſted men. There was another diviſion of the people, into the parties of the rich and the poor. Dangerous convulſions

vulſions were ſo apprehended, that many ſober men thought the eſtabliſhment of a tyranny, in one, neceſſary to prevent greater evils. Solon's reputation for wiſdom and integrity was univerſal; and, as he had friends in all parties, they procured the place of archon, with power to reform the conſtitution. His firſt object was to reconcile the rich with the poor: this he accompliſhed by lowering the intereſt without annulling the debt, and by taking from the creditor the exorbitant powers over the perſon and family of the debtor. He found ſuch a predilection for democracy in the minds of the citizens, that he preſerved to every free Athenian his equal vote in the aſſembly of the people, which he made ſupreme in all caſes, legiſlative, executive, and judicial. He had not, probably, tried the experiment of a democracy in his own family, before he attempted it in the city, according to the advice of Lycurgus; but was obliged to eſtabliſh ſuch a government as the people would bear, not that which he thought the beſt, as he ſaid himſelf.

As the laws of Solon were derived from Crete and Egypt, were afterwards adopted by the Romans as their model, and have by them been tranſmitted to all Europe, they are a moſt intereſting ſubject of inquiry; but it is not poſſible to aſcertain exactly which were his, which were thoſe of Epimenides or Theſeus, or what was, in fact, the conſtitution of Athens. The firſt inquiry is, Who were citizens? By a poll that was taken in the time of Pericles, they were found to be fourteen thouſand perſons. By another, in the time of Demetrias Phalerius, they were twenty-one thouſand: at the ſame time there were

ten

ten thouſand freemen, conſiſting of foreigners and freed ſlaves, and four hundred thouſand ſouls in actual bondage, who had no vote in the aſſembly of the people. The perſons therefore who ſhared the power, being not a tenth part of the nation, were excuſed from labour, in agriculture as well as manufactures, and had time for education; they were paid too for attendance on public affairs, which enabled the poorer citizens to attend their duty. This is one circumſtance which rendered a government ſo popular, practicable for a time: another was, the diviſion of Attica into tribes and boroughs, or diſtricts, like the American counties, towns, and pariſhes, or the ſhires, hundreds, and tythings of England. The tribes at firſt were four, afterwards ten. Each tribe had its preſiding magiſtrate, called phylarchus, analogous to the Engliſh ſheriff; and each borough, of which there were one hundred and ſeventy-four, its demarchus, like a conſtable or headborough. As the title of king was preſerved to the high prieſt, ſo the perſon preſiding over the religion of each tribe was called philobaſileus, king's friend, and was always appointed from among the nobly-born, eupatrides. Thus religion was always in the hands of the ariſtocratical part of the community. As the oracles and prieſts were held by the people in ſo much ſacred veneration, placing them, with all their ſplendid ſhews and rites, always in the power of the ariſtocratical families, or perſons of beſt education, was as great a check to the democracy as can well be imagined. It ſhould be here recollected too, that almoſt all theſe eupatrides or nobles, among the Greeks, were believed to be deſcended from the gods, nearly or remotely. No-

bility,

bility, as well as royalty, were believed of divine right, becauſe the gods and goddeſſes had condeſcended to familiar intercourſes with women and men, on purpoſe to beget perſons of a ſuperior order to rule among nations. The ſuperiority of prieſts and nobles was aſſumed and conceded with more conſiſtency than they are in Poland, Switzerland, and Venice, and they muſt have had a proportional influence with the people.

Another check to this authority in one center, the nation, eſtabliſhed by Solon, was countenanced by precedent introduced by Theſeus, who divided the Attic people into three ranks: all magiſtrates were taken excluſively out of the firſt. Solon, by a new diviſion, made four ranks, determined by property, and confined all magiſtracies to the firſt three. By this regulation, he excluded all thoſe who had no will of their own, and were dependent on others; but by ſtill allowing to the fourth, who were more numerous than all the others, their equal votes in the aſſembly of the people, he put all power into hands the leaſt capable of properly uſing it; and accordingly theſe, by uniting, altered the conſtitution at their pleaſure, and brought on the ruin of the nation. By theſe precautions, however, we ſee the anxiety of Solon to avail himſelf of every advantage of birth, property, and religion, which the people would reſpect, to balance the ſovereign democracy. With the ſame view, he inſtituted a ſenate, of one hundred perſons out of each of the four tribes; and this great council, to which he committed many of the powers of the archons, he hoped would have a weight which all the archons together had not been able to preſerve. It was afterwards increaſed to five hundred, when the

the tribes were increaſed to ten, fifty out of each, and was then called the council of five hundred. They were appointed annually by lot; but certain legal qualifications were required, as well as a blameleſs life. The members of each tribe in turn, for thirty-five days, had ſuperior dignity and additional powers, with the title of prytanes, from whence the hall was called Prytaneium. The prytanes were by turns preſidents, had the cuſtody of the ſeal, and the keys of the treaſury and citadel, for one day. The whole aſſembly formed the council of ſtate of the commonwealth, and had the conſtant charge of its political affairs; the moſt important of which was the preparation of buſineſs for the aſſembly of the people, in which nothing was to be propoſed which had not firſt been approved here. This was Solon's law; and, if it had been obſerved, would have formed a balance of ſuch importance, that the commonwealth would have laſted longer, and been more ſteady. But factious demagogues were often found to remind the people, that all authoriry was collected into one center, and that the ſovereign aſſembly was that center; and a popular aſſembly being, in all ages, as much diſpoſed, when unchecked by an abſolute negative, to overleap the bounds of law and conſtitution as the nobles or a king, the laws of Solon were often ſpurned, and the people demanded and took all power, whenever they thought proper.

Senſible that the buſineſs of approving and rejecting magiſtrates, receiving accuſations, catalogues of fines, enacting laws, giving audience to ambaſſadors, and diſcuſſions of religion, would very often be unintereſting to many even of the moſt judicious and virtuous citizens; that every man's buſineſs is no man's; Solon ordained it criminal

minal in any not to take a ſide in civil diſturbances. Certain times were ſtated for the meeting of the general aſſembly; all gates were ſhut but that which led to it; fines were impoſed for non-attendance; and a ſmall pay allowed by the public to thoſe who attended punctually at the hour. Nine proedri were appointed from the council; from whom the moderators, epiſtates, were appointed too by lot, with whom ſat eleven nomophylaces, whoſe duty it was to explain the tendency of any motions contrary to the ſpirit of the conſtitution. The prytanes too had diſtinct and conſiderable powers in the aſſembly. When any change in the law was judged neceſſary by the people, another court, conſiſting of a thouſand perſons, called nomothetes, were directed to conſider of the beſt mode of alteration, and prepare a bill; after all, five ſyndics were appointed to defend the old law before the aſſembly, before the new one could be enacted. A law paſſed without having been previouſly publiſhed, conceived in ambiguous terms, or contrary to any former law, ſubjected the propoſer to penalties. It was uſual to repeal the old law before a new one was propoſed, and this delay was an additional ſecurity to the conſtitution. The regular manner of enacting a law was this:—A bill was prepared by the council; any citizen might, by petition or memorial, make a propoſition to the prytanes, whoſe duty it was to preſent it to the council—if approved by them, it became a proboulema; and, being written on a tablet, was expoſed, for ſeveral days, for public conſideration, and, at the next aſſembly, read to the people—then proclamation was made by the crier, "who of thoſe above fifty years of age chooſes "to ſpeak?" When theſe had made their orations,

tions, any other citizen, not disqualified by law for having fled from his colours in battle, being deeply indebted to the public, or convicted of any crime, had an opportunity to speak; but the prytanes had a general power to enjoin silence on any man, subject, no doubt, to the judgement of the assembly: without this, debates might be endless. When the debate was finished, the crier, at the command of the proedri, proclaimed that the question waited the determination of the people, which was given by holding up the hand: in some uncommon cases, particularly of impeachments, the votes were given privately, by casting pebbles into urns. The proedri examined the votes, and declared the majority; the prytanes dismissed the assembly. Every one of these precautions demonstrated Solon's conviction of the necessity of balances to such an assembly, though they were found by experience to be all ineffectual. From the same solicitude for balances against the turbulence of democracy, he restored the court of Areopagus, improved its constitution, and increased its power: he composed it of those who had held with reputation the office of archon, and admitted them into this dignity and authority for life. The experience, the reputation, and permanency of these Areopagites must have been a very powerful check. From the Areopagus alone no appeal lay to the people: yet if they chose to interfere, no balancing power existed to resist their despotic will. The constitution authorized the Areopagus to stop the judicial decrees of the assembly of the people; annul an acquittal, or grant a pardon—to direct all draughts on the public treasury—to punish impiety, immorality, and disorderly conduct—to superintend the education of youth; punish idle-

neſs—to inquire by what means men of no property or employment maintained themſelves. The court ſat in the night, without light, that the members might be leſs liable to prejudice. Pleaders were confined to ſimple narration of facts, and application of laws, without ornaments of ſpeech, or addreſs to the paſſions. Its reputation for wiſdom and juſtice was ſo high, that Cicero ſaid, the commonwealth of Athens could no more be governed without the court of Areopagus, than the world without the providence of God.

The urgent neceſſity for balances to a ſovereign aſſembly, in which all authority, legiſlative, executive, and judicial, was collected into one center, induced Solon, though in ſo ſmall a ſtate, to make his conſtitution extremely complicated: no leſs than ten courts of judicature, four for criminal cauſes, and ſix for civil, beſides the Areopagus and general aſſembly, were eſtabliſhed at Athens. In conformity to his own ſaying, celebrated among thoſe of the ſeven wiſe men, that "the moſt perfect government is that where an "injury to any one is the concern of all," he directed, that in all the ten courts cauſes ſhould be decided by a body of men, like our juries, taken from among the people; the archons only preſiding like our judges. As the archons were appointed by lot, they were often but indifferent lawyers, and choſe two perſons of experience to aſſiſt them; theſe, in time, became regular conſtitutional officers, by the name of Paredri, aſſeſſors. The jurors were paid for their ſervice, and appointed by lot.—This is the glory of Solon's laws: it is that department which ought to belong to the people at large; they are moſt competent for this; and the property, liberty, equa-

lity, and ſecurity of the citizens, all require that they alone ſhould poſſeſs it. Itinerant judges, called the Forty, were appointed to go through the counties, to determine aſſaults and civil actions under a certain ſum.

Every freeman was bound to military ſervice. The multitude of ſlaves made this neceſſary, as well as practicable. Rank and property gave no other diſtinction than that of ſerving on horſeback.

The fundamental principle of Solon's government was the moſt like M. Turgot's idea of any we have ſeen. Did this prevent him from eſtabliſhing different orders and balances? Did it not render neceſſary a greater variety of orders, and more complicated checks than any in America? yet all were inſufficient, for want of the three checks, abſolute and independent. Unleſs three powers have an abſolute *veto*, or negative, to every law, the conſtitution can never be long preſerved; and this principle we find verified in the ſubſequent hiſtory of Athens, notwithſtanding the oath he had the addreſs and influence to perſuade all the people to take, that they would change none of his inſtitutions for ten years. Soon after his departure, the three parties of the highlands, lowlands, and coaſts, began to ſhew themſelves afreſh. Theſe were, in fact, the party of the rich, who wanted all power in their own hands, and to keep the people in abſolute ſubjection, like the nobles in Poland, Venice, Genoa, Berne, Soleure, &c.; the democratical party, who wanted to aboliſh the council of five hundred, the Areopagus, the ten courts of judicature, and every other check, and who, with furious zeal for equality, were the readieſt inſtruments of deſpotiſm; and the party of judicious

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and moderate men, who, though weaker than either of the others, were the only balance between them. This laſt party, at this time, was ſupported by the powerful family of the Alcmæonides, of whom Megacles, the chief, had greatly increaſed the wealth and ſplendour of his houſe, by marrying the daughter of the tyrant of Sicion, and had acquired fame by victories in the Olympian, Pythian, and Iſthmian games: the head of the oligarchic party was Lycurgus, not the Spartan lawgiver: the democratical party was led by Piſiſtratus, claiming deſcent from Codrus and Neſtor, with great abilities, courage, addreſs, and reputation for military conduct in ſeveral enterprizes. Upon Solon's return, after an abſence of ten years, he found prejudices deeply rooted; attachment to their three leaders dividing the whole people. He was too old to direct the ſtorm: the factions continued their manœuvres; and at length Piſiſtratus, by an artifice, became maſter of the commonwealth. Wounding himſelf and his horſes, he drove his chariot violently into the Agora, where the aſſembly of the people was held; and in a pathetic ſpeech declared, "that he had been waylaid as he was going into "the country—that it was for being the man "of the people that he had thus ſuffered—that "it was no longer ſafe for any man to be a "friend of the poor—it was not ſafe for him to "live in Attica, unleſs they would take him "under their protection." Ariſton, one of his partiſans, moved for a guard of fifty men, to defend the perſon of the friend of the people, the martyr for their cauſe. In ſpite of the utmoſt oppoſition of Solon, though Piſiſtratus was his friend, this point was carried: Piſiſtratus, with his guards, ſeized the citadel; and forcing his

opponents into ſubmiſſion or exile, he became the firſt man, and from this time is called the Tyrant of Athens; a term which meant a citizen of a republic, who by any means obtained a ſovereignty over his fellow-citizens. Many of them were men of virtue, and governed by law, after being raiſed to the dignity by the conſent of the people; ſo that the term Tyrant was arbitrarily uſed by the ancients, ſometimes to ſignify a lawful ruler, and ſometimes an uſurper. Piſiſtratus, of whom Solon ſaid, "Take away his ambition, "cure him of his luſt of reigning, and there is not "a man of more virtue, or a better citizen," changed nothing in the conſtitution. The laws, aſſembly, council, courts of juſtice, and magiſtrates, all remained; he himſelf obeyed the ſummons of the Areopagus, upon the charge of murder. Solon truſted to his old age againſt the vengeance of the tyrant, and treated him in all companies with very imprudent freedoms of ſpeech: but Piſiſtratus carried all his points with the people; and had too much ſenſe to regard the venerable legiſlator, or to alter his ſyſtem. He returned his reproaches with the higheſt reſpect; and gained upon him, according to ſome authors, to condeſcend to live with him in great familiarity, and aſſiſt him in his adminiſtration. Others ſay that Solon, after having long braved the tyrant's reſentment, and finding the people loſt to all ſenſe of their danger, left Athens and never returned.

Solon died at the age of eighty, two years after the uſurpation. The uſurper ſoon fell. The depreſſed rival chiefs, Megacles and Lycurgus, uniting their parties, expelled him; but the confederated rivals could not agree. Megacles propoſed a coalition with Piſiſtratus, and offered him his daughter in marriage. The condition was accepted;

cepted; but the people in assembly must be gained. To this end they dressed a fine girl with all the ornaments and armour of Minerva, and drove into the city, heralds proclaiming before them, "O Athenians, receive Pisistratus, whom Minerva honouring above all men, herself conducts into your citadel." The people believed the maid to be a goddess, worshipped her, and received Pisistratus again into the tyranny. Is this government, or the waves of the sea? But Pisistratus was soon obliged to retire to Eretria, and leave the party of Megacles masters of Athens. He strengthened his connections; and in the eleventh year of this his second banishment, he returned to Attica with an army, and was joined by his friends. The party of Megacles met him with another army, ill-disciplined and commanded, from the city; were attacked by surprize, and defeated. Pisistratus proclaimed that none need fear, who would return peaceably home. The known honour, humanity, and clemency of his character, procured him confidence; his enemies fled, and he entered the city without opposition. He made no fundamental change in the constitution, though, as head of a party, he had the principal influence. He depended upon a large fortune of his own, and a good understanding with Thebes and Argos, to support him in it. He died in peace, and left his son successor to his influence. Both his sons, Hippias and Hipparchus, were excellent characters; and arts, agriculture, gardening, and literature, as well as wisdom and virtue, were singulary cultivated by the whole race of these tyrants. Harmodius and Aristogeton, however, conspired the death both of Hippias and Hipparchus; the latter was killed, and Hippias was led to severities: many Athenians were put to death. Hippias, to

ſtrengthen his intereſt with foreign powers, married his only daughter to the ſon of the tyrant of Lampſacus. Her epitaph ſhews that the title of Tyrant was not then a term of reproach: "This "duſt covers Archedice, daughter of Hippias, in "his time the firſt of the Greeks. Daughter, "ſiſter, wife, and mother of tyrants, her mind "was never elated to arrogance."

The oppoſite party were watchful to recover Athens, and to increaſe their intereſt with the other Grecian ſtates for that end, the temple of Delphi was burnt. The Alcmæonides, to ingratiate themſelves with the oracle, the Amphictyons, and all Greece, rebuilt it with Parian marble, inſtead of Porine ſtone, as they had contracted to do, without aſking any additional price. The conſequence was, that whenever the Lacedæmonians conſulted the oracle, the anſwer always concluded with an admonition to give liberty to Athens. At length the oracle was obeyed; and, after ſome variety of fortune, the Alcmæonides, aided by Cleomenes the Spartan, prevailed, and Hippias retired to Sigeium. It was one maxim of the Spartans, conſtantly to favour ariſtocratical power; or rather, wherever they could, to eſtabliſh an oligarchy: for in every Grecian city there was always an ariſtocratical, oligarchical, and democratical faction. Whenever the Grecian ſtates had a war with one another, or a ſedition within themſelves, the Lacedæmonians were ready to interfere as mediators. They conducted the buſineſs generally with great caution, moderation, and ſagacity; but never loſt ſight of their view to extend the influence of their ſtate; nor of their favourite meaſure for that end, the encouragement of ariſtocratical power, or rather oligarchical: for a few principal families, indebted to Lacedæmon

mon for their pre-eminence, and unable to retain it without her aſſiſtance, were the beſt inſtruments for holding the ſtate in alliance. This policy they now propoſed to follow at Athens. Cleiſthenes, ſon of Megacles, head of the Alcmæonides, was the firſt perſon of the commonwealth. Having no great abilities, a party was formed againſt him under Iſagoras, with whom moſt of the principal people joined. The party of Cleiſthenes was among the lower ſort, who being all powerful in the general aſſembly, he made by their means ſome alterations in the conſtitution favouring his own influence. Cleiſthenes was now tyrant of Athens, as much as Piſiſtratus had been. In the conteſts of Grecian factions, the alternative was generally victory, exile, or death; the inferior party therefore reſorted ſometimes to harſh expedients. Iſagoras and his adherents applied to Lacedæmon. Cleomenes, violent in his temper, entered with zeal into the cauſe of Iſagoras, and ſent a herald to Athens, by whom he imperiouſly denounced baniſhment againſt Cleiſthenes and his party, on the old pretence of criminality for the execution of the partiſans of Cylon. Cleiſthenes obeyed. Exalted by this proof of a dread of Spartan power, he went to Athens with a ſmall military force, and baniſhed ſeven hundred families at once: ſuch was Athenian liberty. He was then proceeding to change the conſtitution, to ſuit the views of Spartan ambition, by diſſolving the council of five hundred, and committing the whole power to a new council of three hundred, all partiſans of Iſagoras. Athens was not ſo far humbled. The five hundred reſiſted, and excited the people, who flew to arms, and beſieged Cleomenes and Iſagoras in the citadel, who the third day ſurrendered, upon condition that the Lacedæ-

monians might depart in ſafety. Iſagoras went with them. Many of his party were executed, and Cleiſthenes, and the exiled families, returned; but conſcious of their danger from their hoſtile fellow-citizens, in concert with Lacedæmon, they ſent to ſolicit an alliance with Artaphernes, the ſatrap of Perſia. The anſwer was, If they would give earth and water to Darius they might be received, otherwiſe they muſt depart. The ambaſſadors, conſidering the imminent danger of their country and party, conſented to theſe humiliating terms. Although Athens was diſtracted with domeſtic factions, and preſſed with the fear of an attack from Cleomenes, the conduct of her ambaſſadors, in acknowledging ſubmiſſion to the Perſian king, in hopes of his protection, was highly reprobated upon their return; and it does not appear that Perſian aſſiſtance was further deſired: yet the danger which hung over Athens was very great. Cleomenes, bent on revenge, formed a confederacy againſt them, of the Thebans, Corinthians, and Chalcidians. Theſe could not agree, and the Athenians gained ſome advantages of two of them. Cleomenes then pretended that Sparta had acted irreligiouſly in expelling Hippias, who ought to be reſtored; becauſe, when he was beſieged in the citadel at Athens, he had diſcovered a colluſion between the Delphic prieſts and the Alcmæonides. Sparta was willing to reſtore Hippias; but Corinth, their ally, was not. Hippias, deſpairing of other means, now in his turn applied to Perſia, and brought upon his country the Perſian war; from which it was delivered by Miltiades, at the battle of Marathon. Miltiades became the envy of the Alcmæonide family. Xanthippus, one of the principal men of Athens, who had married a daughter of Megacles, the great opponent

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of Piſiſtratus, conducted a capital accuſation againſt him: he was condemned in a fine of fifty talents more than he was wor h. His wound, which prevented him from attending the trial, mortified, and he died in priſon. In order to brand the family of Piſiſtratus, the fame of Harmodius and Ariſtogeton was now cried up. They had aſſaſſinated Hipparchus from mere private revenge; but they were now called aſſerters of public liberty. The tyrannicide, as it was called, was celebrated by ſongs, ſtatues, ceremonies, and religious feſtivals.

It muſt be acknowledged, that every example of a government which has a large mixture of democratical power, exhibits ſomething to our view which is amiable, noble, and I had almoſt ſaid, divine. In every ſtate hitherto mentioned, this obſervation is verified. What is contended for, is, that the people in a body cannot manage the executive power, and, therefore, that a ſimple democracy is impracticable; and that their ſhare of the legiſlative power muſt be always tempered with two others, in order to enable them to preſerve their ſhare, as well as to correct its rapid tendency to abuſe. Without this, they are but a tranſient glare of glory, which paſſes away like a flaſh of lightning, or like a momentary appearance of a goddeſs to an ancient hero, which, by revealing but a glimpſe of celeſtial beauties, only excited regret that he had ever ſeen them.

