Dissertation Upon Parties

Henry St. John Bolingbroke

To The Right Honorable
Sir Robert Walpole,
Knight of the Most Noble Order of the Garter, Chancellor and Under-Treasurer of the Exchequer, First Commissioner of the Treasury, and One of His Majesty's Most Honourable Privy Council, etc.

Letter I

Sir: -- To corrupt and to divide are the trite and wicked expedients, by which some ministers in all ages have affected to govern; but especially such as have been least capable of exerting the true arts of government. There is however a difference to be made between these two expedients, to the advantage of the latter, and by consequence between the characters of those who put them in practice.

Every busy, ambitious child of fortune, who hath himself a corrupt heart, and becomes master of a large purse, hath all that is necessary to employ the expedient of corruption with success. A bribe, in the hand of the most blundering coxcomb that ever disgraced honour and wealth and power, will prevail as much as in the hand of a man of sense, and go farther too, if it weigh more. An intriguing chamber-maid may slip a bank-note into a griping paw, as well as the most subtle demon of hell. H--e may govern as triumphantly by this expedient as the great knight his brother, and the great knight as Burghley himself. But every character cannot attempt the other expedient of dividing, or keeping up divisions, with equal success. There is, indeed, no occasion for any extraordinary genius to divide; and true wisdom despises the infamous task. But there is need of that left-handed wisdom, called cunning, and of those habits in business, called experience. He that is corrupted, co-operates with him that corrupts. He runs into his arms at the first beckon; or, in order sometimes to raise the price, he meets him but half way. On the other hand, to divide, or to maintain and renew the divisions of parties in a state, a system of seduction and fraud is necessary to be carried on. The divided are so far from being accessory to the guilt, that they would not be divided, if they were not first deceived.

From these differences, which I have observed between the two expedients, and the characters and means proper to put them in practice with success, it may be discovered perhaps why, upon former occasions, as I shall hereafter show, the expedient of dividing prospered so much better than that of corrupting; and why, upon some later occasions, the expedient of corrupting succeeds so well in those hands, which are not, and I trust will not be so lucky in maintaining or renewing our party divisions.

Much hath been written by you, Mr D'Anvers, by your correspondents and others, who have drawn their pens in the cause of truth, virtue, and liberty, against the right reverend, as well as undignified, the noble, as well as ignoble assertors of corruption; enough surely to shame those who have not lost all sense of shame, out of so ignominious a crime; and to make those who have not lost every other sense tremble at the consequences of it. We may flatter ourselves that those honest endeavours have had some effect; and have reason to hope that far greater will follow from those illustrious examples of repulses which have been lately given to the grand corrupter, notwithstanding his frequent and insolent declarations that he could seduce whomsoever he had a mind to gain. These hopes are farther confirmed to us by repeated declarations of the sense of Parliament, and will be turned, we doubt not, into certainty, whenever the wisdom of the two Houses shall again think it proper to raise new barriers of law against this encroaching vice.

In the meantime, I think nothing can better answer the design of your papers, nor promote the public good more effectually in the present conjuncture, than to put our countrymen frequently on their guard against the artifice which is clumsily, but industriously employed to maintain, and, if it be possible, to create new divisions amongst them. That day, which our fathers wished to see, and did not see, is now breaking upon us. Shall we suffer this light to be turned again into party-darkness by the incantations of those who would not have passed for conjurers, even in the days of superstition and ignorance? The nation is not only brought into an uniformity of opinion concerning the present administration, by the length and the righteous conduct of it; but we are grown into a unanimity about principles of government, which the most sanguine could scarce have expected, without

extravagance. Certain associations of ideas were made so familiar to us, about half a century ago, and became in the course of time so habitual, that we should not have been able, even a few years ago, to break them, nor have been easily induced to believe, on the faith of any prediction, that experience and the evidence of facts would, in a few years more, break them for us, destroy all our notions of party, and substitute new ones in their room.

The power and majesty of the people, an original contract, the authority and independency of Parliament, liberty, resistance, exclusion, abdication, deposition; these were ideas associated, at that time, to the idea of a Whig, and supposed by every Whig to be incommunicable, and inconsistent with the idea of a Tory.

Divine, hereditary, indefeasible right, lineal succession, passive-obedience, prerogative, non-resistance, slavery, nay and sometimes property too, were associated in many minds to the idea of a Tory, and deemed incommunicable and inconsistent in the same manner, with the idea of a Whig.

But now that which neither side would have believed on the faith of any prediction, is come to pass:

... quod divum promittere nemo
Auderet, volvenda dies en! attulit ultro.

These associations are broken; these distinct sets of ideas are shuffled out of their order; new combinations force themselves upon us; and it would actually be as absurd to impute to the Tories the principles, which were laid to their charge formerly, as it would be to ascribe to the projector and his faction the name of Whigs, whilst they daily forfeit that character by their actions. The bulk of both parties are really united; united on principles of liberty, in opposition to an obscure remnant of one party, who disown those principles, and a mercenary detachment from the other, who betray them.

How this change for the better comes to have been wrought in an age, when most things have changed for the worse; and since it hath been wrought, why the old distinctions are kept up in some measure, will I think be accounted for in treating this subject farther. At present, what shall we say to these who publicly speak of this national union as impracticable and chimerical, yet privately act against it, with all their might, as a practicable thing, and a real evil to them? If it be as complete and as well cemented, as I imagine it is, and as every honest Briton wishes it may be; nay, if there be nothing more than a strong tendency on all sides towards it, which no man of the least observation and candour will deny; it is surely the duty of every one, who desires the prosperity of his country, to seize the opportunity to cultivate and improve it. If men are to be known by their works, the works of those, who oppose this union, denote them sufficiently. Wicked and unhappy men! who seek their private safety, in opposing public good. Weak and silly men! who vainly imagine that they shall pass for the nation, and the nation for a faction; that they shall be judged in the right, and the whole body of the people in the wrong -- On whom would they impose? How long do they imagine that so unequal a contest can last?

There is no complaint which hath been more constantly in the mouths, no grief hath lain more heavily at the hearts of all good men, than those about our national divisions; about the spirit of party, which inspires animosity and breeds rancour; which hath so often destroyed our inward peace, weakened our national strength, and sullied our glory abroad. It is time therefore that all, who desire to be esteemed good men, and to procure the peace, the strength and the glory of their country by the only means, by which they can be procured effectually, should join their efforts to heal our national divisions, and to change the narrow spirit of party into a diffusive spirit of public benevolence.

That we may be more encouraged to do so, it will be of use perhaps to consider, in some particulars, what advances are already made towards that national union, without which no national good can be expected in such circumstances as ours.

Let us begin with the present temper of the members of the Church of England towards the Dissenters. Those laws, by which the latter were debarred from serving God after their own way, have not been these many years a terror to them. Those which were designed to hinder the propagation of their principles, and those which shut the door of all public preferment, even to such amongst them as conformed occasionally, are repealed. Far from desiring to impose any new hardships upon them, even those who have been reputed their enemies, and who have acted as such on several occasions, acknowledge their error. Experience hath removed prejudice. They see that indulgence hath done what severity never could; and from the frankness of these, if I was a Dissenter, I should sooner entertain hopes of future favour, than from the double dealing of those

who lean on the Dissenters when they are out of power, and who esteem them a load upon them when they are in it. We are now in the true and only road, which can possibly lead to a perfect reconciliation among Protestants; to the abolition of all their differences; or to terms of difference so little essential, as to deserve none of distinction. These happy ends must be obtained by mutual good will. They never can be obtained by force. It is true, indeed, that force, which is the effect of a majority and superior power, may support a rivalship and erect even counter establishments. But then, by the same means, our ancient disputes will be revived; the Church will be thought really in danger; and religious feuds, which have been so long and so beneficially kept down, will once more disturb the peace of the state. It is a certain truth, that our religious and civil contests have mutually, and almost alternately, raised and fomented each other. Churchmen and Dissenters have sometimes differed, and sometimes thought, or been made to think, that they differed, at least, as much about civil as religious matters. There can be therefore no way so effectual to compose their differences on the latter, as to improve the growing union between them on the former. 'Idem sentire de republica', to think alike about political affairs, hath been esteemed necessary to constitute and maintain private friendships. It is obviously more essential in public friendships. Bodies of men in the same society can never unite, unless they unite on this principle; and if they once unite on this principle, they will unite on all others, or they will readily and cheerfully make one another easy about them. -- Let me speak plainly. It becomes a man to do so, who means honestly. In our political divisions of Whig and Tory, the Dissenters have adhered to the former, and they want no apology for doing so. They joined themselves to those with whom they agreed, and stood in opposition to those with whom they differed in principles of government. There could be no objection brought against them on this account. They certainly did not follow power. They did not act like a sect, or a faction, who had, and pursued, an interest distinct from the interest of the whole. Their non-conformity hath nothing to do here. They concurred with conformists; and if they had been conformists themselves, as they were Dissenters, they would have acted in the same manner. But if this division of parties, on the same principles, subsists no longer; if there be in truth neither a Tory, nor a Whig, as I have said above, but a Court and a Country party in being; if the political principles, which the Dissenters have formerly avowed, are manifestly pursued on one side; and those which they have opposed, or others equivalent to them in their effects, are pursued on the other; can the Dissenters hesitate about the option they are to make? I am persuaded they cannot. I know that several amongst them do not. What might be, and certainly would be said, if they made their option to stand by the M--, I will not so much as suggest. What must be the consequence of their standing by the nation, in opposition to him, for between these two powers the present contest lies, it is easy to tell, and impossible to deny. They will prove, in this case, to the whole world, that the spirit of liberty animates, and conscience alone determines their conduct. They, who could never brook a regal, will have the merit of saving their country from a ministerial tyranny; and their country will owe them all the acknowledgements, which are due from good and grateful citizens of the same commonwealth.

As to the other great and national division of Whig and Tory; he, who recollects what hath passed in Parliament, and observes what passes out of it, can differ very little in his opinion from what hath been said concerning it. The principal articles of your civil faith, published some time ago, or, to speak more properly, the civil faith of the Old Whigs, are assented and consented to by the Country party; and I say, upon good authority, that if this creed was made a test of political orthodoxy, there would appear at this time but very few heretics amongst us. How different the case is on the other side, will appear not only from the actions, but from the principles of the Court-party, as we find them avowed in their writings; principles more dangerous to liberty, though not so directly, nor so openly levelled against it, than even any of those, bad as they were, which some of these men value themselves for having formerly opposed.

In short, the Revolution is looked upon by all sides as a new era; but the settlement then made is looked upon by the whole Country party as a new Magna Carta, from whence new interests, new principles of government, new measures of submission, and new obligations arise. From thence we must date both king and people. His majesty derives his title from Acts, made in consequence of it. We likewise derive, not our privileges, for they were always ours, but a more full and explicit declaration, and a more solemn establishment of them from the same period. On this foundation all the reasonable, independent Whigs and Tories unite. They could unite on this alone; for the Whigs have always professed the principles which paved the way for the Revolution; and whatever the Tories may have professed, they acted upon the same principles, or they acted upon none, which would be too absurd to assert, when they brought about that great event, in concert with the rest of the nation, as I shall some time or other prove.

To this Magna Carta, and these principles, let us adhere inviolably, in opposition to the two extremes mentioned by me at the beginning of this letter, viz., to those who disown them, and to those who betray them. -- Let neither the polemical skill of Leslie, nor the antique erudition of Bedford, persuade us to put on again those old shackles of false law, false reason, and false gospel, which were forged before the Revolution, and broken to pieces by it. -- As little let us suffer the arch slyness of G--, the dogmatical dryness of H-- or the sousing prostitution of S-- to slip new shackles on us, which are inconsistent with the constituent principles of our establishment. Let us maintain and improve the national union, so happily begun, and bless God for disposing the temper of the nation almost universally to it. -- Such a coalition hath been long wanted in this kingdom, and never more than at this important crisis; for on this it will depend whether they, who not only oppose the progress of that growing corruption, which had well nigh overspread the land, but endeavour to extirpate it by the roots, shall prevail; or they who nourish and propagate it, who eat themselves, and tempt others to eat the baneful fruit it bears. -- On this it will depend whether they shall prevail, who constantly insist against the continuance of a standing. army in time of peace, agreeably to the principles of our constitution; or they who plead for it, and endeavour to make it a necessary part of that constitution, though incompatible with public liberty. -- On this it will depend whether they shall prevail, who endeavour to conceal the frauds which are practised, and to screen the fraudulent, at the risk of ruining credit, and destroying trade, as well as to monopolize in the hands of a few the whole wealth of the nation; or they who do their utmost to bring the former to light, and the latter to punishment, at a time when glaring fraud, or very strong symptoms of fraud, appear in so many parts of public management, from some of the greatest companies down to the turnpike at Hyde Park Corner. -- On this it will depend whether they shall prevail, who desire that Great Britain should maintain such a dignity and prudent reserve in the broils of Europe, as become her situation, suit her interest, and alone can enable her to cast the balance; or they who are eager, on every occasion, to prostitute her dignity, to pawn her purse, and to sacrifice her commerce, by entangling her not only too much with the other great powers of Europe, from whom she may sometimes want reciprocal engagements, but even with those diminutive powers, from whom it would be ridiculous to expect any.

I am, sir, yours, etc.

Letter II

Sir: -- Whilst I was writing my last letter to you, it came into my thoughts that nothing would illustrate the subject better, nor enforce more strongly the exhortation to an union of parties, in support of that constitution, on the terms of which alone all right to govern us, and all our obligation to obey is now founded, than an enquiry into the rise and progress of our late parties; or a short history of Toryism and Whiggism from their cradle to their grave, with an introductory account of their genealogy and descent.

Your papers have been from the first consecrated to the information of the people of Britain; and I think they may boast very justly a merit singular enough, that of never speaking to the passions, without appealing to the reason of mankind. It is fit they should keep up this character, in the strictest manner, whilst they are employed on the most important subject, and published at the most important crisis. I shall therefore execute my design with sincerity and impartiality. I shall certainly not flatter, and I do not mean to offend. Reasonable men and lovers of truth, in whatever party they have been engaged, will not be offended at writings, which claim no regard but on this account, that they are founded in reason and truth, and speak with boldness what reason and truth conspire to dictate. As for the drummers and trumpeters of faction, who are hired to drown the voice of both in one perpetual din of clamour, and would endeavour to drown, in the same manner, even the dying groans of their country, if she was already brought into that extreme condition; they shall not provoke me to break a most contemptuous silence. The subject is too solemn. They may profane it, by writing on it. Far be it from me to become guilty of the same crime by answering them.

If the enquiry I am going to make into the rise and progress of our late parties should produce in any degree the good which I intend, it will help to confirm and improve the national union, so happily begun, by taking off some remains of shyness, distrust and prejudice, which may still hang about men, who think alike, and who press on from different quarters to the same common point of view. It will help to unmask more effectually the wicked conduct of those, who labour with all the skill, and, which is much more considerable, with all the authority they possess, to keep up the division of parties; that each of these may continue to be, in its turn, what all of them have been too often and too long, the instruments and the victims of private ambition. It will do something more. A few

reflections on the rise and progress of our distemper, and the rise and progress of our cure, will help us of course to make a true judgment on our present state, and will point out to us, better perhaps than any other method, the specific remedies still necessary to preserve our constitution in health and vigour. -- Having premised this, I come to the point.

Queen Elizabeth designed, and the nation called, King James to the throne, though the whole Scottish line had been excluded by the will of Henry the Eighth, made indeed under the authority of an Act of Parliament, and yet little regarded either by the Parliament, or the people. As soon as he was on the throne, a flattering Act of Recognition passed; for though all princes are flattered on their first accession, yet those princes are sure to be flattered most, who deserve panegyric least. In this Act the Parliament acknowledged, on the knees of their hearts, such was the cant of the age, the indubitable right, by which they declared that the crown descended to him immediately, on the decease of Queen Elizabeth. Of this Act, and of the use, which some men, very weakly I think, endeavoured to make of it, I shall have occasion to speak hereafter. I would only observe here, that this is the era of hereditary right, and of all those exalted notions, concerning the power and prerogative of kings, and the sacredness of their persons. All together they composed such a system of absurdity as had never been heard of in this country, till that anointed pedant broached them. They have been spoken of pretty much at large in your papers; particularly in some of those published under the name of Oldcastle. To them I refer.

To assert that the extravagant principles of ecclesiastical and civil government, which began to be propagated in this reign, and were carried still higher in the next, gave Occasion to those of another kind, or of another extreme, which were taught with success, and gained by degrees great vogue in the nation, would be too much. Opinions very different from those which received the sanction of a legal establishment in Church and state, had crept about obscurely, if not silently, even whilst the government of Elizabeth lasted. But this I say; that the principles by which King James and King Charles the First governed, and the excesses of hierarchical and monarchical power, exercised in consequence of them, gave great advantage to the opposite opinions, and entirely occasioned the miseries which followed. Frenzy. provoked frenzy, and two species of madness infected the whole mass of the people. It hath cost us a century to lose our wits, and to recover them again.

If our grievances under King Charles the First had been redressed by a sober, regular, parliamentary reformation of the state; or, if the civil war happening, a new government had been established on principles of the constitution, not of faction, of liberty, not of licentiousness, as there was on the abdication of King James the Second; we may conclude, both from reason and experience, that the absurd and slavish doctrines I have mentioned would have been exploded early. They would have been buried in the recent grave of him who first devised them; and the memory of him and of them would have stunk together in the nostrils of mankind. But the contrary fell out. The state was subverted, instead of being reformed; and all the fury of faction and enthusiasm was employed to destroy the constitution to the very foundations. A natural consequence followed. If the principles of King James' and King Charles' reigns had been disgraced by better, they would not have risen again: but they were only kept down for a time by worse; and therefore they rose again at the Restoration, and revived with the monarchy. Thus that epidemical taint, with which King James infected the minds of men, continued upon us: and it is scarce hyperbolical to say, that this prince hath been the original cause of a series of misfortunes to this nation, as deplorable as a lasting infection of our air, of our water, of our earth, would have been. The spirit of his reign was maintained in that of his son (for how could it well be otherwise, when the same ministers were continued in power?), and the events of both produced the civil war. The civil war ended in the death of the King, and the exile of his family. The exile of these princes reconciled them to the religion of Rome, and to the politics of foreign nations, in such degrees as their different characters admitted. Charles sipped a little of the poisonous draught, but enough however to infect his whole conduct. As for James,

Ille impiger hausit
Spumantem pateram,

he drank the chalice off to the lowest and foulest dregs.

That principles as absurd as those in their nature, and as terrible in their consequences, such as would shock the common sense of a Samovede, or an Hottentot, and had just before deluged the nation in blood, should come into vogue again at the Restoration, will not appear strange to those who carry themselves back as it were to that point of time. The wounds of the civil war were bleeding, and the resentments of the cavaliers, who came into power at court and in Parliament, were at their height. No wonder then if few men had, in such a ferment as this, penetration enough

to discern, or candour enough to acknowledge, or courage enough to maintain, that the principles we speak of were truly and primarily the cause of all their misfortunes. The events, which proved them so, were recent; but for that very reason, because they were recent, it was natural for men in such a circumstance as this, to make wrong judgments about them. It was natural for the royal party to ascribe all their and their country's misfortunes, without any due distinction, to the principles on which King Charles and even King James had been opposed; and to grow more zealous for those on which the governments of these two princes had been defended, and for which they had suffered. Add to this the national transport, on so great a revolution; the excess of joy which many felt, and many feigned; the adulation employed by many to acquire new merit; and by many to atone for past demerit; and you will find reason to be surprised, not that the same principles of government, as had threatened our liberties once, and must by necessary consequence do so again, were established; but that our liberties were not immediately, and at once given up. That they were saved, we owe not to Parliament, no not to the Convention Parliament, who brought the King home; but to those great and good men, Clarendon and Southampton. Far from taking advantage of the heat and fervour of the times to manage Parliaments into scandalous jobs, and fatal compliances with the crown, to their immortal honour, with gratitude and reverence to their memories be it spoken, they broke the army, stinted the revenue, and threw their master on the affections of his people. -- But I return.

Besides these reasons, drawn from the passions of men, others of a more sober kind may be given to account for the making a settlement at the Restoration upon principles too near akin to those which had prevailed before the war, and which had in truth caused it. Certain it is, that although the nonconformists were stunned by the blow they had just received, and though their violence was restrained by the force of the present conjuncture; yet they still existed. Symptoms of this appeared, even whilst the government was settling, and continued to appear long after it was settled. Now, every symptom of this kind renewed the dread of relapsing into those miseries, from which the nation had so lately recovered itself; and this dread had the natural effect of all extreme fears. It hurried men into every principle, as well as measure, which seemed the most opposite to those of the persons feared, and the most likely, though at any other risk, to defeat their design, and to obviate the present danger, real or imaginary. May we not fairly conjecture, for it is but conjecture, something more? In such a temper of mind, and such a situation of circumstances, might not even those, who saw how groundless and dangerous such extravagant notions about the right, power and prerogative of kings were, imagine however that it was a part of prudence to give way to them, and to countenance them in the present conjuncture; to suffer the opinions of the nation to be bent too far on one side, as they had been bent too far on the other; not that they might remain crooked, but that they might become straight?

The same spirit and much the same reasons that determined our settlement, at the Restoration, upon such high principles of monarchy, prevailed relatively to our religious differences, and the settlement of the Church. I shall speak of it with that freedom which a man may take, who is conscious that he means nothing but the public good, hath no by-ends, nor is under the influence of serving any particular cause.

I say then very frankly, that the Church and the King having been joined in all the late contests, both by those who attacked them, and those who defended them, ecclesiastical interests, resentments, and animosities came in to the aid of secular, in making the new settlement. Great lenity was shown at the Restoration, in looking backwards; unexampled and unimitated mercy to particular men, which deserved no doubt much applause. This conduct would have gone far towards restoring the nation to its primitive temper and integrity, to its old good manners, its old good humour, and its old good nature (expressions of my Lord Chancellor Clarendon, which I could never read without being moved and softened), if great severity had not been exercised immediately after, in looking forwards, and great rigour used to large bodies of men, which certainly deserves censure, as neither just, nor politic -- I say, not just; because there is, after all, a real and a wide difference between moral and party justice. The one is founded in reason; the other takes its colour from the passions of men, and is but another name for injustice. Moral justice carries punishment as far as reparation, and necessary terror require; no farther. Party justice carries it to the full extent of our power, and even to the gorging and sating of our revenge; from whence it follows that injustice and violence once begun, must become perpetual in the successive revolutions of parties, as long as these parties exist. -- I say, not politic; because it contradicted the other measures taken for quieting the minds of men. It alarmed all the sects anew; confirmed the implacability, and whetted the rancour of some; disappointed and damped a spirit of reconciliation in others; united them in a common hatred to the Church; and roused in the Church a spirit of intolerance and persecution. This measure was

the more imprudent, because the opportunity seemed fair to take advantage of the resentments of the Presbyterians against the other sectaries, and to draw them, without persecuting the others, by the cords of love into the pale of the Church, instead of driving them back by severe usage into their ancient confederacies. But when resentments of the sort we now mention were let loose, to aggravate those of the other sort, there was no room to be surprised at the violences which followed; and they, who had acted greater, could not complain of these, great as they were, with any very good grace.

If we may believe one, who certainly was not partial against these sects, both Presbyterians and independents had carried the principles of rigour, in the point of conscience, much higher, and acted more implacably upon it, than ever the Church of England hath done, in its angriest fits. The securing themselves therefore against those, who had ruined them and the constitution once already, was a plausible reason for the Church party to give, and I doubt not the true and sole motive of many for exercising, and persisting in the exercise of great severity. General, prudential arguments might, and there is a reason to believe they did, weigh with particular men; but they could have little force, at such a time, on numbers. As little could some other considerations have then, whatever they have now. The promises at Breda, for instance, and the terms of the declaration sent from thence, could not be urged with force to a Parliament, who had no mind, and was strictly under no obligation, to make good such promises as the King had made, beyond his power of promising, if taken absolutely; or from which, if taken conditionally, he was discharged, on the refusal of Parliament to confirm them. -- Thus again, the merit pleaded by the Presbyterians, on account of the share they had in the Restoration, which was very real and very considerable, could avail however but little. That they went along with the national torrent, in restoring the constitution of Church and state, could not be denied. But then it was remembered too that these fruits of repentance came late; not till they had been oppressed by another sect, who turned upon them, wrested the power out of their hands, and made them feel, what they had made others feel, the tyranny of a party.

Such reasons and motives, as I have mentioned prevailed; and worse than these would have been sufficient, when the passions of men ran so high, to lay the Dissenters, without any distinction, under extreme hardships. They seemed to be the principal object of the fears and jealousies of Parliament. Addresses were continually made, and the edge of the law continually whetted against them, from 1660 to 1669, when the law for suppressing conventicles, and the last of those penal statutes passed, as I remember. Experience will justify me for saying that this long and extreme rigour was unwise, as well as unjust. It appears, indeed, from the memorials of those times, that they who suffered had given abundant provocation, though not sufficient excuse, to the rigour under which they suffered. Some former hardships which the Dissenters had endured from the Church, made them more violent against it, when they got possession of an usurped power. Just so the violence which they exercised at that time, stimulated the severity they felt in their turn, when the legal constitution of the Church was restored. Notwithstanding all which, I incline, upon very good reasons, to think that this severity was not in the first design of the ministers, nor would have been shown, if another fatal influence had not prevailed. The influence I mean is that of popery. It prevailed from the first moments to the last of the reign of King Charles the Second. The best ministers were frequently driven off their bias by it. The worst had a sure hold on their master, by complying with it. On the occasion now mentioned, this influence and the artifice of the popish faction worked very fatally on the passions of parties, and the private interests of individuals; and the ministers, and the Church, and the Dissenters, were bubbles alike of their common enemy. Bare faced popery could ask no favour, because popery could expect none. Protestant Dissenters were therefore to serve as stalking horses, that papists might creep behind them, and have hopes of being some time or other, admitted with them. The Church party was hallooed on the Dissenters; whilst the Dissenters were encouraged to unite and hold out; whilst they were flattered with an high opinion of their own strength, and the King's favour; and whilst some leading men amongst them, who thought it better to be at the head of a sect than at the tail of an establishment, were perhaps encouraged and confirmed in that thought, by the private applications of the court.

These arts, these wicked arts (for such they were) prevailed; and though the two thousand ministers, who went out of their churches on one day, were far from being all of the same mind, or having one positive consistent scheme; though many of them must have lost their benefices, even if they had complied with the Act of Uniformity, because they were intruders, and in actual possession of benefices legally belonging to others; yet, by uniting in the point of non-conformity, they appeared as one body, and in some sense they were so. Several of them were popular for certain modes of devotion, suited to the humour of the time; and several were men eminent for true learning and unaffected piety. They increased the zeal of their flocks, and created compassion in others. Here

the court began to reap the fruits of their management, in the struggle for a toleration. I use the word, though I know it may be simply cavilled at. The first step made was an application to the King, who declared himself ready and willing to dispense, in their favour, with several things in the Act of Uniformity.. and thus the Dissenters were made, by the severity of the Parliament and the intrigues of the court, the instruments of introducing a dispensing power. Such attempts were made more than once; but happily failed as often as made, through the vigorous opposition of Parliament; till at last the scene began to open more, and the Dissenters to see that they were made the tools of promoting what they never intended, the advancement of the prerogative above law, and the toleration of popery against it.

To conclude. By such means as I have described, the constitution of parties after the Restoration preserved unhappily too near a resemblance to the constitution of parties before the war. The prerogative was not, indeed, carried so high in some instances, as James and Charles the First had attempted to carry it. Nay, some supports of it were bought off, and taken away; and others more dangerous, as we have observed, were prevented by the virtue of the men at that time in power. But still the government was established on principles sufficient to invite a king to exercise arbitrary power, and support him by their consequences in the exercise of it afterwards; so that, in this respect, the seeds of future divisions were sowed abundantly. The Dissenters had, indeed, lost much of their credit and all their power. But still they had numbers, and property, and industry, and compassion, for them; so that here was another crop of dissensions planted to nurse up, and to strengthen the other. They did not inflame the contest which followed, into a civil war, as they had helped to do formerly; but I think that without them, and the disunion and hatred among Protestants, consequent upon them, the zeal against popery could not have run into a kind of factious fury, as we shall be obliged to confess it did. I think that fears of falling once more under Presbyterian, or republican power, could not have been wrought up in the manner they were, towards the end of this reign, so as to drown even the fear of popery itself; so as to form a party, in favour of a popish successor; so as to transport both clergy and laity into an avowal of principles, which must have reduced us to be at this time slaves, not freemen, papists, not Protestants; if the very men, who had avowed such principles, had not saved themselves and us, in direct opposition to them. But I am running into the subject of another letter, when this is grown too prolix already.

I am, sir, yours, etc.

Letter III

Sir, The sum of what hath been said, concerning the settlement of Church and state, and the division of parties at the Restoration, amounts to this; that as the attempts of King James and King Charles the First, against the spirit of the constitution, threw the nation into a civil war, and all the miserable consequences, both necessary and contingent, of that calamity; so the fury, enthusiasm and madness of those factions which arose during that unnatural ferment, frightened the nation back, if not into all, yet more generally perhaps than before, into most of the notions that were established to justify the excesses of former reigns. Hereditary, indefeasible right, passive obedience and non-resistance, those corner-stones, which are an improper foundation for any superstructure, but that of tyranny, were made, even by Parliament, the foundation of the monarchy; and all those, who declined an exact and strict conformity to the whole establishment of the Church, even to the most minute parts of it, were deprived of the protection, nay, exposed to the prosecution of the state. Thus one part of the nation stood proscribed by the other; the least, indeed, by the greatest; whereas a little before the greatest stood proscribed by the least. Roundhead and cavalier were, in effect, no more. Whig and Tory were not yet in being. The only two apparent parties were those of Churchmen and Dissenters; and religious differences alone at this time maintained the distinction.

Such was the state of party, upon the meeting of the first parliament called by King Charles the Second, and for some years afterwards, as nearly as I have been able to observe by what I have read in history, and received from tradition. -- How the notions then in vogue began to change, and this spirit to decline, some time after the Restoration; how the zeal of Churchmen and Dissenters against one another began to soften, and a Court and Country party to form themselves; how faction mingled itself again in the contest, and renewed the former resentments and jealousies; how Whig and Tory arose, the furious offspring of those inauspicious parents roundhead and cavalier; how the proceedings of one party might have thrown us back into a civil war, confusion and anarchy; how the success of the other had like to have entailed tyranny on the state, and popery in Church; how the Revolution did, and could alone, deliver us from the grievances we felt, and from the dangers we

feared; how this great event was brought about by a formal departure of each side from the principles objected to them by the other. how this renewal of our constitution, on the principles of liberty, by the most solemn, deliberate, national act, that ever was made, did not only bind at least every one of those, who concurred in any degree to bring it about (and that description includes almost the whole nation); but how absurd it is for any man, who was born since that era, or who, being born before it, hath been bound by no particular, legal tie to any other settlement, to be willing to give up the advantages of the present constitution, any more than he would give up the privileges of the great charter, which was made and ratified so many ages ago; all these points are to be now touched in that summary manner which I have prescribed to myself, and which will be sufficient, in so plain a case, where men are to be reminded of what they know already, rather than to be informed, and to be confirmed, not to be convinced.

I proceed therefore to observe, that the nation began to be indisposed to the court, soon after the Restoration. The sale of Dunkirk helped to ruin a great and good minister, though it be still doubtful at least, notwithstanding the clamour raised, and the negotiations with d'Estrades so much insisted upon, whether he was strictly answerable for this measure. Who knows how soon the reestablishment of the same port and harbour may be laid in form to the charge of those two men, who are strictly and undeniably answerable for it, and who stagger already under the weight of so many other just imputations?

The first Dutch war, which was lightly and rashly undertaken, and which ended ignominiously for the nation, augmented the public indisposition. Nay misfortunes, such as the plague, and the burning of London, as well as mismanagement, had this effect. But we must place at the head of all, a jealousy of popery, which was well founded, and therefore gathered strength daily. This soon heated the minds of men to such a degree, that it seems almost wonderful the plague was not imputed to the papists, as peremptorily as the fire.