The republic of Athens, the ſchool-miſtreſs of the whole civilized world, for more than three thouſand years, in arts, eloquence, and philoſophy, as well as in politeneſs and wit, was, for a ſhort period of her duration, the moſt democratical commonwealth of Greece. Unfortunately their hiſtory, between the abolition of their kings and the

the time of Solon, has not been circumſtantially preſerved. During this period, they ſeem to have endeavoured to collect all authority into one center, and to have avoided a compoſition of orders and balances as carefully as M. Turgot: but that center was a group of nobles, not the nation. Their government conſiſted in a ſingle aſſembly of nine archons, choſen annually by the people. But even here was a check; for by law the archons muſt all be choſen out of the nobility. But this form of government had its uſual effects, by introducing anarchy, and ſuch a general profligacy of manners, that the people could at length be reſtrained by nothing ſhort of the ultimate puniſhment from even the moſt ordinary crimes. Draco accordingly propoſed a law, by which death ſhould be inflicted on every violation of the law. Humanity ſhuddered at ſo ſhocking a ſeverity! and the people choſe rather that all offences ſhould go unpuniſhed, than that a law thus written in blood, as they termed it, both in horror and contempt, ſhould be executed. Confuſions increaſed, and divided the nation into three factions; and their miſeries became ſo extreme, that they offered Solon an abſolute monarchy. He had too much ſenſe, as well as virtue, to accept it; but employed his talents in new-modelling the government. Senſible, from experience, of the fatal effects of a government too popular, he wiſhed to introduce an ariſtocracy, moderated like that of Sparta; but thought the habits and prejudices of the people too ſtrong to bear it. The archons he continued, but, to balance their authority, he erected a ſenate of four hundred, to be choſen by ballot of the people. He alſo revived the court of Areopagus, which had juriſdiction in criminal caſes and the care of religion. He excluded from

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the executive, or the magiſtracy, all the citizens who were not poſſeſſed of a certain fortune; but veſted the ſovereignty in a legiſlative aſſembly of the people, in which all had a right to vote. In this manner Solon attempted a double balance. The Areopagus was to check the executive in the hands of the archons; and the ſenate of four hundred, the fickleneſs and fire of the people. Every one muſt ſee that theſe devices would have been no effectual controul in either caſe, yet they were better than none. It was very right that the people ſhould have all elections; but democratical prejudices were ſo inveterate, that he was obliged not only to make them, aſſembled in a body, an eſſential branch of the legiſlature, but to give them cognizance of appeals from all the ſuperior courts. Solon himſelf, in his heart, muſt have agreed with Anacharſis, that this conſtitution was but a cobweb to bind the poor, while the rich would eaſily break through it. Piſiſtratus ſoon proved it by bribing a party, procuring himſelf a guard, and demoliſhing Solon's whole ſyſtem before his eyes, and eſtabliſhing a ſingle tyranny. The tyrant was expelled ſeveral times by the oppoſitions, but as often brought back, and finally tranſmitted his monarchy to his ſons. One of theſe was aſſaſſinated by Harmodius and Ariſtogeton; and the other driven into baniſhment by the oppoſition, aided by the neighbouring ſtate, Sparta. He fled to the Perſians, excited Darius againſt his country, and was killed at Marathon. Theſe calamities inſpired the people with ſuch terrors of a ſingle tyrant, that, inſtead of thinking to balance effectually their "orders," they eſtabliſhed the oſtraciſm, to prevent any man from becoming too popular: a check indeed, but a very injudicious one; for it only baniſhed their beſt men.

men. Hiſtory no where furniſhes ſo frank a confeſſion of the people themſelves, of their own infirmities, and unfitneſs for managing the executive branch of government, or an unbalanced ſhare of the legiſlature, as this inſtitution. The language of it is, "We know ourſelves ſo well, that we dare "not truſt our own confidence and affections, our "own admiration and gratitude, for the greateſt "talents and ſublimeſt virtues. We know our "heads will be turned, if we ſuffer ſuch charac-"ters to live among us, and we ſhall always make "them kings." What more melancholy ſpectacle can be conceived even in imagination, than that inconſtancy which erects ſtatues to a patriot or a hero one year, baniſhes him the next, and the third erects freſh ſtatues to his memory?

Such a conſtitution of government, and the education of youth which follows neceſſarily from it, always produces ſuch characters as Cleon and Alcibiades; mixtures of good qualities enough to acquire the confidence of a party, and bad ones enough to lead them to deſtruction; whoſe lives ſhew the miſeries and final cataſtrophe of ſuch imperfect polity.

From the example of Athens it is clear, that the government of a ſingle aſſembly of archons choſen by the people was found intolerable; that, to remedy the evils of it, Solon eſtabliſhed four ſeveral orders, an aſſembly of the people, an aſſembly of four hundred, an aſſembly of archons, and the Areopagus; that he endeavoured to balance one ſingly by another, inſtead of forming his balance out of three branches. Thus theſe attempts at an equilibrium were ineffectual; produced a never-ending fluctuation in the national councils, continual factions, maſſacres, proſcriptions, baniſhment, and death of the beſt citizens: and the hiſ-

tory

tory of the Peloponnesian War, by Thucidydes, will inform us how the raging flames at last burnt out.

The people in each of the United States have, after all, more real authority than they had in Athens. Planted as they are over large dominions, they cannot meet in one assembly, and, therefore, are not exposed to those tumultuous commotions, like the raging waves of the sea, which always agitated the ecclesia at Athens. They have all elections of governor and senators, as well as representatives, so prudently guarded, that there is scarce a possibility of intrigue. The property required in a representative, senator, or even governor, is so small, that multitudes have equal pretensions to be chosen. No election is confined to any order of nobility, or to any great wealth; yet the legislature is so divided into three branches, that no law can be passed in a passion, nor inconsistent with the constitution. The executive is excluded from the two legislative assemblies; and the judiciary power is independent, as well as separate from all. This will be a fair trial, whether a government so popular can preserve itself. If it can, there is reason to hope for all the equality, all the liberty, and every other good fruit of an Athenian democracy, without any of its ingratitude, levity, convulsions, or factions.

LETTER

LETTER XLVII.

ANTALCIDAS.

DEAR SIR,

IN the year 1774, a certain Britiſh officer, then at Boſton, was often heard to ſay, "I wiſh "I were parliament: I would not ſend a ſhip "or troop to this country; but would forthwith "paſs a ſtatute, declaring every town in North "America a free, ſovereign, and independent "commonwealth. This is what they all deſire, "and I would indulge them; I ſhould ſoon "have the pleaſure to ſee them all at war with "one another, from one end of the continent to "the other."—This was a gentleman of letters, and, perhaps, had learned his politics from Antalcidas, whoſe opinion concerning the government of a ſingle aſſembly is very remarkable; but the Greek and the Briton would both have found their artifices in America ineffectual. The Americans are very far from being deſirous of ſuch multiplications and diviſions of ſtates, and know too well the miſchiefs that would follow from them: yet the natural and inevitable effect of M. Turgot's ſyſtem of government would, in a courſe of time, be ſuch a ſpirit among the people.

It is not very certain whether Antalcidas was a Spartan or not. If he was, he had violated the law of Lycurgus by travel, and had reſided long

in Perſia, and maintained an intercourſe and correſpondence with ſeveral noble families. He was bold, ſubtle, inſinuating, eloquent; but his vices and corruption were equal to his addreſs. The ſtern Spartan ſenate thought him a proper inſtrument to execute an inſidious commiſſion at a profligate court. The inſtitutions of his own country, Sparta, were the objects of his ridicule; but thoſe of the democratical ſtates of Greece, of his ſovereign contempt. The ancient maxim of ſome of the Greeks, "*That every thing is lawful to a* "*man in the ſervice of his country*," was now obſolete, and had given way to a purer morality; but Antalcidas was probably one of thoſe philoſophers, who thought every thing lawful to a man which could ſerve his private intereſt.—The Spartan ſenate never acted upon a principle much better; and therefore might, upon this occaſion, have given their ambaſſador the inſtruction which he pretended, viz. to offer "to reſign all preten- "ſions to the Greek cities in Aſia, which they "would acknowledge to be dependencies of the "Perſian empire; and to declare all the cities "and iſlands, ſmall and great, totally indepen- "dent of each other." Theſe articles, in conſequence of which there would not be any republic powerful enough to diſturb the tranquillity of Perſia, were more advantageous to them than the moſt inſolent courtier would have ventured to propoſe. The ambaſſador was rewarded by a magnificent preſent; and the terms of peace tranſmitted to court, to be ratified by Artaxerxes. The negociation however languiſhed, and the war was carried on with violence for ſeveral years; and all the art, activity, and addreſs of Antalcidas were put to the trial, before he obtained the ratification. The treaty was at laſt completed—

"That

"That all the republics, ſmall and great, ſhould "enjoy the independent government of their own "hereditary laws; and whatever people rejected "theſe conditions, ſo evidently calculated for "preſerving the public tranquillity, muſt expect "the utmoſt indignation of the Great King, who, "in conjunction with the republic of Sparta, "would make war on their perverſe and dange-"rous obſtinancy, by ſea and land, with ſhips "and money."

Antalcidas, and Teribazus, the Perſian ſatrap, with whom he had concerted the treaty, had foreſeen, that, as Thebes muſt reſign her authority over the inferior cities of Bœotia—as Argos muſt withdraw her garriſon from Corinth, and leave that capital in the power of the ariſtocratic or Lacedæmonian faction—and as Athens muſt abandon the fruits of her recent victories—there might be an oppoſition to the treaty made by theſe three ſtates: to guard againſt which, they had provided powerful armaments by ſea and land, which, with Spartan and Perſian threats, ſo intimidated all, that all at laſt ſubmitted.

This peace of Antalcidas forms a diſgraceful æra in the hiſtory of Greece. Their ancient confederacies were diſſolved; the ſmaller towns were looſened from all connection with the large cities; all were weakened by being diſunited.—What infamy to the magiſtrates of Sparta, and their intriguing, unprincipled ambaſſador! But Athens, Thebes, and Argos, by the friendſhip of the democratical cities and confederacies, had become powerful, and excited their haughty jealouſy. The article which declared the ſmaller cities independent, was peculiarly uſeful to the views of Sparta; it repreſented them as the patrons of liberty, among the free. The ſtern policy of

Sparta

Sparta had cruſhed, in all her ſecondary towns, the hope of independence. The authority of Athens, Thebes, Argos, and all the democratical confederacies, were leſs imperious; the ſovereign and ſubject were more nearly on a footing of equality; and the Spartans knew, that "men are diſpoſed to reject the juſt rights of "their equals, rather than revolt againſt the "tyranny of their maſters:" their own ſlaves and citizens had furniſhed them with conſtant proof of this.

But Sparta, by this maſter-piece of roguery, meant not only to hold ſtill all her own ſubordinate cities in ſubjection, not only to detach the inferior communities from her rivals, but to add them to her own confederacy. To this end, ſhe, by her emiſſaries, intrigued in all the ſubordinate cities. How? by promoting liberty, popular government, or proper mixtures of a well-ordered commonwealth? By no means; but by ſupporting the ariſtocratical factions in all of them, fomenting animoſities among the people againſt each other, and eſpecially againſt their capitals. Complaints, occaſioned by theſe cabals, were referred to the Spartan ſenate, which had acquired the reputation of the patron of the free, the weak, and the injured, and always decided in their own favour. But the ambition of Spartans, cool and cunning as it was, had not patience to remain long ſatisfied with ſuch legal uſurpations; they determined to mix the terror of their arms with the ſeduction of policy. Before we proceed to an account of their operations, we muſt develop a little more fully the policy of Antalcidas.—Beſides the free republics of Attica, Thebes, and Argos, which conſiſted of ſeveral cities, governed by their firſt magiſtrate, ſenate, and people,

in which the ſubordinate cities always complained of the inordinate influence of the capital, there were ſeveral republics reputed ſtill more popular, becauſe they were governed by ſingle aſſemblies, like Biſcay, the Griſons, Appenzel, Underwald, Glaris, &c. Theſe republics conſiſted of ſeveral towns, each governed by its own firſt magiſtrate, council, and people; but confederated together under the ſuperintendance of a ſingle diplomatical aſſembly, in which certain common laws were agreed on, and certain common magiſtrates appointed by deputies from each town. Theſe confederacies are the only examples of government by a ſingle aſſembly which were known in Greece. Antalcidas knew that each of theſe towns was diſcontented with the adminiſtration of their common aſſembly, and in their hearts wiſhed for independence. It was to this foible of the people that he addreſſed that policy, in his Perſian treaty, by which he twiſted to atoms, as if it had been a rope of ſand, every democratical city and confederacy, and every one in which democracy and ariſtocracy were mixed, throughout all Greece. The firſt victim of this ambitious policy was Arcadia, in the center of Peloponneſus, whoſe principal town was Mantinæa. Arcadia was a fertile and beautiful valley ſurrounded by lofty mountains: the ſcattered villages of ſhepherds inhabiting theſe hills and vales had grown into cities, by the names of Tegea, Stymphalis, Heræa, Orchomonus, and Mantinæa. The inhabitants were diſtinguiſhed by their innocence, and the ſimplicity of their manners; but whenever they had been obliged, from neceſſity, to engage in war, they had diſplayed ſuch vigour, energy, and intrepidity, as made their alliance very deſirable. The dangerous neigh-

neighbourhood of Sparta had obliged them to fortify their towns, and maintain garrisons; but jealousies arose between Tegea and Mantinæa, and emulations to be the capital. The year after the treaty of Antalcidas ambassadors were sent by the Spartan senate to the assembly at Mantinæa, to command them to demolish the walls of their proud city, and return to their peaceful villages. The reasons assigned were, that the Mantinæans had discovered their hatred to Sparta, envied her prosperity, rejoiced in her misfortunes, and, in the late war, had furnished some corn to the Argives. The Mantinæans received the proposal with indignation; the ambassadors retired in disgust: the Spartans proclaimed war, demanded the aid of their allies, and marched a powerful army under their king Agesipolis, and invaded the territory. After the most destructive ravages of the country, and a long siege of Mantinæa, they were not able to subdue the spirit of this people, until they turned the course of the river Ophis, and laid the walls of the city under water; these being of raw bricks dissolved and fell. The inhabitants, intimidated, offered to demolish the walls, and follow Sparta in peace and war, upon condition they might be allowed to continue and live in the city.—Agesipolis replied, that while they lived together in one city, their numbers exposed them to the delusions of seditious demagogues, whose address and eloquence seduced the multitude from their true interest, and destroyed the influence of their superiors in rank, wealth, and wisdom, on whose attachment alone the Lacedæmonians could depend; and therefore, that they must destroy their houses in the city, separate into four communities, and return to those villages which their an-

ceſtors had inhabited. The terror of an immediate aſſault made it neceſſary to comply; and the Spartans made a mighty merit of ſuffering ſixty of the moſt zealous partiſans of democracy to fly, unmurdered, from their country.

The little republic of Phlius too, like every other where a balance is not known and preſerved, was diſtracted by parties. The popular party prevailed, and baniſhed their opponents, the friends of ariſtocracy. The Spartans threatened, and the ruling party permitted the exiles to return; but not meeting with reſpectful treatment enough, they complained, and the Spartans, under Ageſilaus, appointed commiſſioners to try and condemn to death the obnoxious leaders of the people in Phlius. This odious office was executed with ſuch unexampled ſeverity, as terrified thoſe who ſurvived into an invariable attachment to Sparta.

The confederacy of Olynthus was next attempted. A number of towns, of which Olynthus was the principal, between two rivers, had been incorporated or aſſociated together, and grown into ſome power, and greater hopes. This was enough to arouſe the jealouſy of Sparta. They ſent four or five ſucceſſive armies under their ableſt kings, to take the part of the ariſtocratical faction, and conquer this league. Such was the ſpirit and reſources of this little ſpot, that they defended themſelves for four or five campaigns, and then were forced to ſubmit.

Thebes had been torn with ariſtocratic and democratic factions, in conſequence of the peace of Antalcidas, and Sparta joined the latter, which ultimately produced long and obſtinate wars, and the exalted characters of Pelopidas and Epaminondas, who, however, with all their virtues,

were

were not able finally to eſtabliſh the independency of their country, though both periſhed in the attempt; Epaminondas, to the laſt, refuſing to the ſeveral communities of Bœotia their hereditary laws and government, although he was one of the democratical party.

Sparta, in the next place, ſent a detachment to ſupport the partiſans of ariſtocracy in Argolis, Achaia, and Arcadia, but were obliged to evacuate that country by Pelopidas and Epaminondas; but the latter ſupported ariſtocratic government. As ſoon as he retired, the Arcadians complained againſt him, that a people, who knew by their own experience the nature of ariſtocracy, ſhould have confirmed that ſevere form of government in an allied or dependent province. The multitude in Thebes condemned the proceedings of Epaminondas, and ſent commiſſioners into Achaia, who aſſiſted the populace, and a body of mercenaries, to diſſolve the ariſtocracy, and baniſh or put to death the nobles, and inſtitute a democracy. The foreign troops were ſcarcely departed, when the exiles, who were very numerous and powerful, returned, and, after a deſperate and bloody ſtruggle, recovered their ancient influence: the leaders of the populace were now, in their turn, put to death or expelled; the ariſtocracy re-eſtabliſhed; and the magiſtrates craved the protection of Sparta, which was readily granted.

It would be endleſs to purſue the conſequences of the peace of Antalcidas: uninterrupted conteſts and wars in every democratical ſtate in Greece were the conſequence of it; ariſtocratical and democratical factions eternally diſputing for ſuperiority, mutually baniſhing and butchering

each other; proſcriptions, aſſaſſinations (of which even Pelopidas was not innocent), treacheries, cruelties without number and without end.—But no man, no party, ever thought of introducing an effectual balance, by creating a king, with an equal power, to balance the other two. The Romans began to think of this expedient, but it was reſerved for England to be the firſt to reduce it to practice.

Would M. Turgot have ſaid, that if Thebes, Athens, Argos, and the Achæan, Arcadian, and Olynthian leagues, had been each of them governed by a legiſlature compoſed of a king, ſenate, and aſſembly, with equal authority, and each a deciſive negative, that the cauſe of liberty in all Greece would have been thus crumbled to duſt by ſuch a paltry trick of Antalcidas? Would the childiſh humour of ſeparating into as many ſtates as towns have ever been indulged or permitted? Moſt certainly they would not. And if the power of negociation and treaties, and the whole executive, had been in one man, could the perfidious ambaſſadors of Sparta and the other ſtates have intrigued and embroiled every thing as they did?

LETTER

LETTER XLIII.

ACHAIA.

DEAR SIR,

THE Achæans, whoſe republic became ſo famous in later times, inhabited a long but narrow ſtrip of land along the Corinthian gulph, which was deſtitute of harbours, and, as its ſhores were rocky, of navigation and commerce; but the impartial and generous ſpirit of their laws, if we are to credit Polybius and their other panegyriſts, were ſome compenſation for the natural diſadvantages of their ſituation and territory. They admitted ſtrangers into their community on equal terms with the ancient citizens; and, as they were the firſt, and, for a long time, the only republic of Greece which had ſuch liberality, it is not ſtrange that they ſhould have enjoyed the praiſes of all foreigners. In all other ſtates of Greece, in which the people had any ſhare in government, there were conſtant complaints that one powerful capital domineered over the inferior towns and villages, like Thebes in Bœotia, Athens in Attica. In Laconia, Lycurgus avoided this inconvenience by two popular aſſemblies, one for Sparta, and one for the country; but in Achaia there was no commercial town, and all were nearly equal, having common laws and inſtitutions, and common weights and meaſures. Helice, which is diſtinguiſhed by Homer as the moſt conſiderable town of Achaia, was the place

of aſſembly of the congreſs, until it was ſwallowed up in an earthquake; then Ægæ became the ſeat of congreſs, who annually appointed preſidents in rotation, and generals, who were reſponſible to the congreſs, as the members of congreſs were to the cities they repreſented. This is ſaid to be an excellent ſyſtem of government, becauſe it checked the ambition of Achaia, while it maintained its independence: and Polybius is full of the praiſes of this people for their "virtue "and probity in all their negociations, which "had acquired them the good opinion of the "whole world, and procured them to be choſen "to be arbitrators between the Lacedæmonians "and Thebans; for their wiſe councils, and "good diſpoſitions; for their equality and "liberty, which is in the utmoſt perfection among "them; for their laws and inſtitutions; for their "moderation, and freedom from ambition," &c. Yet, whoever reads his own hiſtory, will ſee evident proofs, that much of this is the fond partiality of a patriot for his country; and that they had neither the moderation he aſcribes to them, nor the excellent government. Better, indeed, than the other republics of Greece it might be; and its congreſs, as a diplomatic aſſembly, might have governed its foreign affairs very well, if the cities repreſented in it had been well conſtituted of a mixture of three independent powers:—but it is plain they were not, but were in a continual ſtruggle between their firſt magiſtrates, nobles, and people, for ſuperiority, which occaſioned their ſhort duration, and final ruin. As this example deſerves to be fully examined by every American, let us explain it a little more particularly.

Atreus, king of Argos and Mycene, was the ſon of Pelops, and father of Agamemnon, who was

was the father of Oreſtes, who was the father of Tiſamenus: Pelops, after whom Peloponneſus was named, was the ſon of Tantalus, a king of Phrygia; and Tantalus was the ſon of Jupiter, by the nymph Plota.

Tiſamenus, flying from Sparta, upon the return of the Heraclidæ governed in Achaia, and was the firſt king of that people. The dominion by him there founded was continued, in a rightful ſucceſſion, down to Gyges. Notwithſtanding his deſcent from Jupiter, his government was probably like that of Alcinous in Phæacia:—Twelve archons preſided over the twelve cities, who, each in his diſtrict, was the firſt magiſtrate; and all able to make out, ſome way or other, their connection with ſome of the ancient families, who were all alike honourably deſcended, at leaſt, from an inferior god or goddeſs. Tiſamenus made the thirteenth, and was firſt among equals at leaſt. The ſons of Gyges not governing by law, but deſpotically, the monarchy was aboliſhed, and reduced to a popular ſtate; probably it was only an ariſtocracy of the twelve archons. Theſe hints at the genealogy of theſe kings are to ſhew how intimately theology was intermixed with politics in every Grecian ſtate and city; and, at the ſame time, to ſhew that the whole force of ſuperſtition, although powerful enough to procure crowns to theſe perſons, yet, for want of the balance we contend for, was not ſufficient to reſtrain the paſſions of the nobles, and prevent revolutions almoſt as rapid as the motion of a wheel: nothing has ever been found to ſupply the place of the balance of three powers. The abolition of this limited monarchy was not effected by the people, for the purpoſe of introducing democracy, or a mixed government, but by the nobles, for the

ſake

ſake of eſtabliſhing an ariſtocracy. The new government, conſequently, was a confederation of twelve archons, each ruling as firſt magiſtrate in a ſeparate city, with his council and people, as an independent ſtate. The twelve archons met in a general aſſembly, ſometimes in perſon, and ſometimes by proxy, to conſult of general affairs, and guard againſt general dangers. This whole ſtate could not be larger than another Biſcay, and each city muſt have been leſs than a merindade, and its general aſſembly like the junta general: yet ſuch is the paſſion for independence, that this little commonwealth, or confederacy of commonwealths, could not hold together. The general aſſembly was neglected; the cities became independent; ſome were conquered by foreigners, and ſome loſt their liberties by domeſtic tyrants, that is, by their firſt magiſtrates aſſuming arbitrary power. Polybius diſcovers as much affection for this little republic as Rouſſeau did for Geneva, and is very loth to confeſs their faults: —He colours over the revolutions they underwent for a courſe of ages, by ſaying, that "though the affairs were governed according "to the diverſity of times and occurrences, all "poſſible endeavours were uſed to preſerve the "form of a popular ſtate. The commonwealth "was compoſed of twelve cities, which are in "being at this day, Olenus and Helice only ex-"cepted, which were ſwallowed up by the ſea in "an earthquake that happened not long before "the battle of Leuctra; which cities are Patra, "Dyma, Phara, Trytæa, Leontium, Ægira, Pel-"lene, Ægium, Bura, Ceraunia, Olenus, and "Helice. After the death of Alexander, and ſince "the Olympiad we have mentioned, theſe cities "fell into dangerous diſſenſions, chiefly by the

"artifices

" artifices of the Macedonian princes, when every
" city apart meditated on nothing but their own
" private profit and ends, to the prejudice and
" deſtruction of their neighbours; and this gave
" occaſion to Demetrius and Caſſander, and after-
" wards to Antigonus Gonatus, to put garriſons
" in ſome of their cities; and that others were
" invaded and governed by tyrants, who, in thoſe
" days, were very numerous in Greece. But
" about the 124th Olympiad, when Pyrrhus in-
" vaded Italy, theſe people began to ſee the
" error of their diſſenſions, and laboured to re-
" turn to their former union. Thoſe who gave
" the firſt example were Dyma, Patra, and Pha-
" ra: five years afterwards, Ægium, having caſt
" out the garriſon that was placed over them,
" were received into the confederacy. Bura fol-
" lowed their example, having firſt killed the ty-
" rant; and ſoon after Ceraunia did the like;
" for Iſeas, their tyrant, conſidering how that
" thoſe of Ægium had expelled their garriſon,
" and he who governed in Bura was already ſlain
" by the practices of Marcus and the Achaians,
" and that it would be his lot to have them all
" quickly for enemies, he therefore reſigned the
" dominion, after having firſt ſtipulated with the
" Achaians for his indemnity for what was paſſed,
" and ſo incorporated the city into the union of
" the Achaians.

" The cities, then, we have mentioned con-
" tinued for the ſpace of five-and-twenty years to
" preſerve this form of government unchanged,
" chuſing in their general aſſembly two prætors
" (or preſidents) and a ſecretary. Afterwards
" they concluded to have but one prætor only,
" who ſhould be charged with the management
" of their affairs; and the firſt who enjoyed that

" dignity

" dignity was Marcus the Carian, who, after four
" years of his adminiſtration, gave place to Ara-
" tus the Sicyonian, who, at the age of twenty
" years, after he had, by his virtue and reſolu-
" tion, reſcued his country from tyranny, joined
" it to the commonwealth of the Achaians, ſo
" great a veneration had he from his youth for
" the manners and inſtitutions of that people.
" Eight years after, he was a ſecond time choſen
" prætor, and won Acro-corinth, which Antigo-
" nus had fortified with a garriſon, whereby Aratus
" freed all Greece from no ſmall apprehenſion.
" When he had reſtored liberty to Corinth, he
" united it to the Achaians, together with the
" city of Megara, which he got by intelligence
" during his prætorſhip. In a word, Aratus,
" who in a ſhort ſpace brought many and great
" things to paſs, made it manifeſt by his councils
" and actions, that his greateſt aim was the ex-
" pulſion of the Macedonians out of Peloponne-
" neſus, to ſuppreſs tyranny, and aſſert the liber-
" ty of his country: ſo that, during the whole
" reign of Antigonus Gonatus, Aratus conſtantly
" oppoſed all his deſigns and enterprizes, as he
" did the ambition of the Ætolians to raiſe them-
" ſelves on the ruins of their neighbour ſtates;
" and, as in all the tranſactions of his adminiſ-
" tration he gave ſingular evidences of a ſteady
" mind and firm reſolution, all his attempts ſuc-
" ceeded accordingly, notwithſtanding many ſtates
" confederated to hinder the union, and to deſtroy
" the commonwealth of the Achaians. After the
" death of Antigonus the Achaians entered into a
" league with the Ætolians, and generouſly aſ-
" ſiſted them in their war againſt Demetrius; ſo
" that the ancient hatred between theſe two peo-
" ple ſeemed for the preſent extinguiſhed, and

" the desire of concord began, by degrees, to
" grow in the minds of the Ætolians. Demetrius
" died, when many great and noble occasions were
" given to the Achaians of finishing the project
" they had conceived; for the tyrants who reign-
" ed in Peloponnesus, having lost the support of
" Demetrius who greatly favoured them, began
" now to despair; and, on the other hand, being
" awed by Aratus, who admonished them to quit
" their governments, on promise of great honours
" and rewards to such as voluntarily resigned,
" and threatening others with hostility who re-
" fused; whereupon they resolved to despoil
" themselves of their dignities, restore their peo-
" ple to liberty, and incorporate them with the
" Achaians. As to Lysidas, the Megalopolitan,
" he, wisely foreseeing what was likely to come to
" pass, frankly renounced his dominion during
" the life of Demetrius, and was received into
" the general confederacy of rights and privileges
" with the whole nation. Aristomachus, tyrant
" of the Argicus, Xeno of the Hermonians, and
" Cleonymus of the Phliatians, resigning their
" authority at the time we mention, were likewise
" received into the alliance of the Achaians. In
" the mean time the Ætolians began to conceive
" jealousies at the growing greatness and extra-
" ordinary success of the Achaians, and basely
" entered into a league with Antigonus, who at
" that time governed Macedon, and with Cleo-
" menes, king of the Lacedæmonians. These
" three powers, Macedonia, Lacedæmon, and
" Ætolia, were to invade Achaia on all sides;
" but the great political abilities of Aratus de-
" feated the enterprize. He considered that An-
" tigonus was a man of experience, and willing
" enough to make alliances; and that princes
" have

" have naturally neither friends nor enemies, but " meaſure amities and enmities by the rules of " intereſt: he therefore endeavoured, after a good " underſtanding with that prince, and determined " to propoſe the joining the forces of the Achai- " ans to his. He propoſed to cede him ſome " towns; and the alliance was formed, and the " Cleomenic war commenced. In the proſecution " of it, Cleomenes and his Spartans diſplayed the " utmoſt ferocity, and cruelty, particularly at " Ægium, where he put in practice ſo many out- " rages and cruelties of war, that he left not ſo " much as any appearance that it had been ever " a peopled place." There is great reaſon to ſuſ- pect that the Achaians were not leſs guilty of cruelty; for Polybius profeſſes to follow the ac- count given by Aratus himſelf, in a hiſtory which that prætor wrote of Achaia, who may be well ſuſpected of partiality; and Polybius himſelf was the ſon of Lycortas of Megalopolis, who perfected and confirmed the confederacy of the Achaians, and diſcovers throughout his hiſtory a ſtrong at- tachment to this people. If the hiſtory of Clear- chus was extant, we might poſſibly ſee that the Achaians, the Spartans, and Macedonians, were equally liable to the accuſation of inhumanity. Mantinæa was ſubjected to unſpeakable calamities as well as Ægium; but Polybius endeavours to cover this over with a veil by abuſing Clearchus, accuſing him with departing from the dignity of hiſtory and writing tragedies, by repreſenting wo- men with diſhevelled hair and naked breaſts, em- bracing each other with melting lamentations and tears, and complaints of men, women, and chil- dren, dragged away promiſcuouſly. He attempts to juſtify the puniſhment of this city, by charg- ing it with treacherouſly betraying itſelf into the

hands

hands of the Spartans, and maſſacring the Achaian garriſon: but this was no more than the uſual effect of the continual revolutions in the Greek cities, from democracy to ariſtocracy, from that to monarchy, and back again through the whole circle. In every one of theſe cities there were three parties; a monarchical party, who deſired to be governed by a king or tyrant, as he was then called; an ariſtocratical party, who wiſhed to erect an oligarchy; and a democratical party, who were zealous for bringing all to a level. Each faction was for collecting all authority into one center in its own way; but unfortunately there was no party who thought of a mixture of all theſe three orders, and giving each a negative by which it might balance the other two: accordingly the regal party applied to Macedonian kings for aids and garriſons; the ariſtocratical citizens applied to Sparta for the like aſſiſtance, and the democratical factions applied to Aratus and the Achaian league. The conſequence was, as each party prevailed, they brought in a new garriſon, and maſſacred the old one, together with the leaders of the faction ſubdued. But is ſuch a ſyſtem to be recommended to the United States of America? If the Americans had no more diſcretion than the Greeks, no more humanity, no more conſideration for the benign and peaceful religion they profeſs, they would ſtill have to conſider, that the Greeks had in many places forty ſlaves, and in all places ten, to one free citizen; that the ſlaves did all the labour, and the free citizens had nothing to do but cut one another's throats. Wars did not coſt money in Greece; happily for the world, at preſent they are very expenſive. An American ſoldier will not ſerve one year without more money for pay

than

than many of theſe Greek cities had for their whole circulating medium.--There is but one poſſible means of realizing M. Turgot's idea. Let us examine it well before we adopt it. Let every town in the Thirteen States be a free, ſovereign, and independent democracy: here you may nearly collect all authority into one center, and that center the nation. Theſe towns will immediately go to war with each other, and form combinations, alliances, and political intrigues, as ably as the Grecian villages did: but theſe wars and negociations cannot be carried on but by men at leiſure. The firſt ſtep to be taken, then, is to determine who ſhall be freemen, and who ſlaves. Let this be determined by lot. In every fifty men, forty are to be ſlaves, and ſtay at home unarmed, under certain overſeers provided with good whips and ſcourges, to labour in agriculture and mechanic arts; all commerce and navigation, fiſheries, &c. are to ceaſe of courſe. The other ten are to be free citizens, live like gentlemen, eat black broth, and go out to war; ſome in favour of tyrants, ſome for the well-born, and ſome for the multitude: for, even in the ſuppoſition here made, every town will have three parties in it; ſome will be for making the moderator a king, others for giving the whole government to the ſelect men, and a third ſort for making and executing all laws, and judging all cauſes, criminal and civil, in town meeting. Americans will well conſider the conſequences of ſuch ſyſtems of policy, and ſuch multiplications and diviſions of ſtates, and will univerſally ſee and feel the neceſſity of adopting the ſentiments of Aratus, as reported by Plutarch: "That ſmall cities could "be preſerved by nothing elſe but a continual "and combined force, united by the bond of "common

" common intereſt; and as the members of the " body live and breathe by their mutual com- " munication and connection, and when once ſe- " parated pine away and putrefy, in the ſame " manner are cities ruined by being diſmembered " from one another, as well as preſerved, when, " linked together into one great body, they en- " joy the benefit of that providence and council " that governs the whole." Theſe were the ſentiments which, according to the ſame Plutarch, acquired him ſo much of the confidence of the Achaians, " that ſince he could not by law be " choſen their general every year, yet every other " year he was, and by his councils and actions " was in effect always ſo; for they perceived that " neither riches nor repute, nor the friendſhip of " kings, nor the private intereſt of his own coun- " try, nor any other thing elſe, was ſo dear to him " as the increaſe of the Achaian power and great- " neſs."

LETTER XLIV.

CRETE.

MY DEAR SIR,

THIS celebrated iſland, with the fantaſtical honour of giving birth to ſome of the gods of Greece, had the real merit and glory of communicating to that country many uſeful improvements. Their inſular ſituation defended them from invaſions by land, and their proximity to Egypt afforded them an eaſy intercourſe of commerce by

ſea with the capital of that kingdom; where Rhadamanthus in his travels had collected thoſe inventions and inſtitutions of a civilized people, which he had the addreſs to apply to the confirmation of his own authority. Minos is ſtill more diſtinguiſhed: in his travels in the eaſt, he ſaw certain families poſſeſſed of unrivalled honours and unlimited authority, as vicegerents of the Deity. Although the Greeks would never admit, in the fulleſt latitude of oriental ſuperſtition and deſpotiſm, this odious profanation, yet Minos, taking advantage of his own unbounded reputation, and that enthuſiaſm for his perſon which his ſkill and fortune in war, his genius for ſcience, and talents for government, had excited among wandering credulous ſavages, ſpread a report that he was admitted to familiar converſations with Jupiter, and received from that deity his ſyſtem of laws, with orders to engrave it on tables of braſs. The great principle of it was, that all freemen ſhould be equal, and therefore that none ſhould have any property in lands or goods; but that citizens ſhould be ſerved by ſlaves, who ſhould cultivate the lands upon public account. The citizens ſhould dine at public tables, and their families ſubſiſt on the public ſtock. The monarch's authority was extremely limited, except in war. The magiſtracies were the recompence of merit and age; and ſuperiority was allowed to nothing elſe. The youth were reſtrained to a rigid temperance, modeſty, and morality, enforced by law. Their education, which was public, was directed to make them ſoldiers. Such regulations could not fail to ſecure order, and what they called freedom to the citizens; but nine-tenths of mankind were doomed to ſlavery to ſupport them in total idleneſs, excepting thoſe exerciſes

exercises proper for warriors, become more necessary to keep the slaves in subjection, than to defend the state against the pirates and robbers with whom the age abounded. Idomeneus, grandson of Minos, and commander of the Cretan forces in the Trojan war, was among the most powerful of the Grecian chiefs, and one of the few who returned in safety from that expedition. Here was a government of all authority in one center, and that center the most aged and meritorious persons of the nation, with little authority in the king, and none in the rest of the people; yet it was not of sufficient strength to hold together. The venerable old men could not endure the authority, or rather the pre-eminence, of the king. Monarchy must be abolished; and every principal city became early a separate independent commonwealth; each, no doubt, under its patriarch, baron, noble, or archon, for they all signify the same thing: and continual wars ensued between the several republics within the island; and Cretan valour and martial skill were employed and exhausted in butchering one another, until they turned all the virtues they had left against mankind in general, and exerted them in piracies and robberies, to their universal infamy throughout all Greece: nor was Crete ever of any weight in Grecian politics after the Trojan war.

LETTER XLV.

CORINTH.

MY DEAR SIR,

MONARCHY remained in this emporium of Greece longer than in any other of the principal cities; but the noble families here could no better endure the ſuperiority of a monarch, than others in all countries; and with numerous branches of the royal family (named Bacchidæ, from Bacchis, fifth monarch in ſucceſſion from Aletes) at their head, they accordingly put to death Teleſtes, the reigning monarch; and uſurping the government, under an aſſociation among themſelves, inſtituted an oligarchy. An annual firſt magiſtrate, with the title of Prytanis, but with very limited prerogatives, like a doge of Venice, was choſen from among themſelves. Several generations paſſed away under the adminiſtration of this odious oligarchy: but the people at length finding it intolerably oppreſſive, expelled the whole junto, and ſet up Cuypſelus as a monarch or tyrant. He had long been the head of the popular party, and was deſervedly a popular character, poſſeſſed of the confidence and affection of his fellow citizens to a great degree, or he never could have refuſed the guard which was offered him for the protection of his perſon againſt the attempts of the defeated oligarchy. His moderation and clemency are allowed by all; yet he is univerſally called by the Grecian writers,

Tyrant of Corinth, and his government a Tyranny. Ariſtotle, l. v. c. 12, informs us that his tyranny continued thirty years, becauſe he was a popular man, and governed without guards. Periander, one of the ſeven wiſe men, his ſon and ſucceſſor, reigned forty-four years, becauſe he was an able general. Pſampſneticus, the ſon of Gorgias, ſucceeded, but his reign was ſhort; yet this ſpace of ſeventy-ſeven years is thought by Ariſtotle one of the longeſt examples of a tyranny or an oligarchy. At the end of this period the nobles again prevailed; but not without courting the people. The tyranny was demoliſhed, and a new commonwealth eſtabliſhed, in which there was a mixture of oligarchy and democracy, to prevent the firſt from running into exceſs of oppreſſion, and the other into turbulence and licence.

Here we find the uſual circle: monarchy firſt limited by nobles only; then the nobles, becoming envious and impatient of the monarch's preeminence, demoliſh him, and ſet up oligarchy. This grows inſolent and oppreſſive to the people, who ſet up a favourite to pull it down. The new idol's poſterity grow inſolent; and the people finally think of introducing a mixture of three regular branches of power, in the one, the few, and the many, to controul one another, to be guardians in turn to the laws, and ſecure equal liberty to all.

Ariſtotle, in this chapter, cenſures ſome parts of the eighth book of Plato, and ſays, "That in "general, when governments alter, they change "into the contrary ſpecies to what they before "were, and not into one like the former: and "this reaſoning holds true of other changes. For "he ſays, that from the Lacedæmonian form it "changes into an oligarchy, and from thence

" into a democracy, and from a democracy into " a tyranny; and ſometimes a contrary change " takes place, as from a democracy into an oli- " garchy, rather than into a monarchy. With re- " ſpect to a tyranny, he neither ſays whether " there will be any change in it; or, if not, to " what cauſe it will be owing; or, if there is, " into what other ſtate it will alter: but the reaſon " of this is, that a tyranny is an indeterminate " government; and, according to him, every " ſtate ought to alter into the firſt and moſt per- " fect: thus the continuity and circle would be " preſerved. But one tyranny often changed " into another; as at Syria, from Muros to Cliſ- " thenes; or into an oligarchy, as was Antileos at " Chalcas; or into a democracy, as was Chari- " laus's at Lacedæmon, and at Carthage. An " oligarchy is alſo changed into a tyranny: ſuch " was the riſe of moſt of the ancient tyrannies in " Sicily: at Leontium, into the tyranny of Pa- " nætius; at Gela, into that of Cleander; at " Rhegium, into that of Anaxilaus; and the like " in many other cities. It is abſurd alſo to ſup- " poſe, that a ſtate is changed into an oligarchy " becauſe thoſe who are in power are avaricious " and greedy of money; and not becauſe thoſe, " who are by far richer than their fellow-citizens, " think it unfair that thoſe who have nothing " ſhould have an equal ſhare in the rule of the " ſtate with themſelves, who poſſeſs ſo much: for " in many oligarchies it is not allowable to be " employed in money-getting, and there are " many laws to prevent it. But in Carthage, " which is a democracy, money-getting is credit- " able; and yet their form of government re- " mains unaltered."

Whether theſe obſervations of Ariſtotle upon Plato

Plato be all juſt or not, they only ſerve to ſtrengthen our argument, by ſhewing the mutability of ſimple governments in a fuller light. Not denying any of the changes ſtated by Plato, he only enumerates a multitude of other changes to which ſuch governments are liable; and therefore ſhews the greater neceſſity of mixtures of different orders, and deciſive balances, to preſerve mankind from thoſe horrible calamities which revolutions always bring with them.

LETTER XLVI.

ARGOS.

MY DEAR SIR,

IN order to form an adequate idea of the miſeries which were brought upon the Greeks by continual and innumerable revolutions of government, it ſhould be conſidered, that the whole Peloponneſus was ſcarcely two hundred miles in length, and one hundred and forty in breadth, not much more extenſive than the ſmalleſt of the Thirteen States of America. Such an inherent force of repulſion, ſuch a diſpoſition to fly to pieces, as poſſeſſed the minds of the Greeks, would divide America into thouſands of petty deſpicable ſtates, and lay a certain foundation for irreconcileable wars.

Although Thucydides and Ariſtotle, as well as Homer, inform us, that kingdoms were here-

ditary, and of limited authority, yet the limitations appear to be very confuſed; they were the limitations of nobles rather than of people; and the firſt ſtruggles for power were between kings and archons. The kings had no ſtanding armies; and all the forces under their authority, even when they took the field, could be commanded only by the nobles, who had their peculiar diſtricts of land and people to govern: theſe were illuſtrious and independent citizens; like the barons who demanded the great charter, communicated to each other their grievances, and took meaſures to remove them: but, being generally as averſe to popular as to regal power, their conſtant aim was an ariſtocracy; they accordingly extinguiſhed monarchy, but did not ſecure the rights of the people. The immediate effect of this revolution only multiplied evils. Oppreſſed by kings, Greece was much more oppreſſed by archons; and, anciently too much divided, was ſtill more ſubdivided under the new forms of government. Many inferior cities diſdained the juriſdiction, and even the ſuperior influence, of their reſpective capitals; affected independent ſovereignty; and each town maintained war with its neighbours. Each independent ſtate had a right to ſend two members to the Amphictyonic council. The abolition of royalty rendering the independent ſtates more numerous, increaſed the number of Amphictyons to one hundred members, and more; and an oath was required, that the member ſhould never ſubvert any Amphictyonic city: yet every exceſs of animoſity prevailed among the Grecian republics, notwithſtanding the interpoſition of the Amphictyons.

Argos

Argos was founded by Danaus, the Egyptian, about the time that Athens was ſettled by Cecrops. At the Trojan war it was the firſt of the ſtates, and ever continued the rival of Sparta. Though the royal dignity ſeemed more firmly ſettled under Agamemnon than under any other chief, yet Argos was one of the firſt of the ſtates upon the continent to aboliſh monarchy, and that as early as on the death of Celſus, Son of Temenus, the deſcendant of Hercules. No account of its new conſtitution is preſerved: but, from analogy, we may be convinced, that a reſtleſs body of nobles overturned the monarchy; and, as it was ſubject to frequent and violent diſorders, that the archons could not agree upon the form of their oligarchy; and ſet up for independency in their different diſtricts, ſtates, or cities, a little ſooner than in other republics. The higher and lower ranks were continually at variance; the democratical faction was commonly ſuperior; ſometimes tyrants were ſet up over all; and once, according to Herodotus,* the ſlaves got poſſeſſion of the city, took upon them the adminiſtration of affairs, and exerciſed the magiſtracies.

The government muſt have been ill conſtituted, as no Rhadamanthus or Minos, no Lycurgus or Solon, no Zaleucus or Charondas, nor any other legiſlator of ſuperior wiſdom and probity, ever acquired the power; and no fortunate coincidence of circumſtances ever occurred to unite liberty and adminiſtration, law and government, upon a ſtable baſis. One famous tyrant, Pheidon, lineal ſucceſſor of Hercules, a prince of great abilities, but no moderation, raiſed himſelf, rather than his country, to a ſuperiority

* Lib. vi.

which

which ceaſed with him. For want of diſtinct orders and ſteady balances, by which the wills and the forces of the people might have been ſubjected to the laws, Argos loſt that pre-eminence among the Grecian ſtates which it had obtained under a monarchy. Every little town in Argolis was ſeized with the caprice of independence, and oppoſed the general government, at the ſame time that the metropolis betrayed an ambition to domineer over the inferior towns. Civil wars enſued: Mycenæ, Trœzene, Epidaurus, and other villages of leſs conſequence, were often conquered and garriſoned, but never ſubdued. Neceſſity taught them to unite. They reproached Argos with tyranny, and Argos the others with rebellion. Union enabled them to ſet at defiance their capital, by means of intrigues and alliances with Lacedæmon, the never-failing reſource of one party or the other in every democratical ſtate. The pretence was, the Perſian war, which Argos declined. This was called a baſe dereliction, and excited, by the help of Spartan emiſſaries, hatred and contempt in Sicyon, Naupila, Heliæa, and other towns, beſides thoſe mentioned before. Argos alone, of all the cities in Peloponneſus, openly eſpouſed the cauſe of Athens. This circumſtance alone, if it was not accidental, is enough to ſhow, that this city had more ſenſe and profound wiſdom than all the reſt; for Sparta was certainly then leading all Greece to deſtruction. In other reſpects, the Argives diſcovered the ſame temper and the ſame underſtanding with all the others; for they led their whole forces againſt Mycenæ, took it by ſtorm, decimated the inhabitants, and demoliſhed the town. Is it not ſublime wiſdom to ruſh headlong into all the diſtractions and diviſions,

viſions, all the aſſaſſinations and maſſacres, all the ſeditions, rebellions, and eternal revolutions, which are the certain conſequence of the want of orders and balances, merely for the ſake of the popular caprice of having every fifty families governed by all authority in one center? Even this would not ſatisfy; the fifty families would ſoon diſſolve their union, and nothing would ever content them ſhort of the complete individual independence of the Mohawks; for it may be depended on, that individual independence is what every unthinking human heart aims at nearly or remotely.