The death of my lord Southampton, and the disgrace and banishment of my lord Clarendon, made room for new causes of jealousy and dissatisfaction; and the effects increased in proportion. These two noble lords had stood in the breach against popery and foreign politics; and what one of them said to the other, that is, Southampton of Clarendon, may be applied with justice to both. They were true Protestants, and honest Englishmen. Whilst they were in place, our laws, our religion, and our liberties were in safety. When they were removed, England felt the ill effects of the change; for when they were removed, all those were in danger. How glorious a panegyric is this, in which the unanimous voice of posterity does and must agree? It is preferable surely to all the titles and honours and estates, which those illustrious patriots left behind them: and so I persuade myself it is esteemed by the young noblemen, who are heirs to their virtues as well as their fortunes.

King Charles, and more than him, the duke and the popish faction, were now at liberty to form new schemes; or rather to pursue old ones, with less reserve, against the religion and liberty of England. As soon as the famous cabal had the whole administration of affairs, these designs were pushed without any reserve at all. I am not writing the history of this reign; nor have I undertaken any thing more than to make a few observations on the several turns of parties in it. I need not therefore descend into particular proofs of the designs which I attribute to the court; nor into a deduction of the measures taken to promote them, and the efforts made to defeat them. That these designs were real, can be doubted of by no man; since without quoting many printed accounts, which are in the hands of every one, or insisting on other proofs, which have not seen the light, and such there are, the abbot Primi's relation of the secret negotiations between the King and his sister, the duchess of Orléans, published in 1682, as I think, and immediately suppressed, as well as the history of the Jesuit d'Orléans, written on memorials furnished to him by King James the Second, put the whole matter out of dispute, and even beyond the reach of cavil. It is sufficient for my purpose to observe, that the tide of party, which had run so strongly for the court, and had been seldom so much as slackened hitherto, began now to turn, and to run year after year more strongly the other way.

When this Parliament sat down, for it deserves our particular observation that both houses were full of zeal for the present government, and of resentment against the late usurpations, there was but one party in Parliament; and no other party could raise its head in the nation. This might have been the case much longer, probably as long as King Charles had sat on the throne, if the court had been a little honester, or a little wiser. No Parliament ever did more to gain their prince than this. They seemed for several years, to have nothing so much at heart as securing his government, advancing his prerogative, and filling his coffers. The grants they made him were such as passed for instances of profusion in those days; when one million two hundred thousand pounds a year for the civil list, the fleet, the guards and garrisons, and all the ordinary expenses of the government, was thought

an exorbitant sum; how little a figure soever it would make in our times, when two thirds of that sum, at least, are appropriated to the use of the civil list singly. But all this was to no purpose: a foreign interest prevailed; a cabal governed; and sometimes the cabal, and sometimes a prime minister had more credit with the King than the whole body of his people. When the Parliament saw that they could not gain him over to his own, and to their common interest; nor prevail on him by connivance, compliance, and other gentle methods; they turned themselves to such as were rough, but agreeable to law and the custom of Parliament, as well as proportionable to the greatness of the exigency. That they lost their temper, on some particular occasions, must not be denied. They were men, and therefore frail: but their frailties of this kind proceeded from their love of their country. They were transported, when they found that their religion and liberty were constantly in danger from the intrigues of a popish faction; and they would have been so transported, no doubt, if liberty alone had been attacked by a Protestant faction. Then it was, that this High-Church Parliament grew favourable to Protestant Dissenters, and ready to make that just distinction, so long delayed between them and popish recusants, that the whole Protestant interest might unite in the common cause. Then it was, that this prerogative-Parliament defied prerogative, in defence of their own privileges, and of the liberties of their country. Then it was, that this passive-obedience and non-resistance Parliament went the utmost lengths of resistance, in a parliamentary way; and the necessary consequence of the steps they made in this way, must have been resistance in another, if the King had not dropped his ministers, retracted his pretensions, redressed some and given expectation of redressing other grievances. In fine, this pensioner-Parliament, as it hath been styled, with some corruption in the house, and an army sometimes at the door of it, disbanded the army in England, and protested against the militia settled in Scotland by Act of Parliament, and appointed to march for any service, wherein the King's honour, authority, and greatness were concerned, in obedience to the orders of the Privy Council. That I may not multiply particular instances, they not only did their utmost to secure their country against immediate danger, but projected to secure it against remote danger, by an exclusion of the Duke of York from the crown, after they had endeavoured strenuously, but in vain, to prevent his entailing popery more easily upon us, by his marriage with a popish princess; for he had declared himself a papist with as much affectation, as if he expected to grow popular by it; had already begun to approve his zeal, and exercise his talent in conversions, by that of his first wife; and was notoriously the agent of Rome and France, in order to seduce his brother into stronger measures than King Charles was willing to take. King Charles, to use an expression of the lord Halifax of that age, would trot; but his brother would gallop.

When I reflect on the particulars here mentioned, and a great many others, which might be mentioned to the honour of this Parliament, I cannot hear it called the pensioner-Parliament, as it were by way of eminence, without a degree of honest indignation; especially in the age in which we live, and by some of those who affect the most to bestow upon it this ignominious appellation. Pensions indeed, to the amount of seven or eight thousand pounds, as I remember, were discovered to have been given to some members of the House of Commons. But then let it be remembered likewise, that this expedient of corrupting Parliaments began under the administration of that boisterous, over-bearing, dangerous minister, Clifford. As long as there remained any pretence to say that the court was in the interest of the people, the expedient of bribery was neither wanted, nor practised. When the court was evidently in another interest, the necessity and the practice of bribing the representatives of the people commenced. Should a Parliament of Britain act in compliance with a court, against the sense and interest of the nation, mankind would be ready to pronounce very justly that such a Parliament was under the corrupt influence of the court. But, in the case now before us, we have a very comfortable example of a court wicked enough to stand in need of corruption, and to employ it; and of a Parliament virtuous enough to resist the force of this expedient; which Philip of Macedon boasted that he employed to invade the liberties of other countries; and which had been so often employed by men of less genius, as well as rank, to invade the liberties of their own. All that corruption could do in this Parliament, was to maintain the appearance of a Court party, whilst the measures of the court united a Country party, in opposition to them. Neither places nor pensions could hinder courtiers in this Parliament from voting, on many signal occasions, against the court; nor protect either those who drew the King into ill measures, nor those who complied with him in them. Nay, this pensioner Parliament, if it must be still called so, gave one proof of independency, besides that of contriving a test in 1675, to purge their members on oath from all suspicion of corrupt influence, which ought to wipe off this stain from the most corrupt. They drove one of their paymasters out of court, and impeached the other, in the fullness of his power; even at a time, when the King was so weak as to make, or so unhappy as to be forced to make, on account of pensions privately negotiated from France, the cause of the crown and the cause of the minister one, and to blend their interests together.

What I have said to the honour of the long Parliament is just; because in fact the proceedings of that Parliament were agreeable to the representation I have given of them. But now, if some severe censor should appear, and insist that the dame was chaste, only because she was not enough tempted; that more pensions would have made more pensioners; that much money and little prerogative is more dangerous to liberty than much prerogative and little money; and that the worst and weakest minister King Charles ever had, might have been absolute in this very parliament whose character I defend, if such a minister had been able to enlist, with places, pensions and occasional bribes, not a slender majority, which the defection of a few might at any time defeat, but such a bulky majority, as might impose on itself: if any one, I say, should refine in this manner, and continue to insist that such a minister, with such a purse, would have stood his ground in the Parliament I speak of, with how much contempt and indignation soever he might have been everywhere treated by the people; I shall not presume to assert the contrary. It might have been so. Our safety was owing as much, perhaps, to the poverty of the court, as to the virtue of the Parliament. We might have lost our liberties. But then I would observe before I conclude, that if this be true, the preservation of our religion and liberty, at that time, was owing to these two circumstances: first, that King Charles was not parsimonious, but squandered on his pleasures, what he might have employed to corrupt this Parliament; secondly, that the ministers in that reign, fingering no money but the revenue, ordinary and extraordinary, had no opportunity to filch in the pockets of every private man, and to bribe the bubbles very often with their own money; as might be done now, when funding hath been so long in fashion, and the greatest minister hath the means of being the greatest stockjobber, did not the eminent integrity of the minister, and the approved virtue of the age, secure us from any such danger.

We have now brought the deduction of parties very near to the era of Whig and Tory, into which the court found means to divide the nation, and by this division to acquire in the nation a superiority, which had been attempted ineffectually, even by corruption in Parliament. But this I reserve for another letter, and am,

sir, yours, etc.

Letter IV

Sir, There is a passage in Tully so extremely applicable to the mischievous, but transitory, prevalence of those principles of government, which King James the First imported into this country, that since it occurs to my memory, I cannot begin this letter better than by quoting it to you, and making a short commentary on it. Opinionum commenta delet dies, naturae judicia confirmat. Groundless opinions are destroyed, but rational judgments, or the judgments of nature, are confirmed by time. It is Balbus, who makes this observation very properly, when he is about to prove the existence of a supreme being. The same observation might have been employed as properly, on other occasions, against Balbus himself; and the truth of it might have been exemplified, by comparing the paradoxes and superstitious opinions of his own sect, as well as the tales of an hippocentaur, or a chimera, with the eternal truths of genuine theism, and sound philosophy. In short, the application of it might have been justly made then, and may be so now in numberless instances, taken from the most important subjects, on which the thoughts of men are exercised, or in which their interests, as men and members of society, are concerned.

The authority of a sect, and much more of a state, is able to inspire, and habit to confirm, the most absurd opinions. Passion, or interest, can create zeal. But nothing can give stability and durable uniformity to error. Indolence, or ignorance, may keep it floating, as it were, on the surface of the mind, and sometimes hinder truth from penetrating; or force may maintain it in profession, when the mind assents to it no longer. But such opinions, like human bodies, tend to their dissolution from their birth. They will be soon rejected in theory, where men can think, and in practice, where men can act with freedom. They maintain themselves no longer, than the same means of seduction, which first introduced them, or the same circumstances, which first imposed them, attend and continue to support them. Men are dragged into them, and held down in them, by chains of circumstances. Break but these chains, and the mind returns with a kind of intellectual elasticity to its proper object, truth. This natural motion is so strong, that examples might be cited of men embracing truth in practice, before they were convinced of it in theory. There are cases, where reason, freed from constraint, or roused by necessity, acts in some sort the part of instinct. We are impelled by one, before we have time to form an opinion. We are often determined by the other, against our opinion; that is, before we can be said properly to have changed it. But observe here the perverseness of that rational creature, man. When this happens; when the judgment of nature, for

so we may speak after Tully, hath prevailed against the habitual prejudice of opinion; instead of acknowledging the victorious truth, which determined him to act, instead of condemning the erroneous opinion, against which he acted, he is too often apt to endeavour, peevishly and pedantically, to reconcile his actions to his error; nay, to persist in renouncing true, and asserting false maxims, whilst he reaps the benefit, and maintains the consequences of the former.

You see whither we are brought by these general reflections. The absurd opinions (fictae et vanae our Roman orator would have called them) about the right, power, and prerogative of kings, were so little able to take a deep root, and to stand the blasts of opposition, that few of those who drew their swords on the side of King Charles the First, were determined to it by them. I assert this fact on contemporary authority; on the authority even of some who were themselves engaged in that cause, from the beginning to the end of our civil wars. A more recent tradition assures us, that when the same opinions revived at the Restoration, they did not sink deep even then into the minds of men; but floated so superficially there, that the Parliament (the very parliament, who had authorized them, and imposed them, as I observed in the last letter) proceeded a great way, and was ready to have proceeded farther, in direct opposition to them. A tradition still more recent will inform us, and that is to be the subject of this letter; that when these opinions revived again, at the latter end of the same reign, with an appearance of greater strength, and of a more national concurrence than ever, they revived but to be exploded more effectually than ever. King Charles made use of them to check the ferment raised against his government; but did not seem to expect that they would subsist long in force. His wiser brother depended much on them; but his dependence was vain. They were, at that time, wearing out apace; and they wore out the faster by the extravagant use which was made of them. They were in the mouths of many, but in the hearts of few; for almost all those who had them in their mouths, acted against them. Thus were these wicked and ridiculous principles of government twice revived, and twice destroyed again, in less than thirty years from the Restoration.

Ter si resurgat murus aheneus,
-- Ter pereat!

The second revival of these principles, for enough hath been said of the first, happened soon after the dissolution of the long Parliament; and there, I think, we must place the birth of Whig and Tory, though these parties did not grow up into full maturity, nor receive their names till about two years afterwards. The dissolution of this Parliament was desired by men of very different complexions; by some, with factious views; by others, on this honest and true maxim, that a standing Parliament, or the same Parliament long continued, changes the very nature of the constitution, in the fundamental article on which the preservation of our whole liberty depends. But whatever motives others might have to desire this dissolution, the motives which prevailed on the King, were probably those. This Parliament not only grew more reserved in their grants of money, and stiff and inflexible in other matters, but seemed to have lost that personal regard which they had hitherto preserved for him. They brought their attacks home to his family; nay, to himself, in the heats which the discovery and prosecution of the Popish Plot occasioned. That on the Queen provoked him. That on his brother embarrassed him. But that which provoked and embarrassed him both, was the prosecution of the Earl of Danby, in the manner in which it was carried on. I will not descend into the particulars of an affair, at this time so well understood. This minister was turned out, and might have been punished in another manner, and much more severely than I presume any one, who knows the anecdotes of that age, thinks that he deserved to be. But the intention of this attack, according to Rapin, was to show that the King, as well as his brother, was at the head of a conspiracy to destroy the government, and the Protestant religion. This is a very bold assertion, and such a one as I do not pretend to warrant. But thus much is certain; that if the Earl of Danby's impeachment had been tried, he must have justified himself, by showing what every one knew to be true, that the secret negotiations with France, and particularly that for money, were the King's negotiations, not his.

Now, whether the King hoped, by dissolving the Parliament, to stop this prosecution; or to soften that of the Popish Plot; or to defeat the project of excluding the Duke of York; his hopes were all disappointed. The following Parliaments trod in the steps of this. How, indeed, could they do otherwise in those days, when the temper of the people determined the character of the Parliament; when an influence on elections by prerogative, was long since over, and private, indirect means of gaining another more illegal influence were not yet found, or the necessary supports of such means were not yet acquired; when any man, who had desired people, who knew neither his fortune, his character, nor even his person, to choose him their representative in Parliament, that is, to appoint him their trustee, would have been looked upon and treated as a madman; in short, when a Parliament, acting against the declared sense of the nation, would have appeared as surprising a phenomenon in the moral world, as a retrograde motion of the sun, or any other signal deviation of

things from their ordinary course in the natural world.

There was indeed one point, which this Parliament had taken extremely to heart, and which was no longer open to the Parliaments that followed; I mean the conduct of the King in foreign affairs, during the war between France, and Holland and her allies, which ended by the Treaty of Nijmegen. This war was not made in remote countries. It was made at our door. The motives to it, on the part of the aggressor, were neither injuries received, nor rights invaded; but a spirit of conquest, and barefaced usurpation. The interest we had in it was not such as depended on a long chain of contingencies, and required much subtlety to find out, but plain and immediate. The security, and at one time, the very existence of the Dutch commonwealth depended on the event of it. No wonder then, if the conduct of the King, who joined openly with France at first, and served her privately to better purpose at last, furnished ample matter to the public discontent, and helped to increase the ill humour of succeeding Parliaments on two other points, which were still open, and continued to draw their whole attention, as long as King Charles suffered any to sit, during the rest of his reign.

These two points were the prosecution of persons involved in the Popish Plot, and the exclusion of the Duke of York. The first of these had prepared mankind for the second. The truth is, that if nothing which affected the Duke had been produced, besides Coleman's letters, these proofs of his endeavours to subvert the religion and liberty of the people he pretended to govern, joined to so many others of public notoriety, which showed the whole bent of soul, and the whole scheme of his policy, would have afforded reason more than sufficient for sacrificing the interest, or even the right (if you will call it so) of one man to the preservation of three kingdoms. I know how partial we are in the judgments we make, conceding ourselves, and our own interests. I know that this partiality is the immediate effect of self-love, the strongest spring in the human, nay in the whole animal system; and yet I cannot help being surprised that a man should expect to be trusted with a crown, because he is born a prince, in a country where he could not be trusted by law, and ought not to be trusted in reason, with a constable's staff, if he was born a private person. Let me add, that such an expectation must be deemed more unreasonable in a descendant of Henry the Fourth of France, if possible, than in any other man. The hereditary title of the house of Bourbon, on the extinction of that of Valois, was certainly as clear, and much better established by the laws and usages of France, than the hereditary right of any prince of the house of Stuart to the crown of England; and yet Henry the Fourth, with all the personal qualifications which could recommend a prince to the esteem and love of his subjects, would never have been received into the throne by the French nation, if he had not been of the religion of that nation. On what foundation then could it be expected that a Protestant and a free people should be less animated by religion and liberty both, than their neighbours had been by religion alone; for liberty had nothing to do in that contest? Our fathers were thus animated, at the time I am speaking of. The long Parliament projected the exclusion; and if the design had been carried on, in the spirit of a Country party, it would probably have been carried on with a national concurrence, and would consequently have succeeded in effect, though not perhaps at once, nor in the very form at first proposed.

The violent and sanguinary prosecution of the Popish Plot was intended, no doubt, to make the success of the exclusion more secure, by raising the passions of men so high, that no expedient but an absolute and immediate exclusion, in the terms of the bill, should be thought sufficient. I cannot help saying on this occasion, that I wish this laudable and just design had not been pursued, by wading through the blood of so many men: enemies to our religion and liberty, indeed; but convicted, for the most part on evidence, which could hardly have passed at any other time. I wish we had done nothing which might be interpreted to the disrepute of our own religion, whilst we attempted to proscribe theirs. In fine, I wish, for the honour of my country, that the prosecution on account of this plot, and much more on account of another, which was set up as a kind of retaliation for this, and which caused some of the noblest, as well as some of the meanest blood in the nation to be spilt, could be erased out of the records of history. But there is still a farther reason to wish that greater temper had been joined, at this time, to the same zeal for religion and liberty. Men were made to believe that the King, who had yielded on so many other occasions, would yield on this; that he, who had given up so many ministers, would give up his brother at last; and that if the Parliament would accept nothing less than the exclusion in their own way, it would be extorted from him. Now in this they were fatally deceived: and I must continue to suspect, till I meet with better reasons than I have yet found to the contrary, that they were so deceived by the intrigues of two very opposite cabals; by the Duke of York's, who were averse to all exclusions, whether absolute, or limited, but most to the last; and by the Duke of Monmouth's, who could not find their account in any but an absolute exclusion; nor in this neither, unless the bill passed without any mention of the Duke's daughters, as next in succession: to which, as bishop Burnet tells us, the Prince of Orange

was willing to comply, on the faith of assurances he had received from hence; a fact, which the bishop might know, and we may therefore take on his word, as extraordinary as it seems. I would only observe that King William, then Prince of Orange, could have no reason for consenting that his wife's pretensions to the crown should not be confirmed by an act which excluded her father, except one; and that was the necessity, real, or apparent, of uniting different private interests in the public measure of excluding the Duke of York. Now, if this was his reason, the same reason proves, what shall be farther confirmed in the next letter, that a spirit of faction ran through the proceedings of those who promoted the bill of exclusion: and when faction was opposed to faction, there is no room to wonder, if that of the court prevailed. The King, who had not used to show firmness on other occasions, was firm on this: and the consequence of pushing the exclusion in this manner, was giving him an opportunity of breaking the Country party; of dividing the nation into Whig and Tory: of governing himself without Parliaments; and of leaving the throne open to his brother, not only without our limitations or conditions, but with a more absolute power established, than any prince of his family had enjoyed.

As soon as the court had got, by management, a plausible pretence of objecting a spirit of faction to those in the opposition, the strength of the opposition was broken, because the national union was dissolved. A Country party must be authorized by the voice of the country. It must be formed on principles of common interest. It cannot be united and maintained on the particular prejudices, any more than it can, or ought to be, directed to the particular interests of any set of men whatsoever. A party, thus constituted, is improperly called party. It is the nation, speaking and acting in the discourse and conduct of particular men. It will prevail in all struggles sooner or later, as long as our constitution subsists; and nothing is more easy to demonstrate than this, that whenever such a party finds it difficult to prevail, our constitution is in danger; and when they find it impossible, our constitution must in fact be altered. On the other hand, whenever the prejudices and interests of particular sets of men prevail, the essence of a Country party is annihilated, and the very appearance of it will soon be lost. Every man will resort in this case to that standard, under which he hath been marshalled in former divisions; to which his inclinations lead him; or which, though he does not entirely approve, vet disapproves the least.

Such a dissolution of a Country party was brought about at the period to which we are now come in our deduction of parties, by the passions, the public pique, and private interest of particular men, and by the wily intrigues of the court. The dissolution of this party, and the new division of the nation into Whig and Tory, brought us into extreme danger. This extreme danger reunited the nation again, and a coalition of parties saved the whole. Such an experience might have showed them, that how opposite soever their professions were, yet they really differed more on negative than on positive principles; that they saw one another in a false light, for the most part, and fought with phantoms, conjured up to maintain their divisions, rather than with real beings. Experience had not this happy effect soon. The swell of the sea continued long after the storm was over; and we have seen these parties kick and cuff like drunken men, when they were both of the same side. -- Let us hope that this scene of tragical folly is over, to the disappointment of those who are conscious of past iniquity, or who meditate future mischief. There are no others who wish and endeavour to prolong it.

I am, sir, etc.

Letter V

Sir, Nothing is more useful, nothing more necessary, in the conduct of public affairs, than a just discernment of spirits. I mean here not only that natural private sagacity which is conversant about individuals, and enables some men to pry, as it were, into the heads and hearts of others, and to discover within them those latent principles which constitute their true characters, and are often disguised in outward action; but I mean principally that acquired, public, political sagacity, which is of the same kind, though I think not altogether the same thing as the former; which flows from nature too, but requires more to be assisted by experience, and formed by art. This is that superior talent of ministers of state, which is so rarely found in those of other countries, and which abounds so happily at present in those of Great Britain. It is by this, that they discover the most secret dispositions of other courts; and, discovering those dispositions, prevent their designs, or never suffer themselves to be surprised by them. It is by this, that they watch over the public tranquillity at home; foresee what effect every event that happens, and much more every step they make themselves, will have on the sentiments and passions of mankind. This part of human wisdom is therefore everywhere of use; but is of indispensable necessity in free countries, where a greater regard is to be constantly had to the various fluctuations of parties; to the temper, humour, opinion

and prejudices of the people. Without such a regard as this, those combinations of peculiar circumstances, which we commonly call conjunctures, can never be improved to the best advantage, by acting in conformity, and in proportion to them; and without improving such conjunctures to the best advantage, it is impossible to achieve any great undertaking, or even to conduct affairs successfully in their ordinary course.

A want of this just discernment of spirits, if I am not extremely mistaken, defeated the designs of those who prosecuted with so much vigour the Popish Plot, and the exclusion of the Duke of York. Several of them were men of very great abilities; and yet we shall have no reason to be surprised that they failed in this point, if we reflect how unfit even the greatest genius is to discern the spirit of others, when he hath once overheated his own. All men are fallible: but here lies the difference. Some men, such as I have just mentioned, crossed by difficulties, pressed by exigencies, transported by their own passions, or by the passions of those who fight under their banner, may now and then deviate into error, and into error of long and fatal consequence. But there are some men, such as I shall not mention upon this occasion (because I reserve them for another and a better), who never deviate into the road of good sense; who, crossed by no difficulties, pressed by no exigencies, meeting scarce opposition enough to excite their industry, and guiding a tame well-tutored flock, that follow their bell-wether obstinately, but never tread on his heels: there are men, I say, whose special privilege it is to proceed with all these advantages, deliberately and superciliously, from blunder to blunder, from year to year, in one perpetual maze of confused, incoherent, inconsistent, unmeaning schemes of business.

But having nothing to do with the men of this character at present, I return to those of the former class; to the men who led the Whig party, at its first appearance, in the time of King Charles the Second. The foundation upon which they built all their hopes of success, was this: that they should frighten and force the King into a compliance with them: but they did not enough consider that the methods they took were equally proper to frighten and force a great part of the nation from them, by reason of the particular circumstances of that time. They did not enough consider, that when they began to put their designs in execution, scarce twenty years had passed from the Restoration; and that the highest principles, in favour of the Church and the monarchy, had prevailed almost universally during one half of that time, and very generally during the other half; that they had the accidental passions of the people for them, but the settled habits of thinking against them; that they were going off from a broad to a narrow bottom; from the nation to a part of the nation; and this at a time, when they wanted a more than ordinary concurrence of the whole body. They did not enough consider that they were changing the very nature of their party, and giving an opportunity to the court, which was then become, in the strict sense of the word, a faction, to grow up into a party again, and such a party as would divide, at least, the people with them, upon principles, plausible in those days, and sufficient to raise a spirit capable to disappoint all their endeavours.

The same resentments and prejudices, the same jealousies and fears, which burst out with violence, upon many occasions a few years before, lay still in the hearts of men; latent and quiet, indeed, and wearing out by degrees, but yet easy to be revived, and to be blown up anew. If we compare the conduct of the long Parliament in 1674 and 1675, with the attempts which had been lately made, during the administration of the Cabal; with the secret of the second Dutch war, and many other designs and practices of the court, which were then come lately and very authentically to light; with the state of Scotland, which was then subdued under a real tyranny and with that of Ireland, where, to say no more, the Act of Settlement was but ill observed; if we make this comparison, it will not yet appear that the proceedings of the House of Commons were immoderate, though they were warm; nor factious, though they were vigorous; nor that any danger could be then reasonably apprehended from them, except to the enemies of the constitution in Church and state; and yet even then the old resentments, prejudices, jealousies and fears began to revive; and an apprehension of falling back under the influence of Presbyterians and republican principles began to show itself in the House of Lords, and in the nation. It is true, that this had no immediate consequence; because the Popish Plot broke out soon afterwards like a mighty flame, in which these little fires, that began to burn anew, were lost. This great event made the Church and the Dissenters continue to run into one, as they had begun to do before; and the sole division of parties was that of the Court and the Country, as long as this Parliament lasted. But still it was evident with how delicate an hand every thing that related to our former disputes, required to be touched. It was evident that the least alarm given to the Church, or to those who value themselves on the principles of loyalty then in fashion, would be sufficient to open those wounds which were just skinned over, and to raise two new parties out of the ashes of the old.

These parties were not raised, whilst the long Parliament sat; because a general opinion prevailed,

and well enough founded on their precedent conduct, that however angry the King might be with the Parliament, or the Parliament with the King, a few popular steps made on one side, and a little money granted on the other, would soften matters between them, and dispose them to forget all former quarrels. As hot therefore as the Parliament grew, and as much as some people might think that they exceeded their bounds; yet still it was difficult to persuade even these people that a Parliament, like this, would push things to the last extremity; destroy the constitution they had settled and supported with so much zeal; or draw the sword against a prince, to whom they had borne so much affection. But in the Parliaments which followed, the case was not the same; and I will state as shortly as I can, upon authorities, which no man likely to contradict me must refuse, what made the difference. These authorities shall be that of Burnet, and that of Rapin; whom I quote, on this occasion, for the same reason that I would quote my lord Clarendon against King Charles the First, or Ludlow for him.

In the year 1676, before we have grounds sufficient to affirm that the design of excluding the Duke of York was formed, but not before we have reason to suspect that it might be in the thoughts of several, those who stood foremost in the opposition to the court, were very industrious to procure a dissolution of the long Parliament; so industrious, that they negotiated the affair with the Duke, who had concurred in a vote for an address to dissolve it; and they undertook that a new parliament should be more inclinable to grant the papists a toleration, than they would ever find this would prove. The papists were in earnest for this measure; since Coleman drew a declaration for justifying it, and since their design in it was to divide the King and his people. It is fair to conclude that the Protestants, who had been in it at the time I mention, upon party views, were at least as much so, when their views rose higher. This Parliament had pushed a strict and thorough examination into the Popish Plot, with great sincerity and zeal. Nay, the project of the exclusion had been started, though not prosecuted, in the last session. May we not take it for granted however, that they, who were now resolved to carry the exclusion, in a manner in which they soon attempted to carry it, and who foresaw by consequence the difficulties that would be opposed to them, and the strong measures they should be obliged to pursue, in order to overcome these difficulties; I say, might not they think this Parliament much less proper than any other to engage and persist in such measures? They thought thus, without doubt; and so far they judged better than the King, who came into the dissolution; upon very different motives. But as to the consequence of engaging a new Parliament in such strong measures, the event showed that the King judged better than they, in the progress of this affair.

The Dissenters, who had been long persecuted by the parliament, and bantered and abused by the court, were encouraged by the conjuncture to lift up their heads. They took advantage of the horror and indignation, which the discovery of the Popish Plot, and the use made of this discovery had raised all over the kingdom. They could not be more zealous in this cause than the members of the established Church had shown themselves to be; but they cried, perhaps, louder for it. In short, whatever their management was, or however they were abetted, certain it is that they were very active, and very successful too, in the elections of the Parliament which followed the long Parliament, according to Rapin, who asserts that many of the members, chosen into this House of Commons, were Presbyterians. He might have said as much, upon just as good grounds, of the two Parliaments which followed this; and I shall speak of them indiscriminately. The leaders, who mustered all their forces, in order to push the Bill of Exclusion, looked on this turn in the elections as an advantage to them: and it might not have been a disadvantage, if they and the Dissenters had improved it with more moderation. But they were far from doing so, as Rapin himself seems to own a little unwillingly, when he says, that complaisance for the Presbyterians were carried, perhaps, too far in the bill for the comprehension of Protestant Dissenters. Bishop Burnet speaks more plainly. He owns that many began to declare openly in favour of the nonconformists; that upon this the nonconformists behaved themselves very indecently. that they fell severely on the body of the clergy; and that they made the bishops and clergy apprehend that a rebellion, and with it the pulling the Church to pieces, was designed. Several other passages of the same strength, and to the same purpose, might be collected from this historian; and he, who reads them, will not be surprised, I think, to find that such proceedings as these, both in Parliament and out of it, gave an alarm to the clergy, and set them to make parallels between the late and the present times; and to infuse the fears and the passions, which agitated them, into the nation. The bishop accuses them, indeed, of doing this with much indecency. But they, who are frightened out of their wits, will be apt to be indecent; and indecency begets indecency.

At the same time that the jealousies of a design to destroy the Church prevailed, others prevailed likewise of a design to alter the government of the state; of a design not only against the successor,

but against the possessor of the crown. Many well-meaning men, says bishop Buret upon one occasion, began to dislike these practices, and to apprehend that a change of government was designed. -- The King came to think himself, says the same author upon another occasion, levelled at chiefly, though for decency's sake his brother was only named. Rapin goes farther; for, speaking of the same time, he uses this remarkable expression; that 'Things seemed to be taking the same course as in the year 1640; and there was reason to think that the opposing party had no better intentions towards the king now than the enemies of King Charles the First had towards him.' But whatever some particular men, who knew themselves irreconcilable with the King, as well as the Duke, or some others, who had still about them a tang of religious enthusiasm and republican whimsies, might intend; I am far from thinking that the party, who promoted the exclusion, meant to destroy, on the contrary it is plain that they meant to preserve, by that very measure, the constitution in Church and state. The reason why I quote these passages, and refer to others of the same kind, is not to show what was really designed, but what was apprehended; for as the distinction of Whig and Tory subsisted long after the real differences were extinguished, so were these parties at first divided, not so much by overt acts committed, as by the apprehensions, which each of them entertained of the intentions of the other. When the resolution was once taken of rejecting all limitations, on the belief artfully, and, I think, knavishly propagated, that the King would yield, if the Parliament persisted; the necessary consequences of the King's adhering inflexibly to his brother were those which followed, those fulmina parliamentaria, harsh votes, angry proceedings, addresses, that were in truth remonstrances, projects of associations, pretensions to a power of dispensing with the execution of laws (that very prerogative they had so justly refused to the crown) and many others, which I omit. All these would have been blasts of wind, bruta fulmina, no more, if the King had yielded: and that they were pushed in this confidence by the bulk of the party who pushed them, cannot be doubted; since it cannot be doubted that the bulk of the party depended on the King's yielding almost, perhaps, even to the last. Some few might be willing, nay desirous, that he should not yield, and hope to bring things into a state of confusion; which none but madmen, or those, whom their crimes, or their fortunes render desperate, can ever wish to see. But it would be hard, indeed, if parties were to be characterized, not by their common view, or the general tenor of their conduct, but by the private views imputed to some amongst them, or by the particular sallies, into which mistake, surprise, or passion, hath sometimes betrayed the best-intentioned, and even the best-conducted bodies of men. Whig and Tory were now formed into parties; but I think they were not now, nor at any other time, what they believed one another, nor what they have been represented by their enemies, nay by their friends. The Whigs were not roundheads, though the measures they pursued, being stronger than the temper of the nation would then bear, gave occasion to the suspicions I have mentioned. The Tories were not cavaliers, though they took the alarm so sudden and so warm for the Church and the King; and though they carried the principles in favour of the King, at least, whilst the heat of their contests with the opposite party lasted, higher than they had been ever carried before. The Whigs were not Dissenters, nor republicans, though they favoured the former, and though some inconsiderable remains of the latter, might find shelter in their party. The Tories had no disposition to become slaves, or papists, though they abetted the exercise of an exorbitant power by the crown, and though they supported the pretensions of a popish successor to it. -- Thus I think about the parties, which arose in the reign of King Charles the Second; and as I deliver my thoughts with frankness, I hope they will be received with candour. Some farther and stronger reasons for receiving them so, may perhaps appear in a subsequent letter.

I am, sir, your, etc.

Letter VI

Sir, If King Charles the Second could have been prevailed upon to sacrifice the chimerical divine right of his brother to the real interest, and right too, of his people; that happy event would have made him ample amends in future ease and quiet, and the nation in future security, for all precedent disorders, dangers, and fears of danger. But instead of this, he was every day confirmed in the resolution of not giving up, directly and in terms, that right to his brother, which he thought reflected strength on his own. The very measures taken to force him to submit, enabled him to resist. The opposite spirit spent itself in blood and violence. The spirit of him rose visibly in the nation; and he saw very soon the time approach, when he might venture to appeal to his people against his parliament. This time was come, when men were once convinced that a Country party prevailed no longer, but that faction had taken its place. Many appearances, which I have not room to enumerate, served to propagate this opinion; particularly the behaviour and almost avowed pretensions of the

Duke of Monmouth; which were carried on even in defiance of the solemn declaration made by the King, that he had never married the Duke's mother.

Some of the worthiest and warmest men, who were engaged for the exclusion, complained themselves, even from the first, of the private interests and factious intrigues which prevailed amongst them. 'I must confess', says a very considerable man, who laid down his life for this cause afterwards, and whose original letter is still extant; 'I must confess, I do not know three men of a mind; and that a spirit of giddiness reigns amongst us, far beyond any I have ever observed in my life.' And yet he had lived and acted in as factious a time as this nation ever saw. He proceeds: 'Some look who is fittest to succeed. -- They are for the most part divided between the Prince of Orange, and the Duke of Monmouth. The first hath plainly the most plausible title. -- I need not tell you the reasons against Monmouth. The strongest for him are, that whoever is opposed to York will have a good party. and all Scotland, which is every day like to be in arms, doth certainly favour him, and may probably be of as much importance in the troubles that are now likely to fall upon us, as they were in the beginning of the last. Others are only upon negatives', etc.

I could easily multiply proofs of this kind; but I think I need not take any pains to show that there was such a faction formed at this time; nor to refute Welwood, who asserts that the Duke of Monmouth was not ambitious to the degree of aspiring to the crown, till after his landing in the west. I will only remark, that the efforts of this faction amongst those who drove on the bill of exclusion, furnished another motive to the division and animosity of parties. The Tories, who had divided from the others, on jealousies of designs to change the constitution in Church and state, began now to apprehend that the opposite party might succeed in another view, and set up a king of their own nomination. A notion then entertained by many, that the worse title a man had, the better King he was likely to make, did not persuade them. They had suffered under the tyranny of a party; many of them had been themselves the abettors of a party-administration; and they feared with reason a party King. Thus personal interests were mingled on both sides with public considerations; and the Duke of York gained a great number of adherents, not by affection to him, but by an aversion to Monmouth; which increased among the Tories, in proportion as the Duke's popularity increased among the Whigs; not by any favourable disposition in the Tories to popery and arbitrary power, but by a dread, as I have observed already, of returning in the least degree under the influence of those principles, and the power of those men, whose yoke had galled the necks of many that were still alive and active on the stage of public affairs. 'Men grew jealous of the design' (says bishop Burnet, speaking of Monmouth's popularity) 'and fancied here was a new civil war to be raised. Upon this, they joined with the Duke's party'; meaning the Duke of York's.

I say nothing of the apprehensions entertained on one side, and the expectations entertained on the other from Scotland; because though there was, even in the beginning of these struggles, a concert between those who were oppressed by the court there, and those who opposed it here, which grew afterwards into a closer correspondence, and became riper for action; yet the seditious spirit, that gave occasion to these apprehensions and expectations, was roused and exasperated by the inhumanity of the Duke of Lauderdale, who, though a Presbyterian himself, was the butcher of that party; pushed the warmest of them into unjustifiable excesses; revived their silly zeal for the Covenant; and wrought up their enthusiasm even to assassination and rebellion. Let me only observe, that this was plainly the fault of the court, and could not therefore be imputed to the Whigs, whatever use some of that party might propose to make of such a disposition. The violence of the conventiclers was founded high, in order to palliate the severities exercised in the government of that kingdom. But the reasonable men of all parties thought then, as they think now, and always will think, that it is the duty of those who govern, to discern the spirit of the people; to consider even their passions; to have a regard to their weaknesses; and to show indulgence to their prejudices; and that ministers, who punish what they might prevent, are more culpable than those who offend.

As the two parties were formed, so was their division maintained by mutual jealousies and fears; which are often sufficient to nourish themselves, when they have once taken root in the mind; and which were, at this time, watered and cultivated with all the factious industry possible. The most improbable reports, the most idle surmises, carried about in whispers, were sufficient, as I might easily show in various instances, to raise a panic terror in one party, or the other. In both, there were but too many persons on the watch, to improve and to propagate these terrors, and by a frequent repetition of such impressions to raise the alarm and hatred of parties to the highest pitch. He, who went about to allay this extravagant ferment, was called a trimmer; and he, who was in truth a common friend, was sure of being treated like a common enemy. Some, who voted for the bill of exclusion, were very far from being heartily for it; but I have seen good reasons to believe, and such there are even in our public relations, that some of those who voted against it, and declared for

limitations, concurred in the end, though they differed in the means, with those who promoted the bill. And yet such men were constantly marked out as favourers of popery and enemies to their country. Thus in the other party, men, who had no other view but that of securing their religion and liberty, and who meant nothing more than to force the court into such compliances as they judged necessary to establish this security, were stigmatized with the opprobrious names of fanatic and republican. Thus it happened in those days; and thus it happens in ours; when any man who declares against a certain person, against whom the voice of the nation hath already declared, or complains of things which are so notorious, that no man in the nation can deny them, is sure to be followed by the cry of Jacobitism, or republicanism. But there is a great difference, God be praised, between the two cases. The pre sent cry being void of pretence, is therefore without effect. It is heard in few places, and believed only in one. But to return.

When the nation was divided in this manner, the heat of the parties increased as their contest lasted, according to the usual course of things. New engagements were daily taken; new provocations and offences were daily given. Public disputes begot private pique; and private pique supported public disputes with greater rancour and obstinacy. The opposite principles advanced by the two parties, were carried higher and higher, as they grew more inflamed; and the measures they pursued, in order to get the better each of his adversary, without overmuch regard to any other consequence, became stronger and stronger, and perhaps equally dangerous. The meeting of the Parliament at Oxford had a kind of hostile appearance; and as soon as Parliaments were laid aside, which happened on the sudden and indecent dissolution of this, the appearance grew worse. No security having been obtained by parliamentary methods, against the dangers of a popish succession, it is probable that they, who looked on these dangers as nearest and greatest, began to cast about how they might secure themselves and their country against them, by methods of another kind; such as extreme necessity, and nothing but extreme necessity can authorize. Such methods were happily pursued and attended with glorious success, a few years afterwards, when this succession had taken place; and, by taking place, had justified all that had been said against it, or foreboded of it; when the nation was ripe for resistance, and the Prince of Orange ready and able, from a multitude of fortunate, concurring circumstances, to support so great an enterprise. But the attempts, which were wise at one time, would have been desperate at the other; and the measures which produced a revolution in the reign of King James, would have produced in the reign of King Charles, a civil war of uncertain event at best: I say of uncertain event at best, because it seems to me, that whoever revolves in his thoughts the state of England and Scotland, as well as the situation of our neighbours on the continent, at that time, must be of opinion, that if the quarrel about the exclusion had broke out into a war, the best cause would have been the worst supported. The King, more united than ever with his brother, would have prevailed. What was projected in 167o, and perhaps more than was then intended, would have been effected; and the religion and liberty of Great Britain would have been destroyed by consequence. We cannot say, and it would be presumption to pretend to guess, how far the heads of party had gone, in Scotland, or in England, into measures for employing force. Perhaps, little more had passed, in which they who became the principal sacrifices, were any way concerned, than rash discourse about dangerous, but rude, indigested schemes, started by men of wild imaginations, or desperate fortunes, and rather hearkened to than assented to; nay, possibly despised and neglected by them. But the court, who wanted a plot to confirm and increase their party, and to turn the popular tide in their favour, took the first opportunity of having one; which was soon furnished to them by the imprudent, but honest zeal of some, and by the villainy, as well as madness of others: and they prosecuted it so severely, with the help of forward sheriffs, willing juries, bold witnesses and mercenary judges, that it answered all their ends. The design of assassinating the King and the Duke, was certainly confined to a few desperate villains; but too many had heard it from them, who were both so foolish and so wicked, as not to discover them; and this reflected great prejudice, though I doubt not in many cases very unjustly, against all those who had acted upon better principles, but yet were involved in those prosecutions.

As this event disarmed, dispirited and broke one party, so it strengthened, animated and united the other. The Tories, who looked on the dangers they apprehended from the Whigs to be greater and nearer than those which they had apprehended, as well as the Whigs, before this new division of parties, from a popish succession, were now confirmed in their prejudices. Under this persuasion, they run headlong into all the measures which were taken for enlarging the King's authority, and securing the crown to the Duke of York. The principles of divine hereditary right, of passive obedience, and nonresistance, were revived and propagated with greater zeal than ever. Not only the wild whimsies of enthusiasm, of schoolmen and philosophers, but the plainest dictates of reason were solemnly condemned in favour of them, by learned and reverend bodies of men; who little

thought that in five years' time, that is in 1688, they should act conformably to some of the very propositions, which at this time they declared false, seditious and impious.

In short, the Guelphs and Ghibellines were not more animated against each other at any time, than the Tories and Whigs at this; and in such a national temper, considerable steps were made, as they well might be, towards the destruction of our constitution. One of those which Rapin enumerates, and insists upon very gravely, can scarce be mentioned without smiling. 'The King', says he, 'in order to make his people feel the slavery he had newly imposed on them, affected to review his troops; and these troops amounted, by the return of the garrison of Tangier, to four thousand men, effective, and well-armed.' The Whigs, indeed, in those days, were so averse to standing armies, that they thought even those troops, commonly called guards, unlawful; and bishop Burnet argues, in his reflections on my lord Russell's trial, that a design to seize on them amounted to no more than a design to seize on a part of the King's army. But it is possible that the Tories, who had showed their dislike of standing armies sufficiently in the long Parliament, might think it however no unreasonable thing, when designs of insurrections, and even of assassinations had come so lately to light, that a number of regular troops, sufficient to defend the person of the King, but not sufficient to oppress the liberties of the people, and five times less than we have since seen kept up in the midst of the most secure tranquillity, should be winked at, till these distempers were entirely over.

Another step, which the same author mentions, was indeed of the greatest consequence, and laid the axe to the root of all our liberties at once, by giving the crown such an influence over the elections of members to serve in Parliament, as could not fail to destroy that independency, by which alone the freedom of our government hath been, and can be supported. I mean the proceedings by quo warranto, and the other methods taken to force, or persuade, the corporations to surrender their old charters, and accept new ones, under such limitations and conditions as the King thought fit to innovate. These proceedings were violent, the judgments upon them arbitrary, and the other methods employed scandalous. But still it was the end, it was the consequence, that alarmed and terrified all those who had not sold themselves to the court, or who had not lost, in their zeal for party, all regard to their country, much more than the means that were employed upon this occasion. If, instead of garbling corporations by prerogative, the court could have purchased their elections by money, we may reasonably believe that the surer and more silent way would have been taken. But would the alarm have been less among all the friends of liberty? Certainly not. They would have seen that the end was the same, and have disliked those means the more, for being less liable to observation and clamour. A prince, asserting an illegal and dangerous prerogative, and applauded for doing so, and seconded in the attempt by a numerous party in the nation, carried no doubt a very terrible aspect. But still there was room to hope, the violent character of the Duke of York considered (and that hope was actually entertained by many), that the party, who abetted these usurpations of the prerogative, might be soon frightened back again from a Court to a Country interest; in which case, there was room to hope likewise, the milder character and better understanding of the King considered, that the evil might be in some degree redressed, and the consequences of it prevented. It was reasonable for the friends of liberty to expect that men, who were injured, would complain and seek relief, on the first favourable opportunity. But if they had been corrupted, and the practice of selling elections had been once established, I imagine that the friends of liberty would have thought the case more desperate. -- It is certainly an easier task, and there is somewhat less provoking, as well as less dangerous in it, to struggle even with a great prince who stands on prerogative, than a weak, but profligate minister, if he hath the means of corruption in his power, and if the luxury and prostitution of the age have enabled him to bring it into fashion. Nothing surely could provoke men, who had the spirit of liberty in their souls, more than to figure to themselves one of these saucy creatures of fortune, whom she raises in the extravagance of her caprice, dispatching his emissaries, ecclesiastical and secular, like so many evil demons, to the north and to the south, to buy the votes of the people with the money of the people, and to choose a representative body, not of the people, but of the enemy of the people, of himself.

This was not the case at the time we are speaking of. It was prerogative, not money, which had like to have destroyed our liberties then. Government was not then carried on by undertakers, to whom so much power was farmed out for returns of so much money, and so much money entrusted for returns of so much Power. But though the case was not so desperate, yet was it bad enough in all conscience; and among all the excesses into which the Tories ran, in favour of the crown, and in hopes of fixing dominion in their own party, their zeal to support the methods of garbling corporations was, in my opinion, that which threatened public liberty the most. It hath been reproached to them by many; but if among those who reproached them, there should be some who have shared since that time in the most dangerous practice of corrupting corporations, such men

must have fronts of brass, and deserve all the indignation which is due to iniquity, aggravated by impudence. The others abetted, in favour of a prerogative, supposed real by many in those days, and under the pretence at least of law, a power, which gave the crown too much influence in the elections of members of the House of Commons; but these men, if there are any such, have been concerned in a practice, for the sake of their own vile interest, which spreads like a gangrene over the whole body of a nation, and to every branch of government; and which hath never failed, in any one instance, where it hath been suffered, to become the bane of liberty.

We have now carried the two parties through that period of time, when the conduct of both was most liable to the objections made to them by their adversaries. -- The Tories acted on the most abject principles of submission to the King; and, on those of hereditary right, were jealous for the succession of a prince, whose bigot rendered him unfit to rule a Protestant and a free people. -- The Whigs maintained the power of Parliament to limit the succession to the crown, and avowed the principle of resistance; in which they had law, example and reason for them. But then the fury of faction was for doing that without Parliament, which could only be legally done by it: and, in order to this, the principles of resistance were extended too far; and the hottest men of the party taking the lead, they acted in an extravagant spirit of licence, rather than a sober spirit of liberty; and the madness of a few, little inferior to that of Cromwell's enthusiasts, dishonoured the whole cause for a time. My intention was not to have left them here; but to have carried these observations on so far as to justify, notwithstanding these appearances, what is said at the conclusion of my last letter, concerning the true characters of both parties. But either the abundance of matter hath deceived me, or I have wanted skill and time to abridge it; so that I must defer this part of my task, and crave your indulgence, as well as that of your readers, for my prolixity.

I am, sir, etc.

Letter VII

Sir, I advanced, in the first of these essays, something to this effect; that every clumsy, busy, bungling child of fortune, on whom she bestows the means and the opportunity of corrupting, may govern by this infamous expedient; and, having gratified his ambition and avarice, may have a chance to secure himself from punishment, by destroying the liberties of his country. It was advanced likewise, in the same paper, that every character is not equally fit to govern a people, by dividing them; because some cunning, some experience, nay, some skill to form, and some address to conduct a system of fraud, are necessary in this case. I persuade myself that no man, who read that paper, was at a loss to find an instance to confirm the truth of the first of these propositions; and we have now before us another, which may serve to confirm the truth of the second. Though I do not think the designs of King Charles the Second either deeply laid, or deeply fixed in his own mind; yet in general they were founded on bad principles, and directed to bad ends. He desired indeed to be easy, and to make his people so; but then he desired both these on such conditions, as were inconsistent with good government, during the whole course of his reign; and with the security of religion and liberty, during the latter part of it. We have seen how the intemperate conduct of many, and the flagitious designs of some among the Whigs, weakened their own party, and gave new strength and new provocations to the other. But we have not yet considered some other advantages, without which these divisions could neither have been fomented, nor supported as they were. Now these advantages arose chiefly from the character and conduct of the King himself. If King Charles had found the nation plunged in corruption; the people choosing their representatives for money, without any other regard; and these representatives of the people, as well as the nobility, reduced by luxury to beg the unhallowed alms of a court; or to receive, like miserable hirelings, the wages of iniquity from a minister: if he had found the nation, I say, in this condition (which extravagant supposition one cannot make without horror) he might have dishonoured her abroad, and impoverished and oppressed her at home, though he had been the weakest prince on earth, and his ministers the most odious and contemptible men that ever presumed to be ambitious. Our fathers might have fallen into circumstances, which compose the very quintessence of political misery. They might have sold their birth-right for porridge, which was their own. They might have been bubbled by the foolish, bullied by the fearful, and insulted by those whom they despised. They would have deserved to be slaves, and they might have been treated as such. When a free people crouch, like camels, to be loaded, the next at hand, no matter who, mounts them, and they soon feel the whip, and the spur of their tyrant; for a tyrant, whether prince or minister, resembles the devil in many respects, particularly in this. He is often both the tempter and tormentor. He makes the criminal, and he punishes the crime.

But this was not the state of the English nation, at the time we speak of. We were not yet corrupted, nor even quite ripe for corruption. Parties there were; and the contests of these parties gave occasion to the rise and growth of factions; some of which ran into the most seditious practices against the government, and others into the vilest submission to it. But still a spirit of liberty remained in many, uncorrupted and un-extinguished, and such as worked our national deliverance in the days of distress, that soon followed. We were freemen then, in the proper sense and full extent of the words; because not only the laws, which asserted our common rights, were maintained and improved, but private independency, which can alone support public liberty under such a government as ours, was itself supported by some of that ancient economy and simplicity of manners, that were growing, but not grown, out of fashion. Such a people, as we then were, could neither be bought, nor driven; and I think King Charles could not have divided and led them, if he had wanted any of the qualities he possessed, or had held another conduct than he held. Far from being proud, haughty, or brutal, 'he had not a grain of pride, or vanity, in his whole composition'; but was the most affable, best-bred man alive. He treated his subjects like noblemen, like gentlemen, like freemen, not like vassals, or boors. Whatever notion he had of his hereditary right, he owned his obligation for the crown he wore to his people, as much as he would have been bound to do, in reason, in justice, in honour, and in prudence, if he had stood at the greatest distance from it, in the course of lineal succession, and had been called to it from the low state in which he was before, by the free gift and choice of the nation. His professions were plausible, and his whole behaviour engaging; so that he won upon the hearts, even whilst he lost the good opinion of his subjects, and often balanced their judgment of things, by their personal inclination. These qualities and this part of his conduct went a great way to give him credit with his people, and an hold on their affections. But this was not all. He observed their temper, and he complied with it. He yielded to them in points, from which he had determined, and declared too, that he would never depart. To know when to yield in government, is at least as necessary, as to know when to lose in trade; and he who cannot do the first, is so little likely to govern a kingdom well, that it is more than probable he would govern a shop ill. King Charles gave up to the murmurs of his people, not one or two such ministers as may be found almost behind every desk, those awkward pageants of courts, those wooden images, which princes gild and then worship; but several great and able men, nay, whole cabals of such, who had merit with him, though they had none with the nation. He started often out of the true interest of his people, but the voice of his people almost as often reclaimed him. He made the first Dutch war, but he made the Triple Alliance too. He engaged with France in the war of 1672, but he made a separate peace with Holland. True it is, indeed, that neither the representations of his parliament, nor the desires of his people, could prevail on him to go farther, and to enter in earnest into the war against France. But the confidence between him and his parliament was so broken at that time, that they would not trust him, nor he them. At this I am not surprised, and for that very reason, I confess, I have always been so at the strong and repeated instances made to force him into that war; since it cannot surely be better policy to drive a prince into a war, which he has no inclination to make, than it would be to be drawn by him into a war, if he had no ability to conduct it. In home affairs, besides his frequent concessions, whenever the nation took umbrage at his proceedings, he passed the Test and Habeas Corpus bills, and many others for the public benefit: and I scarce remember any popular act, which stopped at the throne in his time, except that about the militia, which he apprehended to be a dangerous encroachment on his prerogative, and another in favour of the Dissenters, which was contrived, meanly enough, to be stolen off the table in the House of Lords.

What has been touched here, and in former papers, will be sufficient to show, in some measure, how King Charles was enabled to divide a nation so united and so heated as this nation was, on the discovery of the Popish Plot; to oppose so avowedly and so resolutely the exclusion of his brother, the prospect of whose succeeding to the crown was become still more dreadful, even by that small part of Coleman's correspondence, which had come to light: and yet to attach so numerous a party to himself, nay to his brother; to lay aside Parliaments for several years, and not only to stand his ground, but to gain ground in the nation, at the same time. But there is still something more to be added. He had not only prepared for the storm, but he acquired new strength in the midst of it; that is, in the proceedings on the Popish Plot, and the bill of exclusion. He would gladly have kept the former out of Parliament; but when it was once there, he put on the appearances of great zeal for the prosecution of it. These appearances helped him to screen his brother; as the ill success of the Exclusion Bill in the House of Lords, where it was rejected by sixty-three against thirty, helped to screen himself from the violence of the House of Commons. But that which gave him the principal advantage, in the present contests, was another management. As soon as the first preparatory steps were made to the bill of exclusion in 1678, he declared himself, in a speech to his Parliament, ready to pass any bills to make his people safe in the reign of his successor, so they tended not to

impeach the right of succession, nor the descent of the crown in the true line. He persisted in his declaration to the last; and if he had done nothing else, I imagine that he would have gained no great popularity. When a free people lie under any grievance, or apprehend any danger, and try to obtain their prince's consent to deliver them from one, or prevent the other, a flat refusal, on his part, reduces them to the melancholy alternative of continuing to submit to one, and to stand exposed to the other, or of freeing themselves from both, without his consent; which can hardly be done by means very consistent with his and their common interest. King Charles was too wise to push the nation to such an extremity. He refused what his Parliament pressed on him, in the manner and on the principle they pressed it; but then his refusal was followed by expedients, which varied the manner, and yet might have been managed so as to produce the effect; and which seemed to save, rather than actually saved, the principle. Numbers concurred, at that time, in avowing the principle; and the tests had made many persons think religion safe; as the King's offers made them think it no fault of his, if it was not made safer. The council had prepared some expedients; and the limitations, and other provisions against a popish successor, proposed directly from the throne by the Chancellor in 1679, went a great way towards binding the hands of such a successor, and lodging the power, taken from him, in the Parliament. But the scheme of expedients, debated in the Oxford Parliament, was a real exclusion from every thing, but the title of a king. The first article banished the Duke of York, during his life, to the distance of five hundred miles from England, Scotland and ireland; and the tenth, to mention no more, excluded him ipso facto, if he came into any of these kingdoms; directed that he should suffer, in this case, as by the former bill; and that the sovereignty should vest forthwith in the regent, that is, in the Princess of Orange. Surely this was not to vote the lion in the lobby into the house. It would have been to vote him out of the house, and lobby both, and only suffer him to be called lion still. I am not ignorant of the refinements urged by Sir William Jones and others against this scheme: but I know that men run into errors from both extremes; from that of seeing too much, as well as that of seeing too little; and that the most subtle refiners are apt to miss the true point of political wisdom, which consists in distinguishing justly between what is absolutely best in speculation, and what is the best of things practicable in particular conjunctures. The scheme, no doubt, was built on a manifest absurdity, and was liable to many inconveniencies, difficulties and dangers; but still it was the utmost that could be hoped for at that moment: and the single consideration, one would think, should have been this: whether, united under such an Act of Parliament, they would not have opposed the succession of the Duke of York, with less inconveniency, less difficulty and danger, than disunited, and with the laws against them. The truth is, that as there were men at this time, desirous that the King should be on desperate terms with his Parliament, because they were so themselves; in like manner there were others, who desired, for a reason of the same nature, that the Parliament should be on desperate terms with the King. These were factious interests, and they prevailed against the national interest, which required that the King should be separated at any rate from his brother, instead of being united to him by a fear made common to both. But the die was thrown; and the leaders of the Whig party were resolved. 'to let all lie in confusion, rather than hearken to any thing, besides the exclusion'. Obstinacy provoked obstinacy. The King grew obstinate, and severe too, against his natural easiness and former clemency of temper. The Tory party grew as obstinate, and as furious on their side, according to a natural tendency in the disposition of all parties: and thus the nation was delivered over, on the death of King Charles, 'à la sottise de son frère'; 'to the folly and madness of his brother'.

It was this folly and madness however, that cured the folly and madness of party. As the common danger approached, the impressions of terror which it made, increased. Whig and Tory then felt them alike, and were brought by them, as drunken men sometimes are, to their senses. The events of King James's reign, and the steps by which the Revolution was brought about, are so recent, and so well known, that I shall not descend into any particular mention of them. A few general remarks on the behaviour of his prince, and on the behaviour of parties in his reign, and at the Revolution, will be sufficient to wind up the history of Whig and Tory, and to prove what I have so often asserted, that both sides purged themselves on this great occasion, of the imputations laid to their charge by their adversaries; that the proper and real distinction of the two parties expired at this era, and that although their ghosts have continued to haunt and divide us so many years afterwards, yet there neither is, nor can be any division of parties at this time, reconcilable with common sense, and common honesty, among those who are come on the stage of the world under the present constitution, except those of Churchmen and Dissenters, those of Court and Country.

This behaviour and conduct of King James the Second would be sufficient, if there was no other instance, and there are thousands, to show that as strong prejudices, however got, are the parents, so a weak understanding is the nurse of bigotry, and injustice and violence and cruelty its offspring. This prince was above fifty, when he came to the throne. He had great experience of all kinds;

particularly of the temper of this nation, and of the impossibility to attempt introducing popery, without hazarding his crown. But his experience profited him not. His bigotry drew false conclusions from it. He flattered himself that he should be able to play parties against one another, better than his brother had done (which, by the way, was the least of his little talents) and to complete his designs by an authority, which was but too well established. He passed, I think, for a sincere man. Perhaps, he was so; and he spoke always with great emphasis of the word of a king; and yet never was the meanest word so scandalously broken as his. In the debate in 1678, about the Test, when he got a proviso put in for excepting himself, it has been advanced in print, and not denied that I know of, that speaking with 'great earnestness, and with tears in his eyes, he solemnly protested that whatever his religion might be, it should only be a private thing between God and his own soul; and that no effect of it should ever appear in the government'. At his accession to the throne, in council first, and after that in full Parliament, in the face of the nation, he made the strongest declaration in favour of the constitution in Church and state, and took the most solemn engagements to defend and support it. But bigotry burst through all these cobwebs; for such they are to men, transported by a religious delirium, who acquires a strength that those, who are well, have not, and conscientiously break all the obligations of morality. These admirable dispositions in the King were encouraged by the state in which his brother left and he found the nation, and by the complaisance of the Parliament, which he called soon after his accession. They were confirmed, and he was determined to pull off the mask entirely, by the ill success of the Duke of Monmouth and the Earl of Argyll. Bishop Burnet speaks of this Parliament very indecently, and I think very untruly. They were neither men of parts, nor estates, according to him. The truth is, that the circumstances under which we were brought by the factious proceedings of both parties, in the late reign, for and against the court, were such as might perplex the best parts, and puzzle the heads even of the wisest men. A professed, zealous papist, in full and quiet possession of the throne, and, instead of any provision made, or any measures taken against him, the notion and the exercise of the prerogative established at an extravagant height, were such circumstances, as laid the nation almost at the mercy of the King. They therefore, who were the most determined not to part with either their religion, or their liberty, and yet had more to lose in the fray than Dr Burnet, might be willing to look round them, to wait opportunities, and not undertake rashly what can seldom be undertaken twice. It is impossible to believe that their confidence in the King's word was such as they affected. But like drowning men, who saw nothing else to catch at, they caught at a straw. The Duke of Monmouth's expedition into England, and the Earl of Argyll's into Scotland, were so far from affording the nation any opportunity of mending their condition, that the declaration of the former might draw some of the Dissenters to his standard, as it did; but was calculated to drive the Tory party, most of the Whigs, and in short the bulk of the people from him. The declaration of the latter was founded in the Solemn League and Covenant; and gave so much reason to apprehend that a revival of the same principles, and a renewal of the same tyranny was intended, that we cannot wonder it had no better an effect; though we lament the fate of a worthy and gallant man, whose crime was refusing a test, that should never have been imposed on protestants and freemen, and who had been driven into these extreme resolutions by a series of unjust and tyrannical usage.

Thus were these invasions, in the very beginning of his reign, favourable in some respects to the designs of King James. They fortified, in the minds of men, and jealousies and fears, which had a few years before formed the Tory party, and disposed them by consequence, at least, to keep measures and not break with the King. They gave him the pretence, which he seized very readily, of raising and keeping up a standing army. But, in the event, they forwarded our deliverance from all the dangers to which we were exposed under his government, by precipitating his attempts against our religion and liberty. The same day that the news of the invasion in Scotland was communicated to the Parliament here, the Commons voted that great revenue, which they gave him, and gave him for life. After these invasions were over, they voted a supply, which was intended for the charge of maintaining the additional forces. They offered to pass a law for indemnifying his popish officers from the penalty they had incurred, and to capacitate such others as he should name in a list to be given to the House. In short, they suffered themselves to be drawn to the brink of the precipice: but there they stopped. They would neither give him the whole supply of one million two hundred thousand pounds, which he asked, nor sanctify, by the authority of Parliament, the practice of keeping up a standing army in time of peace; but rejected the words moved for that purpose. They would neither repeal the Test and Penal laws, nor submit to his dispensing, or suspending, which was in effect a repealing power: that is, they would not cast themselves headlong down the precipice. And because they would not, he quarrelled with them, lost the seven hundred thousand pounds they had voted, rather than suffer them to sit any longer; and never met them more.

Things hastened now to a decision. The King's designs were openly avowed, and desperately

pushed. The Church of England opposed them with the utmost vigour. The Dissenters were cajoled by the court; and they, who had been ready to take arms against King Charles, because he was unwilling to exclude his brother, and who had taken arms against this prince, since he was on the throne, became abetters of his usurpations. It were safe to prove this, even by bishop Burnet's account, as much as that is softened; and if the excuses, which have been made for their silence against popery in this critical moment, or for their approving and encouraging the exercise of a dispensing power, are to be received, one may undertake to excuse, on the same principles of reasoning, all those instances of misconduct in the Church party, which I have presumed to censure so freely. But the truth is, these excuses are frivolous. I could quote some that are even burlesque. Let us reverence truth therefore, and condemn the Dissenters as frankly, on this occasion, as we have condemned the members of the Church of England on others.