LETTER XLVII.

IPHITUS.

DEAR SIR,

ELEIA had been the ſcene of athletic games, celebrated with great pomp by aſſemblies of chiefs from various parts of Greece. Iphitus, a grandſon of Oxylus, ſucceeded to the throne of Elis. Active and enterpriſing, but not by inclination a ſoldier, he was anxious for a remedy for the diſorderly ſituation of his country. Among all the violence, feuds, and wars, ſuperſtition maintained its empire, and the oracle of Delphi was held in veneration.

Iphitus ſent an embaſſy to ſupplicate information from the deity, "How the anger of the gods, "which

" which threatened total deſtruction to Peloponneſus, through the endleſs hoſtilities among its people, might be averted?" He received an anſwer which he had probably dictated, "That the Olympian feſtival muſt be reſtored: for that the neglect of that ſolemnity had brought on the Greeks the indignation of Jupiter and Hercules; to the firſt of whom it was dedicated, and by the laſt of whom it had been inſtituted." Iphitus proceeded to model his inſtitution; and ordained that a feſtival ſhould be held at the temple of Jupiter at Olympia, near Piſa in Eleia, for all the Greeks to partake in, and that it ſhould be repeated every fourth year; that there ſhould be ſacrifices to Jupiter and Hercules, and games in honour of them; that an armiſtice ſhould take place throughout Greece for ſome time before the commencement of the feſtival, and continue ſome time after its concluſion. A tradition was reported, that the Heraclides had appointed Oxylus to the throne of Elis, and the guardianſhip of the temple of Olympian Jupiter, and conſecrated all Eleia to the god. A reputation of ſanctity became attached to the whole people of Eleia, as the hereditary prieſthood of Jupiter; and ſecluded them from all neceſſity of engaging in politics or war.—But it was not poſſible, by any inſtitutions of religion, to deſtroy that elaſticity given by nature to the mind of man, which excites continually to action, often palpably againſt men's intereſts, which was ſtrong in the general temper of the Greeks, and which can never be ſubdued or reſtrained in any nation but by orders and balances. Reſtleſs ſpirits aroſe, not to be ſatisfied. The Eleians often engaged as auxiliaries in the wars of other ſtates, on pretence of aſſerting the cauſe of religion; but even

in

in that cauſe itſelf they could not agree among themſelves. While monarchy ſubſiſted in the poſterity of Iphitus, as it did for ſome generations, Eleia continued under one government; but at length the ſpirit of democracy prevailed there, as elſewhere in Greece, and with the ſame effects: every town claimed independency; Piſa and Elis became ſeparate commonwealths. Olympia was ſituated within the territory of Piſa, on the northern bank of the river Alpheius, which alone ſeparated it from that city. Elis was thirty miles diſtant; but the Eleians retained the guardianſhip of the temple, and ſuperintendency of the feſtival. The Piſæans now diſputed their right; wars aroſe between the two cities; each endeavoured to gain allies. At one time, Pheidon, tyrant of Argos, claiming to be by birth the proper repreſentative of Hercules, took to himſelf the guardianſhip of the temple, and preſided at the games; at another time the Piſæans prevailed, and preſided at ſome Olympiads. At length the Eleans deſtroyed Piſa ſo entirely, that not a ruin was left; and ever after, excepting in the 104th Olympiad, when the Arcadians violently interfered, they held the preſidency undiſturbed.

If a democracy could ever, in any caſe, hold together, it would be natural to expect it in this inſtitution of Iphitus, which, founded wholly on religion, had procured ſo much proſperity and veneration to his people: but it is as rational to expect that a glaſs bubble, with a drop of water incloſed in it, will reſiſt the heat of the fire: the vapour within will blaſt it into duſt and atoms.

LETTER

LETTER XLVIII.

THEBES.

DEAR SIR,

FABLE, and hiſtory too, relate that this city was governed anciently by kings; ſixteen of whom, from Cadmus the Phœnician, who founded it, to Xanthus, are enumerated. After the death of the laſt, the Thebans changed their government to a democratical republic. Their orders and balances are not known; but their factions and diviſions, as well as their dulneſs, is remembered. From the analogy of all the other Grecian ſtates, it is probable that archons preſided over the ſeveral cities of Bœotia, as their ſeparate diſtricts, and had a king at their head, like Ulyſſes in Ithaca, and Alcinous in Phæacia; that the king, whoſe domain was Thebes, had ſometimes an inclination to favour his capital more than the ſubordinate towns; and that the archons grew impatient of his monarchy, and aſpired at independency: the jealouſy and rivalry of cities favoured the factious views of the archons, and were probably fomented for that purpoſe.

Is it an inſtance of their want of penetration, or was it from neceſſity, that they choſe the two heads of oppoſite factions for their higheſt annual magiſtrates? Iſmenias was one; an honeſt man, a friend to liberty, and conſequently an advocate for an equilibrium of powers in the conſtitution. Leontidas, the other, was ambitious of the whole power to himſelf, and of governing by

by a council of his friends; but, finding his rival more popular than himſelf, he ſold the citadel to a Spartan general, upon condition that he and his party ſhould rule. When this was effected, he ſeized his colleague, and had him tried, condemned, and executed, *for caballing againſt the government.* The friends of Iſmenias fled in a panic, and were baniſhed by a public edict; for it ſeems that a revolution without baniſhments and confiſcations, at leaſt, is a degree of moderation and ſelf-government of which nations are wholly incapable. The exiled citizens, who in this caſe were the honeſt men and friends of liberty, among whom was Pelopidas, returned from Athens in diſguiſe, deſtroyed the tyrant and his crew, and, with the help of Epaminondas and his friends, regained the citadel. Theſe two ſages and heroes had now enough to do: firſt, to inſpire a little underſtanding and unanimity into their fellow-citizens; then to diſcipline them for war, and conquer their enemies; and, at laſt, to frame a good conſtitution of government. They accompliſhed all but the laſt, to their immortal glory: but Pelopidas was killed in battle before the war was finiſhed; and Epaminondas grew unpopular, and was rejected by faction even from the command of the army: a ſufficient proof that the ariſtocratical and democratical factions were nearly equal. He was re-inſtated, indeed, after the blunders and defeats of his ſucceſſor had brought the citizens to re-pentance, but was ſlain in battle at the moment of victory: ſo that the Theban republic never had the benefit of his advice in the formation of a new code of laws; as ſhe had never made any figure, excepting a momentary fame under theſe two great men, and was at length totally deſtroyed by Alexander.

The ruin of Bœotia was occaſioned by the fineſſe of Antalcidas, in his Perſian treaty. The Thebans, as well as Argives, had withheld their aſſiſtance in the Perſian war. Antalcidas knew that the ſubordinate cities of Theſpiæ, Platea, Aulis, Anthemon, Larymna, Aſchra, Coronea, Labadea, Delium, Alalkomene, Leuctra, Chæronea, all wiſhed for independence; they accordingly rejected the juriſdiction and ſovereignty of Thebes. The Thebans ſolicited Sparta to take a part in their domeſtic quarrels; and, againſt her own favourate treaty, made by her artful ambaſſador, ſhe accepted the propoſal. The virtuous and amiable Spartan ſenate perceived that it was equally their intereſt that Argos ſhould loſe her juriſdiction over her revolted towns, and that Thebes, the rival neighbour of Athens, ſhould recover her authority in Bœotia; but, notwithſtanding partial ſucceſſes, ſhe could not regain her authority over all the cities, until Epaminondas aroſe, after eighty years of civil wars. Had there been a governor in Bœotia, and a ſenate, and a houſe of repreſentatives, compoſed of an equitable proportion of deputies from Thebes and all the leſſer cities—and each of theſe branches poſſeſſed of an independent negative in the legiſlature, while the whole executive was in the governor—would theſe civil wars have happened? theſe endleſs contentions between the nobles and people, the capital and ſubordinate cities? theſe intrigues of one party with Athens, and another with Sparta? The very diſinclination, both in Thebes and Argos, to engage in the Perſian war, aroſe wholly from their domeſtic diſſenſions; and theſe from the want of judicious orders and balances.

After

After the abolition of monarchy in Bœotia, there was an effort to collect all authority into one center; but the nation found, that, although laws might be thus made, they could not be so executed. There must, therefore, be an executive magistrate; but not being able to agree, in order to please both sides, the leader of each faction must be chosen. They could not agree, as might have been foreseen, and split the nation at once into two hostile armies; one of which sought the alliance of Sparta, and the other that of Athens. Thus it ever was, and ever will be, in similar cases. It is much to be regretted, that Epaminondas did not live to display his talents as a legislator; the world might possibly have been blessed with something like an English constitution, two or three thousand years sooner than it was.

LETTER XLIX.

ANCIENT ARISTOCRATICAL REPUBLICS.

CROTONA.

PYTHAGORAS.

MY DEAR SIR,

PYTHAGORAS, as well as Socrates, Plato, and Xenophon, were perſuaded that the happineſs of nations depended chiefly on the form of their government: they were fully ſenſible of the real miſery, as well as dangerous tendency, both of democratical licentiouſneſs and monarchical tyranny; they preferred a well-tempered ariſtocracy to all other governments. Pythagoras and Socrates, having no idea of three independent branches in the legiſlature, both thought, that the laws could neither prevent the arbitrary oppreſſions of magiſtrates, nor turbulent inſolence of the people, until mankind were habituated by education and diſcipline to regard the great duties of life, and to conſider a reverence of themſelves, and the eſteem of their fellow-citizens, as the principal ſource of their enjoyment. In ſmall communities, eſpecially where the ſlaves were many and the citizens few, this might be plauſible; but the education of a great nation can never accompliſh ſo great an end. Millions muſt be brought

brought up, whom no principles, no ſentiments derived from education, can reſtrain from trampling on the laws: orders of men, watching and balancing each other, are the only ſecurity; power muſt be oppoſed to power, and intereſt to intereſt. Pythagoras found this by experience at Crotona, where the inferior ranks, elated with the deſtruction of Sybaris, and inſtigated by an artful ambitious leader, Cylon, clamoured for an equal partition of the conquered territory: this was denied them, as inconſiſtent with an ariſtocratical government; a conſpiracy enſued againſt the magiſtrates, who were ſurpriſed in the ſenate-houſe, many put to death, and the reſt driven from their country. Pythagoras was one of the baniſhed, and died ſoon afterwards, in extreme old age, at Metapontum. The Crotonians had ſoon cauſe to repent their inſurrection; for they were defeated, with all their forces, by the Locrians and Rhegians, with ſmaller numbers.

The other Greek cities of Italy which had imitated the example of Crotona, in depoſing their magiſtrates, were harraſſed with wars againſt each other, and againſt their neighbours. In conſequence of theſe diſtreſſes, the diſciples of Pythagoras again recovered their reputation and influence; and about ſixty years afterwards, Zaleucus and Charondas, the one in Locris, and the other in Thurium, revived the Pythagorean inſtitutions. In forty years more, a new revolution drove the Pythagoreans entirely from Italy, and completed the miſery of that beautiful country. Thus experience has ever ſhewn, that education as well as religion, ariſtocracy as well as democracy and monarchy, are, ſingly, totally inadequate to the buſineſs of reſtraining the paſſions of men, of preſerving a ſteady government, and protecting

the lives, liberties, and properties of the people. Nothing has ever effected it but three different orders of men, bound by their intereſts to watch over each other, and ſtand the guardians of the laws. Religion, ſuperſtition, oaths, education, laws, all give way before paſſions, intereſt, and power, which can be reſiſted only by paſſions, intereſt, and power.

It is no wonder that M. Turgot ſhould have entertained very crude conceptions of republican legiſlation; it is a ſcience the leaſt underſtood of any in the whole circle: all other orders of men of letters in Europe, as well as phyſicians, for a long time, have thought it "litteræ nihil ſanan-"tes." It is a kind of erudition which neither procures places, penſions, embaſſies, chairs in academies, nor fame nor practice in the pulpit, at the bar, nor in medicine. A miniſter of ſtate of great abilities and merit, as well as reputation, advanced to the head of the affairs of a reſpectable monarchy, by one of the greateſt princes that has ever lived, I mean the Baron de Hertſberg, has within a few years ſet an example, in a royal academy of ſciences, of inquiry into this ſubject. In a learned and ingenious diſcourſe, delivered by himſelf, he has attempted to ſhow the advantages of ſimple monarchy over all kinds of republican governments, even that beſt ſpecies of them, limited monarchies: but did this worthy miniſter expect that any of his brother academicians would conteſt with him the merits of ſuch governments? Men of letters are not fond of martyrdom in this age, nor of ruining their reputations. It is not, however, my deſign to diſcuſs any queſtions at preſent concerning abſolute monarchies, though the principles I contend for might be traced through the hiſtory of every monarchy and empire in Europe.

rope. Even in these there are orders, checks, and balances contrived, at least against abuses in administration, and for the preservation of the laws. The science of government has received very little improvement since the Greeks and Romans. The necessity of a strong and independent executive in a single person, and of three branches in the legislature instead of two, and of an equality among the three, are improvements made by the English, which were unknown, at least never reduced to practice, by the ancients. Machiavel was the first who revived the ancient politics: the best part of his writings he translated almost literally from Plato and Aristotle, without acknowledging the obligation; and the worst of the sentiments, even in his prince, he translated from Aristotle, without throwing upon him the reproach. Montesquieu borrowed the best part of his book from Machiavel, without acknowledging the quotation. Milton, Harrington, Sidney, were intimately acquainted with the ancients, and with Machiavel. They were followed by Locke, Hoadley, &c. The reputation which is to be acquired by this kind of learning may be judged of by the language of Mr. Hume: "Compositions the most despicable, both for "style and matter, such as Rapin Thoyras, "Locke, Sidney, Hoadley, &c. have been ex-"tolled, and propagated, and read, as if they "had equalled the most celebrated remains of "antiquity." Hume's History of England, vol. viii. p. 323.—Such is the style in which this great writer speaks of writings which he most probably never read. But although the time is long since passed when such writings were extolled, propagated, or read, the contempt of them is as fashionable, as likely to procure places and pen-

ſions, and to make a book ſell now, as it was when Mr. Hume wrote.

The facts in theſe letters relative to Venice are taken from the Abby Laugier and Moor's Travels; thoſe relative to the ancient republics, excepting the authorities already quoted, are taken from Robertſon, Montague, Potter, the Univerſal Hiſtory, and eſpecially from Mitford, Gillies, and Ferguſon, three very valuable and elegant productions, which deſerve to be carefully ſtudied by all America. I have made free uſe of their expreſſions as well as reflections, without noting them; if you would ſee how much has been borrowed, you muſt read.

M. Turgot was as little converſant in this kind of erudition as Mr. Hume. The former, however, was a lover of liberty; but it was of that kind of liberty which he meditated to introduce into France, and could reconcile with a ſimple monarchy: he was too good a ſubject to think of introducing a free conſtitution of government into his own country. For the liberty of commerce, the liberty of religious ſentiments, and the perſonal liberty of the ſubject, ſuch as are eſtabliſhed by the laws, in a monarchy, he was an enthuſiaſt; and enthuſiaſm for liberty, the common cauſe of all mankind, is an amiable fervour, which is pardonable even when it is not according to knowledge; but he was neither an enthuſiaſt for a free conſtitution of government, nor did he know in what it conſiſted.

LETTER

LETTER L.

ANCIENT DEMOCRATICAL REPUBLICS.

CYBARIS.

CHARONDAS.

MY DEAR SIR,

THE city of Sybaris was a Grecian colony in Italy, planted by Achaians; and, according to Diodorus Siculus,* its beautiful ſituation between two rivers, the Crathis and the Sybaris, the extent and fertility of its territory, and the freedom of its laws, had, in a ſhort ſpace of time, drawn together a prodigious number of inhabitants, and greatly enriched them.

But the common fate of all nations and cities attended them. They had three parties; a chief, a better ſort, and a people. The moſt powerful citizens were caballing as uſual againſt the chief, whoſe name was Telys, and, whatever his character for virtue was, appears to have had more cunning than Grecian chiefs commonly had, at leaſt he diſcerned better where the balance lay; for he courted the people, by flattering their follies. He excited a popular cry againſt the ariſtocratical party, drove them from the city, confiſcated their fortunes, and diſtributed them among the reſt of the citizens. The exiles fled to Crotona. Telys ſent ambaſſadors to demand them, on pain of war. Pythagoras thought the cauſe of his

* Lib. xii. p. 6.

ariſtocratical friends juſt, and perſuaded his fellow-citizens to refuſe to deliver them up. The Sybarites marched an army; but were met by another from Crotona, with Milo, the ſtrong man, at their head, whoſe reputation prevailed; the Sybarites were all maſſacred, and their city pillaged and left a deſart. Firſt happy effect of a government without acknowledged orders and legal balances! —Fifty-eight years afterwards, ſome Theſſalians eſtabliſhed themſelves at Sybaris: they had not been there five years, when the Crotonians came and drove them out.—Under Callimachus, archon of Athens, it was re-peopled the third time, and had the name of Thurium. A populous colony was ſent there, under Lampon and Xenocrates, who built a beautiful city for a capital, and twenty-five ſubordinate cities: but the inhabitants could not long live in good intelligence among themſelves; they fell into diſſenſions, grew extravagant, luxurious, and effeminate to a proverb. The quarrel began in this manner:—The old inhabitants of Sybaris erected themſelves into a kind of nobility, and arrogated to themſelves all the public employments of any diſtinction, vouchſafing to the new-comers only thoſe of leaſt importance; they inſiſted, moreover, that their wives ſhould ſacrifice the firſt to the gods, and that the other ladies ſhould not commence their devotions till the firſt had concluded: not content with diſtinctions ſo aſſuming, they went farther, and took to themſelves, in the diſtribution of the lands, all thoſe which were neareſt the city, and left only the more diſtant to thoſe whom they called foreigners. The latter, being more numerous and more brave, carried their reſentments ſo far, as to put all the old families to death, and remained

ſole

ſole poſſeſſors of all the territory within the walls. Not having people enough left, they invited others from various parts of Greece, divided houſes and lands among them, entered into alliance with Crotona, and became opulent. They divided the people into ten tribes, and eſtabliſhed among them a democratical government, and choſe for their legiſlator Charondas, who, having examined to the foundation the laws of all countries, choſe out of them, for his country, the wiſeſt and moſt convenient. Some others he added, drawn from his own meditations. His laws are loſt, and therefore his orders and balances are not known. It is, nevertheleſs, certain, that orders and balances exiſted in his inſtitution, from certain regulations preſerved by Diodorus:

1. He excluded from all his public councils all men who, having children, ſhould marry a ſecond time; and thus mortify their children with the authority of a ſtep-mother.

2. As another check to his democracy, he ordained that all who ſhould be convicted of calumny, ſhould be conducted through the ſtreets crowned with tamarin; a puniſhment ſo infamous, that ſeveral put an end to their own lives rather than ſubmit to it.

3. He prohibited all ſociety with wicked men: for, ſays he, the diſpoſition to evil is very ſtrong; and many of thoſe who at firſt love virtue, are often drawn in, by the charms of ſecret ſeductions, to the greateſt vices.

4. He ordained, that all the ſons of every family ſhould learn to write and read under maſters in the pay of the public. This law alone has merit enough to conſecrate to immortality the memory of this legiſlator, and deſerves to be imitated by every free people at leaſt.

5. That

5. That the property of orphans ſhould be adminiſtered by the relations by the father; but their perſons and education entruſted to thoſe by the mother.

6. All thoſe who ſhould refuſe to take arms for their country, or quit their ranks in the army, inſtead of being puniſhed by death, ſhould be expoſed three days in a public ſquare of the city in women's clothes.

7. To preſerve this democratical arrangement, he thought it neceſſary to prohibit all propoſals of changes in his laws. His principle was, that it was as advantageous to ſubmit to the laws, as it is dangerous to ſubject the laws to individuals; and, therefore, in trials he reprehended and ſilenced all criminals, who ſubſtituted turns of eloquence and arbitrary interpretations in place of the letter of the laws, and charged them with violating their authority and majeſty. The queſtion is, ſaid Charondas, "Whether you ſhall ſave "the law or the criminal?"

8. Struck with the diſorders and ſeditions which he had ſeen in many democratical cities, he ordained that no citizen ſhould preſent himſelf in the public aſſembly, to propoſe any reformation or alteration in the law, without an halter about his neck, which he ſhould wear till the people had deliberated and determined: if the people decreed the propoſed alteration hurtful or unneceſſary, the reformer ſhould be ſtrangled on the ſpot. This regulation ſilenced all new legiſlators ſo entirely, that only three examples occured of any changes.

All his precautions were inſufficient:—Returning from the country with his ſword, which he had taken to defend himſelf againſt highwaymen, he found the aſſembly in diviſion and confuſion. He haſtened to compoſe the tumult. One of his

enemies reproached him with violating his own law, by coming into the aſſembly armed. Charondas, who had forgotten the ſword, cried, I mean to obſerve and enforce the law, and plunged it into his own heart, wearied, moſt probably, into a contempt of life by the diſorders incident to unbalanced parties.

When every legiſlator who has attempted a democratical eſtabliſhment, has confeſſed its inherent tendency to immediate diſſolution, by the ſtrongeſt rigours againſt propoſals of innovation, and numberleſs other proviſions to controul it, which have all been found ineffectual, is it worth while ſtill to cheriſh the fond idea, when three branches are found, by experience, ſo effectually to check each other; when in two independent aſſemblies improvements and reformations may be ſo eaſily and ſafely propoſed and adopted, and ſuch as are not beneficial rejected?

LETTER LI.

LOCRIS.

ZALEUCUS.

MY DEAR SIR,

ZALEUCUS was of *Locris in Italy, not far* diſtant from Sybaris. He was a diſciple of Pythagoras, of noble birth, and admirable morals. Having acquired the eſteem and confidence of his fellow-citizens, they choſe him for their legiſlator.