The Revolution soon followed. Many of the most distinguished Tories, some of those who carried highest the doctrines of passive obedience and non resistance, were engaged in it, and the whole nation was ripe for it. The Whigs were zealous in the same cause; but their zeal was not such as, I think, it had been some years before, a zeal without knowledge: I mean, that it was better tempered, and more prudently conducted. Though the King was not the better for his experience, parties were. Both saw their errors. The Tories stopped short in the pursuit of a bad principle. The Whigs reformed the abuse of a good one. Both had sacrificed their country to their party. Both sacrificed, on this occasion, their party to their country. When the Tories and the Whigs were thus coalited, the latter stood no longer in need of any adventitious help. If they did not refuse the assistance of those, who had weakened their cause more by the jealousies and fears to which they gave both occasion and pretence, than they had strengthened it by their number, yet they suffered them to have no influence in their councils, no direction of their conduct. The cause of liberty was no longer made the cause of a party, by being set on such a bottom, and pushed in such a manner, as one party alone approved. The Revolution was plainly designed to restore and secure our government, ecclesiastical and civil, on true foundations; and whatever might happen to the King, there was no room to suspect any change in the constitution. There were some, indeed, concerned in this great and glorious undertaking, who had obstinately preserved or lightly taken up the republican and other whimsies that reigned in the days of usurpation and confusion. If they could have prevailed, and it was no fault of theirs they did not, the coalition of parties had been broken; and, instead of a Revolution, we might have had a civil war, perhaps, not even that sad chance for our religion and liberty. But this leaven was so near worn out, that it could neither corrupt, nor seem any longer to corrupt the mass of the Whig party. The party never had been Presbyterians, nor republicans, any more than they had been Quakers; any more than the Tory party had been papists, when, notwithstanding their aversion to popery, they were undeniably under the accidental influence of popish counsels. But even the appearances were now rectified. The Revolution was a fire, which purged off the dross of both parties; and the dross being purged off, they appeared to be the same metal, and answered the same standard.

I shall deliver my thoughts, on some other occasion, concerning the disputes that arose about the settlements of the crown after the Revolution; and show, if I do not very much deceive myself, that no argument can be drawn from thence against any thing I have advanced.

I am, sir, etc.

Letter VIII

Sir, The slavish principles of passive obedience and non-resistance, which had skulked perhaps in some old homily before King James the First, but were talked, written and preached into vogue in that inglorious reign, and in those of his three successors, were renounced at the Revolution by the last of the several parties who declared for them. Not only the laity, but the clergy embraced and co-operated in the deliverance which the Prince of Orange brought them. Some of our prelates joined to invite him over. Their brethren refused to sign an abhorrence of this invitation. The University of Oxford offered him their plate, and associated for him against their King. In one word, the conduct of the Tories, at this crisis, was such as might have inclined a man to think they had never held resistance unlawful, but had only differed with the Whigs about the degree of oppression, or of danger, which it was necessary to wait, in order to sanctify resistance. Now, it may appear at first a little strange that these principles, which had always gone hand in hand with those of the divine, hereditary, indefeasible right of kings, that were just as well founded in reason, in support of which the example of the primitive Christians might be pompously cited, and to countenance which some texts to the Bible might be piously strained, should not keep their hold, and maintain their influence,

as well as the others.

This attachment to hereditary right will appear the more strange, if we consider what regard was shown, at this time, to the difficulties they who had pawned themselves, as it were, for the principles, would be under, when they came to concur in establishing a settlement repugnant to it. That great and solemn resolution, about the abdication of King James, and the vacancy of the throne, might have been expressed in terms much stronger and plainer than it was. I have heard there were persons who had a mind it should be so, and who, more attached to the honour, that is, the humour of party, than to the national interest, in this great event, would have turned this resolution, as well as the declaration of the Prince of Orange, to a more express approbation of the Whig and a more express condemnation of the Tory tenets and conduct. But a wiser and honester consideration prevailed. Instead of erecting the new government on the narrow foundations of party systems, the foundations of it were laid as wide, and made as comprehensible as they could be. No man, I believe, at this time thinks that the vote asserted too little; and surely there was no colour of reason, on the side of those who cavilled against it at that time, for asserting too much.

The disputes about the words abdicate, or desert, and about the vacancy of the throne, were indeed fitter for a school than a house of Parliament, and might have been expected in some assembly of pedants, where young students exercised themselves in disputation, but not in such an august assembly as that of the Lords and Commons, met in solemn conference upon the most important occasion. The truth is, that they who formed the opposition, were reduced to maintain strange paradoxes; stranger, in my opinion, than most of those which cast so much ridicule on the Stoics of old. Thus, for instance, they were forced to admit that an oppressed people might seek their remedy in resistance, for they had sought it there themselves; and yet they opposed making use of the only remedy, which could effectually secure them against returns of the same oppression, when resistance had put it in their power, as oppression had given them a right to use this remedy. Surely this must appear a paradox, and a very absurd one too, if we consider that resistance, in all such cases, is the mean, and future security the end; and that the former is impertinent, nay, wicked in the highest degree, if it be not employed to obtain the latter. Thus again, the same men declared themselves willing to secure the nation against the return of King James to that throne which he had abdicated, or, according to them, deserted: nay, some of them were ready, if we may credit the anecdotes of that time, to proceed to such extreme resolutions, as would have been more effectual than justifiable in the eyes of mankind; and yet they could not prevail on their scrupulous consciences to declare the throne vacant. They had concurred in the vote, that it was 'inconsistent with the laws, liberties and religion of England to have a papist rule over the kingdom'. King James had followed the pious example of Sigismond, who, not content to lose the crown of Sweden himself for his religion, had carried his son away, that he might be bred a papist, and lost it too; and yet they maintained, though they did not expressly name him, that if the throne was then, or should be at any time vacant of the father, it must be reputed instantaneously full of the son, upon the foundation of this silly axiom, that the king never dies. According to this law, and these politics, King James and his successors, to the twentieth generation, might have continued abroad, a race of royal exiles, preserving their indefeasible right to govern, but debarred from the exercise of it; whilst the nation continued, during all this time, from century to century, under the dominion of regents, with regal authority, but without any regal right: an excellent expedient, sure to keep the monarchy in an hereditary succession! But there remained none better, on the principles of these men, since the Prince of Orange had committed the fatal oversight of neglecting to conquer the nation. His sword would have cut the gordian knot of hereditary right, and they could have submitted with safe consciences to a conqueror. But to give the crown to a prince, though they had put the whole administration into his hands; which, by the way, was high treason, unless the throne was, what they denied it to be, actually vacant: to give the crown, I say, to a prince who would not take it, when it was in his power to take it, without their consent; to settle a new government by agreement and compact, when the glorious opportunity of establishing it by force and conquest had been unhappily lost: these were propositions to which they could not consent. King James had violated the fundamental laws, which he had promised over and over, and sworn to maintain. He had shown by his first escape, when nothing was more imposed on him than to wait the resolution of a free Parliament, that he would renounce his crown rather than submit to secure effectually the observation of these laws. He had made a second escape, which was voluntary as well as the first, and made on the same principle, against the entreaties of his friends, and the instigations of the same council that had directed his former conduct, and on a letter from the Queen, claiming his promise to do so. Notwithstanding all these reasons, they who maintained the hereditary right of our kings, reduced themselves, and would have reduced their country, to the absurd necessity of altering their constitution, under pretence of preserving it. No king, except a Stuart, was to reign over

us: but we might establish a doge, a lord archon, a regent; and thus these warm assertors of monarchy, refusing to be slaves, contended to be republicans. Many more paradoxes of equal extravagance might be cited, which were advanced directly, or which resulted plainly from the arguments employed on one side of the question in those disputes; but the instances I have cited may suffice for our present purpose, and may serve to show, that although difficulties hard to solve in speculation, or to remove in practice, will arise in the pursuit such absurdities as these can suit of the most rational principles, never arise, except from the most irrational, and always must arise from such.

If the persons who maintained this divine, hereditary, indefeasible right of our kings, had thought fit to drop these principles, when they laid aside those of passive obedience and non-resistance, and no tolerable reason can be given why they did not, their conduct would have been consistent and uniform on this great occasion; and this consistency and uniformity would have been productive of great good, by taking away at once even the appearances of all political division in the bulk of the nation. But whilst they laboured to reconcile their present conduct to their ancient system, they were true to neither. They had gone much farther than this would allow, and then they refused to go as far as the other required, in order to be safe, and therefore in order to be justified. They lost every kind of merit: the chimerical merit of adhering to a set of silly principles, the real merit of sacrificing their prejudices to the complete deliverance of their country from the recent danger of popery and arbitrary power. Nay, they did worse, for the mischievous consequences of their conduct were not hurtful to them alone, and at that time alone, but to the public, and even down to these times. They furnished pretence to factions, who kept up a division under the old names, when the differences were really extinguished by the conduct of both parties, because the conduct of both parties was no longer conformable to the principles imputed to them. The Tories had no longer any pretence of fearing the designs of the Whigs, since the Whigs had sufficiently purged themselves from all suspicion of republican views, by their zeal to continue monarchical government, and of latitudinarian schemes in point of religion, by their ready concurrence in preserving our ecclesiastical establishment, and by their insisting on nothing farther, in favour of the Dissenters, than that indulgence which the Church was most willing to grant. The Whigs had as little pretence of fearing the Tories, since the Tories had purged themselves, in the most signal manner, from all suspicion of favouring popery or arbitrary power, by the vigorous resistance they made to both. They had engaged, they had taken the lead in the Revolution, and they were fully determined against the return of King James. The real essences of Whig and Tory were thus destroyed, but the nominal were preserved, and have done since that time a good part of the mischief which the real did before. The opposition made to the settlement of the crown brought this about. An over-curious enquiry into the motives of this opposition would be a task too invidious for me to undertake. Something however may be said upon it. We may say in general, without offence, that private ambition mingled itself early in the great and national concerns of the Revolution; and that it did so more, as the prospect of a new settlement and of the elevation of the Prince of Orange approached. Expectations were raised, disappointments were given or foreseen, and a variety of motives, of the same kind, began to influence very strongly the conduct of the principal actors. Some endeavoured to lay the foundations of their future fortune by demonstrations of a personal attachment to the Prince, which were carried on, I doubt, a little too independently of the regard due to their country, in some cases; particularly, if I mistake not, in that of the Declaration of Rights, of which we may pronounce, and experience will justify us, that it was too loose, too imperfect, and nothing less than proportionable to the importance of the occasion, and the favourable circumstances of the conjuncture. Others there were, who imagined that the shortest and surest way for them to take, in pursuit of the same view, was to make themselves considerable by opposition, to form a party, and maintain a struggle for personal power, under the pretence and umbrage of principle. This was, without doubt, the motive of some particular leading men, and could not be, at least at first, the motive of numbers. But there was another motive, which easily became that of numbers, because it arose out of a fund common to all men, the perversity of human nature, according to an observation made in one of these letters. Whilst the event of the Prince of Orange's expedition was undecided, men remained under the full influence of their fears, which had determined them to act against their prejudices. But when the Revolution was secure, and these fears were calmed, these prejudices resumed in some degree their former power, and the more for being revived and encouraged by men of reputation and authority who argued for some, and might as reasonably have argued for all the errors, in contradiction to which most of them had acted, nay and were ready to act. With such views, and by such means, were many brought, at this time, to entangle themselves in a maze of inextricable absurdities. Had they owned candidly and fairly that their principles, as well as those of the Whigs, were carried too high in the former disputes of parties, and that these principles could not be true,

since they found themselves actually in a situation, wherein it was not possible to act agreeably to them, without manifest absurdity, the distinction, as well as the difference of Whig and Tory had been at an end. But contrary measures produced a contrary effect. They kept up the appearances, and they could keep up no more, of a Whig and a Tory party, and with these appearances a great part of the old animosity. The two names were sounded about the nation, and men who saw the same ensigns flying, were not wise enough to perceive, or not honest enough to own, that the same cause was no longer concerned, but listed themselves on either side, as their prejudices at first, and their inclinations, or other motives, which arose in the progress of their contests, directed them afterwards: Whigs very often under the Tory standard, Tories very often under the Whig standard.

This general representation, which I have made of the state of parties at the Revolution, is, I am verily persuaded, exactly just; and it might be supported by many particular proofs, which I choose rather to suggest than to mention. But if any doubt remains, let us analyse the several parties of that time a little more, reduce them to their first and real principles, and then pronounce whether we find the Whig or the Tory party subsisting among them.

In the first place, there was a party that concurred in making the new settlement; a party that prevailed in Parliament, and was by much the majority of the nation out of it. Were the Whigs this majority? Was this party a Whig party? No man will presume to affirm so notorious an untruth. The Whigs were far from being this majority, and King James must have died on the throne, if the Tories had not concurred to place the Prince of Orange there in his stead. Was this party a Tory party then? Certainly no. The Whigs had been zealous in the same cause, and had contributed to make it successful by their temper, as well as their zeal, by waiting the time of the Tories, or rather the maturity of the conjuncture, and by moderating their principles and their conduct in favour of that coalition, without which the Revolution could have succeeded no more than the exclusion did. We find then here neither a Whig nor a Tory party; for in coalitions of this kind, where two parties are melted as it were into one, neither of them can be said, with truth and propriety, to exist.

There was another party directly opposite to this; a certain number of men, on whom the original taint transmitted down from King James the First, remained still in the full strength of its malignity. These men adhered to those principles, in the natural sense and full extent of them, which the Tories had professed. But yet, the Tories having renounced these principles, or distinguished themselves out of any obligation to observe them, this inconsiderable faction could not be deemed the Tory party, but received the name of Jacobite with more propriety.

Two other parties there were at this time, formed on one common principle, but widely different however, by the different consequences they drew from it. The principle I mean, is that contained in the distinction of a king de jure, and a king de facto. The famous statute of Henry the Seventh authorized this distinction. The statute was designed principally, no doubt, for the advantage of the subjects, that they might be safe, whichever side prevailed, in an age when the epidemical folly of fighting for different pretenders had spilt oceans of blood on the scaffold, as well as in the field; and yet the statute was designed for the service of kings de facto too, and particularly of Henry the Seventh. The author of Hereditary Right Asserted would have us believe otherwise; and yet surely nothing can be more evident than this: that if King Henry the Seventh's right had been as unquestionable as he supposes, and I presume to deny that it was, yet he would have been declared a king de facto only, if the intrigues of the Duchess of Burgundy, and the faction of York had succeeded; and consequently this provision for the safety of his adherents, in that possible contingency, gave strength to him, as it would have given strength to any other prince, whilst it attached his adherents to him by the apparent security it provided; for this author contends that it did not establish a real security, and advises us to suspend our judgment on the validity of this statute, till we see what the 'opinion of Parliament or the judges may be, whenever a king de jure shall dispossess a king de facto'. He refers us ad Calendas Graecas.

But there are two observations to be made to our present purpose on this statute, which seem to me natural and plain. First, it confounds in effect the very distinction it seems to make; since it secures alike, and, by securing alike, authorizes alike those who adhere to the king de jure, and those who adhere to the king de facto, provided they adhere to the king in possession. Secondly, it was contrived to hinder people, according to my lord Bacon's sense of it, 'from busying themselves in prying into the King's title, and : that subjects might not trouble themselves with enquiries into the justness of the King's title or quarrel'. Now, upon the foundations of this distinction and this statute, thus understood, they who demurred on the settlement of the crown at the Revolution, might plausibly, though I think very unreasonably, resolve neither to vote, nor act themselves, against those maxims and principles which they had entertained and professed, as maxims of law, and

principles of the constitution, and yet resolve to submit sincerely, and adhere faithfully to a new establishment, when it was once made. But the other of the two parties I mentioned drew from the same principle, of distinguishing between a king de facto and a king de jure, a very different conclusion. They acknowledged one king, and held their allegiance still due to another. They bound themselves by oath to preserve a settlement which they pretended themselves in conscience obliged to subvert. This was to justify perfidy, to sanctify perjury, to remove the sacred boundaries of right and wrong, and, as far as in them lay, to teach mankind to call good evil, and evil good.

Such were the three divisions into which men broke at the Revolution, in opposing the settlement then made, whilst the great body of the nation concurred in it, and Whig and Tory formed in reality but one party. The first of these divisions continued, and became a faction in the state, but made no proselytes, and is worn out by time. The principle of the second was wrong, but it could not be reputed dangerous whilst it lasted, and it seems to have been built on so narrow and slippery a foundation, that it did not continue long in force. I may be more bold in asserting this, since if we look back to the era of the Revolution, and to the times which followed, we shall find among those who voted for a regent, not a king, on the abdication of King James, some illustrious persons who served King William faithfully, who adhered inviolably to our new establishment, and who have been distinguished friends of the succession that hath now taken place. That there have been persons, who deserved to be ranked under the third head, is too notorious to be denied; but I persuade myself that this division hath consisted always of a flux body. On one hand, it is scarce possible to believe that any number of men should be so hardened, as to avow to themselves, and to one another, the acting and persisting to act on a principle so repugnant to every notion and sentiment that harbour in the breasts of social creatures. On the other, we know how the sallies and transports of party, on some occasions, can hurry even reasonable men to act on the most absurd, and honest men to act on the most unjustifiable principles, or both one and the other on no principle at all, according as the object which the prevailing passion presents to them directs. This hath been the case of many since the Revolution, and there are some of all sides, I believe, still alive, sure I am that there were some a few years ago, who know that no side is absolutely unexceptionable in this respect.

I am, sir, etc.

Letter IX

Sir, But whatever the state of parties was at the Revolution, and for some time afterwards, the settlement made at that time having continued, that state of parties hath changed gradually, though slowly, and hath received at length, according to the necessary course of things, a total alteration. This alteration would have been sooner wrought, if the attempt I have mentioned, to defend principles no longer defensible, had not furnished the occasion and pretence to keep up the appearances of a Tory and a Whig party. Some of those who had been called Tories furnished this pretence. They who had been called Whigs seized and improved it. The advantages to one side, the disadvantages to the other, the mischiefs to the whole, which have ensued, I need not deduce. It shall suffice to observe, that these appearances were the more easy to be kept up, because several men, who had stood conspicuous in opposition to one another before the Revolution, continued an opposition, though not the same, afterwards. Fresh provocations were daily given, and fresh pretences for division daily taken. These contests were present; they recalled those that had passed in the time of King Charles the Second, and both sides forgot that union which their common danger and their common interest had formed at the Revolution. Old reproaches were renewed, new ones invented, against the party called Whigs, when they were as complaisant to a court as ever the Tories had been; against the party called Tories, when they were as jealous of public liberty and as frugal of public money as ever the Whigs had been. Danger to the Church, on one side, and danger to the state, on the other, were apprehended from men who meant no harm to either; for though Dissenters mingled themselves on one side, and Jacobites on the other, and notwithstanding the leanings of parties in favour of those, by whom they were abetted, yet is it a certain truth, that the struggle was in the main for power, not principle; and that there was no formal design laid on one side to destroy the Church, nor on the other the state. The cavils which may be made, and the facts which may be cited, some of older, and some of fresher date, against what hath been here said, do not escape me. Men of knowledge, and of cool and candid thought, will answer one, and account for the other, without my help; and I cannot resolve, for the sake of the passionate, nor even of the ignorant, to descend upon this subject into a greater detail.

I pass to that which is closer to my present purpose, and of more immediate use; and I say, that as

the natural dispositions of men are altered and formed into different moral characters by education, so the spirit of a constitution of government, which is confirmed, improved and strengthened by the course of events, and especially by those of fruitless opposition, in a long tract of time, will have a proportionable influence on the reasoning, the sentiments, and the conduct of those who are subject to it. A different spirit and contrary prejudices may prevail for a time, but the spirit and principles of the constitution will prevail at last. If one be unnatural, and the other absurd, and that is the case in many governments, a vigorous exercise of power, signal rewards, signal punishments, and a variety of other secondary means, which in such constitutions are never wanting, will however maintain, as long as they are employed, both the spirit and the principles. But if the spirit and principles of a constitution be agreeable to nature and the true ends of government, which is the case of the present constitution of the British government, they want no such means to make them prevail. They not only flourish without them, but they would fade and die away with them. As liberty is nourished and supported by such a spirit and such principles, so they are propagated by liberty. Truth and reason are often able to get the better of authority in particular minds; but truth and reason, with authority on their side, will carry numbers, bear down prejudices, and become the very genius of a people. The progress they make is always sure, but sometimes not observable by every eye. Contrary prejudices may seem to maintain themselves in vigour, and these prejudices may be kept up long by passion and by artifice. But when truth and reason continue to act without restraint, a little sooner or a little later, and often when this turn is least expected, the prejudices vanish at once, and truth and reason triumph without any rival.

The constitution of England had been seen in two very different lights for almost a century before the Revolution; so that there is no room to be surprised at the great opposition that appeared, when the Whig and Tory parties arose a very few years before that era, between principles which, as opposite as they were, each side pretended to establish on the nature of one and the same constitution. How this happened hath been often hinted, and I have not here room to explain any farther. Let us be satisfied that it is no longer the case. Our constitution is no longer a mystery; the power of the crown is now exactly limited, the chimera of prerogative removed, and the rights of the subject are no longer problematical, though some things necessary to the more effectual security of them may be still wanting. Under this constitution the greatest part of the men now alive were born. They lie under no pretence of obligation to any other, and to the support of this they are bound by all the ties of society, and all the motives of interest.

Let us prove what we advance; and that we may do so ad homines, let us borrow our argument from the great champion of hereditary right. Having mentioned in his introduction what he endeavours pompously, but vainly, to establish in his book in favour of hereditary right, 'a prescription of nine centuries, a continual claim of five hundred and fifty years', he attempts to convince us by a 'novel law, and a modern constitution'. This modern constitution is the Act of Recognition, in the first of King James the First. The declarations there made in favour of hereditary right, are no doubt as strong as words can frame, and the words are such as would tempt one to think, by the fustian they compose, that his majesty himself had penned them. From hence it is concluded, that since 'the vows and acts of fathers bind their posterity, this act, till the society hath revoked it lawfully, lays the same obligation on every member of the society, as if he had personally consented to it'. -- If this Act then was lawfully revoked, or repealed, another novel law, contrary to it, might be made equally binding; but neither this Act, nor the Act of the twelfth of Charles the Second, affirming the crown to appertain by just and undoubted right to the King, his heirs and lawful successors, having been expressly repealed, we still lie under the same obligations, and every settlement, contrary to them, and by consequence the settlement made at the Revolution, is unlawful. Now I ask, was not the will of Henry the Eighth, which excluded the whole Scottish line, made in pursuance, and by the authority of an Act passed in the twenty-fifth year of his reign? Hath not this author justified the validity of this will much to his own satisfaction, and, I believe, to that of his readers? Was this will lawfully revoked? Was this statute expressly repealed? I ask farther, whether hereditary right, and the obligations of subjects to it, could be made immutable and eternal, as this author asserts that they were by the Act of Recognition, without a manifest contradiction to the Act of Queen Elizabeth, which declares the power of Parliament to limit and bind the succession to the crown? Was this Act expressly repealed? That King James the First succeeded lawfully against law, our author is fond to maintain; and the proposition is not unlike that of some popish casuists, who assert that his holiness jure potest contra jus decernere, 'can decree rightfully against right'. But if these questions are fairly answered, it will result from such answers, and from the arguments I have quoted, that this novel law, this modern constitution, is a mere illusion; that it never bound any member of the society; and that the parliament had as much right to make the settlement in 1688, notwithstanding the Act of Recognition, as the parliament had to make this Act in 1603, notwithstanding the two Acts I have

mentioned, and the will of Henry the Eighth, made by virtue of the first of them. This wayward and forlorn hereditary right must therefore fall to the ground, or be supported by the supposed prescription of nine centuries, and claim of five and a half, which no intelligent man who reads this book, will be persuaded that the author hath proved a jot better, than the uninterrupted succession of popes, from St Peter down to his present holiness, is proved by the learned antiquaries of Italy. If this Act of Recognition be urged, as it sometimes is, to show the declared sense of the three estates of the kingdom, which declaration was obtained, it seems, in an hurry, since the Act was read three times in one House the same day; the declared sense of the three estates, not pronounced in an hurry, but after the most solemn debates and conferences, may be urged with much greater weight, in favour of our present settlement. If this Act of Recognition, notwithstanding what hath been objected, be urged as a law which had the assent of a king, in opposition to the proceedings of the Convention, by which King William and Queen Mary were raised to the throne, the answer is obvious and conclusive. The circumstances of the two cases are very different, but when they come to be weighed in a fair balance, those which attended the settlement of the crown on the Revolution, will be found at least as conformable to reason, to law, and to practice, as those which attended the establishment of the Stuart family. Queen Elizabeth designed King James the First to be her successor; the nation concurred to make him so; neither she nor they paid any regard to the law which stood in his way. Their reasons for acting in this manner are easy to be discovered in the history of that time, and on the same authority we may certainly conclude, that they would not have acted in this manner, if King James had been, like his mother, a professed papist. Thus he got into the throne, and when he was there, he got, like other Kings, such a title as he chose to stand upon, agnized, or recognized by his Parliament. The settlement at the Revolution was made by a convention of the lords spiritual and temporal, and a full and free representative of the whole body of the people. When King William and Queen Mary were once settled in the throne, this settlement was continued and confirmed by an assemblage of all the legislative powers. He who will dispute the validity of these proceedings, must show therefore first of all, what hath never yet been shown, no, not by the author I have so often quoted, the invalidity of the proceedings of those Parliaments, which raised Edward the Third and Henry the Fourth to the throne, which were called as irregularly, though by writs in the names of Edward the Second and Richard the Second, as it can be pretended that the Convention was. He must show the invalidity of the proceedings even of that assembly, by which Charles the Second was called home, till their proceedings became valid by a subsequent confirmation. He must show farther, how any of the laws of the princes of the house of Lancaster came to be constantly received and executed, a little better than the author of Hereditary Right Asserted hath done, by assuring us on his word that it was by the 'sufferance of Edward the Fourth and his successors, and the approbation of the people'. He must account for the continuance in force of the laws of Richard the Third, and of Henry the Seventh, a little better than the same author does, by the deficiency of Henry the Seventh's title, which upon another occasion he magnifies, though upon this he affirms it to have been no better than that of Richard the Third, and by the great respect of Henry the Eighth for his father. When this hath been once shown, it will be time to think of a reply. In the meanwhile we will observe, that besides the passion and party spirit which possess almost all those who write on this subject, there is a distinction which should be constantly made in cases of this nature, and which they never make, or never make exactly enough. They compare the proceedings without comparing the situation. Necessity and self preservation are the great laws of nature, and may well dispense with the strict observation of the common forms of any particular constitution. Either the Convention must have fallen into the absurdities I have already mentioned, or have called back King James, which would have been still a greater absurdity, or have left their country in absolute anarchy, or have done what they did. What they did, was done as near as possible to the spirit of our constitution, the forms of our laws, and the examples of former times. They had the merit, their posterity hath the benefit, nay, he who would say that they had the guilt, not the merit, must still allow that their posterity hath the benefit, without sharing the guilt; and, upon the whole matter, I will venture to assert, that he who scruples, or pretends to scruple, at this time, the validity of our present constitution, is no wiser, or else no honester, than he would be, who should scruple, or pretend to scruple, the validity of Magna Carta. I have often wished that some profound antiquary of much leisure, would write an elaborate treatise, to assert royal prerogative against the great charter, as well as hereditary right against the Revolution. I am persuaded that he would succeed alike in both. Why, indeed, should a charter, extorted by force, and therefore vicious in its principle, stand on a better foot, or have more regard paid to it, than a settlement made in opposition to a divine, and therefore indefeasible right? I say, and therefore indefeasible; because if it be not proved to be something more than human, it will hardly be proved indefeasible. But I quit this subject; upon which, perhaps, you may think I have spent my time as ill, as I should have done if I had preached against the Koran at Paul's. It is time to speak of the motives of interest, by which

we are bound, as well as by the ties of duty, to support the present constitution.

Upon this head a few words will be sufficient, since I presume that no prejudices can be strong enough to create much diversity of opinion in a case so very clear, and capable of being stated so shortly. Whether the Revolution altered our old constitution for the better, or renewed it, and brought it back to the first principles, and nearer to the primitive institution, shall not be disputed here. I think the latter, and every man must think that one or the other was necessary, who considers, in the first place, how the majesty and authority of the prince began to swell above any pitch, proportionable to the rank of chief magistrate, or supreme head, in a free state; by how many arts the prerogative of the crown had been stretched, and how many precedents, little favourable to liberty, had been set, even before the accession of the Scottish line; and who considers, in the next place, the direct tendency, confirmed by experience, of those principles of government, so frequently mentioned, which composed an avowed system of tyranny and established slavery as a political, a moral, and a religious obligation, which King James the First was too successful in establishing, but neither he nor his descendants were able to pursue. What these considerations made necessary, was done at the Revolution, at least, so far as to put it into our power to do the rest. A spirit of liberty, transmitted down from our Saxon ancestors, and the unknown ages of our government, preserved itself through one almost continual struggle, against the usurpations of our princes, and the vices of our people; and they, whom neither the Plantagenets nor the Tudors could enslave, were incapable of suffering their rights and privileges to be ravished from them by the Stuarts. They bore with the last king of this unhappy race, till it was shameful, as it must have been fatal, to bear any longer; and whilst they asserted their liberties, they refuted and anticipated, by their temper and their patience, all the objections which foreign and domestic abettors of tyranny are apt to make against the conduct of our nation towards their kings. Let us justify this conduct by persisting in it, and continue to ourselves the peculiar honour of maintaining the freedom of our Gothic institution of government, when so many other nations, who enjoyed the same, have lost theirs.

If a divine, indefeasible, hereditary right to govern a community be once acknowledged; a right independent of the community, and which vests in every successive prince immediately on the death of his predecessor, and previously to any engagement taken on his part towards the people; if the people once acknowledge themselves bound to such princes by the ties of passive obedience and nonresistance, by an allegiance unconditional, and not reciprocal to protection; if a kind of oral law, or mysterious cabbala, which pharisees of the black gown and the long robe are always at hand to report and interpret as a prince desires, be once added, like a supplemental code, to the known laws of the land; then, I say, such princes have the power, if not the right, given them, of commencing tyrants, and princes who have the power, are prone to think that they have the right. Such was the state of King and people before the Revolution. By the Revolution, and the settlement since made, this state hath received considerable alterations. A King of Britain is now, strictly and properly, what kings should always be, a member, but the supreme member, or the head of a political body: part of one individual, specific whole, in every respect, distinct from it, or independent of it in none: he can move no longer in another orbit from his people, and, like some superior planet, attract, repel, influence, and direct their motions by his own. He and they are parts of the same system, intimately joined and co-operating together, acting and acted upon, limiting and limited, controlling and controlled by one another; and when he ceases to stand in this relation to them, he ceases to stand in any. The settlements, by virtue of which he governs, are plainly original contracts. His institution is plainly conditional, and he may forfeit his right to allegiance, as undeniably and effectually, as the subject may forfeit his right to protection. There are no longer any hidden reserves of authority, to be let out on occasion, and to overflow the rights and privileges of the people. The laws of the land are known, and they are the sole springs, from whence the prince can derive his pretensions, and the people theirs. It would be to no purpose to illustrate any farther a matter which begins to be so well understood; or to descend into a more particular enumeration of the advantages that result, or may result, from our present settlement. No man, who does not prefer slavery to liberty, or a more precarious security to a better, will declare for such a government, as our national divisions, and a long course, seldom interrupted, of improvident complaisance to the crown, had enabled King James the Second to establish against such a government as was intended by the subsequent settlement: and if there be any such man, I declare that I neither write to him nor for him.

I may assume therefore, without fearing to be accused of begging the question, that the constitution under which we now live, is preferable to that which prevailed at any time before the Revolution. We are arrived, after many struggles, after a deliverance almost miraculous, and such an one as no nation hath reason to expect twice, and after having made some honest improvements on the

advantages of our new constitution, very near to that full security, under which men who are free and solicitous to continue so, may sit down, not without watchfulness, for that is never to be suffered to relax under such a government as ours, but without anxiety. The sum therefore of all these discourses, and of all our exhortations to one another, is, and ought to be, that we should not stop short in so important a work. It was begun at the Revolution; but he who thinks it was perfected then, or hath been perfected since, will find himself very much mistaken. The foundations were laid then. We proceeded for some time after that, like the Jews in rebuilding their temple; we carried on the holy work with one hand, and held our swords in the other to defend it. That distraction, that danger is over, and we betray the cause of liberty without any colour of excuse, if we do not complete the glorious building, which will last to ages yet remote, if it be once finished, and will moulder away and fall into ruins, if it remain longer in this imperfect state.

Now that we may see the better how to proceed in the cause of liberty, to complete the freedom, and to secure the duration of our present constitution, it will be of use, I think, to consider what obstacles lie, or may hereafter lie, in our way, and of what nature that opposition is, or may hereafter be, which we may expect to meet. In order to this, let us once more analyse our political divisions; those which may possibly exist now, or hereafter, as we did those which were formed at the Revolution.

One possible division then is that of men angry with the government, and yet resolved to maintain the constitution. This may be the case at any time; under the present wise, virtuous and triumphant administration, and therefore to be sure at any other.

A second possible division is that of men averse to the government, because they are so to the constitution, which I think can never be the case of many. or averse to the constitution, because they are so to the government, which I think may be the case of more. Both of these tend to the same point. One would subvert the government, that they might change the constitution. The other would sacrifice the constitution, that they might subvert the government.

A third possible division, and I seek no more, is that of men attached to the government; or, to speak more properly, to the persons of those who govern; or, to speak more properly still, to the power, profit, or protection they acquire by the favour of these persons, but enemies to the constitution.

Now, as to the first and second of these possible divisions, if there be any such among us, I do not apprehend that we are at present, or can be hereafter in much danger, or that the cause of liberty can meet with much opposition from them; though the second have certainly views more likely to bring slavery upon us, than to promote liberty. and though prudence requires that we should be on our guard against both. The first, indeed, might hope to unite even the bulk of the nation to them, in a weak and oppressive reign. If grievances should grow intolerable under some prince as yet unborn; if redress should become absolutely desperate; if liberty itself should be in imminent peril; the nature of our constitution would justify the resistance, that we ought to believe well enough of posterity to persuade ourselves would be made in such an exigency. But without such an exigency, particular men would flatter themselves extremely, if they hoped to make the nation angry because they were so. Private motives can never influence numbers. When a nation revolts, the injury is national. This case therefore is remote, improbable, nay, impossible, under the lenity, justice and heroical spirit of the present government; and if I mentioned such an imaginary party, it was only done that I might omit none which can be supposed. The projects of the second division, stated in the same hypothetical manner, are surely too extravagant, and their designs too wicked to be dangerous. Disputes may arise hereafter, in some distant time, about ministers, perhaps about Kings; but I persuade myself that this constitution will be, as it ought to be always, distinguished from, and preferred to both, by the British nation. Reasons must arise in process of time, from the very nature of man, to oppose ministers and Kings too; but none can arise, in the nature of things, to oppose such a constitution as ours. Better ministers, better Kings, may be hereafter often wanted, and sometimes found, but a better constituted government never can. Should there be therefore still any such men as we here suppose, among us, they cannot expect, if they are in their senses, a national concurrence, and surely a little reJection will serve to show them, that the same reasons which make them weaker now than they were some years ago, must make them weaker some years hence than they are now.

As to the third division, if any such there be, it is in that our greatest and almost our whole danger centres. The others cannot overthrow, but these may undermine our liberty. Capable of being admitted into power in all courts, and more likely than other men to be so in every court except the present, whose approved penetration and spotless innocence give a certain exclusion to them, they may prevent any further securities from being procured to liberty, till those already established are

dissolved or perverted. Since then our principal danger must in all times arise from those who belong to this division, it is necessary to show, before we conclude these discourses, by what means such men may carry on their pernicious designs with effect, and by what means they may be defeated. These considerations will lead us to fix that point, wherein men of all denominations ought to unite, and do unite, and to state the sole distinction of parties, which can be made with truth at this time amongst us.

I am, sir, etc.

Letter X

Sir, It may be asked, perhaps, how men who are friends to a government, can be enemies at the same time to the constitution upon which that government is founded. But the answer will be easy, if we consider these two things: first, the true distinction, so often confounded in writing, and almost always in conversation, between constitution and government. By constitution we mean, whenever we speak with propriety and exactness, that assemblage of laws, institutions and customs, derived from certain fixed principles of reason, directed to certain fixed objects of public good, that compose the general system, according to which the community hath agreed to be governed. By government we mean, whenever we speak in the same manner, that particular tenor of conduct which a chief magistrate, and inferior magistrates under his direction and influence, hold in the administration of public affairs. We call this a good government, when the execution of the laws, the observation of the institutions and customs, in short, the whole administration of public affairs, is wisely pursued, and with a strict conformity to the principles and objects of the constitution. We call it a bad government, when it is administered on other principles, and directed to other objects either. wickedly or weakly, either by obtaining new laws, which want this conformity, or by perverting old ones which had it; and when this is done without law, or in open violation of the laws, we term it a tyrannical government. In a word, and to bring this home to our own case, constitution is the rule by which our princes ought to govern at all times; government is that by which they actually do govern at any particular time. One may remain immutable; the other may, and as human nature is constituted, must vary. One is the criterion by which we are to try the other; for surely we have a right to do so, since if we are to live in subject.ion to the government of our Kings, our Kings are to govern in subjection to the constitution; and the conformity or nonconformity of their government to it, prescribes the measure of our submission to them, according to the principles of the Revolution, and of our present settlement; in both of which, though some remote regard was had to blood, yet the preservation of the constitution manifestly determined the community to the choice then made of the persons who should govern. Another thing to be considered is this: when persons are spoken of as friends to the government, and enemies to the constitution, the term friendship is a little prostituted, in compliance with common usage. Such men are really incapable of friendship; for real friendship can never exist among those who have banished virtue and truth. They have no affection to any but themselves; no regard to any interest except their own. Their sole attachments are such as I mentioned in the last letter, attachments to power and profit, and when they have contracted a load of infamy and guilt in the pursuit of these, an attachment to that protection, which is sufficient to procure them appearances of consideration, and real impunity. They may bear the semblance of affection to their prince, and of zeal for his government; but they who are false to the cause of their country, will not be true to any other; and the very same minister who exalts his master's throne on the ruins of the constitution, that he may govern without control, or retire without danger, would do the reverse of this, if any turn of affairs enabled him to compound, in that manner, the better for himself.

Under a prince therefore tolerably honest, or tolerably wise, such men as these will have no great sway; at least, they will not hold it long. Such a prince will know, that to unite himself to them, is to disunite himself from his people; and that he makes a stupid bar gain, if he prefers trick to policy, expedient to system, and a cabal to the nation. Reason and experience will teach him that a prince who does so, must govern weakly, ignominiously and precariously; whilst he, who engages all the hearts, and employs all the heads and hands of his people, governs with strength, with splendour, and with safety, and is sure of rising to a degree of absolute power, by maintaining liberty, which the most successful tyrant could never reach by imposing slavery. But how few men (and princes, by their leaves, are men) have been found in times past, or can be hoped for in times to come, capable of governing by such arts as these? Some cannot propose the ends, nor some employ the means; for some are wicked, and some are weak. This general division runs through the whole race of mankind, of the multitudes designed to obey, and of the few designed to govern. It was this

depravity of multitudes, as well as their mutual wants, which obliged men first to enter into societies, to depart from their natural liberty, and to subject themselves to government. It was this depravity of the few (which is often the greater, because born no better than other men, they are educated worse) which obliged men first to subject government to constitution, that they might preserve social, when they gave up natural liberty, and not be oppressed by arbitrary will. Kings may have preceded lawgivers, for aught I know, or have possibly been the first lawgivers, and government by will have been established before government by constitution. Theseus might reign at Athens, and Eurytion at Sparta, long before Solon gave laws to one, and Lycurgus to the other of these cities. Kings had governed Rome, we know, and consuls had succeeded kings, long before the decemviri compiled a body of law; and the Saxons had their monarchs before Edgar, though the Saxon laws went under his name. These, and a thousand other instances of the same kind, will never serve to prove what my lord Bacon would prove by them, 'that monarchies do not subsist, like other governments, by a precedent law, or compact; that the original submission to them was natural, like the obedience of a child to his parents; and that allegiance to hereditary monarchs is the work of the law of nature' But that which these examples prove very plainly is, that however men might submit voluntarily in the primitive simplicity of early ages, or be subjected by conquest to a government without a constitution, yet they were never long in discovering that 'to live by one man's will became the cause of all men's misery'. and therefore they soon rejected the yoke, or made it sit easy on their necks. They instituted commonwealths, or they limited monarchies: and here began that struggle between the spirit of liberty and the spirit of dominion, which always hath subsisted, and, that we may not flatter ourselves nor others, must always subsist, except in those instances, of which the most ancient histories furnish so few, the reigns of a Titus, or a Trajan; for it might look like flattery to quote the present most auspicious reign.

To govern a society of freemen by a constitution founded on the eternal rules of right reason, and directed to promote the happiness of the whole, and of every individual, is the noblest prerogative which can belong to humanity; and if man may be said, without profaneness, to imitate God in any case, this is the case: but sure I am he imitates the devil, who is so far from promoting the happiness of others, that he makes his own happiness to consist in the misery of others; who governs by no rule but that of his passions, whatever appearances he is forced sometimes to put on, who endeavours to corrupt the innocent and to enslave the free, whose business is to seduce or betray, whose pleasure is to damn, and whose triumph is to torment. Odious and execrable as this character is, it is the character of every prince who makes use of his power to subvert, or even to weaken that constitution, which ought to be the rule of his government. When such a prince fills a throne with superior parts, liberty is in the utmost peril; nor does the danger diminish in proportion, if he happens to want them. Such men as we are now to speak of (friends to the government and enemies to the constitution) will be always at hand to supply his defects; for as they are the willing instruments of a wicked prince, they are the ready prompters of a weak one. They may sink into the mass of the people, and disappear in a good and a wise reign, or work themselves into power under false colours. Sed genus immortale manet. Their race will continue as long as ambition and avarice prevail in the world, and there will be bad citizens as long as there are bad men. The good ought therefore to be always on their guard against them, and whatever disguise they assume, whatever veils they cast over their conduct, they will never be able to deceive those long, who observe constantly the difference between constitution and government, and who have virtue enough to preserve the cause of the former, how unprofitable soever it may be at all times, and how unpopular soever at some. -- But I ramble too long in generals. It is high time I should come to those particular measures, by which the men I have described are most likely to carry on their designs against our constitution; after which I shall say something of the methods, by which alone their designs may be prevented, or will be defeated, if a national union oppose itself by such methods as these, in time, to them.

Now that I may do this the better, and make what I have to say the more sensibly felt, give me leave to suppose, though I speak of a remote time, and such an one as we ought to hope will never come, that our national circumstances will be just the same as they are now, and our constitution as far distant as it now is from that point of perfection, to which the Revolution ought to have brought it, might have brought it, and hath given the nation a right to expect that it should be brought. The completion of that glorious deliverance is still imperfect, after five and forty years, notwithstanding the hopes then given, the engagements then taken, and the opportunities that have since arisen. How this hath happened, by what arts this justice to the constitution hath been hitherto evaded, sometimes in favour of one government, and sometimes in favour of another, might easily be shown, and proved too, beyond contradiction. But I had rather exhort than reproach, and especially at a time when a strong tendency appears among men of all denominations to such a national

union, as will effectually obtain the complete settlement of our constitution, which hath been so long delayed, if it be honestly, prudently and vigorously improved.

It is certain then, that if ever such men as call themselves friends to the government, but are real enemies of the constitution, prevail, they will make it a capital point of their wicked policy to keep up a standing army. False appearances of reason for it will never be wanting, as long as there are pretenders to the crown; though nothing can be more absurd than to employ, in defence of liberty, an instrument so often employed to destroy it; though nothing can be more absurd than to maintain that any government ought to make use of the same expedient to support itself, as another government, on the ruins of which this government stands, was subverted for using; though nothing can be proved more manifestly by experience than these two propositions: that Britain is enabled, by her situation, to support her government, when the bulk of her people are for it, without employing any means inconsistent with her constitution; and that the bulk of the people are not only always for the government, when the government supports the constitution, but are even hard and slow to be detached from it, when the government attacks or undermines the constitution, and when they are by consequence both justified in resisting, and even obliged in conscience to resist the government.

I have heard it argued lately, that pretenders abroad are a security at home, and that a government exposed to their attacks, will never venture to attack the constitution. I have been told too, that these notions were entertained by some who drew many political consequences from them at the Revolution. But if any of those persons are still alive, I persuade myself that they have altered this opinion, since such a situation will furnish at all times pretences or danger; since pretences of danger to a government, whether real of imaginary, will be always urged with plausibility, and generally with success, for obtaining new powers, or for straining old ones; and since whilst those who mean well to the government, are imposed upon by those who mean ill to the constitution, all true concern for the latter is lost in a mistaken zeal for the former, and the most important is ventured to save the least important, when neither one nor the other would have been exposed, if false alarms had not been rashly and too implicitly taken, or if true alarms had not given unnecessary strength to the government, at the expense of weakening the constitution.

Notwithstanding what hath been said, I do not imagine that an army would be employed by these men, directly and at first, against the nation and national liberty. I am far from thinking that any men can arise in future times, capable of attempting, in this manner, what some men in our age, who call themselves friends to the government, have been so weak and so imprudent as to avow in print, and publish to the nation. To destroy British liberty with an army of Britons, is not a measure so sure of success as some people may believe. To corrupt the Parliament is a slower, but might prove a more effectual method; and two or three hundred mercenaries in the two Houses, if they could be listed there, would be more fatal to the constitution, than ten times as many thousands in red and in blue out of them. Parliaments are the true guardians of liberty. For this principally they were instituted; and this is the principal article of that great and noble trust, which the collective body of the people of Britain reposes in the representative. But then no slavery can be so effectually brought and fixed upon us as parliamentary slavery. By the corruption of Parliament, and the absolute influence of a King, or his minister, on the two Houses, we return into that state, to deliver or secure us from which Parliaments were instituted, and are really governed by the arbitrary will of one man. Our whole constitution is at once dissolved. Many securities to liberty are provided, but the integrity which depends on the freedom and the independency of Parliament, is the key-stone that keeps the whole together. If this be shaken, our constitution totters. If it be quite removed, our constitution falls into ruin. That noble fabric, the pride of Britain, the envy of her neighbours, raised by the labour of so many centuries, repaired at the expense of so many millions, and cemented by such a profusion of blood; that noble fabric, I say, which was able to resist the united efforts of so many races of giants, may be demolished by a race of pigmies. The integrity of Parliament is a kind of Palladium, a tutelary goddess, who protects our state. When she is once removed, we may become the prey of any enemies. No Agamemnon, no Achilles will be wanted to take our city. Thersites himself will be sufficient for such a conquest. But I need not dwell any longer on this subject. There is no man, who thinks at all, can fail to see the several fatal consequences, which will necessarily flow from this one source, whenever it shall be opened. If the reason of the thing does not strike him enough, experience must. The single reign of Henry the Eighth will serve to show, that no tyranny can be more severe than that which is exercised by a concert with Parliament; that arbitrary will may be made the sole rule of government, even whilst the names and forms of a free constitution are preserved; that for a prince, or his minister, to become our tyrant, there is no need to abolish Parliaments; there is no need that he who is master of one part of the legislature, should endeavour

to abolish the other two, when he can use, upon every occasion, the united strength of the whole; there is no need he should be a tyrant in the gross, when he can be so in detail, nor in name, when he can be so in effect; that for Parliaments to establish tyranny, there is no need therefore to repeal Magna Carta, or any other of the great supports of our liberty. It is enough, if they put themselves corruptly and servilely under the influence of such a prince, or such a minister. -- On the whole, I conclude, that in the possible case here supposed, the first and principal object will be to destroy the constitution, under pretence of preserving the government, by corrupting our Parliaments. I am the better founded in concluding that this may happen in some future age, by what we may observe in our own. There is surely but too much reason to suspect that the enemies of our constitution may attempt hereafter to govern by corruption, when we hear and see the friends and advocates of our present most incorrupt minister harangue and scribble in favour of corruption; when it is pleaded for and recommended, as a necessary expedient of government, by some men, of all ranks and orders; not only by professed hirelings, who write that they may eat, but by men who have talked and written themselves already out of their native obscurity and penury, by affecting zeal in the cause of liberty: not only by such as these, but by men whose birth, education and fortune aggravate their crime and their folly; by men, whom honour at least should restrain from favouring so dishonourable a cause; and by men, whose peculiar obligations to preach up morality, should restrain them, at least, from being the preachers of an immorality, above all others, abominable in its nature, and pernicious in its effects.

These men are ready, I know, to tell us, that the influence they plead for is necessary to strengthen the hands of those who govern; that corruption serves to oil the wheels of government, and to render the administration more smooth and easy; and that it can never be of dangerous consequence under the present father of our country. -- Absurd and wicked trifters! 'According to them, our excellent constitution' (as one of your correspondents hath observed extremely well) 'is no better than a jumble of incompatible powers, which would separate and fall to pieces of themselves, unless restrained and upheld by such honourable methods as those of bribery and corruption.' They would prove, 'that the form of our government is defective to a degree of ridiculousness'. But the ridicule, as well as the iniquity, is their own. A good government can want no power, under the present constitution. A bad one may, and it is fit it should. Popularity is the expedient of one, and will effectually support it. Nothing but corruption can support the other. If there was a real deficiency of power in the crown, it ought to be supplied, no doubt. The old whimsies of prerogative should not be revived; but limitations ought to be taken off, or new powers to be given. The friends of liberty acknowledge that a balance of the powers, divided among the three parts of the legislature, is essential to our constitution, and necessary to support it. The friends of liberty therefore would concur, at least to a certain point, with the friends of the ministry; for the former are friends to order, and enemies to licence. For decency's sake, therefore, let the debate be put on this issue. Let it be such a debate as freemen may avow without blushing. To argue from this supposed deficiency of power in the crown, in favour of a scheme of government repugnant to all laws divine and human, is such an instance of abandoned, villainous prostitution, as the most corrupt ages never saw, and as will place the present age, with infamous, pre-eminence, at the head of them, unless the nation do itself justice, and fix the brand on those who ought to bear it. Thus much for the iniquity of the practice pleaded for. As to the danger of it, let us agree that a prince of such magnanimity and justice as our present monarch, can never be tempted by any sordid motives to forget the recent obligation which he and his family have to the British nation, by whom they were made kings; nor to aim at greater power and wealth than are consistent with the safety of the constitution they are entrusted to preserve, and obliged to secure. Allowing this to be our present case (and concerning our present case, there are not two opinions, I dare say, in the whole nation), yet still the symptoms I have mentioned, show that the poison, with which these pretended friends of the government, and real enemies of the constitution, corrupt the morals of mankind, hath made some progress; and if this progress be not immediately checked by proper antidotes, and the power of poisoning taken from these empirics, the disease will grow incurable. The last dismal effect of it may not, or if you please, cannot happen in this reign; but it may, nay it must happen in some other, unless we prevent it effectually and soon: and what season more proper to prevent it in, and to complete the security of our liberties, than the reign of a prince, for whom the nation hath done so much, and from whom, by consequence, the nation hath a right to expect so much? King William delivered us from popery and slavery. There was wisdom in his councils, and fortitude in his conduct. He steered through many real difficulties at home, and he fought our battles abroad; and yet those points of security, which had been neglected, or not sufficiently provided for in the honeymoon of his accession, were continually pressed upon him, during the whole course of his reign. The men who pressed them were called Jacobites, Tories, republicans, and incendiaries too; not from the throne indeed, but by

the clamour of those, who showed great indifference at least for the constitution, whilst they affected great zeal for the government. They succeeded however in part, and we enjoy the benefit of their success. If they did not succeed in the whole; if the settlement necessary to secure our liberty, and therefore intended at the Revolution, be not yet complete, let us be persuaded, and let us act on that persuasion, that the honour of completing it was reserved to crown the glories of the present reign. To finish the great work, which King William began, of establishing the liberties of Britain on firm and durable foundations, must be reputed an honour surely. and to whom can this honour belong more justly than to a prince, who emulates, in so remarkable a manner, all the other heroic virtues of his renowned predecessor?

I am, sir, etc.

Letter XI

Sir, If it was possible for any man, who hath the least knowledge of our constitution, to doubt in good earnest whether the preservation of public freedom depends on the preservation of parliamentary freedom, his doubts might be removed, and his opinions decided, one would imagine, by this single, obvious remark, that all the designs of our princes against liberty, since Parliaments began to be established on the model still subsisting, have been directed constantly to one of these two points, either to obtain such Parliaments as they could govern, or else to stand all the difficulties, and to run all the hazards of governing without Parliaments. The means principally employed to the first of these purposes, have been undue influences on the elections of members of the House of Commons, and on these members when chosen. When such influences could be employed successfully, they have answered all the ends of arbitrary will; and when they could not be so employed, arbitrary will hath been forced to submit to the constitution. This hath been the case, not only since, but before that great change in the balance of property, which began in the reigns of Henry the Seventh, and Henry the Eighth, and carried a great part of that weight into the scale of the commons, which had lain before in the scale of the peers and clergy.

If we look back as far as the close of the fourteenth century, an era pretty near to that when Parliaments received their present form, we shall find both these means employed by one of the worst of our kings, Richard the Second. That he might obtain his will, which was rash, he directed mandates to his sheriffs (officers of the crown, and appointed by the crown; for such they were then, and such they still are) to return certain persons nominated by himself: and thus he acquired an undue influence over the elections. In the next place, he obliged the persons thus returned, sometimes by threats and terror, and sometimes by gifts, to consent to those things which were prejudicial to the realm: and thus he acquired an undue influence over the House of Commons. So that, upon the whole, the arbitrary will of a rash, headstrong prince, and the suggestions of his wicked ministers, guided the proceedings of Parliament, and became the law of the land. I might pursue observations of the same kind through several succeeding reigns; but to avoid lengthening these letters, which are grown perhaps too long already, let us descend at once to the reign of King Charles the Second, for in that we shall find examples of all the means which a court that hath common sense, and a prince who will not set his crown on the cast of a die, can take to undermine the foundations of liberty, either by governing Parliaments, or by governing without them.

Now the first attempt of this kind, which King Charles made against the constitution, was this: he improved and managed the spirit of the first Parliament he called, so as to render the two houses obsequious to his will, almost in every case; and having got the triennial bill repealed, he kept the same Parliament in being for many years by prorogations, which crept into custom long before his time, but were still a modern invention with respect to the primitive institution of Parliaments, and wholly repugnant to the ancient practice. Thus he established a standing Parliament, which is, in the nature of it, as dangerous as a standing army, and may become, in some conjunctures, much more fatal to liberty. When the measures of his administration grew too bad, and the tendency of them too apparent to be defended and supported, even in that parliament, and even by a party spirit, he had recourse to a second attempt, that is, to corruption; and Clifford first lifted a mercenary band of friends to the government against the constitution. -- Let us observe on this occasion, and as we pass along, that a national party, such a party as the court adopts, in contradistinction to such a party as it creates, will always retain some national principles, some regard to the constitution. They may be transported, or surprised, during the heat of contest especially, into measures of long and fatal consequence. They may be carried on, for a certain time and to a certain point, by the lusts of vengeance and of power, in order to wreak one upon their adversaries, and to secure the other to themselves. But a national party will never be the instruments of completing national ruin. They will

become the adversaries of their friends, and the friends of their adversaries, to prevent it; and the minister who persists in so villainous a project, by what name soever he may affect to distinguish himself and his followers, will be found really at the head of a faction, not of a party. But the difference between one and the other is so visible, and the boundaries where party ceases and faction commences, are so strongly marked, that it is sufficient to point at them.

I return therefore, and observe that when the spirit of party failed King Charles, and the corruption he employed proved ineffectual, he resolved to govern for a time without Parliaments, and to employ that time, as soon as he had checked the spirit of one party, by inflaming that of another, in garbling corporations. He had found by experience, that it was impossible to corrupt the stream in any great degree, as long as the fountain continued pure. He applied himself therefore to spread the taint of the court in them, and to poison those springs, from whence the health and vigour of the constitution flow. This was the third, the last, and by much the most dangerous expedient employed by the friends of the government, in the reign of King Charles the Second, to undermine our liberties. The effect of it he did not live to see, but we may easily conjecture what it would have been.

The use I make of what hath been here said is this: the design of the Revolution being not only to save us from the immediate attempts on our religion and liberty, made by King James, but to save us from all other attempts which had been made, or might be made, of the same tendency; to renew and strengthen our constitution; 'to establish the peace, honour and happiness of these nations upon lasting foundations, -- and to procure a settlement of the religion, and of the liberties and properties of the subjects, upon so sure a foundation, that there might be no danger of the nation's relapsing into the like miseries at any time hereafter'. This being, I say, the avowed design of the Revolution, and the nation having engaged in it on a confidence that all this would be effectually performed, the design of the Revolution was not accomplished, the benefit of it was not secured to us, the just expectations of the nation could not be answered, unless the freedom of elections, and the frequency, integrity and independency of Parliaments were sufficiently provided for. These are the essentials of British liberty. Defects in other parts of the constitution can never be fatal, if these are preserved entire. But defects in these will soon destroy the constitution, though every other part of it should be so preserved. However it happened, the truth and notoriety of the fact oblige us to say, that these important conditions, without which liberty can never be secure, were almost wholly neglected at the Revolution. The Claim of Right declares, indeed, that 'elections ought to be free; that freedom of speech and debates ought not to be impeached or questioned out of parliament; and that parliaments ought to be held frequently'. But such declarations, however solemnly made, are nothing better than pompous trifles, if they stand alone; productive of no good; and thus far productive of ill, that they serve to amuse mankind in points of the greatest importance, and wherein it concerns them the most nearly neither to be deceived, nor so much as amused. These were rights, no doubt, to which the nation had an indisputable claim. But then they ought to have been more than claimed, since they had been so often and so lately invaded. That they were not more than claimed, that they were not effectually asserted and secured, at this time, gave very great and immediate dissatisfaction; and they who were called Whigs in those days, distinguished themselves by the loudness of their complaints. Thus for instance, they insisted that there could be no 'real settlement; nay, that it was a jest to talk of a settlement, till the manner and time of calling Parliaments, and their fitting when called, were fully determined': and this in order to prevent the practice of 'keeping one and the same Parliament so long on foot, till the majority was corrupted by offices, gifts and pensions'. They insisted that the assurances given at the Revolution had led them to think, that 'the ancient, legal course of annually chosen parliaments would have been immediately restored'; and the Particular circumstances of King William, who had received the crown by gift of the people, and who had renewed the original contract with the people, which are precisely the circumstances of the present royal family, were urged as particular reasons for the nation to expect his compliance.

The frequent sitting of Parliament was indeed provided for, indirectly and in consequence, by the exigencies of the war, which soon followed the Revolution. This war made annual supplies necessary; and, before it was over, the same necessity of annual sessions of Parliament came to be established, as it continues to this hour, by the great alteration made with relation to the public revenue. The whole public revenue had been the King's formerly. Parliamentary aids were, in those days, extraordinary and occasional; and things came to that pass at last, that Parliaments were more frequently, or more rarely convened, just as courts had more frequent or more rare occasions for such supplies. But King William began to be, and all our princes since him have continued to be, only proprietors for life of that part of the public revenue, which is appropriated to their civil list; although they are entrusted still with the management of the whole, and are even the stewards of

the public creditors for that part which is the private property of these creditors. This is the present state, sufficiently known, but necessary to be mentioned particularly on this occasion: and this must continue to be the state, unless some prince should arise hereafter, who, being advised by a desperate minister, abetted by a mercenary faction, supported by a standing army, and instigated, like Richard the Second, by the 'rashness of his own temper', may lay rapacious hands on all the funds that have been created, and by applying illegally what he may raise legally, convert the whole to his own use, and so establish arbitrary power, by depriving at one stroke many of his subjects of their property, and all of them of their liberty. Till this happens (and heaven forbid that it should be ever attempted) sessions of Parliament must be annually held, or the government itself be distressed. But neither is this such a direct and full security as the importance of the thing requires; nor does the security of our liberty consist only in frequent sessions of Parliaments, but it consists 1ikewise in frequent new Parliaments. Nay, it consists so much more in this than in the other, that the former may tend without the latter, even more than the discontinuance of Parliaments, to the loss of liberty. This was foreseen by the wisdom of our constitution. According to that, although it became in time, by the course of events, and insensible alterations, no longer necessary to call Parliaments once, or even twice in a year, which had been the more ancient practice, yet still our kings continued under an incapacity of proceeding long in government, with any tolerable ease and safety to themselves, without the concurrence and assistance of these assemblies. According to the same constitution, as Parliaments were to be held, so they were to be chosen frequently; and the opinion, that the 'holding and continuance of Parliaments depended absolutely on the will of the prince', may be justly ranked amongst those attempts, that were made by some men to set the law, whilst others endeavoured to set the gospel, on the side of arbitrary power. This is the plain intent and scheme of our constitution, which provides that the representatives of the people should have frequent opportunities to communicate together about national grievances; to complain of them, and to obtain the redress of them, in an orderly, solemn, legal manner; and that the people should have frequent opportunities of calling their representatives to account, as it were, for the discharge of the trust committed to them, and of approving or disapproving their conduct, by electing or not electing them anew. Thus our constitution supposes that princes may abuse their power, and Parliaments betray their trust; and provides, as far as human wisdom can provide, that neither one nor the other may be able to do so long, without a sufficient control. If the crown, indeed, persists in usurping on the liberty of the people, or in any other kind of maladministration; and if the prince who wears it proves deaf, as our princes have sometimes been, to the voice of his Parliament and his people, there remains no remedy in the system of the constitution. The constitution is broken by the obstinacy of the prince, and the 'people must appeal to heaven in this, as in all other cases, where they have no judge on earth'. Thus if a Parliament should persist in abetting maladministration, or any way give up those liberties which they were entrusted to maintain, no doubt can be made but that the people would be in the same case; since their representatives have no more right to betray them, than their kings have to usurp upon them: and by consequence they would acquire the same right of appealing to heaven, if our constitution had not provided a remedy against this evil, which could not be provided against the other; but our constitution hath provided such a remedy in the frequent succession of new Parliaments, by which there is not time sufficient given, to form a majority of the representatives of the people into a ministerial cabal; or by which, if this should happen, such a cabal must be soon broken. These reflections, and such others as they naturally suggest, are sufficient to convince any thinking man, first, that nothing could make it safe, nor therefore reasonable, to repose in any set of men whatsoever, so great a trust as the collective body delegates to the representative in this kingdom, except the shortness of the term for which this trust is delegated. Secondly, that every prolongation of this term is therefore, in its degree, unsafe for the people; that it weakens their security, and endangers liberty by the very powers given for its preservation. Thirdly, that such prolongations expose the nation, in the possible case of having a corrupt Parliament, to lose the great advantage which our constitution hath provided, of curing the evil, before it grows confirmed and desperate, by the gentle method of choosing a new representative, and reduce the nation, by consequence, to have no other alternative than that of submitting or resisting; though submission will be as grievous, and resistance much more difficult, when the legislature betrays its trust, than when the king alone abuses his power. -- These reflections, I say, are sufficient to prove these propositions; and these propositions set before us, in a very strong light, the necessity of using our utmost efforts that the true design of our constitution may be pursued as closely as possible, by the reestablishment of annual, or at least of triennial Parliaments. But the importance of the matter, and the particular seasonableness of the conjuncture, invite me to offer one consideration more upon this head, which I think will not strike the less for being obvious and plain. It is this. Should a King obtain, for many years at once, the supplies and powers which used to be granted annually to him; this would be deemed, I presume,

even in the present age, an unjustifiable measure and an intolerable grievance, for this plain reason: because it would alter our constitution in the fundamental article, that requires frequent assemblies of the whole legislature, in order to assist, and control too, the executive power which is entrusted with one part of it. Now I ask, is not the article which requires frequent elections of the representative, by the collective body of the people, in order to secure the latter against the ill consequences of the possible weakness or corruption of the former, as fundamental an article, and as essential to the preservation of our liberties as the other? No man dares say that it is not; at least, no man who deserves our attention. The people of Britain have as good a right, and a right as necessary to be asserted, to keep their representatives true to the trust reposed in them, and to the preservation of the constitution, by the control of frequent elections, as they have to keep their kings true to the trust reposed in them, and to the preservation of the constitution, by the control of frequent sittings of Parliament. How comes it then to pass, that we may observe so great a difference in the sentiments of mankind, about these two cases? Propose the first, there is no servile friend of government, who will not affect all that horror at the proposition, which every friend of the constitution will really feel. Propose the keeping up septennial, nay, the making decennial Parliaments, the same friends of government will contend strenuously for one, and by consequence for both; since there can be no reason alleged for the first, which is not stronger for the last, and would not be still stronger for a longer term. These reasons, drawn from two or three commonplace topics of pretended conveniency and expediency, or of supposed tranquillity at home, and strength abroad, I need not mention. They have been mentioned by others, and sufficiently refuted. But that which may very justly appear marvellous, is this: that some men, I think not many, who are true friends of the constitution, have been staggered in their opinions, and almost seduced by the false reasonings of these friends of government; though nothing can be more easy than to show, from reason and experience, that convenience, expediency, and domestic tranquillity may be, and in fact have been as well, nay, better secured under triennial, nay, annual Parliaments, than under Parliaments of a longer continuance; and as for strength abroad, that is, national credit and influence, it will depend on the opinion foreign nations have of our national dispositions, and the unanimity of our sentiments. It must be chiefly determined therefore by their knowledge of the real sense of the nation. Now that can appear no way so much as in the natural state of our constitution, by frequent elections; and when it does appear so, it must have another kind of effect than the bare resolutions of a stale, ministerial Parliament, especially if it happens, as it may happen in some future time, that the sense of the nation should appear to be different from the sense of such a Parliament, and that the resolutions of such a Parliament should be avowedly dictated by men, odious and hated, contemptible and contemned both at home and abroad.