Unfor-

Unfortunately little remains of his laws but their preamble; but this is in a ſtyle ſo ſuperior to all the other legiſlators, as to excite regret for the loſs of his code. In this preamble he declares, that all thoſe who ſhall inhabit the city, ought, above all things, to be perſuaded that there is a God; and if they elevate their eyes and thoughts towards the heavens, they will be convinced, that the diſpoſition of the heavenly bodies, and the order which reigns in all nature, are not the work of men, nor of chance; that, therefore, they ought to adore the gods, as the authors of all which life preſents us of good and beautiful; that they ſhould hold their ſouls pure from every vice, becauſe the gods accept neither the prayers, offerings, or ſacrifices of the wicked, and are pleaſed only with the juſt and beneficent actions of virtuous men. Having thus, in the beginning of his laws, fixed the attention of his fellow-citizens upon piety and wiſdom, he ordains, above all things, that there ſhould never be among them any irreconcileable enmity; but, on the contrary, that thoſe animoſities which might ariſe among them, ſhould be only a paſſage to a ſure and ſincere reconciliation; and that he who would not ſubmit himſelf to theſe ſentiments, ſhould be regarded as a ſavage in a civilized community. The chiefs of his republics ought not to govern with arrogance nor pride; nor ſhould the magiſtrates be guided in their judgements by hatred nor by friendſhip.

This preamble, inſtead of addreſſing itſelf to the ignorance, prejudices, and ſuperſtitious fears of ſavages, for the purpoſe of binding them to an abſurd ſyſtem of hunger and glory for a family purpoſe, like the laws of Lycurgus, places religion, morals, and government, upon a baſis of philoſophy, which is rational, intelligible, and eternal,

nal, for the real happineſs of man in ſociety, and throughout his duration.

The principle adopted by this legiſlator, as the motive to action next to the ſenſe of duty and ſocial obligation, was the ſenſe of honour, like that of Lycurgus. As Zaleucus was a diſciple of Pythagoras, whoſe favourite plan of government was a well-tempered ariſtocracy, we may conjecture, that ſuch was the form recommended to the Locrians: but all are loſt, and certainly no argument can be drawn from them in favour of one popular aſſembly. If, in viſiting the Sybarites and Locrians, we have found nothing in favour of M. Turgot's ſyſtem, nor any thing very material againſt it, we have found a greater advance towards civilization than in all the laws of Lycurgus and Solon, excepting only the trial by jury inſtituted by the latter; I mean in the preamble of Zaleucus, and in the general education to letters in ſchools, at the public expence, by Charondas.

LETTER

LETTER LII.

ROME.

PLEBEIANS SCRAMBLING AFTER PATRICIANS; OR DEMOCRACY HUNTING DOWN ARISTOCRACY; OR TRIBUNES IN CHASE OF A SENATE.

MY DEAR SIR,

WE have before ſeen, in the hiſtory of Rome, with what eagerneſs the ariſtocracy purſued and demoliſhed the monarchy: the kings are commonly reproached with tyranny, and the nobles are applauded for reſiſtance to it; but it is clear that the nobles were as tyrannical, and that their eternal plots and conſpiracies againſt the kings, their power, their crowns, and their lives, were the cauſe and the provocation to that tyranny. It is impoſſible to ſay which were worſt, the nobles or kings; both certainly were bad enough in general, and both frequently violated the laws, as it will ever happen when there are but two branches. The people as yet had no adequate power to aid or controul either. By the inſtitution of Romulus, indeed, the Roman people, even the loweſt claſs of the citizens, inſtead of being prohibited to engage in all kinds of labour, after the example of the Spartans, were directed to apply themſelves to paſturage, agriculture, and mechanic arts. This had its natural effect; and immediately after the revolution, by which

which the monarchy was aboliſhed, and ariſtocracy ſet up, though we find the patricians at their uſual game of encroaching on the people, yet we find there was a people, a numerous, hardy, courageous people, who were not diſpoſed to ſubmit: they ſoon began a reſiſtance, and to demand more power to reſiſt; and having obtained one conceſſion, they required another, until they obtained an equality with the patricians. So far they were in the right; and if the two powers could have remained equal, juſtice, liberty, and happineſs, the effect of equal laws, might have been enjoyed: but human nature can never reſt—once in motion, it rolls, like the ſtone of Siſyphus, every inſtant when the reſiſting force is ſuſpended. Diodorus Siculus is very right, lib. xix. when he ſays, "It is of the nature of man to aſpire continually "at ſomething greater than his preſent condition, "and to wiſh that his power might increaſe in- "ſtead of decreaſing, or reſting as it is." Dr. Ferguſon, who follows very accurately Dionyſius of Halicarnaſſus, Livy, and Polybius, will furniſh us with a good account of the ſteps by which the Roman people proceeded to augment their own power, and diminiſh that of the ſenate, until they obtained the whole. I ſhall give an abridgement of the ſtory very nearly in Ferguſon's words.—In their career, however, the people loſt their morals and their wiſdom, as they ever will in ſuch a courſe, and were ready to confer the ſovereignty on the line of Cæſars, even before they had completely obtained it. Thoſe irregularities, and that final cataſtrophe, were all occaſioned by the imperfections in their *balance*. If the conſuls had been poſſeſſed of a negative in the legiſlature, and of all the executive authority, and the ſenate and people had been made equal and independent in the firſt eſta-

eſtabliſhment of the commonwealth, it is impoſſible for any man to prove that the republic would not have remained in vigour and in glory at this hour.

The government of Rome, in the 244th year from the building of the city after the expulſion of Tarquin, was become wholly ariſtocratical: the nobles, excluſively, had the legiſlative, executive, and judicial power, without any third party to hold the balance between them and the people; for the conſuls, although they were executive magiſtrates, united in their perſons the dignities of the ſtate: thoſe of judges, magiſtrates, and military leaders, were underſtood to come in the place of kings, and performed all the functions of royalty; yet they were only parts and miniſters of the ſenate. While the exiled king was endeavouring, by continual invaſions, to recover his power, diſputes aroſe between the parties who had united to expel him. Creditors, ſupported by the ariſtocracy, of which the nobles were now in full poſſeſſion, became ſevere in the exaction of debts, or the patrons laid claim to more than the clients were willing to pay. The ſtate was diſtracted at once by its enemies from abroad, and by the diſſenſion of parties at home. The authority of the new government not being ſufficient to contend with theſe difficulties, the ſenate reſolved to place themſelves and the commonwealth, for a limited time, under the power of a ſingle perſon, under the title of dictator.

The inferior claſs of the people, almoſt excluded from any ſhare in the new government, ſoon found, that under its influence, they had more oppreſſion to fear from their patrons than they had ever experienced from the prince they had baniſhed. So long as the king

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and the ſenate ſhared in the powers of the ſtate, the one took part with the people, when the other attempted to oppreſs them; and it was the ordinary intereſt and policy of the prince to weaken the nobles, by ſupporting the plebeians againſt them. This effect of the monarchy ſtill, in ſome meaſure, remained ſo long as the exiled king was alive, maintained his pretenſions, and made the united ſervices of the people neceſſary to the ſenate; but upon the death of the king, the nobles availed themſelves of their power, and enforced their claims on the people with extreme ſeverity. In the capacity of creditors, they impriſoned, ſtripped, and enſlaved thoſe who were indebted to them, and held the liberties and lives of their fellow-citizens at their mercy. The whole body of plebeians was alarmed; they ſaw more formidable enemies in the perſons of their own nobility, than in the armies of any nation whatever. Many who had already ſuffered under the rod of their creditors, when called upon to enliſt, ſhewed their limbs galled with fetters, or torn with ſtripes which they had received by command of their mercileſs patrons. Theſe diſtractions obliged the ſenate to have recourſe to another dictator; and Valerius, who was appointed for his popularity, repelled the enemy. The ſenate, upon his return, not fulfilling his promiſes to the people, they retired to the Sacred Mountain. The ſenate was obliged to negotiate, to mitigate the ſeverities againſt inſolvent debtors, and conſent to the appointment of tribunes: this was in the year 260, ſixteen years after the revolution. Had the plebeians diſcontinued their collective aſſemblies for every purpoſe but elections, and increaſed their tribunes to four or five hundred repreſentatives, even this would not have been a radical cure,

without ſeparating the conſuls from the ſenate, and giving them, or one of them, the executive power, and a negative both upon the ſenate and popular aſſembly in the legiſlature: but there was too much prejudice, and too little knowledge, for ſo great an improvement. The people contented themſelves with the appointment of a leader under the name of Tribune, who, without power to protect them effectually, had enough to head every popular tumult, and blow up every ſpark to a flame. An aſſembly of repreſentatives would have had an equal right with the ſenate to propoſe laws, to deliberate, debate, alter, amend, improve; but the tribunes were authorized only to forbid any meaſure they thought injurious, but not to propoſe any law, or move any reſolution. Not permitted to mix with the ſenators, they had places at the door of the ſenate houſe, as their office was felt to be a dangerous one. Their perſons were made ſacred; and every one was devoted to the infernal gods who ſhould even ſtrike them. An oath was to be taken to obſerve this law; and the idea of the ſanctity of a tribune took ſuch deep root, that the emperors afterwards were protected from aſſaſſins by this ſacred title of Tribune. The college of tribunes at firſt was not limited to any number; but in proceſs of time they increaſed from three to ten. Patricians could not by law be elected; yet the people, to ſhew that they never will be ſteady to any law, even to thoſe moſt directly contrived for their benefit, ſometimes departed from this. The tribunes were at firſt elected in the curiæ, where the vote of the pooreſt citizen was equal to that of the moſt wealthy. But even here the patricians, beſides their great influence, had even a negative on all proceedings by holding the auſpices:

auſpices : for this reaſon it was thought neceſſary to alter the form of the aſſembly, in which the tribunes were elected, to that of the tribes; and by this means to enable the people to make their election without any controul from the nobles, either in virtue of the authority of the ſenate, or the interpoſition of the augurs. Theſe would have been real improvements of the conſtitution, if they had proportionally augmented the authority of the conſuls at the ſame time; but probably there would have been as many prejudices againſt ſuch a propoſal among the people, as in the ſenate. All the popular jealouſies and alarms at regal authority would have been excited by demagogues in the ſenate as well as in the comitia; for there are in all nations ariſtocratical demagogues as well as democratical. Theſe expedients were adopted by the ſenate to quiet the animoſities of parties; but tended, in fact, only to render the conteſt between them more equal, and to multiply the ſubjects of diſpute. The tribunes being veſted with power to aſſemble the people, could not long be confined to the mere negative with which they were firſt entruſted. The party of the plebeians, with theſe magiſtrates at their head, were then in a poſture not only to preſerve their right, but likewiſe to gain to their order continual acceſſions of power. Happily for the ſtate there was yet much ground to be gained without tranſgreſſing the bounds of order, or the authority of equitable government. The bar of hereditary diſtinction was the ſtrongeſt obſtacle which the popular leaders in this career had to break through. The nobles among the Romans, as well as among the Greeks, generally traced back their lineage, in ſome manner or other, to gods and goddeſſes; and the divine original of nobility, and the eſſential

diſtinction between the two orders of nobles and commons, the one being believed a ſuperior order of beings to the other, was founded in their inſtitutions of religion, and in popular belief: and although ſome pretenſions are ſet up ſtill in many parts of Europe to the divine right of nobility, yet they are generally held in ſo little eſtimation, that a modern can hardly form an idea of the difficulty the tribunes muſt have found to overcome this inveterate prejudice of ſuperſtition. No perſonal merit, no actual ſervice, no meaſure of ability or virtue, could remove, as it was pretended, the diſqualification of plebeian birth. One of the firſt ſteps towards aboliſhing this diſtinction was to preclude every other power in the ſtate from a negative on their proceedings. For this purpoſe it was enacted by the tribes, that no one, under pain of death, or of a fine at diſcretion, ſhould interrupt a tribune while he was ſpeaking to the people. Nothing can be more curious than theſe popular efforts to get the better of their own ſuperſtitious prejudices: they could not depend upon their own firmneſs to ſupport their own peculiar magiſtrate, till they made themſelves believe that his perſon was ſacred, as well as the other magiſtrates. Being thus provided againſt interruption, as they were by a former law againſt violence to their perſons, they not only took up the complaints of their conſtituents, but ſuggeſted new claims to be made by them; and at every ſucceſſion to office, endeavoured to ſignalize their term by ſome additional eſtabliſhment for the benefit of the people. They interrupted the ſtate in its councils and wars, and hung upon the wheels of government until the grievances they complained of were redreſſed, or the demands they made were complied with. In order to increaſe the

the number of plebeian officers, whoſe aid the tribunes alledged was neceſſary to themſelves, they, ſoon after their own inſtitution, procured that of the ædiles, who were to inſpect the market, and have charge of the public buildings and public ſhows. The qualifications of candidates for the office of conſul furniſhed, during ſome ages, the ſubject of continual debates: civil and military tranſactions were conſtantly blended together. The ſenate frequently involved the ſtate in war, in order to ſuſpend its inteſtine diviſions; and the people as often took occaſion, from the difficulties in which the community was involved by its enemies, to extort a compliance with their own demands. The firſt ſubject of contention was the diſtribution of the corn which the ſenate had purchaſed as a proviſion againſt the famine, which the late interruption of induſtry and agriculture, by the ſeceſſion of the people, had occaſioned. Coriolanus was for compelling the people, by hunger, to part with their tribunes, and the other conceſſions which had been extorted from the ſenate. The younger nobility applauded his ſentiments; but the majority were afraid of another ſtorm, and agreed to deliver corn from the public granaries at a moderate price. The people, however, were not appeaſed; they were greatly incenſed againſt Coriolanus; and the tribunes cited him to appear before the tribunal of the people, to anſwer for the inſult he had offered them. The ſenate and patricians were diſpoſed to protect him; but expected to be able to acquit him in the comitia of the centuries, the only tribunal before which any capital accuſation of a citizen had ever been tried. The tribunes, however, determined to introduce an innovation, and inſiſted that the people ſhould aſſemble in their

tribes. Coriolanus, ſeeing himſelf already condemned by this method of proceeding, withdrew, and joined the enemies of his country. This novelty made a total change in the conſtitution; for the aſſembly of the centuries formed an ariſtocracy, that of the tribes a democracy. As it was not with any preciſion determined by law what buſineſs ſhould be done in one aſſembly, and what in the other, the patricians and plebeians, inſtead of balancing each other by regular checks, were in danger of rendering the adminiſtration of the ſtate a continual ſcene of contradictions, which ſerved to the laſt hour of the republic as an object of popular zeal, and furniſhed a ſpecious pretence to ambitious and deſigning men. This very uncertainty, producing continual altercations and wars, produced great ſtateſmen and warriors, no doubt; but a regular, well-ordered conſtitution will never fail to bring forth men capable of conducting the national councils and arms; and it is of infinitely more importance to the national happineſs, to abound in good merchants, farmers, and manufacturers—good lawyers, prieſts, and phyſicians—and great philoſophers, than it is to multiply what are called great ſtateſmen and great generals. It is a miſerable ſervitude, whether you call it a republic or a deſpotiſm, where the law is uncertain and unknown; and it is only under the ſecurity of certain and known laws, that arts, ſciences, agriculture, commerce, and trades, can ever be made to flouriſh. Another ſubject of diſpute was ſoon introduced, which ſerved to the laſt hour of the republic as an object of popular zeal, and furniſhed a ſpecious pretence to ambitious and deſigning men to captivate the ears of the populace—an equal diviſion of land, known by the name of

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an Agrarian Law. By this was by no means meant a community of goods and lands, or an equal diviſion of all the lands and goods; the Roman people had too much ſenſe and honeſty ever to think of introducing into practice ſuch an abſurd figment of the brain: but the Romans, during the late ariſtocratical times, and the wars againſt Tarquin, had ſuffered the conquered lands to paſs by connivance, occupancy, or purchaſe, into the hands of powerful citizens, inſtead of dividing them equally among the people. Sp. Caſſius, the conſul, who was in favour with the people, and affected ſtill farther popularity by flattering the paſſions of the inferior claſſes, foreſeeing that the tribunes would ſoon think of this object, determined to make a merit to himſelf by anticipating them. Poſſeſſing himſelf of ſome of theſe lands, he oſtentatiouſly made a diviſion of them among the more indigent citizens; and obtained an appointment of three commiſſioners to inquire into the evil, and conſider of a remedy. The patricians were alarmed; but Caſſius had numbers on his ſide, and was ſo confident of ſucceſs, that he betrayed too ſoon his ambitious deſign, by offering the freedom of the city to aliens, who at his invitation crowded from all parts to vote in the aſſemblies of the Roman people. This convinced all parties that his views were, by the means of aliens and indigent citizens, to uſurp the government. All parties combined againſt him, and he was condemned for treaſon. The tribunes had no ſooner deſtroyed Caſſius, than they adopted his project, and inſiſted on the law for the nomination of three commiſſioners: from this time commences a ſtruggle between the tribunes and ſenate, patricians and plebeians, the various operations of which would take up too much

ſpace to relate. The tribunes were honoured in proportion to the part they took in ſupport of the popular cauſe, and their animoſity againſt the ſenate. Every new tribune endeavoured to ſignalize his year, by ſuggeſting ſome new point to be gained by the people. One law was obtained to ſubſtitute the aſſembly of the tribes for that of the curiæ, in the election of tribunes; another to exclude the patricians entirely from the aſſembly of the tribes. The agrarian law they frequently moved in the interval of other pretenſions, or together with other claims, in order to alarm the ſenate, and force them to a compromiſe. The powers and artifices of both parties were ſoon exerted in another conteſt, in which the people were in the right, and purſued the moſt rational and neceſſary object imaginable—a new code of laws which ſhould regulate the forms of judicial proceedings; yet even this was not purſued ſo much from the love of juſtice, or the ſpirit of liberty, as to gain a point from the patricians, whoſe power was greatly ſupported by the diſcretionary judicial powers they had in their hands. This great object, which the Engliſh nation have purſued for ſo long a courſe of time, under the names of Folcright or Common Law, they alone have had the wiſdom to accompany with prerogatives to the crown, and privileges to the nobility, which have ſecured thoſe two branches of the conſtitution; at the ſame time that, by eſtabliſhing a body of laws, and regular formal proceedings in the courts of juſtice, they have ſecured their own rights and liberties. The Roman people were not ſo wiſe; by neglecting to give any adequate prerogatives to the conſuls, and by undermining the power of the ſenate in proportion as they introduced regular law to protect their

their own rights, they undermined every other power in the conſtitution, and devolved the whole upon themſelves. In the career they loſt all their integrity and morals: they oppoſed an ardour not to be cooled or diſcouraged, or reſtrained by ſcruples in the choice of means, to the great authority and addreſs of the nobles. A popular party are apt to think that the rules of veracity and candour may be diſpenſed with, and that deceit and violence may without any ſcruple be employed in their own favour. With leſs honour and dignity to maintain than their adverſaries, they are leſs afraid of imputations that detract from either; and their leaders, ſupported by the voice of the more numerous party, are leſs apprehenſive of evil fame. In this conteſt, accordingly, fictitious plots and conſpiracies were fabricated by the popular ſide, and fictitious deſigns againſt the liberties of the people were imputed to the patricians, in order to render them odious, and to deter them from appearing in ſupport of their real pretenſions. The ſenate at laſt agreed to the nomination of three commiſſioners to be ſent to Greece, and make a collection of laws. The report they made was accepted, and the decemvirs appointed by ſenate and people to compile a body of laws. Theſe ten were intended only as a committee to prepare a draught for the conſideration of the ſenate and people; yet they had ſo much credit with the people as to be veſted with a temporary ſovereignty; and ſuperſeded the authority of the ſenate as well as the conſuls; and had unlimited power over the lives and fortunes of their fellow-citizens. They preſented a number of laws, engraven on ten tables or plates, containing a ſummary of the privileges

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of the people, the crimes to be puniſhed, and the forms of judicial proceedings. They ſaid their plan was unfiniſhed; and, deſiring a renewal of their powers, obtained it for another year: two more tables were added, which, with the former ten, made the Law of the Twelve Tables. In theſe laws the diſtinction of patrician and plebeian was ſo great, that perſons of theſe different orders were not permitted to intermarry. Bankruptcy was made a crime; and, without any diſtinction between fraud and misfortune, expoſed the inſolvent debtor to the mercy of his creditors, who might put him to death, diſſect, or quarter him, and diſtribute his members among them. This law was brought from Greece, and ſhews the atrocious ideas and manners of the age. Although we have no account of the law being executed in its utmoſt extent, we know that, in conſequence of it, debtors were, by the courts of law, delivered bound into the hands of creditors, and frequently ſcourged and whipped in a moſt cruel and unmerciful manner. Giving to fathers the power of magiſtrates, or the power of life and death, over their children, may have ſome reaſons aſſigned for it; but nothing can ever account for the people's accepting ſuch a law of debtor and creditor among the Greeks or Romans, but the ſuppoſition that property was entirely in the hands of patricians; and that the people had the blindeſt ſuperſtitious opinion, that the patricians, as deſcendants of gods, were a ſuperior order of beings. It is no wonder that the people, after this, often clamoured for an abolition or diminution of debts: why they never demanded an abolition of the law, is another queſtion.—One other of theſe laws deſerves

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particular notice. In private, every family were free to worſhip the gods in their own way; and in public, though certain forms were required, yet there was not any penalty annexed to the omiſſion of them, as the puniſhment of offences in this matter was left to the offended god. This, probably, was the ſource of that wiſe and humane toleration which does ſo much honour to the Romans, and reflects diſgrace on almoſt every Chriſtian nation. The ardour of the people to obtain this code had nearly coſt them their liberties. The power of a magiſtrate was ſuppoſed to determine only by his own reſignation. The decemvirs, taking advantage of this defect in the conſtitution, continued the exerciſe of their power; and the people, to ſhew that they never can be jealous of men who are in poſſeſſion of their confidence, acquieſced in their uſurpation; until the father of Virginia, by exerciſing his lawful authority in defence of his daughter's honour, exhibited a ſpectacle of horror which gave a turn to the imaginations, and arouſed all the paſſions of the people to the expulſion of the decemvirs, as ſuch another event had before given occaſion to the abolition of monarchy.—Patricians and plebeians now united, and a tide of mutual confidence began to flow. Two very popular perſons were choſen conſuls: the conſecration of the tribunes was renewed, and extended to the ædiles, and the other inferior officers who acted under the tribunes in preſerving the rights of the people. The patricians conſented to have the acts of the ſenate formally recorded, placed in the temple of Ceres, and committed to the care of the ædiles. As the conſuls had been hitherto the keepers and interpreters of their decrees, and had

had often ſuppreſſed or carried into execution their acts at their pleaſure, this was a conſiderable diminution of the power of the conſuls.