But in the supposition that some inconveniencies may arise by frequent elections, which is only allowed for argument's sake, are such inconveniencies, and the trifling consequences of them, to be set in the balance against the danger of weakening any one barrier of our liberty? Every form of government hath advantages and dis advantages peculiar to it. Thus absolute monarchies seem most formed for sudden and vigorous efforts of power, either in attracting or in defending, whilst, in free constitutions, the forms of government must be necessarily more complicated and slow; so that in these, the same secrecy cannot be always kept, nor the same dispatch always made, nor the same steadiness of measures always pursued. Must all these forms, instituted to preserve the checks and controls of the several parts of the constitution on one another, and necessary by consequence to preserve the liberty of the whole, be abandoned therefore, and a free constitution be destroyed, for the sake of some little conveniency or expediency the more in the administration of public affairs? No certainly. We must keep our free constitution, with the small defects belonging to it, or we must change it for an arbitrary government, free perhaps from these defects, but liable to more and to worse. In short, we must make our option; and surely this option is not hard to be made, between the real and permanent blessings of liberty, diffused through a whole nation, and the fantastic and accidental advantages which they who govern, not the body of the people, enjoy under absolute monarchies. I will not multiply instances, though they crowd in upon me. -- Two consuls were chosen annually at Rome, and the proconsular power in the government of provinces was limited to a year. Several inconveniencies arose, no doubt, from the strict observation of this institution. Some appear very plain in history: and of we may assure ourselves, that many arguments of conveniency, expediency, of preserving the tranquillity of the city, and of giving strength and weight to the arms and counsels of the commonwealth, were urged to prevail on the people to dispense with these institutions, in favour of Pompey and of Caesar. What was the consequence? The pirates were extirpated, the price of corn was reduced, Spain was held in subjection, Gaul was conquered, the Germans were repulsed, Rome triumphed, her government flourished; but her constitution was destroyed, her liberty was lost. -- The law of Habeas Corpus,

that noble badge of liberty, which every subject of Britain wears, and by which he is distinguished so eminently, not from the slaves alone, but even from the freemen of other countries; the law of Habeas Corpus, I say, may be attended perhaps with some little inconveniencies, in time of sedition and rebellion. -- The slow methods of giving money, and the strict appropriations of it, when given, may be attended with some inconveniency likewise, in times of danger, and in great exigencies of the state. But who will plead for the repeal of the Habeas Corpus Act; or who would not press for the revival of it, if it stood suspended for an indefinite, or even a long term? -- Who will say that the practice of giving money without account, or passing votes of credit, by which the purse of the people is taken out of the hands of those whom the people trusted, and put into the hands of those whom they neither did, nor would have trusted; who will say that such a deviation from those rules of Parliament, which ought to be deemed sacred and preserved inviolate, may be established, or should not be opposed by all possible means, if it was established?

If all this be as clear as I imagine it is; if the objections to frequent elections of Parliaments do not lie; or, supposing them to lie, if the danger on one side outweighs vastly the supposed inconveniency on the other; nay, if laws and institutions, not more essential to the preservation of liberty than this ancient and fundamental rule of our constitution, be maintained; and if all men are forced to agree, even they, who wish them perhaps abolished, that they ought to be maintained, for the sake of preserving liberty; let me ask again, how comes it to pass, that we observe so great a difference between the sentiments and reasonings of mankind about frequent sessions of Parliament, and frequent Parliaments; about the case now before us, and all the others that have been mentioned? The only manner, in which I can account for such an inconsistency, is this. The sight of the mind differs very much from the sight of the body, and its operations are frequently the reverse of the other. Objects at a distance appear to the former in their true magnitude, and diminish as they are brought nearer. The event, that created much astonishment, indignation, or terror in prospect, creates less and less as it approaches, and by the time it happens, men have familiarized themselves with it. -- If the Romans had been told, in the days of Augustus, that an emperor would succeed, in whose reign an horse should be made consul, they would have been extremely surprised. I believe they were not so much surprised when the thing happened, when the horse was consul and Caligula emperor. -- If it had been foretold to those patriots at the Revolution, who remembered long Parliaments, who still felt the smart of them, who struggled hard for annual, and obtained with much difficulty, at the end of five or six years, triennial Parliaments, that a time would come, when even the term of triennial Parliaments would be deemed too short, and a parliament chosen for three years, would choose itself for four more, and entail septennial Parliaments on the nation; that this would happen, and the fruits of their honest labours be lost, in little more than twenty years; and that it would be brought about, whilst our government continued on the foundations they had then so newly laid: if all this had been foretold at the time I mention, it would have appeared improbable and monstrous to the friends of the Revolution. Yet it hath happened; and in less than twenty years, it is grown, or is growing, familiar to us. The uniform zeal and complaisance of our Parliaments for the crown, leave little room to apprehend any attempt to govern without them, or to make them do in one session the work of seven; though this would be extremely convenient, no doubt, a great case to future ministers, and a great saving of expense and time to country gentlemen. But suppose, for I desire it may be remembered that we reason hypothetically, suppose a Parliament should think fit to give, in the first session, all the money, all the credit, and all the powers necessary for carrying on the government, during seven years; and then let those persons, who will be shocked at this supposition, and vet declare themselves for septennial parliaments, lay their hands on their hearts, and consider whether such an alteration of the constitution might not grow familiar to them, and even gain their approbation. I think it would do so. I am sure it might as reasonably as the other. They would find the case, in one case, of little attendance, as much as that of distant elections in the other. The arguments of conveniency, expediency, public tranquillity, and strength to the government, would be just as well applied; and if the ministers should, by miracle, make no very exorbitant ill use of such a situation, I doubt whether he who should plead for annual parliaments then, would be much better heard by the same persons, than he who pleads for frequent elections of Parliaments is now. But let not the lovers of liberty, the friends of our constitution, reason in this manner. Let them remember that danger commences when the breach is made, not when the attack is begun; that he who neglects to stop the leak as soon as it is discovered, in hopes to save his ship by pumping, when the water gushes in with violence, deserves to be drowned; and, to lay aside figures of speech, that our constitution is not, like the schemes of some politicians, a jumble of disjointed, incoherent whimsies, but a noble and wise system, the essential parts of which are so proportioned, and so intimately connected, that a change in one begets a change in the whole; that the frequent elections of Parliament are as much an essential

part of this system, as the frequent sittings of Parliament; that the work of the Revolution is imperfect therefore, and our future security precarious, unless our ancient constitution be restored, in this essential part; and that the restoration of it, in this part, is one of those methods, by which alone the pernicious designs of such men as we have mentioned in a former letter, if any such should be ever admitted into power (enemies to the constitution, under the mask of zeal for the government) may be defeated.

I am, sir, etc.

Letter XII

Sir, We have observed already, that the constitution of the British government supposes our Kings may abuse their power, and our representatives betray their trust, and provides against both these contingencies, as well as human wisdom can provide. Here let us observe, that the same constitution is very far from supposing the people will ever betray themselves; and yet this case is possible, no doubt. We do not read, I think of more than one nation, who refused liberty when it was offered to them; but we read of many, and have almost seen some, who lost it through their own fault, by the plain and necessary consequences of their own conduct, when they were in full possession of it, and had the means of securing it effectually in their power. A wise and brave people will neither be cozened, nor bullied out of their liberty; but a wise and brave people may cease to be such: they may degenerate; they may sink into sloth and luxury; they may resign themselves to a treacherous conduct; or abet the enemies of the constitution, under a notion of supporting the friends of the government: they may want the sense to discern their danger in time, or the courage to resist, when it stares them in the face. The Tarquins were expelled, and Rome resumed her liberty. Caesar was murdered, and all his race extinct, but Rome remained in bondage. From whence this difference? Machiavel shall account for it. In the days of Tarquin the people of Rome were not vet corrupted. In the days of Caesar they were most corrupt. A free people may be sometimes betrayed; but no people will betray themselves, and sacrifice their liberty, unless they fall into a state of universal corruption: and when they are once fallen into such a state, they will be sure to lose what they deserve no longer to enjoy. To what purpose therefore should our constitution have supposed a case, in which no remedy can avail; a case which can never happen, till the spirit which formed this constitution first, and hath preserved it ever since, shall be totally extinguished; and till it becomes an ideal entity, like the Utopia, existing in the imagination, or memory, nowhere else? As all government began, so all government must end by the people: tyrannical governments by their virtue and courage, and even free governments by their vice and baseness. Our constitution, indeed, makes it impossible to destroy liberty by any sudden blast of popular fury, or by the treachery of a few; for though the many cannot easily hurt, they may easily save themselves. But if the many will concur with the few; if they will advisedly and deliberately suffer their liberty to be taken away by those, to whom they delegate power to preserve it; this no constitution can prevent. God would not support even his own theocracy against the concurrent desire of the children of Israel, but gave them a king in his anger. How then should our human constitution of government support itself against so universal a change, as we here suppose, in the temper and character of our people? It cannot be. We may give ourselves a tyrant in our folly, if we please. But this can never happen till the whole nation falls into a state of political reprobation. Then, and not till then, political damnation will be our lot.

Let us descend into a greater detail, in order to develop these reflections fully, and to push the consequences of them home to ourselves, and to our present state. They deserve our utmost attention, and are so far from being foreign to the subject of these essays upon parties, that they will terminate in the very point at which we began, and wind up the whole in one important lesson.

To proceed then: I say, that if the people of this island should suffer their liberties to be at any time ravished, or stolen from them, they would incur greater blame, and deserve by consequence less pity, than any enslaved and oppressed people ever did. By how much true liberty, that is, liberty stated and ascertained by law, in equal opposition to popular licence and arbitrary will, hath been more boldly asserted, more wisely or more successfully improved, and more firmly established in this than in other countries, by so much the more heavy would our just condemnation prove in the case that is here supposed. The virtue of our ancestors, to whom all these advantages are owing, would aggravate the guilt and the infamy of their degenerate posterity. There have been ages of gold and of silver, of brass and of iron, in our little world, as in the great world, though not in the same order. In which of these ages we are at present, let others determine. This, at least, is certain, that in all these ages Britain hath been the temple, as it were, of liberty. Whilst her sacred fires have

been extinguished in so many countries, here they have been religiously kept alive. Here she hath her saints, her confessors, and a whole army of martyrs, and the gates of hell have not hitherto prevailed against her: so that if a fatal reverse is to happen; if servility and servitude are to overrun the whole world, like injustice, and liberty is to retire from it, like Astraea, our portion of the abandoned globe will have, at least, the mournful honour, whenever it happens, of showing her last, her parting steps.

The ancient Britons are to us the aborigines of our island. We discover little of them through the gloom of antiquity, and we see nothing beyond them. This however we know, they were freemen. Caesar, who visited them in an hostile manner, but did not conquer them, perhaps was beaten by them; Caesar, I say, bestows very liberally the title of kings upon their chieftains, and the compilers of fabulous traditions deduce a series of their monarchs from Samothes, a contemporary of Nimrod. But Caesar affected to swell the account of his expedition with pompous names; and these writers, like those whom Strabo mentions, endeavoured to recommend themselves by publishing romances to an ignorant generation, instead of histories. These supposed monarchs were the heads of little clans, reguli, vel melioris notae nobiles; and if our island knew any authority of the kingly sort in those days, it was that of occasional and temporary monarchs, elected in great exigencies, communi consilio, suffragiis multitudinis, like Cassivellaunus in Britain, or Vercingetorix in Gaul; for, in some cases, examples taken from either of these people will conclude for both. The kings who ruled in Britain after the Romans abandoned the island, in the beginning of the fifth century, held their authority from the people, and governed under the control of national assemblies, as we have great reason to believe, and none to doubt. In short, as far as we can look back, a lawless power, a government by will, never prevailed in Britain.

The Saxons had kings, as well as the Britons. The manner in which they established themselves, and the long wars they waged for and against the Britons, led to and maintained monarchical rule amongst them. But these kings were in their first institution, no doubt, such as Tacitus describes the German kings and princes to have been: chiefs, who persuaded, rather than commanded; and who were heard in the public assemblies of the nation, according as their age, their nobility, their military fame, or their eloquence gave them authority. How many doughty monarchs, in later and more polite ages, would have slept in cottages, and have worked in stalls, instead of inhabiting palaces, and being cushioned up in thrones, if this rule of government had continued in force? -- But the Saxon kings grew into power in time; and among them, as among other nations, birth, instead of merit, became, for the sake of order and tranquillity, a title to the throne. However, though these princes might command, and were no longer under the necessity of governing by persuasion, they were still under that of governing to the satisfaction of the people. By what other expedient could they govern men, who were wise enough to preserve and exercise the right of electing their civil magistrates and military officers, and the system of whose government was upheld and carried on by a gradation of popular assemblies, from the inferior courts to the high court of Parliament; for such, or very near such, was the Wittena Gemote, in nature and effect, whenever the word parliament came into use?

The first prince of the Norman race was an absolute conqueror, in the opinion of some men; and I can readily agree that he assumed, in some cases, the power of a tyrant. But supposing all this to be true in the utmost extent, that the friends of absolute monarchy can desire it should be thought so, this, and this alone will result from it: unlimited or absolute monarchy could never be established in Britain; no, not even by conquest. The rights of the people were soon re-asserted; the laws of the Confessor were restored; and the third prince of this race, Henry the First, coven anted in a solemn speech to his people, for their assistance against his brother Robert and the Normans, by promising that sacred charter, which was in other reigns so often and so solemnly confirmed, by engaging to maintain his subjects in their ancient liberties, to follow their advice, and to rule them in peace with prudence and mildness.

I need not descend into more particulars, to show the perpetuity of free government in Britain. Few men, even in this age, are so shamefully unacquainted with the history of their country, as to be ignorant of the principal events and signal revolutions, which have happened since the Norman era. One continued design against liberty hath been carried on by various methods, almost in every reign. In many, the struggles have been violent and bloody. But liberty still hath triumphed over force, over treachery, over corruption, and even under oppression. The altars of tyranny have been demolished as soon as raised; nay, even whilst they were raising, and the priests of that idol have been hewed to pieces: so that I will affirm, without the least apprehension of being disproved, that our constitution is brought nearer than any other constitution ever was, to the most perfect idea of a free system of government. One observation only I will make, before I leave this head, and it is this. The titles of those kings which were precarious, from circumstances of times, and notions that

prevailed, notwithstanding the general acquiescence of the nation to them, afforded so many opportunities to our ancestors of better securing, or improving liberty. They were not such bubbles as to alter, without mending, the government; much less to make revolutions, and suffer by them. They were not such bubbles as to raise princes to the throne, who had no pretence to sit in it but their choice, purely to have the honour of bettering the condition of those princes, without bettering their own in proportion. -- If what I have been saying appears a little too digressive from the main scope of this essay, I shall hope for indulgence from this consideration, that the natural effect of such reflections as I have made and suggested, must be to raise in our minds the honest ambition of emulating the virtue and courage of our forefathers, in the cause of liberty; and to inspire a reasonable fear, heightened by shame, of losing what they preserved and delivered down to us, through so many mixtures of different people, of Britons with Saxons, of both with Danes, of all three with Normans, through so many difficulties, so many dangers, so many revolutions, in the course of so many centuries.

There is another reason to be given, why the people of this island would be more inexcusable than any other, if they lost their liberty; and the opening and enforcing of this reason will bring us fully into our subject.

I supposed just now that our liberty might be ravished, or stolen from us; but I think that expression must be retracted, since it will appear, upon due consideration, that our liberty cannot be taken away by the force or fraud alone of those who govern; it cannot be taken away, unless the people are themselves accomplices; and they who are accomplices, cannot be said to suffer by one or the other. Some nations have received the yoke of servitude with little or no struggle; but if ever it is imposed upon us, we must not only hold out our necks to receive it, we must help to put it on. Now, to be passive in such a case is shameful; but to be active, is supreme and unexampled infamy. In order to become slaves, we of this nation must be beforehand what other people have been rendered by a long course of servitude; we must become the most corrupt, most profligate, the most senseless, the most servile nation of wretches, that ever disgraced humanity: for a force sufficient to ravish liberty from us, such as a great standing army is in time of peace, cannot be continued, unless we continue it; nor can the means necessary to steal liberty from us, be long enough employed with effect, unless we give a sanction to their iniquity, and call good evil, and evil good.

It may be said, that even the friends of liberty have sometimes different notions about it, and about the means of maintaining or promoting it; and therefore that even the British nation may possibly, some time or other, approve and concur in measures destructive of their liberty, without any intention to give it up, and much more without changing from the character which they have hitherto borne among the societies of mankind, to that infamous character I have just now supposed. If this were true, it would only furnish more reasons to be always on our guard, to be jealous of every extraordinary demand, and to reject constantly every proposition, though never so specious, that had a tendency to weaken the barriers of liberty, or to raise a strength superior to theirs. But I confess I do not think we can be led blindfold so far as the brink of the precipice. I know that all words, which are signs of complex ideas, furnish matter of mistake and cavil. We dispute about justice, for instance, and fancy that we have different opinions about the same thing; whilst, by some little difference in the composition of our ideas, it happens that we have onlY. different opinions about different things, and should be of the same opinion about the same thing. But this, I presume, cannot happen in the case before us. All disputes about liberty in this country, and at this time, must be disputes for and against the self-same fixed and invariable set of ideas, whatever the disputants on one side of the question may pretend, in order to conceal what it is not yet very safe to avow. No disputes can possibly arise from different conceptions of anything so clearly stated, and so precisely determined, as the fundamental principles are, on which our whole liberty rests.

If liberty be that delicious and wholesome fruit, on which the British nation hath fed for so many ages, and to which we owe our riches, our strength, and all the advantages we boast of, the British constitution is the tree that bears this fruit, and will continue to bear it, as long as we are careful to fence it in, and trench it round, against the beasts of the field, and the insects of the earth. To speak without a figure, our constitution is a system of government suited to the genius of our nation, and even to our situation. The experience of many hundred years hath shown, that by preserving this constitution inviolate, or by drawing it back to the principles on which it was originally founded, whenever it shall be made to swerve from them, we may secure to ourselves, and to our latest posterity, the possession of that liberty which we have long enjoyed. What would we more? What other liberty than this do we seek? And if we seek no other, is not this marked out in such characters as he that runs may read? As our constitution therefore ought to be, what it seldom is, the rule of government, so let us make the conformity, or repugnancy of things to this constitution, the rule by

which we accept them as favourable, or reject them as dangerous to liberty. They who talk of liberty in Britain on any other principles than those of the British constitution, talk impertinently at best, and much charity is requisite to believe no worse of them. But they who distinguish between practicable and impracticable liberty, in order to insinuate what they mean, or they mean nothing, that the liberty established by the true scheme of our constitution is of the impracticable kind; and they who endeavour, both in speculation and practice, to elude and pervert the forms, and to ridicule and explode the spirit of this constitution: these men are enemies, open and avowed enemies to it, and by consequence to British liberty, which cannot be supported on any other bottom. Some men there are, the pests of society I think them, who pretend a great regard to religion in general, but who take every opportunity of declaiming publicly against that system of religion, or at least against that church establishment, which is received in Britain. Just so the men of whom I have been speaking affect a great regard to liberty in general, but they dislike so much the system of liberty established in Britain, that they are incessant in their endeavours to puzzle the plainest thing in the world, and to refine and distinguish away the life and strength of our constitution, in favour of the little, present, momentary turns, which they are retained to serve. What now would be the consequence, if all these endeavours should succeed? I am persuaded that the great philosophers, divines, lawyers, and politicians, who exert them, have not yet prepared and agreed upon the plans of a new religion, and of new constitutions in Church and state. We should find ourselves therefore without any form of religion or civil government. The first set of these missionaries would take off all the restraints of religion from the governed, and the latter set would remove, or render ineffectual, all the limitations and controls, which liberty hath prescribed to those that govern, and disjoint the whole frame of our constitution. Entire dissolution of manners, confusion, anarchy, or perhaps absolute monarchy, would follow; for it is possible, nay probable, that in such a state as this, and amidst such a rout of lawless savages, men would choose this government, absurd as it is, rather than have no government at all.

But here again it may be said, that as liberty is a word of uncertain signification, so is constitution; that men have taught the most opposite doctrines, and pretended at least to build them on the principles of the constitution; that the rule therefore of determining our notions of liberty by the principles of our constitution, is no rule, and we are by consequence just where we were before. But the answer is ready. It is true that there were formerly men who persisted long in the attempt to talk and write that chimera called prerogative into vogue; to contend that it was something real, a right inherent in the crown, founded in the constitution of our government; and equally necessary to support the just authority of the prince, and to protect the subject. How we had like to have lost our liberty by the prevalence of such doctrines, by the consequences drawn from them, and the practices built upon them, hath been touched in the deduction of the state of parties. But happily this kind of progression from a free to a slavish constitution of government, was stopped at the Revolution, and the notions themselves are so exploded in the course of six and forty years, that they are entertained at this hour by no set of men, whose numbers or importance give them any pretence to be reckoned among our national parties. -- It is as true, that there are now men who pursue the very same design by different methods. The former attacked, these undermine our liberty. The former were the beasts of the field hinted at above; these are the insects of the earth; and like other insects, though sprung from dirt, and the vilest of the animal kind, they can nibble, and gnaw, and poison; and, if they are suffered to multiply and work on, they can lay the most fruitful country waste. Corruption and dependency are their favourite topics. They plead for the first as a laudable expedient of government; and for the last, I mean corrupt, private dependency, as an essential part of our constitution. When they have perplexed, as much as they are able, our ideas of dependency and independency, they reason, if I may give their sophisms so good a name, as if the independency of each part of the legislature, of the king particularly, arose from the dependency of the other parts on that part. Now this is both false and absurd. -- It is false, because the constitutional independency of each part of the legislature arises from hence, that distinct rights, powers and privileges are assigned to it by the constitution. But then this independency of one part can be so little said to arise from the dependency of another, that it consists properly and truly in the free, unbiassed, uninfluenced and independent exercise of these rights, powers and privileges, by each part, in as ample an extent as the constitution allows, or, in other words, as far as that point, where the constitution stops this free exercise, and submits the proceedings of one part, not to the private influence, but to the public control of the other parts. Before this point, the independency of each part is meant by the constitution to be absolute. From this point, the constitutional dependency of each part on the others commences. To talk to natural independency belonging to the kingly office, to an house of peers, or an house of commons, the institutions of art, not of nature, is impertinent. It is absurd, because it absolutely destroys the very thing it is advanced to establish; for

if A's independency arises from the dependency of B, and B's independency from the dependency of A, then are A and B both dependent, and there is no such thing as constitutional independency at all. The crown is the source of honours, and hath the disposal of public employments. This no man disputes; nor would any man, I believe, go about to alter. But will it follow that the constitutional independency of the king would be lost, because the House of Commons give the supplies, if he had not the power of giving part of this money, in places and pensions, back again to the members of that house? it would be easy for me to turn this whole profound reasoning into many, even ridiculous lights; but the subject creates other sentiments than those of mirth, though the logic employed about it deserves a ludicrous, not a serious treatment. I ask pardon for having said so much upon so slight an occasion, and I proceed.

Notwithstanding all these endeavours to puzzle our constitution, formerly in favour of that prerogative, by the weight of which it must have been crushed, and actually at this time in favour of that corruption and corrupt dependency by which it would be soon demolished; the main principles of the British constitution are simple and obvious, and fixed, as well as any truths can be fixed, in the minds of men, by the most determinate ideas. The state of our constitution then affords an easy and unerring rule, by which to judge of the state of our liberty. The improvement or decay of one, denotes the improvement or decay of the other; and the strength or weakness of one, the safety or danger of the other. We cannot lose our liberty, unless we lose our constitution; nor lose our constitution, unless we are accomplices to the violations of it; for this constitution is better fitted than any, ancient or modern, ever was, not only to preserve liberty, but to provide for its own duration, and to become immortal, if any thing human could be so.

I am, sir, etc.

Letter XIII

Sir, Much hath been said occasionally, in the course of these letters, concerning the beauty and excellency of the British constitution. I shall make, however, no excuse for returning to the same subject, upon an occasion which introduces it so naturally, and indeed so necessarily. Nothing can be more apposite to the professed design of these writings; nothing of more real, and more present use. Let me speak plainly. We have been all of us, those of every side, and of every denomination, accustomed too long to value ourselves, foolishly or knavishly, on our zeal for this or that party, or for this or that government; and to make a merit of straining the constitution different ways, in order to serve the different purposes of each. It is high time we should all learn, if that be still possible, to value ourselves in the first place on our zeal for the constitution; to make all governments, and much more all parties, bow to that, and to suffer that to bow to none. But how shall this constitution be known, unless we make it the subject of careful enquiry, and of frequent and sober reflection? Or unknown, how shall it become, what it ought to be, the object of our admiration, our love and our zeal? Many of those who reap the greatest advantages from it, pass it by unregarded, with equal folly and ingratitude. Many take a transient, inattentive view of it. Many again consider it in part only, or behold it in a narrow, pedantic light. Instead of this, we should view it often. We should pierce through the form to the soul of it. We should contemplate the noble object in all its parts, and in the whole, and render it as familiar to our intellectual fight, as the most common sensible objects are to our corporeal sight. Quam illa ardentes amores excitaret sui, si videretur? Well may it be allowed me to apply to so glorious an effort of human wisdom, what Tully says after Plato, in the Phaedrus, if I mistake not, of wisdom herself. 'All public regiment', says Mr Hooker, 'hath arisen from deliberate advice, consultation and composition between men.' The proposition is undoubtedly and universally true. It is as true in the kingdom of Morocco, as it is in the kingdom of Britain; and the undeniable consequences which flow from it are obvious. We are not to wonder, however, if men do not look up to this original of government, nor trace these consequences from it in most countries. In the institution of governments, too great powers have been usually given, and too great confidence reposed, either at first, or in process of time. These powers have subsisted, have been confirmed by more time, and increased by the very nature of power, which is the properest instrument of its own propagation. But the original composition, for want of being expressed, or sufficiently implied, or frequently recurred to by the forms of the government, hath been forgot, or hath grown so obsolete, that they whose interest required that no such thing should be believed, have thought themselves at liberty boldly to deny it; and not only so, but to suppose some other original of government. Strange systems of policy, and stranger of religion, have been devised to support and sanctify these usurpations. Education hath been set on the same side; and saucy authority hath prevailed against the clearest light of nature, and the plainest dictates of common sense. No man who hath read and

looked abroad into the world, and made a reasonable use of either, will think this too strange to be true; since there is no demonstrated truth (such truths I mean as are here spoken of) which may not be rendered, at least, very problematical, by long, uniform, positive contradiction; nor any demonstrated lie, which may not be rendered probable to many, and certain to some, by a long, uniform, positive affirmation; according to a just observation made by father Paul somewhere or other, on occasion of Constantine's supposed grant, and other cheats of the court of Rome. But we of this country have been more happy. Our original contract hath been recurred to often, and as many cavils as have been made, as many jests as have been broke about this expression, we might safely defy the assertors of absolute monarchy and arbitrary will, if there were any worth our regard, to produce any one point of time, since which we know any thing of our constitution, wherein the whole scheme of it would not have been one monstrous absurdity, unless an original contract had been supposed. They must have been blinded therefore by ignorance, or passion, or prejudice, who did not always see that there is such a thing necessarily, and in the very nature of our constitution; and that they might as well doubt whether the foundations of an ancient, solid building were suited and proportioned to the elevation and form of it, as whether our constitution was established by composition and contract. Sure I am that they must be worse than blind, if any such there are, who do not confess at this time, and under the present settlement, that our constitution is in the strictest sense a bargain, a conditional contract between the prince and the people, as it always hath been, and still is, between the representative and collective bodies of the nation.

That this bargain may not be broken, on the part of the prince with the people (though the executive power be trusted to the prince, to be exercised according to such rules, and by the ministry of such officers as are prescribed by the laws and customs of this kingdom), the legislative, or supreme power, is vested by our constitution in three estates, whereof the king is one. Whilst the members of the other two preserve their private independency, and those estates are consequently under no dependency, except that which is in the scheme of our constitution, this control on the first will always be sufficient; and a bad king, let him be as bold as he may please to be thought, must stand in awe of an honest parliament.

That this bargain may not be broken, on the part of the representative body, with the collective body of the nation, it is not only a principal, declared right of the people of Britain, that the election of members to sit in Parliament shall be free, but it hath been a principal part of the care and attention of Parliaments, for more than three hundred years, to watch over this freedom, and to secure it, by removing all influence of the crown, and all other corrupt influence, from these elections. This care and this attention have gone still farther. They have provided, as far as they have been suffered to provide hitherto, by the constitutional dependency of one House on the other, and of both on the crown, that all such influence should be removed from the members after they are chosen. Even here the providence of our constitution hath not stopped. Lest all other provisions should be ineffectual to keep the members of the House of Commons out of this unconstitutional dependency, which some men presume, with a silly dogmatical air of triumph, to suppose necessary to support the constitutional independency of the crown, the wisdom of our constitution hath thought fit that the representatives of the people should not have time to forget that they are such; that they are empowered to act for the people, not against them. In a word, our constitution means, that the members of this body should be kept, as it were, to their good behaviour, by the frequent returns of new elections. It does all that a constitution can do, all that can be done by legal provisions, to secure the interests of the people, by maintaining the integrity of their trustees: and lest all this should fail, it gives frequent opportunities to the people to secure their interests themselves, by mending their choice of their trustees; so that as a bad King must stand in awe of an honest Parliament, a corrupt House of Commons must stand in awe of an honest people.

Between these two estates, or branches of the legislative power, there stands a third, the house of peers; which may seem in theory, perhaps, too much under the influence of the crown, to be a proper control upon it, because the sole right of creating peers resides in the crown; whereas the crown hath no right to intermeddle in the electing commoners. This would be the case, and an intolerable one indeed, if the crown should exercise this right often, as it had been exercised sometimes with universal and most just disapprobation. It is possible too that this may come to be the case, in some future age, by the method of electing peers to sit in Parliament, for one part of the same kingdom, by the frequent translations of bishops, and by other means, if the wisdom and virtue of the present age, and the favourable opportunity of the present auspicious and indulgent reign do not prevent it. But in all other respects, the persons who are once created peers, and their posterity, according to the scheme of the constitution, having a right to sit and debate, and vote in the house of peers, which cannot be taken from them, except by forfeiture; all influence of the kind I

have mentioned seems to be again removed, and their share in the government depending neither on the King nor the people, they constitute a middle order, and are properly mediators between the other two, in the eye of our constitution.