The comitia were of three ſorts—the curiæ, the centuries, and the tribes. The centuries alone, in which the patricians had an undoubted majority as well as in the ſenate, had as yet the authority of making laws for the commonwealth: this ſtill preſerved the ariſtocratical character of the republic. Now the plebeians denied the legiſlative authority of the ſenate; and the ſenate denied the right of the tribes to make laws. Equity required that the plebeians ſhould have a voice in the legiſlature; but inſtead of becoming a branch of it, inſtead of aiming at a deliberative or negative voice in it, by which they might concur with the ſenate and comitia of the centuries, or, which would have been infinitely better, with the ſenate and conſuls as two independent branches, they obtained a ſeparate and independent power of legiſlation. Hence the intricacy of this conſtitution; hence three diſtinct ſources of laws—decrees of the ſenate, acts of the centuries, and reſolutions of the tribes—ſenatus conſulta, leges, plebiſcita: a ſource of diviſion, diſtraction, and tumult, which never ceaſed to iſſue ſtreams till the authority of the ſenate was wholly deſtroyed, and a dominatio plebis began. The plebeians, having removed theſe inequalities, grew ſo much the more impatient of thoſe which remained. They were ſtill excluded from the office of conſul, from that of the prieſthood, and were forbidden intermarriage with the nobles. In the year of the city 308, Canuleius, a plebeian and a tribune, moved to repeal the law of the twelve tables, which prohibited the intermarriage

of patricians and plebeians; and the nine other tribunes claimed, that the office of conſul ſhould be held by plebeians as well as patricians.

The ſenate, and the whole order of nobles, by ſtudied delays, and by the uſual artifice of involving the ſtate in foreign wars, ſuſpended the determination of theſe queſtions; but at length were obliged to gratify the people with the intermarriages of different ranks, in order to pacify them on the refuſal of their claim on the conſulate. To elude this demand, it was ſaid that the ſacrifices and other duties of the prieſthood, many of which were to be performed by the conſul, could not, by the ſacred laws of religion, be performed without profanation by perſons of plebeian extraction, or by any but thoſe of noble birth. This argument ſilenced the people for ſome time; but neither ſuperſtition nor the true religion, any more than education, oaths, morals, or any other tie, will long reſtrain an unbalanced party, urged by its intereſt, and ſtimulated by a growing paſſion for power: an evaſion, a mere change of a word, will anſwer the purpoſe of eluding ſuperſtitious fears, and even the dictates of conſcience. The title of Conſul was changed for that of Military Tribune; and no ſacerdotal function being included in the duties of this office, plebeians, though not qualified to be conſuls, were elected military tribunes, with conſular power. The military and ſacerdotal functions had before been united; they were now ſeparated, and, as the people thought, without profanation. But another office remained to tempt the people and their tribunes, that of Cenſor. The cenſus had been a principle object of the executive power; the kings had always held it, and after them the conſuls: at every period

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of five years, they could diſpoſe of every man's rank, aſſign him his claſs, place him in the rolls of the ſenate or the knights, or ſtrike him off of either, degrade or disfranchiſe him, as they thought proper. A power ſo important, although it had not been hitherto flagrantly abuſed, might eaſily be ſo; and the ſenate would naturally dread the admiſſion of the plebeians to it. While they admitted them, therefore, to be elected tribunes with conſular power, they ſtipulated that the cenſus ſhould be ſeparated from it, and that this charge ſhould remain with perſons of patrician birth.—The invaſion of the Gauls had burnt the city, and, it was thought, extinguiſhed the republic for ever: Manlius ſaved the capitol, and Camillus reſtored the commonwealth. During a period of one hundred and ſeventeen years which followed, the Romans were involved in perpetual wars againſt the Equi, the Volſci, the Hernici, the Etruſcans, and ſome of their own Latin confederates; yet theſe did not wholly ſuſpend their internal convulſions, which gave birth to new political inſtitutions. The plebeians, far from being ſatisfied with their paſt acquiſitions, made continual efforts to extend their privileges. The tribunes, by traducing the ſenate, and by diſplaying in their harangues the ſeverities of the patrician creditor, and the ſufferings of the plebeian debtor, ſtill inflamed the animoſity of the popular party. The republic itſelf was ſo feebly eſtabliſhed, that ambitious citizens were encouraged, by means of factions raiſed among perſons of the lower claſs, to entertain thoughts of ſubverting the government. In this manner Manlius, the champion of the capitol, preſuming on his merit, thought himſelf above the laws, and incurred the imputation of aſpiring to be king.

Four

Four hundred citizens, whom he had redeemed from their creditors, and releaſed from chains—the ſpoils of thirty enemies ſlain by himſelf in battle—forty badges of honour, conferred on him by generals under whom he had ſerved—many citizens whom he had reſcued from the enemy, among whom was Servilius, the ſeccond in command to the dictator—could not ſave him from being thrown from the rock on which he had ſo lately ſignalized his valour. Such was the influence of the ſenate, ſuch "the treaſons for "which the friends of the people were to be ſa-"crificed to the ſenate," as he ſaid; and ſuch the popular prejudice againſt the name of a king. Yet it is certain, that the beſt thing the Roman people could have done at that time, would have been to have made him a king, with a negative; preſerving at the ſame time their own negative, and that of the ſenate. The plebeians had been now above forty years in poſſeſſion of a title to hold the office of conſular tribune, but had not been able to prevail over the influence of the patricians at any election: by the increaſe of their numbers in the firſt and ſecond claſſes, by their intermarriages with patrician families, and by the aſſiduity and influence of individuals who aſpired to the office, they at laſt obtained the dignity of conſular tribune for one of their own order, and from thenceforward began to divide the votes of the centuries with the patrician candidates.—They ſoon aſpired to the title of conſuls. Stolo and Sextius were placed in the college of tribunes to urge this point. They propoſed three laws:—1ſt. For relief of inſolvent debtors, by cheating their creditors of part of their debts. 2dly. To limit eſtates in land to five hundred jugera, about three hundred acres. 3dly. To

reſtore

reſtore the election of conſuls, in place of conſular tribunes, with an expreſs proviſion that at leaſt one of the conſuls ſhould be of plebeian deſcent. The patricians prevailed upon ſome of the tribunes to diſſent from their colleagues, and ſuſpend, by their negatives, all proceedings upon theſe laws. Licinius and Sextius, in their turn, ſuſpended the uſual election of magiſtrates, and put a ſtop to all the ordinary affairs of ſtate. An anarchy of five years enſued. The patricians ſtill inſiſted on the ſacrilege and profanation that would be incurred by ſuffering the rites uſually performed by the conſuls to paſs into plebeian hands. The tribunes, to elude this myſterious objection, which laid faſt hold on the ſuperſtitious minds of the people, contrived a ſhift. They moved, that the ordinary attendants on the ſacred rights ſhould be augmented from two to ten; and that of theſe one half ſhould be named of plebeian extraction. The patricians ſtruggled as long as they could, but were at laſt obliged to give way—1ſt. To the acts in favour of inſolvent debtors. 2dly. To the agrarian law, or limitation of property in land. 3dly. To the new eſtabliſhment relating to the prieſthood, and to the communication of the conſulate itſelf to perſons of plebeian rank. The plebeian party prevailed in all their points, and raiſed Sextius, the tribune, to the office of conſul: and, from one ſtep to another, they obtained that all the offices, whether of prætor or ædile, of dictator or cenſor, were in proceſs of time filled with perſons of either rank, and the diſtinction of patrician or plebeian became merely nominal. The only effect it now had was favourable to the plebeians, as it limited the choice of tribunes to their own order; while, in common with the patricians,

tricians, they had acceſs to every other dignity in the ſtate. In this acccount of the Roman conſtitution, we are now come nearly to that ſtate of its maturity, at which Polybius began to admire the felicity of its inſtitutions, and the order of its adminiſtration. The maſs, however, was far from being ſo well compacted, or the unity of power ſo well eſtabliſhed, as it is in the Engliſh conſtitution; the ſenate and the popular aſſemblies, in their legiſlative capacities, counteracted one another. However, from this time forward, through a long period of wars, with Greeks, Gauls, Italians, and Carthaginians, the domeſtic policy of the ſtate appears to be wiſe and orderly. The diſtinction between patrician and plebeian was become altogether nominal; the deſcendants of thoſe who had held the higher offices of ſtate were, in conſequence of the preferments of their anceſtors, conſidered as noble; and, as the plebeians now found no difficulty in obtaining the offices of ſtate, they were continually opening the way of their poſterity to the rank of nobles. The plebeians were entitled by law to claim one of the conſul's ſeats, and frequently occupied both. The authority of the ſenate, the dignity of the equeſtrian order, and the manners of the people in general, were guarded, and in a great meaſure preſerved, by the integrity and ſtrict exerciſe of the cenſorial power. The wiſeſt and moſt reſpected of the citizens, from every condition, were raiſed into office; and the aſſemblies, whether of the ſenate or the people, without envy and without jealouſy, ſuffered themſelves to be governed by the counſels of a few able and virtuous men. The ſpirit of the people was, however, in a high degree democratical; and though they ſuffered themſelves to be governed by the

ſilent influence of perſonal authority in a few of their citizens, yet they could not endure any ſpecies of uncommon pre-eminence, even that which aroſe from the luſtre and well-founded pretenſions of diſtinguiſhed merit.

The conduct of the Romans towards the Greeks ſhould not be forgotten; ſince it appears to have been copied from the policy of Antalcidas in his Perſian treaty. The ſtates of the Achæan league, already on the decline, haſtened, by the temerity and diſtractions of their own councils, the career of their fortunes to its termination. The Romans, even while they ſuffered this famous republic to retain the ſhew of its independence, had treated its members, in many particulars, as ſubjects. At the cloſe of the war with Perſeus, they had cited to appear at Rome, or taken into cuſtody as priſoners of ſtate, many citizens of Achaia: of theſe they had detained about a thouſand in different priſons of Italy. After a period of ſeventeen years, three hundred who remained alive were ſet at liberty. Polybius was one of them: he attached himſelf to Scipio, the ſon of Emilius, and no doubt contributed much to his education and great character.

The Romans, while they detained ſo many Greek priſoners, aſſumed the adminiſtration of affairs in Greece, diſpoſed of every diſtinction, whether of fortune or power, to their own tools. They received appeals from the judgement of the Achæan council, and encouraged its members, contrary to the expreſs conditions of their league, to ſend ſeparate embaſſies to Rome. The Spartans, having been forced into the Achæan confederacy, continued refractory in moſt of its councils. By ſome of their complaints at Rome, they

they obtained a deputation from the ſenate to hear parties on the ſpot, and to adjuſt their differences. The Achæan council, incenſed at this inſult which was offered to their authority, proceeded to enforce their own decrees againſt the republic of Sparta, marched an army, and defeated the inhabitants of that city who ventured to oppoſe them. The Roman commiſſioners arriving after theſe hoſtilities, ſummoned the parties to aſſemble at Corinth, and, in the name of the ſenate, gave ſentence—*That Lacedæmon, Corinth, Argos, Heraclea, and Orchomenos, not having been original members of the Achæan confederacy, ſhould now be disjoined from it*; and that all the cities which had been reſcued from the dominion of Philip ſhould be left in full poſſeſſion of their freedom and independency. A war enſued, in which Metellus and Mummius defeated the Greeks, and the Achæan league was diſſolved.

The enmity and the friendſhip of the Romans was equally fatal. As the Achæan league was diſſolved, on having incurred their reſentment, ſo the remnant of the Spartan republic periſhed, in having accepted their protection: and nothing could be more juſt than that the Spartans ſhould periſh under an inſidious policy, which they themſelves had firſt invented, practiſed, and ſuggeſted to the Romans; who, under the command of Flaminius, about fifty years before this date, in order to detach the Grecian cities from Philip, proclaimed with ſo much oſtentation, at the Iſthmus of Corinth, *general independence, and the free exerciſe of their own laws, to all the republics of Greece.* The Achæan league was diſſolved, and all their conventions annulled. The ſtates which had compoſed it were deprived of their ſovereignty, ſubjected to pay a tribute, and placed

under the government of a perſon annually ſent from Rome with the title of Prætor of Achaia. —But the ſucceſs of the Roman arms abroad became the ſource of a ruinous corruption at home. In the ſtate itſelf, the governing and the governed felt ſeparate intereſts, and were at variance from motives of avarice, as well as ambition. Two hundred and thirty years had elapſed ſince the animoſities of patrician and plebeian were extinguiſhed by the equal participation of public honours. This diſtinction itſelf was, in a great meaſure, obliterated, and gave way to a new one, which, under the denomination of *nobles* and *commons*, or *illuſtrious* and *obſcure*, without involving any legal diſparity of privileges, gave riſe to an ariſtocracy, which was partly hereditary, founded on the repeated ſucceſſion to honours in the ſame family; and partly perſonal, founded on the habits of high ſtation, and in the advantages of education, ſuch as never fail to diſtinguiſh the conditions of men in every great and proſperous ſtate. Theſe circumſtances conferred a power on the nobles, which, though leſs invidious, was not leſs real than that which had been poſſeſſed by the ancient patricians. The exerciſe of this power was lodged with the ſenate, a body which, though by the emulation of its members too much diſpoſed to war, and ambitious of conqueſt, was never ſurpaſſed in magnanimity, ability, or in ſteadineſs, by any council of ſtate whatever. The people had ſubmitted to the ſenate, as poſſeſſed of an authority which was founded in the prevailing opinion of their ſuperior worth; and even the moſt aſpiring of the commons allowed themſelves to be governed by an order of men, amongſt whom they themſelves, by proper efforts and ſuitable merit, might hope to aſcend. The knights, or the equeſtrian order,

order, being perſons poſſeſſed of eſtates or effects of a certain valuation, and ſecluded from the purſuit of political emolument or honour, formed, between the ſenate and the people, an intermediate rank, who, in conſequence of their having a capital, and being leſs engaged than the ſenators in affairs of ſtate, became traders, contractors, farmers of the revenue, and conſtituted a ſpecies of moneyed intereſt. Circumſtances which appear to be fixed in the political ſtate of nations, are often no more than a paſſage in the ſhifting of ſcenes, or a tranſition from that which a people have been, to what they are about to become. The nobles began to avail themſelves of the high authority and advantages of their ſtation, and to accumulate property as well as honours. Citizens contended for offices in the ſtate, as the road to lucrative appointments abroad; and when they had obtained this end, and had reigned for a while in ſome province, they brought back from their government a profuſion of wealth ill acquired, and the habit of arbitrary and uncontrouled command. When diſappointed in the purſuits of fortune abroad, they became the leaders of dangerous factions at home: or, when ſuddenly poſſeſſed of great wealth, they became the agents of corruption, to diſſeminate idleneſs and the love of ruinous amuſements in the minds of the people. The city was gradually crowded with a populace, who tempted with the cheap or gratuitous diſtribution of corn, by the frequency of public ſhows, by the conſequence they enjoyed as members of the popular aſſemblies, flocked to Rome. There they were corrupted by idleneſs and indigence; and the order itſelf was continually debaſed by the frequent acceſſion of emancipated ſlaves. A turbulent populace tyrannized, in their turn, over

the maſters of the world, and wreaked on the conquerors of ſo many nations the evils which they themſelves had ſo freely inflicted on mankind. Citizens of this extraction could not for ages arrive at any places of truſt, in which they could by their perſonal defects injure the commonwealth; but they increaſed, by their numbers and their vices, the weight of that dreg, which, in great and proſperous cities, ever ſinks by the tendency of vice and miſconduct, to the loweſt condition. They became a part of that faction, who are ever actuated by envy to their ſuperiors, by mercenary views, or by abject fear; who are ever ready to eſpouſe the cauſe of any leader againſt the reſtraints of public order; diſpoſed to vilify the more reſpectable ranks of men, and, by their indifference on the ſubjects of juſtice or honour, to fruſtrate every principle that may be employed for the government of mankind, beſides fear and compulſions. Although citizens of this deſcription were yet far from being the majority at Rome, yet it is probable that they were in numbers ſufficient to contaminate the whole body of the people; and if enrolled promiſcuouſly in all the tribes, might have had a great weight in turning the ſcale of political councils. This effect, however, was happily prevented by the wiſe precaution which the cenſors had taken, to confine all citizens of mean or ſlaviſh extraction to four of the tribes. Theſe were called the tribes of the city, and formed but a ſmall proportion of the whole. Notwithſtanding this precaution, we muſt ſuppoſe them to have been very improper parties in the participation of ſovereignty, and likely enough to diſturb the place of aſſembly with diſorders and tumults. While the inferior people ſunk in their characters, or were

debaſed

debaſed by the circumſtances mentioned, the ſuperior ranks, by their application to affairs of ſtate, by their education, by the ideas of high birth and family diſtinction, by the ſuperiority of fortune, began to riſe in their eſtimation, in their pretenſions, and in their power; and they entertained ſome degree of contempt for perſons, whom the laws ſtill required them to admit as their fellow-citizens and equals. In this diſpoſition of parties, ſo dangerous in a commonwealth, and amidſt materials ſo likely to catch the flame, ſome ſparks were thrown, that ſoon kindled up anew all the popular animoſities which ſeemed to have been ſo long extinguiſhed. Tiberius Gracchus, born of a plebeian family, but ennobled by the honours of his father, by his deſcent, on the ſide of his mother, from the firſt Scipio Africanus, and by his alliance with the ſecond Scipio, who had married his ſiſter, being now a tribune of the people, and poſſeſſed of all the accompliſhments required in a popular leader, great ardour, reſolution, and eloquence, formed a project in itſelf extremely alarming, and in its conſquences dangerous to the peace of the republic. Being called to account for his conduct as quæſtor in Spain, the ſeverity he experienced from the ſenate, and the protection he obtained from the people, filled his breaſt with animoſity to the one, and a prepoſſeſſion in favour of the other. Actuated by theſe diſpoſitions, or by an idea not uncommon to enthuſiaſtic minds, that *the unequal diſtribution of property, ſo favourable to the rich, is an injury to the poor,* he propoſed a revival of the law of Licinius, by which Roman citizens had been reſtrained from accumulating eſtates in land above the value of five hundred jugera, little more than half as many acres. This was become impracticable, and

even dangerous, in the preſent ſtate of the republic. *The diſtinctions of poor and rich are as neceſſary, in ſtates of conſiderable extent, as labour and good government. The poor are deſtined to labour; and the rich, by the advantages of education, independence, and leiſure, are qualified for ſuperior ſtations.* The empire was now greatly extended, and owed its ſafety, and the order of its government, to a reſpectable ariſtocracy, founded on the poſſeſſion of fortune, as well as perſonal qualities and public honours. The rich were not, without ſome violent convulſion, to be ſtript of eſtates which they themſelves had bought, or which they had inherited from their anceſtors. The poor were not qualified at once to be raiſed to a ſtate of equality with perſons enured to a better condition. The project ſeemed to be as ruinous to government as it was to the ſecurity of property, and tended to place the members of the commonwealth, by one raſh and precipitate ſtep, in ſituations in which they were not at all qualified to act. For theſe reaſons, as well as from motives of private intereſt affecting the majority of the nobles, the project of Tiberius was ſtrenuouſly oppoſed by the ſenate: and, from motives of envy, intereſt, or miſtaken zeal for juſtice, as warmly ſupported by the oppoſite party. Acting in concert with Appius Claudius, whoſe daughter he had married, a ſenator of the family of Craſſus, who was then at the head of the prieſthood, and Mutius Scævola the conſul, he exhauſted all his art, and diſplayed all his eloquence in declamation; but when he came to propoſe that the law ſhould be read, he found that his opponents had procured M. Octavius, one of his colleagues, to interpoſe his negative, and forbid any further proceeding in the buſineſs. *Here, according to the law and the conſti-*

tution,

tution, the matter ſhould have dropped: but inflamed and unbalanced parties are not to be reſtrained by laws and conſtitutions. The tribunes were inſtituted to defend their own party, not to attack their opponents; and to prevent, not to promote innovations. Every ſingle tribune had a negative on the whole.—The reſt of the ſtory I muſt leave.—The conſtitution thus violated, Gracchus next violated the ſacred character of his colleague the tribune. The ſenate were tranſported with indignation; violence enſued, and the two Gracchi fell. Afterwards Marius carried the popular pretenſions ſtill higher; and Sylla might, if he would, have been emperor. Cæſar followed, and completed the cataſtrophe.

This commonwealth, by the ſplendour of its actions, the extent of its empire, the wiſdom of its councils, the talents, integrity, and courage of a multitude of characters, exhibits the faireſt proſpect of our ſpecies, and is the moſt ſignal example, excepting England, of the wiſdom and utility of a mixture of the three powers in a commonwealth: on the other hand, the various viciſſitudes of its fortune, its perpetual domeſtic conteſts, and internal revolutions, are the cleareſt proofs of the evils ariſing from the want of complete independence in each branch, and from an ineffectual balance.

LETTER

LETTER LIII.

CONGRESS.

MY DEAR SIR,

BY the authorities and examples already recited, you will be convinced, that three branches of power have an unalterable foundation in nature; that they exiſt in every ſociety natural and artificial; and that if all of them are not acknowledged in any conſtitution of government, it will be found to be imperfect, unſtable, and ſoon enſlaved; that the legiſlative and executive authorities are naturally diſtinct; and that liberty and the laws depend entirely on a ſeparation of them in the frame of government; that the legiſlative power is naturally and neceſſarily ſovereign and ſupreme over the executive; and, therefore, that the latter muſt be made an eſſential branch of the former, even with a negative, or it will not be able to defend itſelf, but will be ſoon invaded, undermined, attacked, or in ſome way or other totally ruined and annihilated by the former. This is applicable to every ſtate in America, in its individual capacity; but is it equally applicable to the United States in their fœderal capacity?

The people of America, and their delegates in congreſs, were of opinion, that a ſingle aſſembly was every way adequate to the management of all their fœderal concerns; and with very good reaſon, becauſe congreſs is not a legiſlative aſſembly, nor a repreſentative aſſembly, but only a diplomatic

matic aſſembly. A ſingle council has been found to anſwer the purpoſe of confederacies very well. But in all ſuch caſes the deputies are reſponſible to the ſtates; their authority is clearly aſcertained; and the ſtates, in their ſeparate capacities, are the checks. Theſe are able to form an effectual balance, and at all times to controul their delegates. The ſecurity againſt the dangers of this kind of government will depend upon the accuracy and deciſion with which the governments of the ſeparate ſtates have their own orders arranged and balanced. The neceſſity we are under of ſubmitting to a fœderal government, is an additional and a very powerful argument for three branches, and a balance, by an equal negative, in all the ſeparate governments. Congreſs will always be compoſed of members from the natural and artificial ariſtocratical body in every ſtate, even in the northern, as well as in the middle and ſouthern ſtates. Their natural diſpoſitions then in general will be (whether they ſhall be ſenſible of it or not, and whatever integrity or abilities they may be poſſeſſed of) to diminiſh the prerogatives of the governors, and the privileges of the people, and to augment the influence of the ariſtocratical parties. There have been cauſes enough to prevent the appearance of this inclination hitherto; but a calm courſe of proſperity would very ſoon bring it forth, if effectual proviſion againſt it be not made in ſeaſon. It will be found abſolutely neceſſary, therefore, to give negatives to the governors, to defend the executives againſt the influence of this body, as well as the ſenates and repreſentatives in their ſeveral ſtates. The neceſſity of a negative in the houſe of repreſentatives will be called in queſtion by nobody.