It is by this mixture of monarchical, aristocratical and democratical power, blended together in one system, and by these three estates balancing one another, that our free constitution of government hath been preserved so long inviolate, or hath been brought back, after having suffered violations, to its original principles, and been renewed, and improved too, by frequent and salutary revolutions. It is by this that weak and wicked princes have been opposed, restrained, reformed, punished by Parliaments; that the real, and perhaps the doubtful, exorbitancies of Parliaments have been reduced by the crown, and that the heat of one House hath been moderated, or the spirit raised, by the proceedings of the other. Parliaments have had a good effect on the people, by keeping them quiet; and the people on parliaments, by keeping them within bounds, which they were tempted to transgress. A just confidence in the safe, regular, Parliamentary methods of redressing grievances hath often made the freest, and not the most patient people on earth, bear the greatest grievances much longer than people held under stronger restraints, and more used to oppression, who had not the same confidence, nor the same expectation, have borne even less. The cries of the people, and the terror of approaching elections, have defeated the most dangerous projects for beggaring and enslaving the nation; and the majority without doors hath obliged the majority within doors to truckle to the minority. In a word, two things may be said with truth of our constitution, which I think neither can, nor ever could be said of any other. It secures society against the miseries which are inseparable from simple forms of government, and is liable as little as possible to the inconveniencies that arise in mixed forms. It cannot become uneasy to the prince, or people, unless the former be egregiously weak or wicked; nor be destroyed, unless the latter be excessively and universally corrupt. But these general assertions require to be a little better explained.

By simple forms of government, I mean such as lodge the whole supreme power, absolutely and without control, either in a single person, or in the principal persons of the community, or in the whole body of the people. Such governments are governments of arbitrary will, and therefore of all imaginable absurdities the most absurd. They stand in direct opposition to the sole motive of submission to any government whatsoever; for if men quit the state, and renounce the rights of nature (one of which is, to be sure, that of being governed by their own will), they do this, that they may not remain exposed to the arbitrary will of other men, the weakest to that of the strongest, the few to that of the many. Now, in submitting to any simple form of government whatever, they establish what they mean to avoid, and for fear of being exposed to arbitrary will sometimes, they choose to be governed by it always. These governments do not only degenerate into tyranny, they are tyranny in their very institution; and they who submit to them are slaves, not subjects, however the supreme power may be exercised: for tyranny and slavery do not so properly consist in the stripes that are given and received, as in the power of giving them at pleasure, and the necessity of receiving them, whenever and for whatever they are inflicted. Absolute democracy may appear to some, in abstracted speculation, a less deviation from nature than monarchy, and more agreeable to reason, because here it is the will of the whole community, that governs the whole community, and because reason does certainly instruct every man, even from a consciousness of his own frailty, the impotentia animi of the Latin writers, to trust as little power as possible to any other man. But still it must be confessed, that if it be unsafe for a people to trust too much power to a prince, it is unsafe for them likewise to keep too much power to themselves. Absolute monarchy is tyranny; but absolute democracy is tyranny and anarchy both. If aristocracy be placed between these two extremes, it is placed on a slippery ridge, and must fall into one or the other, according to the natural course of human affairs; if the few who govern are united, into tyranny, perhaps, more severe than any other; if they are disunited, into factions and disorders as great as those of the most tumultuous democracy.

From such observations, and many of the same kind and tendency, it hath been concluded very reasonably, that the best form of government must be one compounded of these three, and in which they are all so tempered, that each may produce the good effects, and be restrained by the counterworkings of the other two, from producing the bad effects that are natural to it. Thus much is evident. But then how to fix that just proportion of each, how to hit that happy temperament of them all in one system, is a difficulty that hath perplexed the wisest politicians, and the most famous legislators. Let me quote one of the greatest writers of antiquity. Tacitus acknowledges, in the fourth book of his Annals, what is here advanced; but he thinks such a constitution of government rather a subject of fine speculation than of practice. He thinks it much more likely that such a system should continue to be admired and praised in idea, than established in fact; and if it happens ever to be

established, he does not imagine it can be supported long. Not only the real difficulties which his sagacity presented to his mind, but his reflections on the constitution and fate of the Roman commonwealth might lead Tacitus into this despondency. But what the refinements of Roman policy could not do, hath been done in this island, upon foundations laid by the rough simplicity of our northern ancestors.

It would be a curious and entertaining amusement, to reduce the constitutions of the Roman government, and of those which were formed on the ruins of that empire, particularly of our own, to their first principles; to observe in which they agree, and in which they differ, and the uniform or various tendencies of each; to mark the latent, as well as apparent causes of their rise and fall; how well or how ill they were contrived for triumphs abroad, or peace at home; for vain grandeur, or real prosperity. for resisting corruption, or being ruined by it. Such an analysis and enquiry would be, I imagine, not only amusing but useful. At least, it would be more so than any rhapsody of general reflections, huddled together with little order or designs; for these leave no systematical impressions on the mind; nothing but a confusion of ideas, often bright and glittering, seldom instructive. But a work of this kind would be too voluminous and too aspiring for these little essays, and the humble author of them. He will therefore keep to his point, and content himself to make some of those observations alone, which seem proper to illustrate and prove what he hath advanced, that the British constitution is a plain and sufficient rule of judgment and conduct to us in everything that regards our liberty; for preserving of which, as well as for securing its own duration, it is better fitted than any other.

There was so great a mixture of monarchical power in the Roman commonwealth, that Livy dates the original of liberty from the expulsion of the Tarquins, rather because the consular dignity was made annual, than because the regal power had suffered any diminution in that change. The dictatorial power, the most absolute that can be imagined, was introduced in eight, or at farthest in eleven years afterwards, and may therefore be reckoned coeval with the commonwealth; and whatever diminution either this or the consular power might suffer, the axes and the rods were terrible to the last, especially when they were carried before a dictator, for whom the tribunes of the people were not a match, as they were for the consuls. But though there were three sorts of power exercised, there were but two orders, or estates established in this commonwealth, the patricians and the plebeians, and the supreme power was divided accordingly between the senate and the collective, nor a representative, body of the people. These two orders or estates had frequent contests, and well they might, since they had very opposite interests. Agrarian laws, for instance, began to be promulgated within three and twenty years, and continued to the end of the commonwealth to produce the same disorders. How inconsistent, indeed, was that plan of government, which required so much hard service of the people; and which, leaving them so much power in the distribution of power, left them so little property in the distribution of property? Such an inequality of property, and of the means of acquiring it, cannot subsist in an equal commonwealth; and I much apprehend that any near approaches to a monopoly of property, would not be long endured even in a monarchy. -- But I return to my first observation.

Though the Romans made frequent experience of the cruel mischiefs, and even extreme danger to liberty, which attended almost every variance of the two estates, yet did they never fall upon any safe or effectual method of preventing these disputes, or of reconciling them without violence. The old expedients alone subsisted; and surely they were not only violent, but extra-constitutional. When the senate was inflexible, the people had immediate recourse to sedition. When the people was refractory, the senate had recourse to a dictator. The latter had an approbation which could not be given to the former, and was a legal institution; notwithstanding which I make no scruple of saying that it was at least as inconsistent with a free constitution of government as the former. Sedition was temporary anarchy. A dictator was a tyrant for six months, unless he thought fit to abdicate sooner. The constitution was suspended, and endangered by both. It might have been destroyed by the excesses of one. It was destroyed by the bare duration of the other. If the Romans had annually elected out of their tribes a certain number of men to represent the people instead of depending on their tribunes; (a sort of bullying magistracy, and often a very corrupt one) and if this representative body had been one estate, and had acted as such, the consuls might very well have supplied the place of a third estate, and have been safely trusted, even more independently of the senate than they were, with the executive power. But the want of a third estate in the Roman system of government, and of a representative body, to act for the collective body, maintained one perpetual ferment, which often increased into a storm, but never subsided into a calm. The state of Rome, and of the greatest men in that commonwealth, would have deserved pity rather than envy, even in the best times, if their defective constitution had not made such a state of trouble and tumult the price

they paid for the maintenance of their liberty. But this was not the whole price. Whilst Rome advanced triumphantly in conquering the world, as her orators, poets and historians have expressed themselves; that is, a few nations round the Mediterranean sea, and little more; her citizens turned against one another those weapons, which were put into their hands against the enemies of Rome. Mutual proscriptions and bloody massacres followed; each party triumphed in its turn; they were more animated and better disciplined by their contests; both grew stronger; the commonwealth alone grew weaker; and Pompey and Caesar finished the last tragical scene, which Marius and Sulla began. In fine, the Roman commonwealth would have been dissolved much sooner than it was, by the defects I have mentioned, which many circumstances concurred to aggravate, if such a spirit of wisdom, as well as courage, and such an enthusiasm for the grandeur, the majesty, and the duration of their empire had not possessed this people, as never possessed any other. When this spirit decayed, when this enthusiasm cooled, the constitution could not help, nay, worked against itself. That dictatorial power, on which the senate had always depended for preserving it, completed the ruin of it, in the hands of Caesar; and that tribunitial power, to which the people had always trusted the defence of their liberty, confirmed their slavery in the hands of Augustus.

I am, sir, etc.

Letter XIV

Sir, The defects, which I have presumed to censure in the Roman constitution of government, were avoided in some of those that were established on the breaking of that empire, by the northern nations and the Goths; for I suspect that the Goths were not properly and strictly a northern nation, any more than the Huns and the Alans, though they have been often confounded, and I believe by myself. Let us cast our eyes on Spain and France.

We cannot arrive, as far as my scanty knowledge informs me, at any particular and authentic account of the scheme of that government which the western Goths established, when, driven out of Gaul by the Franks, they drove the Vandals and the Alans out of Spain; nor distinguish very accurately between such institutions as were parts of the original Gothic plan, and such as were introduced into the several kingdoms that formed themselves on the reconquest of the country by the Spaniards from the Arabs and Moors. The original of the Cortes particularly is quite in the dark, as we are assured by a very industrious enquirer and judicious writer. Thus much, however, we may assert, that the Gothic kings were at first elective, and always limited, even after they became hereditary; and that the Cortes, whenever it was established, was an assembly, that may be more truly compared to a British Parliament than the assembly of the states of France could ever pretend to be. Churchmen had wriggled themselves into a share of temporal power among the Goths, as they did in every country where they were admitted to preach the gospel, though without any authority from the gospel; so that the Cortes consisted of prelates, as well as dukes, masters of orders, earls and ricoshomes, who composed the whole body of the nobility; and of the procurators of the commons; that is, of the citizens and burgesses, chosen by the cities and boroughs to represent and act for the whole body of the commons. To preserve the independency of this assembly, these procurators were to be paid by the corporations for which they served; the king was to give no office of salary to any of them; nay, a 'resumption of rewards, granted to members of the Cortes' was once at least debated, if not enacted. In short, he was not to name their president, nor even to send letters unopened to any of them. No money could be raised on the subjects, without the consent of this assembly; and it was a standing maxim, or order, that redress of grievances should precede the grants of supplies. Such a frame of government as this seems built to duration; and, in fact, if it had not been undermined, it could not have been demolished. The manner in which it was both undermined and demolished totally at last, deserves the attention of every man in Britain. It was undermined by the influence of the court, too much connived at and too long tolerated, on the members of the Cortes. Prostitute wretches were found in those days, I doubt not, as well as in ours, to maintain that the necessary independency of the prince could not be supported, without allowing a corrupt dependency of the Cortes on him; and they had in those days such success in Castile, as we ought to hope they will never obtain in Britain. When corrupt majorities were thus secured, pretences were not wanting, nor will they ever be so, for making concessions to the crown, repugnant to the spirit of the constitution, and even inconsistent with the forms of it. Such pretences, however plausible, would not have been admitted by men zealous to preserve their liberty; because any real danger, remote as well as immediate, to a free constitution, would in their balance outweigh all considerations of real expediency, and much more all the frivolous pretences of that kind. But the members of the Cortes were no longer such men, when

Castile lost her liberties under Charles the Fifth. The custom of bribing the representatives of the commons, by gifts and promises, and so securing a majority to the court, had long prevailed, as we have just now said; and after that, it is not to be wondered at if excises, given for eight years only, became perpetual; if money was granted before grievances were redressed; and if the precedent set in the time of Henry the Second, was followed in all succeeding reigns. The Cortes gave this prince a supply, for making war on the Moors; but the sum being represented by the court to be insufficient for the service, it was carried that, in case of a deficiency, the king might raise, without calling a Cortes, the money necessary to make good that deficiency. This vote of credit gave an incurable fatal wound to that constitution. I call it a vote of credit, though the powers it gave seem to be less than those which are given by some modern votes of credit; for surely there is a difference, and not a small one, between a power to raise money directly on the people, for a service known, and already approved, and provided for in part, by their representatives, and a power to borrow money, on the national credit, for services unknown, and to lay the nation under an obligation of paving for that which it is possible their representatives may disapprove.

This precedent having been made in favour of one king, and in one particular conjuncture, it became a prevailing argument in favour of every other king, and in every other conjuncture: for though it may be, nay must be, in the vast variety of characters, and of conjunctures, prudent and just to grant in favour of some princes, and upon some occasions, what it would be neither prudent nor just to grant in favour of other princes, and upon other occasions, yet such is the merit of every prince who fills a throne, or rather such is the servile adulation paid to power, in what hands soever it be lodged, that general and almost universal experience shows this rule, which no man of sense would break in the management of his private interests, absolutely reversed in the management of the most important, national interests. The inference to be drawn from hence is plainly this, that the inconveniency or danger of refusing to every prince, and in every conjuncture, such things as are inconsistent with the constitution of a free government, must be always less than the inconveniency or danger of granting them to any prince, and in any conjuncture.

Let me add this farther observation, which presents itself so naturally after the former. Though it be proper in all limited monarchies to watch and guard against all concessions, or usurpations, that may destroy the balance of power, on which the preservation of liberty depends; yet is it certain that concessions to the crown from the other constituent parts of the legislature are almost alone to be feared. There is no danger that the crown should make them to the others; and on this head the people may very safely trust to those who wear it, and those who serve it. The nobility will not make them to the commons, without great struggles, which give time for interpositions, nor the commons to the nobility. But both may be easily induced to make them to the crown. The reasons of this difference are obvious enough; for, first, a king is really nothing more than a supreme magistrate, instituted for the service of the community, which requires that the executive power should be vested in a single person. He hath, indeed, a crown on his head, a sceptre in his hand, and velvet robes on his back, and he sits elevated in a throne, whilst others stand on the ground about him; and all this to denote that he is a king, and to draw the attention and reverence of the vulgar. Just so another man wears a mitre on his head, a crosier in his hand, and lawn sleeves, and sits in a purple elbow-chair, to denote that he is a bishop, and to excite the devotion of the multitude, who receive his benediction very thankfully on their knees. But still the king, as well as the bishop, holds an office, and owes a service. Officium est imperare, non regnum. The King, when he commands, discharges a trust, and performs a duty, as well as the subject, when he obeys. Notwithstanding which, kings are apt to see themselves in another light, and experience shows us that even they who made them what they are, are apt to take them for what they are not. From hence it happened in Spain, and may happen possibly in other countries, that the kings, instead of being satisfied with and thankful for the dignity, honour, power and wealth, which they possessed in so eminent a degree above all other magistrates and members of the commonwealth, repined at their being possessed of no more. What they had was given them by the constitution; and what they had not was reserved by the same authority to the nobility and to the commons. But they proceeded, and their sycophants reasoned, as if the sole power of the government, and the whole wealth of the nation, belonged of right to them, and the limitations of the monarchy were so many usurpations on the monarch. -- In the second place, besides this constant desire of encroaching, there is another reason why concessions to the crown are more to be guarded against than others, in limited monarchies. The regal power resides in one person. The other shares of the supreme power are assigned to bodies of men. From hence it follows that the interest of the king, and the interest of the crown, cannot well be divided in the mind of a prince; whereas the interest of each individual may be distinguished from the interest of the nobility or of the commons, and still more from that of the nation, in the minds of those who compose an house of peers, or who are representatives of the

people. A king cannot be tempted to give up the interest of the crown, because he cannot give up this public interest, without giving up his private interest; whereas the members of such assemblies may promote their private interest, by sacrificing to it that of the public. Several other reasons might be insisted upon, to establish the truth of the observation we have made, and to show how unfairly they argue, who all along suppose that the independency of the crown may as easily be lost, and the balance of power be destroyed on that side, by concessions from the prince, and usurpations on him, as the independency of the lords or commons may be lost, and the balance of power be destroyed on that side, by concessions to the prince, and by his usurpations. Such reasons, for instance, might be drawn from the difference of that influence which the crown hath on the other estates, and which the other estates have on the crown; as well as from the difference of the pretences, which may be urged on behalf of the crown, or of the nobility, or commons, to obtain such concessions; for supposing them all co-equal, as parts of the legislature, yet if it be considered that the executive power is solely in the crown; that the disposition of public money, as well as public employments, is a part of this power; that this power is in continual exercise, and may immediately affect, more or less, at one time or at another, every particular man, peer as well as commoner; whereas the other powers are exercised occasionally, are continued or suspended, in great measure, at the will of the prince, and are employed chiefly in matters of general, not particular concern; in fine, if it be considered farther, that the powers exercised by assemblies of peers and commoners, whether these assemblies be regarded as parts of the legislature, as the great councils of the nation, or as the judges and prosecutors of enormous offenders, are few and simple, directed to notorious purposes, conducted by rules always known, always the same, and always sufficient to these purposes: whereas the branches of executive power are numerous and complicated, the rules various, and the purposes often unknown, often contingent; so that it may become difficult to judge either of the utility of the purposes, or of the sufficiency of the powers: if all these things be considered, I say, we shall not be at a loss to determine on which side the danger to liberty, in a limited monarchy, lies; and whether concessions to the crown, in prejudice of the constitution, are not more likely to be made, than concessions from it.

Happy had it been for the people of Castile, if they had seen this danger in time, and had remedied, whilst the remedies were in their power, those defects in their constitution, whatever they were, which gave their kings by degrees such an influence over the Cortes, as overturned at last the whole constitution, and gained to the German race, that began to reign in Charles the Fifth (for his father Philip is scarce to be reckoned), such an absolute power as the Gothic kings had never been able to obtain. Though Charles the Fifth was a very able prince, yet the honour, for such it will be esteemed by some men, or more truly the infamy of enslaving Castile, must not be ascribed to his superior capacity, nor to that of his ministers. Had he been the merest tool, a thing of straw, but something less than a scarecrow, and unable to protect the property of his subjects, he might still have taken their liberties from them in that conjuncture, as he did most effectually. Corruption was established; a majority of the Cortes was bribed; the nobility was detached from the common interest by titles, places, pensions, and grants; and the clergy in general, for exceptions there were, took no farther share in it than their particular piques, or some indirect and fleeting considerations inspired them to take. The nation saw itself betrayed, and the commons protested loudly against the proceedings of their representatives. But this was the very point for which the enemies of the Castilian constitution waited; and as soon as a pretence for employing force was given them, they muffled themselves up in that threadbare cloak of zeal for the government, and stabbed their country to the heart. An ordinance of the Cortes had been made about an hundred years before, against increasing the standing forces of the kingdom to more than four thousand soldiers in garrisons, and fifteen hundred ginets. This ordinance had not been very well observed. The long wars with the Moors made armies often necessary when there was no actual war. The danger of being invaded by the Moors, for every Moorish king was deemed a pretender to the throne, might serve to make them so represented; and when this reason failed entirely, as it did by the conquest of Granada, the last possession of these people in Spain, pretences for keeping armies on foot were still to be found. There were still Moorish factions; the new Christians were Moors in their hearts; amongst the old Christians there were several who favoured them; the people were not to be trusted with their own preservation. Chiévres, the rapacious minister of Charles the Fifth, and his journeymen, for so were those Spaniards called, according to Dr Geddes, who did not care how much their country was plundered by foreigners, provided they shared the spoils; Chiévres, I say, and his journeymen, a real faction, and perhaps not a great one, were the last friends of the government. The rest of the nation were open or secret enemies. According to this excellent logic, the former were to be protected in blundering, for they were guilty of that too, as well as in plundering; and the latter were to be oppressed for complaining. The nation was sacrificed to a

faction, and an excellent constitution destroyed, in favour of a profligate government. This destruction however would not have been so easily accomplished, nor would Castilians alone have enslaved Castile to a foreign race, after asserting their liberty so often, and so boldly, against princes of their own country, if two other circumstances had not concurred. Ferdinand had conquered Navarre, and a regular, disciplined army defended that conquest against the French. This army, which was at hand, marched into Castile, defeated the commons, and extinguished liberty in a country where it had been long declining. The nobility was detached from the commons by grants of land, amongst other considerations, as I said above; and the commons renewed their contest on this head, perhaps unjustly, to be sure very unseasonably. The commons however were justified for taking arms, in the opinion of the nobility, and even in that of Adrian, who governed during the absence of Charles, whose preceptor he had been; for this honest man, too honest to be long endured on the papal throne, where he was afterwards placed, affirmed that all the troubles of Castile were caused by the King, and by his covetous and tyrannical ministers. The conduct of the commons upon this great occasion, was in many instances rash and violent, as well as ill advised and weak. But they were tumultuous assemblies driven into despair; and the nobility, who might have had great sway amongst them, and might have helped to regulate their fire, and to keep them sober, helped on the contrary to make them mad, either by neglecting them, or by taking part against them, till it was too late; and then complained of their being mad, with as ill a grace as the principal men of Rome, who helped to corrupt that people, complained of their corruption, and assigned it as a reason for depriving them of their liberty.

There cannot be a greater solecism in politics than that of a nobility, under monarchical government, who suffer the liberty of the commons to be taken away. In aristocracies, the nobility get whatever the commons lose; but in monarchies, the crown alone is the gainer, and the certain consequence of their helping to enslave the commons, must be that of being enslaved themselves at last. How, indeed, should it be otherwise, since the liberty of the commons cannot be taken away, unless the constitution be first broken; and since neither the peers, nor any one else, can hold their privileges or their properties, by a better tenure than that of arbitrary will, when the constitution is once broken? Was it possible to doubt of this truth, we might find the proof of it, without going out of the country where we are; I mean Spain. Amongst all the surprising phenomena which have appeared in the world of late years, there are none that have struck mankind with more astonishment, than those instances of persons raised to the highest posts of power, authority and command, nay to empire, who had not, either from their obscure birth, or their low talents, or their still lower habits, the least occasion even to dream of such elevation. Among other countries Spain hath had her share of them; and the grandees, as they are pompously styled, the successors of those men, who thought to rise on the ruin of the commons of Castile; they, who have the vain honour of cocking their hats in the presence of their prince, have been seen to stand at awful distance, or approach with respectful cringe, in the presence of a parasite and buffoon.

I know full well that in such governments as we speak of here, it is both the duty and interest of the nobility to oppose the excesses of the commons; but I know too that they have another duty, which they are not to leave undone; another point of interest, which they are not to neglect: and therefore I have spoken of this second estate in our government as of a middle order, that are properly mediators between the other two, in the eye of our constitution. Whilst the peers maintain this character, they will be able to discharge this duty; but they would cease to be so, if it was possible they should ever become the tools of faction, or the vassals of a minister. In mediations of this kind, different from those that are more commonly called such, mediators mingle in the contest, are parties concerned, and can by that alone expect to mediate with effect, whether they be considered as bodies of men, or individuals. When the commons are assisted by the peers in their reasonable endeavours to promote or restore frugality, to secure liberty, and to correct all sorts of maladministration; the peers will have, both collectively and separately, a credit with the people, as well as with the representatives of the people; by which they may contribute to check the latter, whenever an House of Commons shall grow unreasonable, factious, or seditious. But if the peers of the realm neglect, or oppose the commons in their just attempts, and forfeit by consequence the character of impartiality, and even the air of independency, the peers will then add little strength to the crown, whenever the evil day comes, and have as little power to prevent it from coming. There was a time, our fathers saw it, when an House of Commons destroyed, instead of supporting, the constitution, and introduced tyranny, under pretence of excluding slavery. I think it might be shown, from the anecdotes of that age, that this could not have happened, if the court had not been so long and so partially abetted by the greatest part of the nobility and clergy, both in the House of Lords and out of it. An universal and timely concurrence with the spirit of the Commons, which was pious in the true sense of the word at first, would have had, I presume, the full effect that every honest

man proposed in a parliamentary reformation of the state; and those fatal opportunities, that were afterwards given to the republican, Presbyterian and independent factions, would have been avoided. But they who could have trimmed (for there is a wise and honest, as well as a silly and corrupt trimming) or have mediated with success, lost the power of doing either; some by abetting the crown so long, for fear of the Commons, and others by concurring with the Commons so far, for fear of the crown, that the people in general had no confidence in the former, and that the latter were afraid to trust their prince after all they had done against him. If any men had trusted to the plausible professions of the court at that time, and the court had subdued the opposite party, we may judge, without any breach of charity, that these men would have found themselves deceived. Just so, if any men who meant the reformation, not the destruction of the state, believed in the canting reformers of that age, such men were no doubt egregiously deceived. But I confess myself of opinion, and surely upon no improbable grounds, that there were few, or no such men. The good intentions of the court were distrusted even by those who took arms for the King; and the ill intentions of many of the leaders on the other side were suspected, no doubt by many who took arms for the Parliament. But two of the three estates being ripe for the rashest enterprises, and the third being in no condition to mediate, the extremes clashed, without any power sufficient to interpose; and when the sword was drawn, the sword could alone decide. I conclude therefore, from these two examples, that as there cannot be a greater error in politics than that of a nobility, who assist a prince to take away the liberties and privileges of the commons, which was the case in Castile, so the surest way of preventing that terrible dilemma, wherein men are obliged to choose either submission to tyrannical government, or concurrence with an enraged and no longer governable people, which hath been the case in Castile and Britain both, is for the nobility, and the principal men amongst the commons, to engage so early in the cause of liberty, that the former may be always in condition to mediate with effect, and the latter have always power to allay the intemperate heat of their own body.

I am, sir, etc.

Letter XV

Sir, But to resume the comparison of other constitutions of government with our own, I say, that if the Gothic constitution in Spain, either by original defects, or by deviating from, and not being reduced again in time to its first principles, was destroyed through the corruption of parliaments, and by the force of an army, one of which betrayed, and the other conquered the commons of Castile; the commons of France seem either not to have had, or to have lost, in the dark beginnings of that monarchy, all share in the supreme, legislative power. The great, original defect of having but two estates to share the supreme power, is an objection common to the Roman, and to the French constitution, with this difference: of the three simple forms of government, the monarchical, the aristocratical, and the democratical, Rome wanted the first, and France hath always wanted the last. Rome had a nobility and a commonalty, but no magistracy fitted by its institution to answer the purposes of that supreme magistrate, who is called king even in limited monarchies. France hath always had a king and a nobility, and hath felt in their turns all the evils of monarchical and aristocratical tyranny. But the people have not had, I presume, since the government of the Franks was fully established on this side of the Rhine, and the form of their monarchy settled, any share in the supreme power, either collectively or representatively, how much soever a contrary notion may have been countenanced by some writers, and have been generally entertained, at least in other countries.

There is no nation in the world, says Mézeray, more illustrious, nor any whose original is more obscure than that of the French. They who would dispute the first, could hardly dispute the last; and it is no business of mine to controvert either. As dark as their original is, we may discover enough to establish what hath been said, and to carry on the comparison we are making.

The Franks were a nation of Germany, seated at one time between the Elbe, Rhine and Neckar, and at another, that is, in the reign of Theodosius the younger, extending themselves on the German side of the Rhine, from Cologne down to Nijmegen, and still lower. What is known therefore of the government of the ancient Germans, either from Tacitus, or any other good authority, may be properly applied to their government, whilst they continued in Germany, and even after they settled in Gaul, till such times as we find, by relations more modern, that a different form of government prevailed amongst them. Now it seems to me extremely plain, that a different form of government did prevail amongst them even from the time of Clovis, the conqueror of Gaul. Thus, for instance, that passage in Tacitus, where he says 'that the ancient Germans took their kings on account of

nobility, and their generals on account of valour; that the power of their kings was not absolute and unlimited; and that their generals commanded by the authority which their example, rather than their power gave them'; that passage, I say, is properly enough applied to the Franks before, and perhaps during the conquest of Gaul; but very improperly afterwards, when Clovis, both king and general of that people, had founded the monarchy which he transmitted to his posterity. That the nation of the Franks was divided into several tribes, or clans, and that these were governed by several little princes, cannot be doubted. Habebat quot pagos, tot paene duces. That a general was chosen to command the whole with sovereign authority, but according to certain rules made by common consent, whenever any great enterprise was undertaken, and that Clovis himself, though he succeeded his father Childeric in commanding over a part of the Franks, was chosen in this manner, and for this purpose, is certain. In his first expedition, he led an army of free-booters, and was obliged by compact to divide the spoil by lots amongst them. The story, which so many authors have told, after Gregory of Tours, of a private soldier, who refused to leave to his disposition a vessel of gold, that had been taken out of a church at Rheims, and broke it before his face, is a proof that he was nothing more at first than I have represented him, the head of a troop of adventurers, who chose him to lead them, but made their conditions with him. The Franks therefore might be at this time, in some sense, 'all free, perfectly equal, and independent'; but will it follow from hence that they continued to be so, in any sense, after Clovis had founded their monarchy; had destroyed all their little kings; united in one body, and under his own domination, all their little states, and changed the form of their government, by appointing dukes, earls, vicars, and other magistrates, to govern under him, according to the model of government in the latter Roman empire? Certainly not. However this change was brought about, and to whatever it was owing, the monarchy of the Franks in Gaul was built on the ruins of their former government. This Boulainvilliers himself confesses, when he says (though not very accurately nor consistently, as I imagine, in calling their former government a kind of aristocracy) that 'the principle of union, which founded the monarchy on the ruins of a kind of aristocracy, was the mistaken ambition of particular men.' In short, proofs enough may be collected out of this very author, to show that the government of the Franks, even under the first race of their kings, was not only different from the German government, but in some respects founded on quite opposite principles. One of these respects, which is immediately to my purpose, I shall mention.

The general assemblies that were held at first in the month of March, and afterwards in the month of May, were national assemblies, indeed, but not such as the ancient Germans held; among whom the principal men consulted and decided about the least, and the whole body of the people about the greatest affairs. In these assemblies of the French the people had nothing to do, unless we reckon for something the function of hollowing, which the author I have just now quoted assigns them, and which he says that custom had rendered necessary. In one word, the people had not any share in the supreme power, either collectively or representatively, in the original plan of the French government. Whether they acquired any share in this power afterwards, let us enquire next. Mézeray pretends, and indeed the whole history of France vouches for him, 'that no nation ever honoured their nobility so much as the French; amongst whom the nobility was not only exempt from all sorts of impositions and charges, but commanded absolutely all inferior ranks, who were almost in a state of servitude'. How could it be otherwise, when the nobility, and chief magistrates, and the clergy, composed alone the national councils, or parliaments, and even exercised distributive justice all over the kingdom? Their power increased, as that of the kings of the first race diminished. Charles Martel, indeed, who trusted to that battle-axe which gave him his name, and to foreign troops, laid aside the national assemblies, neglected the nobility, and misused even the clergy, who damned him for it. But Pepin found it necessary to regain both, and attach them to his interest, in order to mount the throne. By attaching them, he attached the whole nation to him. Childeric was deposed, and he chosen king in a general assembly held at Soissons, which Mézeray calls most improperly, since the expression communicates a false idea to his reader, the states, 'les états'. These assemblies, in his time, in that of his son Charles the Great, and so on, consisted of the nobility and clergy alone; and once more it is beyond all dispute certain, that the people had no more share in these national councils, under the second, than under the first race of the kings of France.