Dr.

Dr. Price and the Abbé de Mably are zealous for additional power to congreſs.—Full power in all foreign affairs, and over foreign commerce, and perhaps ſome authority over the commerce of the ſtates with one another, may be neceſſary; and it is hard to ſay, that more authority in other things is not wanted: yet the ſubject is of ſuch extreme delicacy and difficulty, that the people are much to be applauded for their caution.—To collect together the ancient and modern leagues—the Amphyctionic, the Olynthian, the Argive, the Arcadian, and the Achæan confederacies, among the Greeks—the general diet of the Swiſs cantons, and the ſtates general of the United Netherlands, the union of the Hanſe towns, &c. which have been found to anſwer the purpoſes both of government and liberty; to compare them all with the circumſtances, the ſituation, the geography, the commerce, the population, and the forms of government, as well as the climate, the ſoil, and manners of the people, and conſider what further fœderal powers are wanted, and may be ſafely given, would be a uſeful work. If your public engagements allow you the time to undertake ſuch an inquiry, you will find it an agreeable amuſement.

LETTER

LETTER LIV.

LOCKE, MILTON, AND HUME.

MY DEAR SIR,

CHIMERICAL ſyſtems of legiſlation are neither new nor uncommon, even among men of the moſt reſplendent genius and extenſive learning. It would not be too bold to ſay, that ſome parts of Plato and Sir Thomas More are as wild as the ravings of Bedlam. A philoſopher may be perfect maſter of Deſcartes and Leibnitz, may purſue his own inquiries into metaphyſics to any length you pleaſe, may enter into the inmoſt receſſes of the human mind, and make the nobleſt diſcoveries for the benefit of his ſpecies; nay, he may defend the principles of liberty and the rights of mankind with great abilities and ſucceſs; and, after all, when called upon to produce a plan of legiſlation, he may aſtoniſh the world with a ſignal abſurdity. Mr. Locke, in 1663, was employed to trace out a plan of legiſlation for Carolina; and he gave the whole authority, executive and legiſlative, to the eight proprietors, the lords Berkley, Clarendon, Albemarle, Craven, and Aſhley; and Meſſieurs Carteret, Berkley, and Colleton, and their heirs. This new oligarchical ſovereignty created at once three orders of nobility: barons, with twelve thouſand acres of land; caciques, with twenty-four thouſand, &c.; and landgraves, with eighty thouſand. Who did this legiſlator think would live under his government?

He ſhould have firſt created a few ſpecies of beings to govern, before he inſtituted ſuch a government.

A man may be a greater poet than Homer, and one of the moſt learned men in the world; he may ſpend his life in defence of liberty, and be at the ſame time one of the moſt irreproachable moral characters; and yet, when called upon to frame a conſtitution of government, he may demonſtrate to the world, that he has reflected very little on the ſubject. There is a great hazard in ſaying all this of John Milton; but truth, and the rights of mankind, demand it. In his "Ready and Eaſy Way to eſtabliſh a Free Commonwealth," this great author ſays, "I doubt not but all ingenuous and knowing men will eaſily agree with me, that a free commonwealth, without ſingle perſon, or houſe of lords, is by far the beſt government, if it can be had; for the ground and baſis of every juſt and free government is a general council of ableſt men, choſen by the people to conſult of public affairs, from time to time, for the common good. In this grand council muſt the ſovereignty, not tranſferred, but delegated only, and, as it were, depoſited, reſide; with this caution, they muſt have the forces by ſea and land committed to them for preſervation of the common peace and liberty; muſt raiſe and manage the public revenue, at leaſt with ſome inſpectors deputed for ſatisfaction of the people how it is employed; muſt make or propoſe civil laws, treat of commerce, peace, or war with foreign nations; and, for the carrying on ſome particular affairs with more ſecrecy and expedition, muſt elect, as they have already, out of their own number and others, a council of ſtate. And although it

"may

" may ſeem ſtrange at firſt hearing, by reaſon that
" men's minds are prepoſſeſſed with the notion of
" ſucceſſive parliaments, I affirm that the grand
" council, being well choſen, ſhould be perpetual;
" for ſo their buſineſs is, or may be, and often-
" times urgent; the opportunity of affairs gained
" or loſt in a moment. The day of council can-
" not be ſet as the day of a feſtival, but muſt be
" ready always to prevent or anſwer all occaſions.
" By this continuance they will become every
" way ſkilfulleſt, beſt provided of intelligence
" from abroad, beſt acquainted with the people
" at home, and the people with them. The ſhip
" of the commonwealth is always under ſail;
" they ſit at the ſtern, and if they ſteer well, what
" need is there to change them, it being rather
" dangerous? Add to this, that the grand coun-
" cil is both foundation and main pillar of the
" whole ſtate; and to move pillars and founda-
" tions not faulty, cannot be ſafe for the build-
" ing. I ſee not, therefore, how we can be ad-
" vantaged by ſucceſſive and tranſitory parlia-
" ments; but that they are much likelier conti-
" nually to unſettle, rather than to ſettle a free
" government; to breed commotions, changes,
" novelties, and uncertainties; to bring neglect
" upon preſent affairs and opportunities, while all
" minds are in ſuſpence with expectation of a new
" aſſembly, and the aſſembly, for a good ſpace,
" taken up with the new ſettling of itſelf, &c.
" But if the ambition of ſuch as think themſelves
" injured, that they alſo partake not of the go-
" vernment, and are impatient to be choſen, can-
" not brook the perpetuity of others choſen be-
" fore them; or if it be feared that long con-
" tinuance of power may corrupt ſincereſt men,

" the

" the known expedient is, that annually a third " part of ſenators go out," &c.

Can you read without ſhuddering, this wild reverie of the divine immortal Milton? If no better ſyſtems of government had been propoſed, it would have been no wonder that the people of England recalled the royal family, with all their errors, follies, and crimes about them. Had Milton's ſcheme been adopted, this country would have either been a ſcene of revolutions, carnage, and horror, from that time to this, or the liberties of England would have been at this hour the liberties of Poland, or the iſland would have been a province of France. What! a ſingle aſſembly to govern England? an aſſembly of ſenators for life too? What! did Milton's ideas of liberty and free government extend no further than exchanging one houſe of lords for another, and making it ſupreme and perpetual! What! Cromwell, Ireton, Lambert, Ludlow, Waller, and five hundred others of all ſects and parties, one quarter of them mad with enthuſiaſm, another with ambition, a third with avarice, and a fourth of them honeſt men, a perpetual council, to govern ſuch a country! It would have been an oligarchy of decemvirs, on the firſt day of its ſitting; it would have inſtantly been torn with all the agitations of Venice, between the ariſtocracy and oligarchy, in the aſſembly itſelf. If, by ballots and rotations, and a thouſand other contrivances, it could have been combined together, it would have ſtripped the people of England of every ſhadow of liberty, and grown in the next generation a lazy, haughty, oſtentatious group of palatines: but if they had fallen into diviſions, they would have deluged the nation in blood,

till

till one despot would have ruled the whole. John Milton was as honest a man as this nation ever bred, and as great a friend of liberty; but his greatness most certainly did not consist in the knowledge of the nature of man and of government, if we are to judge from this performance, or from "The present Means and brief Delineation of a free Commonwealth," in his letter to General Monk.—Americans in this age are too enlightened to be bubbled out of their liberties, even by such mighty names as Locke, Milton, Turgot, or Hume; they know that popular elections of one essential branch of the legislature, frequently repeated, are the only possible method of forming a free constitution, or of preserving the government of laws from the domination of men, or of preserving their lives, liberties, or properties in security; they know, though Locke and Milton did not, that when popular elections are given up, liberty and free government must be given up. Upon this principle, they cannot approve the plan of Mr. Hume, in his "Idea of a perfect Commonwealth."—"Let all the freeholders of twenty pounds a year in the county, and all the householders worth five hundred pounds in the town parishes, meet annually in the parish church, and choose, by ballot, some freeholder of the county for their member, whom we shall call the county-representative. Let the hundred county-representatives, two days after their election, meet in the county-town, and choose by ballot, from their own body, ten county-magistrates and one senator. There are, therefore, in the whole commonwealth, one hundred senators, eleven hundred county-magistrates, and ten thousand county-representatives; for we shall bestow on all senators the autho-

" rity of county-magiſtrates, and on all county-
" magiſtrates the authority of county-repreſenta-
" tives. Let the ſenators meet in the capital,
" and be endowed with the whole executive
" power of the commonwealth; the power of
" peace and war; of giving orders to generals,
" admirals, and ambaſſadors, and in ſhort, all
" the prerogatives of a Britiſh king, except his
" negative. Let the county-repreſentatives meet
" in their particular counties, and poſſeſs the
" whole legiſlative power of the commonwealth;
" the greater number of counties deciding the
" queſtion; and where theſe are equal, let the
" ſenate have the caſting vote. Every new law
" muſt firſt be debated in the ſenate; and, though
" rejected by it, if ten ſenators inſiſt and proteſt,
" it muſt be ſent down to the counties: the ſe-
" nate, if they pleaſe, may join to the copy of
" the law their reaſons for receiving or rejecting
" it." &c.—The ſenate, by the ballot of Venice or Malta, are to chooſe a protector, who repreſents the dignity of the commonwealth, and preſides in the ſenate; two ſecretaries of ſtate, and a council of ſtate, a council of religion and learning, a council of trade, a council of laws, a council of war, a council of the admiralty—each of five perſons, all ſenators; and ſeven commiſſioners of the treaſury.

If you compare this plan, as well as thoſe of Locke and Milton, with the principles and examples in the foregoing letters, you will ſoon form a judgement of them; it is not my deſign to enlarge upon them. That of Hume is a complicated ariſtocracy, and would ſoon behave like all other ariſtocracies. It is enough to ſay, that the repreſentatives of the people may, by the ſenators, be deprived of a voice in the legiſlature; becauſe the ſenate

ſenate have their choice of ſending the laws down, either to the county-magiſtrates or county-repreſentatives. It is an ingenious device, to be ſure, to get rid of the people and their repreſentatives; beſides that the delays and confuſions would be endleſs, in ſending the laws to be debated in as many ſeparate commonwealths as there are counties. But the two deciſive objections are, 1. Letting the nobility or ſenate into the management of the executive power; and, 2. Taking the eyes of the people off from their repreſentatives in their legiſlature. The liberty of the people depends entirely on the conſtant and direct communication between them and the legiſlature, by means of their repreſentatives.

The improvements to be made in the Engliſh conſtitution lie entirely in the houſe of commons. If county-members were aboliſhed, and repreſentatives proportionally and frequently choſen in ſmall diſtricts, and if no candidate could be choſen but an eſtabliſhed long-ſettled inhabitant of that diſtrict, it would be impoſſible to corrupt the people of England, and the houſe of commons might be an immortal guardian of the national liberty. Inſtead of projects to aboliſh kings and lords, if the houſe of commons had been attended to, wild wars would not have been engaged in, nor countleſs millions thrown away, nor would there have remained an imperfection, perhaps, in the Engliſh conſtitution. Let the people take care of the balance, and eſpecially their part of it: but the preſervation of their peculiar part of it will depend ſtill upon the exiſtence and independence of the other two; the inſtant the other branches are deſtroyed, their own branch, their own deputies, become their tyrants.

LETTER LV.

CONCLUSION.

Groſvenor-ſquare, Dec. 21, 1786.

MY DEAR SIR,

ACCORDING to M. Turgot's idea of a perfect commonwealth, a ſingle aſſembly is to be poſſeſſed of all authority, legiſlative, executive, and judicial. It will be a proper concluſion of all our ſpeculations upon this, the moſt intereſting ſubject which can employ the thoughts of men, to conſider in what manner ſuch an aſſembly will conduct its deliberations, and exert its power. The executive power is properly the government; the laws are a dead letter until an adminiſtration begins to carry them into execution. Let us begin then with this. If there is an army to raiſe, this ſingle aſſembly is to appoint all its officers. The man of the moſt ample fortune, the moſt honourable deſcent, the greateſt abilities, eſpecially if there is any one among them who has had experience, rendered important ſervices, and acquired fame in war, will be choſen general. This event is a great point gained by the ariſtocracy; and a great advance towards the ſections of one, in caſe of convulſions and confuſions, for monarchy. The general has vaſt influence, of courſe, with the whole nation,

nation, and eſpecially with the officers of his army; whoſe articles of war, and whoſe habits, both of obedience and command, eſtabliſh a ſyſtem of ſubordination of which he is the center, and produce an attachment that never wears out. The general, even without being ſenſible of it, will naturally fall in with the views of the ariſtocratical body, in promoting men of family, property, and abilities; and, indeed, in general, it will be his duty to do this, as ſuch are undoubtedly, in general, the fitteſt for the ſervice: his whole corps of officers will grow habitually to reſpect ſuch only, or at leaſt chiefly; and it muſt be added, becauſe experience proves it, and the truth requires it to be mentioned, to entertain ſome degree of contempt for the reſt of the people, as "rank and file." The general's recommendation will have great weight in the aſſembly, and will, in time, be given chiefly, if not wholly, to men who are either of the ariſtocratical body themſelves, or at leaſt recommended by ſuch as are ſo. All the other officers of the army are to be appointed by this aſſembly; and we muſt ſuppoſe, that all the general officers and field officers will be of patrician families, becauſe each candidate will be unknown to nine-tenths of the aſſembly. He comes from a part of the ſtate which a vaſt majority of the members of the aſſembly do not particularly repreſent, and are unacquainted with; they muſt, therefore, take his character upon truſt from his patron in the houſe, ſome member who is his neighbour, and who, perhaps, owes his election to him or his particular friends.—Here is an endleſs ſource of debate and delay. When there are two or more candidates for a commiſſion, and there will ge-

nerally be ſeveral, how ſhall an aſſembly of five hundred or one hundred men, collected from all the moſt diſtant parts of a large ſtate, become informed of the merits and pretenſions of each candidate? It can only be done in public or in private. If in public, it expoſes the characters of the candidates to a public diſcuſſion, which few men can bear; it conſumes time without end; and it will frequently happen, that the time of the whole aſſembly ſhall be waſted, and all the public affairs delayed, for days and weeks, in deliberating and debating, affirming and denying, contradicting and proving, in the appointment of a ſingle officer; and, after all, he who has friends of the moſt influence in the houſe, who will be generally of the ariſtocratical complection, will be preferred. It is moderate to ſay, that the loſs of time and delay of buſineſs will be a greater burthen to the ſtate than the whole ſupport of a governor and council. If there is a navy, the ſame proceſs muſt be gone through reſpecting admirals, captains, and all other officers. All the officers of revenue, police, juſtice, muſt be appointed in the ſame way. Ambaſſadors, conſuls, agents to foreign countries, muſt be appointed too by vote of aſſembly.—This branch of buſineſs alone would fill up the whole year, and be more than could be done. An aſſembly muſt be informed before it can act. The underſtanding and conſcience of every member ſhould be clearly ſatisfied before he can vote. Information is to be had only by debate, and examination of evidence. Any man may ſee that this muſt be attended with difficulty; but no man, who has not ſeen the inſide of ſuch an aſſembly, can conceive the confuſion, uncertainty, and procraſtination

nation of ſuch proceedings. The American provincial congreſſes had experience enough of this; and gentlemen were more convinced, by what they there ſaw, heard, and felt, of the neceſſity of three branches, than they would have been by reaſoning or reading; it was generally agreed, that the appointment of officers by lot would have been a more rational method.—But this is not all: the army, the navy, revenue, exciſe, cuſtoms, police, juſtice, and all foreign miniſters, muſt be gentlemen, that is to ſay, friends and connections of the rich, well-born and well-educated members of the houſe; or, if they are not, the community will be filled with ſlander, ſuſpicion, and ridicule againſt them, as ill-bred, ignorant, and in all reſpects unqualified for their truſts; and the plebeians themſelves will be as ready as any to join in the cry, and run down their characters. In the ſecond place, there never was yet a people who muſt not have ſomebody or ſomething to repreſent the dignity of the ſtate, the majeſty of the people, call it what you will—a doge, an avoyer, an archon, a preſident, a conſul, a ſyndic; this becomes at once an object of ambition and diſpute, and, in time, of diviſion, faction, ſedition, and rebellion.—The next inquiry is, concerning the adminiſtration of juſtice. Shall every criminal be brought before this aſſembly and tried? ſhall he be there accuſed before five hundred men? witneſſes introduced, counſel heard? This again would take up more than the whole year; and no man, after all, would conſider his life, liberty, or property, ſafe in ſuch a tribunal. Theſe all depend upon the diſquiſitions of the counſel, the knowledge of the law in the judges, the confrontation of parties

and witneſſes, the forms of proceedings, by which the facts and the law are fairly ſtated before the jury for their deciſion, the rules of evidence, by which the attention of the jury is confined to proper points, and the artifices of parties and counſel avoided. An aſſembly of five hundred men are totally incapable of this order, as well as knowledge; for, as the vote of the majority muſt determine, every member muſt be capable, or all is uncertain: beſides, it is the unanimity of the jury that preſerves the rights of mankind--muſt the whole five hundred be unanimous? —Will it be ſaid that the aſſembly ſhall appoint committees to try cauſes? But who are to make theſe appointments? Will not a few haughty palatines in the aſſembly have influence enough to determine the election in favour of their friends? and will not this make the judges the tools of a party? If the leaders are divided into parties, will not one prevail at one year, and another the next? and will not this introduce the moſt wretched of ſervitudes, an uncertain juriſprudence? Will it be ſaid that the aſſembly ſhall appoint committees for the nomination of officers? The ſame intrigues, and greater ſtruggles, would be introduced for the place of a committee-man; and there would be frequent appeals from thoſe committees to the body that appointed them. Shall the aſſembly appoint a governor or preſident, and give him all the executive power? Why ſhould not the people at large appoint him? Giving this power to the aſſembly will open a wider door to intrigue for the place; and the ariſtocratical families will be ſure, nine times in ten, to carry their choice in this way; and, what is much worſe, the firſt magiſtrate

giſtrate will be conſidered as dependent on every obſcure member of the houſe, but in reality he will be dependent only on a dozen or a ſcore, perhaps on two or three, of the whole. He will be liable to daily motions, debates, and votes of cenſure. Inſtead of thinking of his duty to the people at large, he will confine his attention chiefly to the aſſembly, and believe, that if he can ſatisfy them, or a majority of them, he has done his duty. After all, any of theſe devices are only changing words; they are, in reality, erecting different orders of men, and aiming at balances, as much as the ſyſtem which ſo much diſpleaſes M. Turgot; they are introducing, in effect, all the inequalities and diſputes that he ſo greatly apprehends, without any of that ſecurity to the laws which ought to be the principal object; they render the executive power, which is in truth the government, the inſtrument of a few grandees. If theſe are capable of a combination with each other, they will ſeldom diſagree in their opinion, which is the richeſt man, and of the firſt family; and, as theſe will be all their inquiries, they will generally carry their election: if they are divided, in conſtant wrangles with each other, and perpetual attacks upon the preſident about the diſcharge of his functions, they will keep the nation anxious and irritated with controverſies which can never be decided nor ended. If they agree, and the plebeians ſtill carry the vote againſt them, the choice will nevertheleſs probably fall upon one of their number, who will be diſpoſed to favour them too much; but if it falls upon a plebeian, there commences at once a ſeries of conteſts between the rich and the poor, which will never end but in the ruin of the popular power

and

and the national liberty—or, at leaſt, in a revolution and a new conſtitution. As the executive power, the eſſence of government, is ever odious to popular envy and jealouſy, it will ever be in the power of a few illuſtrious and wealthy citizens to excite clamours and uneaſineſs, if not commotions and ſeditions, againſt it. Although it is the natural friend of the people, and the only defence which they or their repreſentatives can have againſt the avarice and ambition of the rich and diſtinguiſhed citizens, yet ſuch is their thoughtleſs ſimplicity, they are ever ready to believe that the evils they feel are brought upon them by the executive power. How eaſy is it then for a few artful men, among the ariſtocratical body, to make a preſident, thus appointed and ſupported, unpopular, though he conducts himſelf with all the integrity and ability which his office requires?

But we have not yet conſidered how the legiſlative power is to be exerciſed in this ſingle aſſembly?—Is there to be a conſtitution? Who are to compoſe it? The aſſembly itſelf, or a convention called for that purpoſe? In either caſe, whatever rules are agreed on for the preſervation of the lives, liberties, properties, and characters of the citizens, what is to hinder this aſſembly from tranſgreſſing the bounds which they have preſcribed to themſelves, or which the convention has ordained for them? The convention has publiſhed its code, and is no more. Shall a new convention be called to determine every queſtion which ariſes concerning a violation of the conſtitution? This would require that the convention ſhould ſit whenever the aſſembly ſits, and conſider and determine every queſtion which is agitated in it. This is the very thing we contend

tend for, viz. that there may be two aſſemblies; one to divide, and the other to chooſe. Grant me this, and I am ſatisfied, provided you will confine both the convention and aſſembly to legiſlation, and give the whole executive power to another body. I had almoſt ventured to propoſe a third aſſembly for the executive power; but the unity, the ſecrecy, the diſpatch of one man, has no equal; and the executive power ſhould be watched by all men; the attention of the whole nation ſhould be fixed upon one point, and the blame and cenſure, as well as the impeachments and vengeance for abuſes of this power, ſhould be directed ſolely to the miniſters of one man.—But to purſue our ſingle aſſembly. The firſt year, or the firſt ſeven years, they may be moderate; eſpecially in dangerous times, and while an exiled royal family, or exiled patricians or nobles, are living, and may return; or while the people's paſſions are alive, and their attention awake, from the freſh remembrance of danger and diſtreſs: but when theſe tranſitory cauſes paſs away, as there is an affection and confidence between the people and their repreſentatives, ſuppoſe the latter begin to make diſtinctions, by making exceptions of themſelves in the laws?—They may frank letters; they are exempted from arreſts; they can privilege ſervants—one little diſtinction after another, in time makes up a large ſum. Some few of the people will complain; but the majority, loving their repreſentatives, will acquieſce. Preſently they are exempted from taxes. Then their duration is too ſhort; from annual they become biennial, triennial, ſeptennial, for life; and, at length, inſtead of applying to conſtituents to fill up vacancies, the

the aſſembly takes it upon itſelf, or gives it to their preſident. In the mean time, wars are conducted by heroes to triumph and conqueſt, negotiations are carried on with ſucceſs, commerce flouriſhes, the nation is proſperous;—the citizens are flattered, vain, proud of their felicity, envied[1] by others: it would be the baſeſt, the moſt odious ingratitude, at leaſt, it would be ſo repreſented, to find fault with their rulers. In a word, as long as half a ſcore of capital characters agree, they will gradually form the houſe and the nation into a ſyſtem of ſubordination and dependence to themſelves, and govern all at their diſcretion—a ſimple ariſtocracy or oligarchy in effect, though a ſimple democracy in name: but, as every one of theſe is emulous of others, and more than one of them is conſtantly tormented with a deſire to be the firſt, they will ſoon diſagree; and then the houſe and the nation gradually divides itſelf into four parties, one of which, at leaſt, will wiſh for monarchy, another for ariſtocracy, a third for democracy, and a fourth for various mixtures of them; and theſe parties can never come to a deciſion but by a ſtruggle, or by the ſword. There is no remedy for this, but in a convention of deputies from all parts of the ſtate: but an equal convention can hardly be obtained, except in times like thoſe we have lately ſeen, when the danger could only be warded off by the aid and exertions of the whole body of the people: when no ſuch danger from without ſhall preſs, thoſe who are proud of their wealth, blood, or wit, will never give way to fair and equal eſtabliſhments. All parties will be afraid of calling a convention; but if it muſt be agreed to, the

ariſto-

ariſtocratical party will puſh their influence, and obtain elections even into the conventions for themſelves and their friends, ſo as to carry points there, which, perhaps, they could not have carried in the aſſembly.

But ſhall the people at large elect a governor and council annually to manage the executive power, and a ſingle aſſembly to have the whole legiſlative? In this caſe, the executive power, inſtead of being independent, will be the inſtrument of a few leading members of the houſe; becauſe the executive power being an object of jealouſy and envy to the people, and the legiſlative an object of their confidence and affection, the latter will always be able to render the former unpopular, and undermine its influence.—— But if the people for a time ſupport an executive diſagreeable to the leaders in the legiſlative, the conſtitution will be diſregarded, and the nation will be divided between the two bodies, and each muſt at laſt have an army to decide the queſtion. A conſtitution conſiſting of an executive in one ſingle aſſembly, and a legiſlative in another, is already compoſed of two armies in battle array; and nothing is wanting but the word of command to begin the combat.

In the preſent ſtate of ſociety and manners in America, with a people living chiefly by agriculture, in ſmall numbers, ſprinkled over large tracts of land, they are not ſubject to thoſe panics and tranſports, thoſe contagions of madneſs and folly, which are ſeen in countries where large numbers live in ſmall places, in daily fear of periſhing for want: we know, therefore, that the people can live and increaſe under almoſt any kind of government, or without any government at

at all. But it is of great importance to begin well; miſ-arrangements now made, will have great, extenſive, and diſtant conſequences; and we are now employed, how little ſoever we may think of it, in making eſtabliſhments which will affect the happineſs of an hundred millions of inhabitants at a time, in a period not very diſtant. All nations, under all governments, muſt have parties; the great ſecret is to controul them: there are but two ways, either by a monarchy and ſtanding army, or by a balance in the conſtitution. Where the people have a voice, and there is no balance, there will be everlaſting fluctuations, revolutions, and horrors, until a ſtanding army, with a general at its head, commands the peace, or the neceſſity of an equilibrium is made appear to all, and is adopted by all.

I am,

My dear Sir,

With much eſteem and affection,

Yours,

JOHN ADAMS.

William Stephens Smith, Eſq.

POSTSCRIPT.

POSTSCRIPT.

THE foreign gazettes and journals have announced to the world that the Abbé De Mably was applied to by the United States of America for his advice and assistance in the formation of a code of laws. It is unnecessary to say any thing to this, only that it is a part of a million volumes of lies, according to the best computation, which are to be imposed upon posterity, relative to American affairs. The Abbé himself, in his observations, has said that I desired his sentiments. This is true; but the manner of the request ought to be known, that those who think it of any consequence may understand in what sense it is true. Upon my arrival in Paris, in October 1782, upon the business of the peace, the Abbé De Mably's book, upon the manner of writing history, was put into my hands. At the conclusion of that publication he declared his intention of writing on the American revolution. Meeting the Abbé soon afterwards, at dinner at Monsieur De Chalut's, the farmer general, my friends the Abbés De Chalut and Arnowe, who were of the party, informed me that their friend was about writing the history of the American revolution, and would be obliged to me for any facts or memorials that might be in my power. The question was asked, What part of the revolution he intended to write? The whole.—Where had he obtained the materials? It was supposed they might be obtained from the public papers, and inquiry of individuals.—In answer to this a few difficulties were started, and the conversation spun into length. At last the gentlemen asked to have, in writing, what had been then said upon the subject, as, the conversation being in French, it might not have been fully comprehended. Accordingly, in a few days,

days, I wrote the Abbé a letter, the tranſlation of which, by a friend, into French, is here incloſed; the original, in Engliſh, not being in my poſſeſſion. By this you will ſee, that the requeſt to the Abbé to write upon American affairs was a mere civility, and rather a deſire that he would not expoſe himſelf, by attempting an hiſtory that he was altogether unprovided for, than any formal requeſt that he ſhould write at all.—We ought to be obliged to any gentleman in Europe who will favour us with his thoughts: but, in general, the theory of government is as well underſtood in America as it is in Europe; and by great numbers of individuals is every thing, relating to a free conſtitution, infinitely better comprehended than by the Abbé De Mably or M. Turgot, amiable, learned, and ingenious, as they are.

A Monſieur l'Abbé de Mably.

" C'eſt avec plaiſir que j'ai appris votre deſſein " d'écrire ſur la *Révolution Américaine*, parce que " vos autres écrits, qui ſont beaucoup admirés " des Américains, contiennent des principes de " Légiſlation, de Politique, & de Negociation qui " ſont parfaitement analogues aux leurs; de ſorte " que vous ne pourrez guerre écrire ſur ce ſujet " ſans produire un ouvrage qui ſervira à l'inſtruc- " tion du public, & ſurtout à celle de mes Conci- " toyens. Mais j'eſpere que vous ne m'accuſe- " rez pas de préſomption d'affectation ou de ſin- " gularité, ſi je hazarde de vous dire que je ſuis " d'opinion qu'il eſt encore trop-tôt pour entre- " prendre une Hiſtoire complette de ce grand " événement, & qu'il n'y a perſonne ni en Europe " ni en Amérique, qui, juſqu'à préſent, ſoit en " état de la faire & qui ait les matériaux requis " ou néceſſaires pour cela."

" Pour entreprendre un tel ouvrage, un Ecri-

" vain

" vain devrait diviſer l'Hiſtoire de l'Amérique en
" pluſieurs périodes."

" 1°. Depuis le premier établiſſement des Co-
" lonies en 1600, juſqu'au commencement de
" leurs brouilleries avec la Grande Bretagne in
" 1761.

" 2°. Depuis ce commencement (occaſionné
" par un ordre du Bureau de Commerce & des
" Plantations dans la Grande-Bretagne, donné aux
" officiers de la Douane en Amérique, de faire
" exécuter d'une maniere plus rigoureuſe les
" actes du Commerce, & d'avoir recours aux
" cours de la juſtice pour avoir des décrets d'aſ-
" ſiſtance à cette fin) juſqu'au commencement
" des hoſtilités, le 19 d'Avril 1775. Pendant
" cette période de 14 ans il n'y eut qu'une guerre
" de plume.

" 3°. Depuis la Bataille de Lexington juſqu'à
" la ſignature du Traité avec la France, le 6 Fé-
" vrier 1778. Durant cette période de 3 ans, la
" guerre ſe fit uniquement entre la Grande-Bre-
" tagne & les Etats-Unis.

" 4°. Depuis le Traité avec la France juſqu'-
" aux hoſtilités entre la Grande-Bretagne & la
" France premierement ; puis avec l'Eſpagne,
" enſuite juſqu'au développement de la Neutra-
" lité armée, & à la guerre contre la Hollande.
" Enfin, toutes ces ſçenes trouvent leur dénou-
" ment dans les Négociations de la Paix.

" Sans une connaiſſance diſtincte de l'Hiſtoire
" des Colonies dans la premiere période, un Ecri-
" vain ſe trouvera toujours embarraſſé, depuis le
" commencement de ſon ouvrage juſqu'à la fin,
" pour rendre compte des évenements & des ca-
" racteres qui ſe preſenteront à décrire à chaque
" pas, à meſure qu'il avance vers la ſeconde, la
" troiſieme, & la quatrieme périodes. Pour ac-
" quérir une connaiſſance ſuffiſante de la premiere

" période, il faudrait lire toutes les Chartes accor-
" dées *aux Colonies*, & les *Commmissions, & Instruc-*
" *tions données aux Gouverneurs*, tous les *Codes de*
" *Loi des différentes Colonies* (& Treize Volumes
" in Folio de Statuts secs & rebutans qui ne se
" lisent guere avec plaisir ni en peu de tems) *tous*
" *les Registres de la Législature des différentes Colo-*
" *nies* ; que l'on ne trouvera qu'en manuscrit &
" en voyageant en personne, depuis New-Hamp-
" shire jusqu'à la Georgie ; *les Registres* des *Bu-*
" *reaux de Commerce* & des *Plantations dans la*
" *Grand-Bretagne* depuis leur institution jusqu'à
" leur dissolution, comme aussi *les Papiers des*
" *Bureaux de quelques-unes des Secrétaireries* d'Etat.

" Il y a une autre branche de lecture, dont l'on
" ne saurait se dispenser, quand l'on pourrait se
" passer des autres. Je parle de ces écrits qui
" ont paru en Amérique de tems à autre, je ne
" pretends cependant pas, dans la place où je suis,
" éloigné de tous les livres & écrits, en faire une
" exacte énumération—*Les Ecrits des anciens Gou-*
" *verneurs Winthrop & Winslow, du Dr. Mather,*
" *Mr. Prince* ; *Neals Histoire de la Nouvelle Angle-*
" *terre* ; *Douglas Sommaire sur les premieres Planta-*
" *tions* ; *l'amélioration progressive des terres & l'état*
" *présent des Colonies Britanniques* ; *Hutchinson His-*
" *toire de Massachussetts-Bay* ; *Smith Histoire de*
" *New-York* ; *Smith Histoire de New-Jersey* ; les
" Ouvrages de *William Penn* ; *Dummers Défense*
" *des Chartes de la Nouvelle-Angleterre* ; *l'Histoire*
" *de Virginie*, & plusieurs autres. Tout cela était
" antérieur à la dispute présente, qui commença
" en 1761.

" Durant la seconde période, les écrits sont plus
" nombreux, & plus difficiles à se procurer ; il
" fut alors donné au public des Ouvrages de
" grande importance : dans les débats entre ceux
" qui furent acteurs dans cette scene en qualité

" d'Ecrivains, il en est qui méritent d'être dis-
" tingués. On compte parmi eux les Gouver-
" neurs du Roi *Pownal*, *Bernard*, & *Hutchinson*;
" le Lieutenant Gouverneur *Oliver*; *Mr. Sewal*,
" Juge d'Amirauté pour Halifax; *Jonathan May-*
" *hew*, *D. D. James Otis*; *Oxenbridge Thatcher*;
" *Samuel Adams*; *Josiah Quiniy*; *Joseph Warren*;
" & peut-être les suivants n'ont pas été moins
" importants qu'aucun des autres, savoir les écrits
" de Mr. *Dickinson*, de Mr. *Wilson* & du *Dr.*
" *Rush* de Philadelphie; de Mr. *Livingston* & de
" Mr. *Dougal* de New-York; du *Colonel Bland*
" & d'*Arthur Lee de Virginie*, & de plusiers au-
" tres. Les *Registres de la Ville de Boston* & par-
" ticulierement *d'un Comité de Correspondance*; du
" *Bureau des Commissions de la Douane*; de la *Cham-*
" *bre des Répresentans* & du *Bureau du Conseil de*
" *Massachusetts-Bay*; en outre les *Gazettes de la*
" *Ville de Boston* dans les derniers tems, pour ne
" pas dire celles de *New-York & de Philadelphie*,
" doivent être ramassées & examinées depuis l'an
" 1760. Tout cela est néceſſaire pour écrire
" avec précision & en detail l'Histoire des débats
" avant que les hostilitiés eussent commencé, com-
" pris la période de l'année 1761 jusquau 19
" Avril 1775.

" Durant les troisieme & quatrieme périodes
" les Regiſtres, Pamphlets & Gazettes des Treize-
" Etats doivent être recueillis, ainsi que *les Jour-*
" *naux du Congrès*, (dont cependant une partie est
" encore secrete) & la *Collection des Nouvelles Con-*
" *stitutions des divers Estats*, le *Remembrancer &* le
" *Regiſtre Annuel*, papiers périodiques publiés en
" Angleterre. Les *Affaires de l'Angleterre & de*
" *l'Amérique*, & le *Mercure de France*, publié à
" Paris, & le *Politique Hollandais* imprimé à Am-
" sterdam, toute la suite de la *Correspondance du*
" *Général Washington* avec le Congrès depuis le

" mois de Juillet 1775 juſqu'à ce jour, qui n'a
" pas encore été publié, & qui ne le ſera pas non
" plus juſqu'à ce que le Congrès l'ait ordonné
" ou permis ; & permettez-moi de vous dire qu'à
" moins que cette vaſte ſource ſoit ouverte, il ne
" ſera guere poſſible à perſonne d'entreprendre
" une Hiſtoire de la Guerre Américaine : Il eſt
" encore d'autres *écrits* d'importance *dans les Bu-*
" *reaux du Comité Sécrét*, dans le *Comité du Com-*
" *merce*, dans le *Comité des Affaires étrangeres*, dans
" le *Comité de la Tréſorerie*, dans le *Comité de la Ma-*
" *rine*, dans le *Bureau de la Guerre* autant (qu'il
" ſubſiſte) & du Département de la Guerre, de
" la Marine, des Finances & des Affaires étran-
" geres, depuis leur inſtitution. Il y a auſſi
" des *Lettres des Miniſtres Américains en France,*
" *Eſpagne, Hollande*, & d'autres parties de l'Eu-
" rope.

" La plupart des documents & matériaux étant
" encore ſecrets, c'eſt une démarche prématurée
" que d'entreprendre une Hiſtoire générale de la
" Révolution Américaine ; mais l'on ne ſaurait
" mettre trop d'activité & de ſoins à faire la col-
" lection des matériaux. Il exiſte cependant, à
" la vérite déjà deux ou trois Hiſtoire générales
" de la Guerre & Révolution Américaine, pu-
" bliées à Londres, & deux ou trois autres pu-
" bliées à Paris ; celles en langue Anglaiſe ne ſont
" que des matériaux informes & confus ſans diſ-
" cernement, & toutes ces Hiſtoires ſoit en An-
" glais ſoit en Français, ne ſont autre choſe que
" des monuments de l'ignorance complette de
" leurs auteurs ſur ce ſujet.

" Il faudrait la vie entiere & la plus longue, à
" commencer des l'age de 20 ans, pour aſſembler
" de toutes les Nations & de toutes les parties
" du monde, dans leſquels ils ſont dépoſés, les
" documents propres à former une Hiſtoire com-

" plette

" plette de la Guerre Américaine ; parce que c'eſt
" proprement l'Hiſtoire du Genre-humain dans
" toute cette époque. Il faut y réunir l'Hiſtoire
" de France, d'Eſpagne, de Hollande, d'Angle-
" terre, & des Puiſſances neutres, auſſi bien que
" de l'Amérique. Les matériaux en devraient
" être aſſemblés de toutes ces Nations, & les do-
" cuments les plus importans des tous, auſſi bien
" que les caracteres des Acteurs & les reſſorts ſe-
" crets des Actions, ſont encore recélés dans les
" Cabinets & en chiffres.

" Soit que vous, Monſieur, enterpreniez de
" donnez un hiſtoire générale, ou ſimplement des
" remarques & obſervations, ſemblables à celles
" que vous avez données ſur les *Grecs & les Ro-*
" *mains* ; vous produirez un Ouvrage extrême-
" ment intéreſſant & inſtructif, pour la Morale,
" la Politique, la Legiſlation, & je me ferais un
" honneur & un plaiſir de vous fournir tous les
" petits ſecours qui ſeront en mon pouvoir pour
" la facilité de vos recherches. Il m'eſt impoſſi-
" ble de vous dire ſi le Gouvernement de ce pays
" ſouhaiterait de voir quelque ouvrage profondé-
" ment écrit, & par un Auteur d'une grande cé-
" lébrité, en langue Françaiſe. Il eſt queſtion
" d'expoſer des principes de gouvernement, ſi
" differens de ce qu'on trouve en Europe, ſur
" tout en France, qu'on ne verrait peut-être pas
" une entrepriſe pareil d'un œil indifférent :
" c'eſt cependant une choſe dont je ne me crois
" pas le juge compétent.

" Permettez, Monſieur, que je finiſſe cette Let-
" tre en vous donnant une clef pour toute cette
" Hiſtoire. Il y a une analogie générale dans les
" Gouvernements & les Caracteres de tous les
" Treize Etats ; mais ce ne fut que lorſque les
" débats & la guerre commencerent en Maſſa-
" chuſſetts-Bay, la principale Province de la

" Nouvelle

" Nouvelle-Angleterre, que les inſtitutions pri-
" mitives firent le premier effet. Quatre de ces
" inſtitutions devraient être bien étudiées & am-
" plement examinées par quiconque voudrait
" écrire avec connaiſſance de cauſe de ce ſujet ;
" car elles ont produit un effet déciſif, non-ſeule-
" ment dans les premieres déterminations des dé-
" bats, dans les Conſeils publics, & les premieres
" reſolutions de réſiſter par les armes, mais auſſi
" par l'influence qu'elles eurent ſur les eſprits
" des autres Colonies en leur donnant l'exemple,
" d'adopter plus ou moins les mêmes inſtitutions
" & des meſures ſemblables.

Les quatres inſtitutions mentionnées ſont,

1. Les Villes ou Diſtricts.
2. Les Egliſes.
3. Les Ecoles.
4. La Milice.

1. " Les Villes ſont de certaines étendues de
" pays, ou diſtricts de territoire, dans leſquels
" étant diviſés le Maſſachuſetts-Bay, le Connec-
" ticut, le New-Hampſhire & le Rhode-Iſland.
" Chaque Ville contient l'une dans l'autre ſix
" milles ou deux lieues quarrées. Les habitans
" qui vivent dans ces limites doivent former, en
" vertu de la loi, des corporations ou corps po-
" litiques, & ſont inveſtis de certains pouvoirs
" & privileges : comme par exemple, de réparer
" les grands chemins, d'entretenir les pauvres, de
" choiſir les élus, les conſtables, les collecteurs
" des Taxes & d'autres officiers, & ſurtout leurs
" Repreſentans dans la Légiſlature ; comme auſſi
" du droit de s'aſſembler toutes les fois qu'ils
" ſont avertis par leurs elus, dans les aſſemblées
" de Villes, afin de délibérer ſur les affaires pu-
" bliques de la Ville, ou de donner des inſtructions
" à leurs Repréſentans. Les conſéquences de

" cette

" cette institution ont été, que tous les habitants " ayant acquis dès leur enfance une habitude de " discuter, de délibérer, & de juger des affaires " publiques, ç'a été dans cette étendue de Villes " ou districts, que les sentiments du Peuple se " sont formés premierement, & que leurs résolu- " tions ont été prises, depuis le commencement " jusqu'à la fin des débats & de la guerre.

2. " Les Eglises sont des Sociétés Religieuses, " qui comprennant le Peuple entier. Chaque " district contient une Paroisse & une Eglise. La " plupart n'en ont qu'une, & quelques-uns en ont " plusieurs. Chaque Paroisse a une maison d'as- " semblée, & un Ministre entretenu à ses propres " dépens. Les Constitutions des Eglises sont " extrêmement populaires, & le Clergé a peu " d'influence ou d'autorité, à l'exception de celles " que leur propre piété, leur vertu, leurs lumieres " leur donnent naturellement. Ils sont choisis " par le peuple de leur Paroisse, & reçoivent " leur ordination du Clergé voisin. Ils sont tous " mariés, ont des familles, & vivent avec leurs " Paroissiens dans une parfaite amitié & intimité. " Ils vont voir les malades, exercent la charité " envers les pauvres, assistent à tous les mariages " & enterremens, & prêchent deux fois chaque " Dimanche ; le moindre reproche fait à leur ca- " ractere moral, leur ferait perdre leur influence, " & leur nuirait à jamais. De sorte que ce sont " des hommes sages, vertueux & pieux. Leurs " sentiments sont en général adaptés à ceux du " peuple, & ils sont amis jaloux de la Liberté.

3. " Il y a des Ecoles dans chaque ville ; elles " sont établies par une Loi expresse de la Colo- " nie ; chaque ville consistant en soixante familles, " est obligée, sous peine d'amende, de maintenir " constamment une Ecole & un maître qui en- " seigne à lire, à écrire, l'arithmétique, & les prin-

" cipes

" cipes des langues Latine & Grecque. Tous " les enfans des habitans, ceux des riches comme " des pauvres, ont le droit d'aller dans cette " école publique. On y forme les etudians pour " les Colleges de Cambridge, de New-Haven, de " Warwich, & de Dartmouth ; & dans ces Col- " leges on éleve des Maîtres pour ces écoles " des Miniſtres pour l'Egliſe, des Docteurs en " Droit & en Médecine, & des Magiſtrats & " Officiers pour le Gouvernement du Pays.

4. " La Milice comprend tout le Peuple. En " vertu des Loix du pays chaque habitant mâle " entre 16 & 60 ans, eſt enrôlé dans une Com- " pagnie & Régiment de Milice, complétement " pourvu de tous ſes officiers. Il eſt obligé de " tenir toujours dans ſa maiſon & à ſes propres " dépens, un mouſquet en bon ordre, une corne " à poudre, une livre de cette poudre, douze " pierres à feu, vingt-quatre balles de plomb, " une boête à cartouche, & un havre-ſac. De- " ſorte que toute la Contrée eſt prêta à marcher à " ſa défenſe au premier ſignal. Les Compagnies " & Régiments ſont obligés de s'aſſembler à un " certain tems de l'année, ſur les ordres de leurs " officiers, pour la viſitation de leurs armes & " munitions, & de faire leurs manœuvres.

" Voici, Monſieur, une petite eſquiſſe des " quatre ſources principales de cette ſageſſe dans " les Conſeils, de cette habileté, de cette bravoure " militaire, qui ont produit la Révolution Amé- " ricaine, & qui, j'eſpere, ſeront ſaintement con- " ſervées comme les fondemens de la Liberté, du " bonheur & de la proſpérité du peuple. S'il " eſt d'autres particularités ſur leſquelles je puiſſe " vous donner des informations, vous me ferez " l'amitié de me le faire ſavoir. J'ai l'honneur " d'être.

1782. " JOHN ADAMS."