When the third race of these kings began in Hugues Capet, the lords were so powerful in their estates, and so independent in their governments, that he was forced to come to a Kind of composition with them. They became sovereigns, each in his territory, but held of the crown, and acknowledged the King for the supreme lord. There was scarce a town which had not a little sovereign, scarce a castle without some little tyrant. The parliaments, in these ages, took several turns; 'ills prirent divers plis', as Pasquier expressed himself, but still they consisted of princes, great

lords, bishops and abbots, who decided in them their disputes with one another, and with the King, and maintained by these means a sort of national confederacy, or federal union of many states, politically united under one head. Such assemblies as these, under the second and third race, were the original institutions, from whence the parliaments of France have proceeded, as many alterations as they have received, and as much as they are now changed: so that we may safely affirm the parliaments of France never gave the people any share in the government of that kingdom; and whoever entertains a notion that the assemblies of the states did, or that these assemblies are of great antiquity, or that they are the foundation of the liberty of the people of that country, will find himself, on due examination, grossly deceived.

These assemblies of the three estates, the nobility, clergy and commons, were invented first by Philip le Bel. They were entirely unknown before the year 1301. The people had no right to any such assemblies; and when they were instituted, they were plainly designed for nothing less than the good of the people. Long after the establishment of the Capetian race, when taxes grew heavy, and were laid on and levied very arbitrarily, seditions and rebellions of an oppressed people, who had no other recourse, followed. To prevent these, not only writs, or orders, were sent to the nobility and clergy, in the several sheriffwicks and bailiwicks, but to the commons, to assemble and take into consideration how to redress grievances, and support the public expenses; and after such consideration had amongst themselves, to depute some persons of each order, or estate, to confer together in the place appointed for holding such general assemblies. The commons were added to these assemblies,' says Pasquier, 'against the ancient order or practice of France, for no other reason than this, that the principal burden, or charge, was to fall upon them.' This was the true reason. Redress of grievances had no part in the schemes of that rapacious and profuse prince, who was the author of this institution; and he that considers the manner in which these assemblies were convened, the powers they were suffered to exercise, the subordination in which the commons particularly were kept, and the habitual, unavoidable influence under which they lay, will be easily convinced that such assemblies were fitted to do the jobs and sanctify the iniquity of the court, and nothing more. If at any time they make any good ordinances for the reformation of the state, 'these ordinances are', says honest Pasquier, 'like fine pieces of tapestry, hung up to make a show to posterity'. They have no other effect. 'But the imposition granted to the king hath its full effect.' I conclude therefore, and upon sufficient grounds, that even since the establishment of these assemblies of the estates, in the beginning of the fourteenth century, the people of France have had no real share in the supreme power of the government, either collectively or representatively.

I might illustrate and prove what is here advanced, by the example of every assembly of the states of France, of which we have any good accounts, from the first in 1301 to the last that was held, as I remember, in 1614. But such a deduction would carry us too far. I shall content myself therefore with making two observations.

First, that these farces, for such these assemblies were, and such they were designed to be, owe their institution not only to one of the worst kings, but to one of the worst ministers that France ever saw, Enguerand de Marigny, who was called the coadjutor and the governor of the kingdom; the most insolent, the most avaricious, and the most prodigal man of his age. The great ability of this minister, on which his whole merit with a greedy master was raised, consisted in making his administration a system of violence and fraud, in order to plunder and enslave the people. When he durst not employ one, he turned himself to the other; and how grossly and impudently he managed even fraud, it may not be improper to take notice, in one instance, because we shall see the better, by this instance, what the nature and effect of these assemblies were, of which we speak, and what use the court made of them from their first institution. Enguerand de Marigny then meeting with great opposition to some taxes he had devised, proposed the calling an assembly of the states, and hoped probably that he might gain the commons to favour the intention he had of extending these taxes to the nobility and clergy. A great scaffold was erected. The King, the lords and the clergy took their places on it. The commons attended at the foot of it. The minister made a most vehement declamation, to stir the passions of the audience, and made no scruple of insinuating in it, what neither he nor his master intended to perform a promise of reimbursing, after the expedition proposed, what the people should give to the King. The King rose from his throne, and advanced to the extremity of the scaffold, that he might second by his looks the harangue of his treasurer, and see who those were that refused, or consented to the aid he demanded. The deputies of Paris promised to give a sufficient supply, or to follow the King in their persons to the war. The other deputies concurred in this great engagement, and the assembly broke up, without any farther deliberation, or any ordinance of the estates. But an ordinance of the King soon followed; a general excise was imposed by his authority, as if it had been the grant of the estates to him; and his

minister had a number of harpies ready, whom he let loose to desolate the kingdom, by levying this infamous tax, for the consideration of some little advance made to the King. If you ask what were the consequences of these proceedings, it will be sufficient to mention two. The tax of a fifth on the revenues of the subject, which is the proportion of our land-tax of four shillings in the pound, was continued, though the general excise had been imposed; and Enguerand de Marigny was hanged in the succeeding reign for this amongst other crimes, though not by an assembly of the estates; for the estates had neither the opportunity nor the power of resenting the greatest insult that could be offered them, and the greatest injury that could be done to the nation.

The next observation I have to make is very short, but I think very pertinent, and very important. -- This example shows us clearly how true it is, that no instruments of tyranny can be found so sure and effectual as an assembly of the estates of a realm, when such an assembly is so constituted as to want the power, which was from the first the case of the three estates in France, and the same must happen when they are so managed as to want the will, which became at last the case of the Cortes in Spain, to secure the liberty and defend the property of the people, against such kings as Philip le Bel, and such coadjutors as Marigny. This prince and his minister has strained prerogative to the utmost, and had governed by it very tyrannically. Whilst this expedient would do, they tried no other; but when they apprehended it might fail them, they added a deputation of the commons to the assembly of the estates; that, seeming to create a new control on the crown, they might in reality give greater scope and freer exercise to arbitrary will. The friends of liberty therefore, who live under limited monarchies, cannot be too careful to preserve their constitution in vigour, nor too fearful lest their representatives should be so influenced as to neglect their privileges, misapply their powers, and depart from their integrity; since these friends of liberty see that the greatest masters of tyranny have judged the form, without the spirit, of a free government more favourable to their schemes of oppression, than all the authority that absolute monarchy can give; and that they made an innovation in the form of their government on this very motive, and for this very purpose.

I am, sir, etc.

Letter XVI

Sir, I have dwelt long, perhaps too long, on the last head. I was induced to it, not only because the account I have given, according to the truth of history, is contrary to the national prejudices of many people on this subject, as I hinted before; but principally because the great point of strength and security, on which the freedom of our constitution rests, will appear in a fuller light, by being thus contrasted with the constitution of the French government. Both their ancestors and ours came out of Germany, and had probably much the same manners, the same customs, and the same forms of government. But as they proceeded differently in the conquests they made, so did they in the establishments that followed. The conquest of Britain was a work of time, and the Saxon monarchy was long in forming. The conquest of Gaul was carried on with greater rapidity, and the French monarchy was sooner found. From hence some reasons might be drawn to account, amongst others, for that great difference between the constitutions of the two monarchies, which these two German nations founded, at no great distance of time, in Britain and in Gaul. But I shall not indulge myself in guessing at the reasons, or accidents, that determined the Franks to the division they made of their people, and to the form of government they established. Whatever reasons or accidents determined them, this is certain, that the distinction of lord and vassal became the general distinction of the whole nation; that the commons amongst them were little better than slaves, whatever they had been in Germany; and that they were so inured to servitude under their kings, prelates and lords, that they looked on themselves at last, not justly, but unjustly, as men who had no right, no, not even a right by nature, to any share in the government of that community whereof they made so vastly the principal part.

In Britain another constitution was formed, and another spirit prevailed. The Saxons had a nobility too, arising from personal valour, or wisdom, continued by blood, and sometimes conferred by the prince, however legally at first it matters not to enquire, on such as held great offices about his person. All these were the adelings, or nobles, an handful in comparison of the frilingi, or freeborn, who made the body of the Saxon people. The freedom of this people was erected on two columns, that have proved more durable than brass. They were parties to the making, and to the executing all the general laws of the kingdom. They shared the legislative power; were joined to the lords in the administration of justice; and no magistrate, or officer, could exercise jurisdiction, nor authority over them, no not ecclesiastical, without their consent and election. The comites ex plebe, who were chosen for this last function, the administration of justice, made one rank amongst the Saxon

commonalty. The custodes pagani, such as had an helmet, a coat of mail, and a gilt sword, for their ordinary arms, whether they fought on foot, or on horseback, made another rank; and the plain pagani, or ceorles, made the lowest. But even these were totally distinct from, and far superior to the lazzi, or slaves, nay to the free lazzi, such as had been slaves, and were become free. The ceorles were freemen to all intents and purposes, and in all the essentials of liberty, as much as the Saxons of any superior rank, and were capable of rising to any superior rank by merit, or by favour.

These are the sources, from which all the distinction of rank and degree, that exist at this day amongst us, have flowed. These are the general principles of all our liberties. That this Saxon constitution hath varied in many particulars, and at several periods of time, I am far from denying. That it did so, for instance, on the entry of the Normans, though certainly not near so much as many have been willing to believe, and to make others believe, is allowed. Nay, let it be allowed for argument's sake, and not otherwise, that during the first confusion, and the subsequent disorders which necessarily accompany and follow so great and so violent a revolution, the scheme of the Saxon constitution was broken, and the liberties of the people invaded, as well as the crown usurped. Let us even agree that laws were made, without the consent of the people; that officers and magistrates, civil, military and ecclesiastical, were imposed without their election: in one word, that these Norman kings, and the lords, had mounted each other too high to be lords over freemen, and that the government was entirely monarchical and aristocratical, without any exercise of democratical power. Let all this be granted, and the utmost that can be made of it will amount to this, that confusion and violence at the entry, and for some time after, under the government of a foreign race, introduced many illegal practices, and some foreign principles of policy, contrary to the spirit, and letter too, of the ancient constitution; and that these kings and the lords 'abused their power over the freemen, by extortion and oppression, as lords over tenants'. But it will remain true, that neither kings nor lords, nor both together, 'could prevail over them, or gain their consent to give their right, or the law, up to the king's beck. But still the law remained arbiter both of king and people, and the parliament supreme expounder and judge both of it and them.' Though the branches were lopped, and the tree lost its beauty for a time, yet the root remained untouched, was set in a good soil, and had taken strong hold in it: so that care and culture, and time were indeed required, and our ancestors were forced to water it, if I may use such an expression, with their blood; but with this care, and culture, and time, and blood, it shot up again with greater strength than ever, that we might sit quiet and happy under the shade of it; for if the same form was not exactly restored in every part, a tree of the same king, and as beautiful, and as luxuriant as the former, grew up from the same root.

To bring our discourse to that point which is here immediately concerned, Parliaments were never interrupted, nor the right of any estate taken away, however the exercise of it might be disturbed. Nay, they soon took the forms they still preserve, were constituted almost as they now are, and were entirely built on the same general principles, as well as directed to the same purposes.

When I say that they were constituted almost as they now are, I do not mean to enter into any of those minute questions, about which a man may employ much time and study, and have as little true and useful knowledge of our constitution as the most ignorant man alive. But I propose to make a short reJection or two on the property and power of the three estates that compose our Parliament, as they stood formerly, and as they now stand; because although our Parliaments were composed of king, lords and commons in those days, as well as these, yet the difference of the weight which each of these estates hath cast into the scale of government, at different periods, does in effect make some difference in the constitution of Parliaments: and by considering this difference, our thoughts will be led the better to judge of the true poise of our constitution, on maintaining which our all depends; since the nearer we keep to it, the safer our liberty is, and since every variation from it is dangerous to our liberty, in a degree proportionable to such variation. Property then, and power by consequence, have changed hands, or rather have shifted much in the same hands since the Norman era. Kings, lords and the Church were in those days, and long afterwards, the great proprietors; and by the nature of tenures, as well as by the bulk of their estates, they held the commons in no small subjection, and seem to have governed without much regard to them, or to their concurrence, in many cases. But the regard that was not paid them at first, the kings, the lords and the Church found it necessary to pay them in a short time; and that authority, that weight in the balance of power, which property did not give them, they soon acquired, or rather resumed by their numbers, and by the circumstances that followed. By the circumstances that followed, I mean the great disorders in the state, and the civil wars, which the ambition of princes, of the nobility, and of the Church too, created. In all these conflicts, some of the commons 'holding for the king, who promised liberty from the lords, and others siding with the lords, who promised them liberty from the

king', they came off better in the end than their principals, and an example rarely to be paralleled was set; for general liberty was nursed by these means, under the wings of particular ambition. In later days, when the nation, harassed and spent. by the long wars of York and Lancaster, seemed glad to settle under the stable government; and in this temper gave many advantages to the cunning of Henry the Seventh, which the violence of his son improved; it is certain that the commons suffered extremely from the avarice of one, the profusion of the other, and the high-strained prerogative of both. But then their sufferings were temporary, and may be said to have ended with these reigns; whereas the sufferings of the nobility and the Church were permanent and irretrievable. 'The king and his council', says the author I quoted last, 'under colour of liveries and retainders, brought the whole kingdom to be of their livery.' It was so. But still the commons lost nothing, and gained much. They were more under subjection to the crown; but they were less under subjection to the lords and the Church. Not only the dependencies on these were broken, but the lords and the Church were made more dependent on the crown than the commons had been on them. The lords were obliged to attend the court at their own expense, and might alienate their estates to defray this expense. A great part of the lands of the Church were confiscated and parcelled out to those who could buy, at very cheap rates; and the increase of trade, which begun about this time to be very considerable, put the commons into a condition of being the buyers. Thus were the old foundations of property and power sapped on one side, and new foundations laid on the other. Some of the weight of the Church continued in the scale of the lords, and some of it hath gone since into that of the commons. The parliamentary control of the crown did not become less, but it became more equally and more usefully placed. Democracy was so well poised with aristocracy, after this great change, that if they divided, they could not invade one another; and if they united, they could not be invaded by the monarchy. Far different was the case in other countries, where the crown got the better of the lords, and baffled, at least in some degree, the monstrous attempts of ecclesiastical usurpation. In France, for instance, when the encroachments of the papal power were checked, the Church compounded with the crown, and an alliance succeeded, of the monarchy with the hierarchy. But if the Church was able to compound, the nobility was forced to submit in that kingdom; so that the authority and wealth of the Church being fixed on the side of the crown, the whole strength and influence of the nobility being taken from them, and incorporated with the power of the crown, and the commons having nothing to do in that government but to pay taxes, and carry arms, the kings of France are become absolute monarchs; and whatever liberty, or appearance of liberty, there was in that constitution, it is totally destroyed.

When I say that Parliaments were entirely built on the same general principles, as well as directed to the same purposes, as they still are, I shall be justified by the whole tenor of our history, and of our law. Let us consider this in a case the plainest imaginable, though it suffers so much debate through the effrontery of some men. Let us consider it relatively to that great principle, that Parliaments ought to be independent of the crown, in all respects, except such as are settled by the law and custom of Parliament, and concerning which there is no dispute. Now, this general principle hath not only been always the same, but it hath been always so declared, in the most authentic and solemn manner; and Parliaments have not been more intent on any national concern whatever, than on maintaining this principle, and securing the effects of it. I say, Parliaments have been constantly thus intent, and especially in the best times, during more than three centuries at least; for I would not go back too far, nor grope unnecessarily in the dark. What else did those laws mean, that were made in the time of the Lancaster kings, to regulate the elections, and to prevent the influence which Richard the Second had illegally and arbitrarily employed, and which there was room to fear that other princes might employ? What else do all those resolutions, all those declarations, all those remonstrances, all those Acts of Parliament mean, that have been made so often, and enforced so strongly, from time to time, and from those days to these, against the influence of the crown, either on the elections, or on the members of Parliament? I should be ashamed to ask any more questions of this kind, or to descend into any detail, in order to prove what every clerk of a justice of peace, nay, almost every day-labourer, knows. But there is another question, which I must ask. If this be so, what do those men mean, who are employed, or rather, what does he mean who employs them, to plead in all places, and on all occasions, even the most solemn, in favour of this very influence, nay, of the very worst sort of it, of that influence which is created immediately by corruption; for to that their arguments reach by undeniable consequences? Reason is against him and them; since it is a plain absurdity to suppose a control on the crown (and they have not yet ventured to suppose the contrary, that I know of) and to establish, at the same time, a power, and even a right, in the crown, to render this control useless. Experience is against them; since the examples of other countries, and at some times (former times I mean) of our own, have proved, that a prince may govern according to his arbitrary will, or that of his more arbitrary minister, as absolutely, and much more

securely with, than without the concurrence of a Parliament. Authority, even the uniform authority of our whole legislature, is against them. The voice of our law gives them the lie. How then shall we account for this proceeding; this open and desperate attack upon our constitution, and therefore upon our liberty? Have these great men made any nice discovery, that escaped the blunt sagacity of our ancestors formerly, and is above the narrow conceptions of all other men, except themselves, at this time? Is it less fit than the wisdom of this nation hath judged it to be, for so many ages, that kings should govern under the constitutional control of two other estates? Or is it less fit that they should govern so, for the time to come, than it was for the time past? We shall hear, for aught I know, even in this age, that kings are God's vicegerents; that they are, next to him and his son Christ Jesus, supreme moderators and governors. We shall hear again, perhaps, of their hereditary, their divine, their indefeasible right, and the rest of that silly cant, which was invented to make the usurpations of prerogative go down the better. But will even this alter the case? Will this make it unworthy of them to submit to the full control of such a constitution as God himself approved, in the institution of the Jewish senate? Moses was undoubtedly God's vicegerent. He was, if ever man was so, next and immediately under God, a supreme moderator and governor. He was inspired, and assisted in a supernatural manner; and yet he took the advice of his father-in-law Jethro, the priest of Midian. He associated to himself in the government of the commonwealth, or he bade the people take, as he says in another place, or choose, 'wise men and understanding, and known among the tribes', that they might be associated to him. He found himself unequal to the talk of governing alone, and he expostulated with God upon it. 'I am not able to bear all this people alone. Have I conceived all this people? Have I begotten them? If thou deal thus with me, kill me, I pray thee, out of hand.' Whether they, who deduce from hence the institution of sanhedrins, are in the right, or they who assign them a more modern date, against the opinion of the Jewish doctors themselves, whose authority our doctors receive implicitly enough in some cases, and reject as arbitrarily in others, it matters not to enquire. Let us leave the dispute to the partisans of Joseph Scaliger and Petavius, of father Simon and Le Clerc. Thus much is certain. A great sanhedrin subsisted at Jerusalem, even at the coming of the Messiah, as well as inferior sanhedrins in several parts of Palestine; which form of government bore some resemblance to our old Saxon constitution; and he who takes the trouble of looking into Mr Selden, will find that the great sanhedrin had as much authority, and exercised as much power, as ever Parliaments did, or witanegemots could claim. That God approved a kind of parliamentary establishment, and a division of the supreme power between his vicegerent Moses and the seventy elders, to whom he gave some of the spirit that was on Moses, the quotations I refer to from holy writ do sufficiently prove. After this, it cannot be said, I think, to derogate from the majesty of any prince, let us entertain as high notions of this majesty as we please, that he is relieved from the burden of governing alone; that he is obliged to share the supreme power with the nobility and commonalty of the realm; and that he is hindered from destroying, either directly or indirectly, that independency of those other estates, which can alone preserve, this division of the supreme power, really, as well as apparently. But perhaps these great and honest men have discovered a necessity of putting the members, or a majority of the members of Parliament, under the influence of the crown, in order to preserve this very constitution. Let us see therefore what dangers this expedient is fitted to prevent. -- Are we afraid that an House of Commons, unless restrained by places and pensions, should give up the constitution to the lords, and establish an aristocracy? This fear would be ridiculous surely; and he who should argue against such a supposition, would make himself so. -- Are we afraid that an House of Commons, unless restrained in this manner, should usurp more power than belongs to them, and establish a kind of democratical tyranny? But they would have, in opposition to them, a power sufficient to defeat their designs: the united power of the crown, and of the House of Lords. Formerly, indeed, they succeeded in an attempt of this kind; and the King and the lords may, at any time, throw too much power into their scale, and set the sense and spirit of the people on their side, as was done at that time. But this neither hath been, nor can be done, unless both King and lords conduct themselves so ill, that the mischiefs to be apprehended from their prevalency appear as great, or greater, than those which are to be apprehended from the prevalency of the commons. Let it be remembered too, that as the King and lords may give too much power and popularity to the commons, so the lords and commons may give too much power to the crown. The difference will lie only here; that the King and lords will never do the first designedly; whereas there is a possibility that the lords and commons may be induced, in some age less virtuous than the present, by places, pensions and other gratifications, bestowed on a majority of those assemblies, to do the last designedly. What now remains to be urged, in favour of this expedient? From what danger are we to be protected by it? Shall we be told that Parliaments will not pursue the national interest, unless their members are bought into it by the crown? Something like this hath been advanced, I have heard; and nothing more impudent, nor more silly could be advanced. A court that is truly in the interest of the nation, will have, nay, must

have a concurrence of Parliament, as it would be easy, if it was needful, to show. Time and trouble, indeed, may be sometimes required to lead independent men, who judge for themselves, and comply because they are convinced; whereas neither one nor the other are wanting, to determine such as hold to a court by a corrupt dependency on it: for they are soon disciplined, and ready to perform the whole exercise of parliamentary mercenaries at the beat of a drum. Some inconveniencies may likewise arise, for that which I have just mentioned does not deserve the name, from the independency of Parliaments. Ministers, for instance, may be called to account by the passion, by the prejudice, if you will, of such assemblies, oftener, perhaps, than they deserve to be; or their errors may be censured, or their faults be punished, in a greater degree, and with more rigour, not only than true political justice requires, which should always be tempered with mercy, but even than strict justice exacts. But as one of these is a fault, if it be a fault, on the best side, and as the other will certainly happen very seldom, it does not seem reasonable, that a door should be opened to corruption and dependency, in order to prevent them. Nay, farther, this vigilance, and this severity of Parliaments, which we here suppose, will not fail to have some very good effects, that are more than sufficient to balance the supposed ill effects. Among the rest, they may render the rash, who are in power, more cautious, and the bold more modest. They may render fools less fond of power, and awe even knaves into honesty. It were better, surely, that able and good men should now and then suffer, nay, the good man who suffered would be himself of this opinion, than that the adulation and servility of Parliaments, which are the necessary consequences of corruption and dependency, should ever contribute to make the court become, in any future age, a sanctuary for pickpockets, and an hospital for changelings.

I am, sir, etc.

Letter XVII

Sir, The great alteration we have spoken of, in property and power, brought our constitution, by slow degrees, and through many struggles and dangers, so near the most perfect idea of a free system of government, that nothing would be now wanting to complete it, if effectual means were found of securing the independency of Parliament against corruption, as well as it is secured against prerogative. Our Kings have lost little of the gaudy plumage of the crown. Some of their superfluous power, indeed, hath been bought, and more hath been wrested from them. Notwithstanding which, it is a very demonstrable truth, that the crown must sit lighter and more secure on the head of a wise prince (and no constitution provides for, though every constitution should provide against, a weak prince), since the great change of property and power in favour of the commons, than ever it did before. Our Kings are no longer exposed, as some of the greatest of them have been, to the insults of turbulent, ambitious lords, or haughty prelates. It is no longer in the power of a few factious noblemen to draw armies into the field, and oblige their prince to fight for his crown, to fight to gain it, and to fight to keep it; as Edward the Fourth did, I think, in nine pitched battles. To make the prince uneasy, or insecure, as we are now constituted, the whole body of the people must be uneasy under his government. A popular King of Great Britain will be always not only easy and secure, but in effect absolute. He will be, what the British constitution alone can make any prince, the absolute monarch of a free people; and this popularity is so easily acquired, a King gains the public confidence and affection at so cheap a rate, that he must be poor indeed in all the kingly virtues, who does not purchase them, and establish true popularity upon them.

If the condition of our Kings is mended in many respects, and made worse in none, that of the nation is mended in every respect, by the great improvements of our constitution; which are due principally to the change I have mentioned, as the advances we have. made in trade, and in national wealth and power, are due principally to these improvements. It is by these, that the subjects of Great Britain enjoy hitherto such a freedom of their persons, and such a security of their property, as no other people can boast. Hence that great encouragement of industry; hence that broad and solid foundation of credit, which must always continue, unless the weight of taxes, and the oppression of tax-gatherers make it worth no man's while to be industrious any longer, and unless national credit be reduced, by length of time, and private management, to rest no longer on its natural and original foundation, but on the feeble props of yearly expedients, and daily tricks; by which a system, that ought to be the plainest and fairest imaginable, will become of course a dark, intricate, and wicked mystery of stockjobbing.

But the great advantage we are to insist upon here, which hath arisen to the whole nation from the alteration in the state of property and power, is this: that we have been brought by it to the true poise of a mixed government, constituted like ours in the three simple forms. The democratical power is

no longer kept under the same dependencies; and if an House of Commons should now fail to assert that independent share in the supreme legislative power, which the constitution assigns to this assembly, it could not proceed, as it might and sometimes did formerly, from the nature of tenures, and many other unavoidable restraints; it could proceed alone from the corruption of particular men, who threw themselves into a voluntary dependency. The democratical power of our constitution is not sufficient to overtop the monarchical and aristocratical; but it is sufficient to counterwork and balance any other power by its own strength, and without the fatal necessity of favouring the ambition of the crown against the lords, or that of the lords against the crown. Nay more, as our government is now constituted, the three estates have not only one common interest, which they always had; but they have, considered as estates, no separate, contradictory interest. Our constitution gives so much grandeur, so much authority and power to the crown, and our Parliaments give so immense a revenue, that no prince hath any real interest to desire more, who looks on himself as the supreme magistrate of a free people; for if we suppose inordinate ambition, or avarice, to make part of his character, these passions are insatiable: but then for this very reason, because they are so, there ought to be no account held of them; and though a prince may measure his demands, a people, who are in their senses, will never measure their concessions by them.

The property of the commons is not only become far superior to that of the lords upon the whole, but in the detail there are few, very few, instances to be produced of greater shares of private property amongst the latter, than amongst the former; and as the property of the commons is greater, so it is. equally free. There are no badges of servitude on one side; no pretence of any superiority, except those of title and rank, on the other. The peers are, in some points, I speak it with all the respect due to them, commoners with coronets on their coats of arms; and affecting to act as such, it is plain they desire very wisely to be taken for such, on many occasions. The interests on these two estates then, with regard to property, are the same; and their particular rights and privileges are now so well ascertained, and so distinguished, that as the proximity of their interests of one sort should always unite them, so the distance of those of another sort cannot easily make them clash. In short, these two orders, according to the present constitution (and how different is it from that of Rome, or, in the last respect, even from that of Spain, not to mention that of France?) have no temptation, and scarce the means, of invading each other: so that they may the better, and the more effectually, employ their vigilance, and unite their efforts, whenever it shall be necessary, against the encroachments of the crown, from whose shackles they have both emancipated themselves, whether the attempts to impose these shackles again are carried on by prerogative, or by the more formidable enemy of liberty, corruption.

It hath been observed already, that although the crown hath the sole power of creating peers, yet the independency of the peerage on the crown is secured by this: that their rights and privileges cannot be taken from them, at the will of the crown. Could the crown unmake, as well as make peers, it would be a jest to talk of three estates, since there would be virtually, and in effect, but two; and therefore our constitution hath provided against it. But the commons of Great Britain can make, and at proper seasons, and in a proper manner, unmake their representatives; by which means, many inconveniencies and mischiefs are avoided, and many wise and just ends obtained. The peers of the realm can, the commons cannot, assemble in their collective body, without exceeding those numbers, amongst whom the quiet, order, decency and solemnity of a senate may be preserved. The peers therefore sit in Parliament in their collective, the commons in their representative body. The peers have an inherent, the commons a delegated right. The peers are therefore accountable for their conduct, as all other men are, to God, to their own consciences, to the tribunal of public fame, and to no other. But the commons are accountable to another tribunal, as well as to these, to that of their constituents; before which they must frequently appear, according to the true intent of our constitution, to have a censure, or approbation, passed on their conduct, by the refusal, or grant of new powers to the particular members. Thus the collective body of the people of Great Britain delegate, but do not give up, trust, but do not alienate their right and their power, and cannot be undone by having beggary or slavery brought upon them, unless they co-operate to their own undoing, and in one word betray themselves.

We cannot therefore subscribe to those two sayings of my Lord Bacon, which are quoted to this effect; 'That England can never be undone, unless by Parliaments; and that there is nothing, which a Parliament cannot do.' -- Great Britain, according to our present constitution cannot be undone by Parliaments; for there is something which a Parliament cannot do. A Parliament cannot annul the constitution; and whilst that is preserved, though our condition may be bad, it cannot be irretrievably so. The legislative is a supreme, and may be called, in one sense, an absolute, but in none an arbitrary power. 'It is limited to the public good of the society. It is a power, that hath no other end but

preservation, and therefore can never have a right to destroy, enslave, or designedly to impoverish the subjects; for the obligations of the law of nature cease not in society, etc.' -- If you therefore put so extravagant a case, as to suppose the two houses of Parliament concurring to make at once a formal cession of their own rights and privileges, and of those of the whole nation to the crown, and ask who hath the right, and the means, to resist the supreme legislative power? I answer, the whole nation hath the right; and a people who deserve to enjoy liberty, will find the means. An attempt of this kind would break the bargain between the king and the nation, between the representative and collective body of the people, and would dissolve the constitution. From hence it follows, that the nation which hath a right to preserve this constitution, hath a right to resist an attempt, that leaves no other means of preserving it but those of resistance. From hence it follows, that if the constitution was actually dissolved, as it would be by such an attempt of the three estates, the people would return to their original, their natural right, the right of restoring the same constitution, or of making a new one. No power on earth could claim any right of imposing a constitution upon them; and less than any that King, those lords, and those commons, who, having been entrusted to preserve, had destroyed the former. But to suppose a case more within the bounds of possibility, though one would be tempted to think it as little within those of probability, let us suppose our Parliaments, in some future generation, to grow so corrupt, and the crown so rich, that a pecuniary influence constantly prevailing over the majority, they should assemble for little else than to establish grievances, instead of redressing them; to approve the measures of the court, without information; to engage their country in alliances, in treaties, in wars, without examination; and to give money without account, and almost without stint. The case would be deplorable. Our constitution itself would become our grievance, whilst this corruption prevailed; and if it prevailed long, our constitution could not last long; because this slow progress would lead to the destruction of it as surely as the more concise method of giving it up at once. But, in this case, the constitution would help itself, and effectually too, unless the whole mass of the people was tainted, and the electors were become no honester than the elected. Much time would be required to beggar and enslave the nation, in this manner. It could scarce be the work of one Parliament, though Parliaments should continue to be septennial. It could not be the work of a triennial Parliament most certainly: and the people of Great Britain would have none to blame but themselves; because, as the constitution is a sure rule of action to those whom they choose to act for them, so it is likewise a sure rule of judgment to them, in the choice of their trustees, and particularly of such as have represented them already. In short, nothing can destroy the constitution of Britain, but the people of Britain: and whenever the people of Britain become so degenerate and base, as to be induced by corruption, for they are no longer in danger of being awed by prerogative, to choose persons to represent them in Parliament, whom they have found by experience to be under an influence, arising from private interest, dependants on a court, and the creatures of a minister; or others, who are unknown to the people, that elect them, and bring no recommendations but that which they carry in their purses; then may the enemies of our constitution boast that they have got the better of it, and that it is no longer able to preserve itself, nor to defend liberty. Then will that trite, proverbial speech be verified in our case, 'that the corruptions of the best things are the worst'. for then will that very change in the state of property and power, which improved our constitution so much, contribute to the destruction of it; and we may even wish for those little tyrants, the great lords and the great prelates again, to oppose the encroachments of the crown. How preferable will subjection to those powerful landlords (whom the commonalty were accustomed to serve; and by whom, if they suffered on one hand, they had considerable advantages on the other), how preferable, indeed, will this subjection appear to them, when they shall see the whole nation oppressed by a few upstarts in power; often by the meanest, always by the worst of their fellow subjects; by men, who owe their elevation and riches neither to merit nor birth, but to the favour of weak princes, and to the spoils of their country beggared by their rapine. Then will the fate of Rome be renewed, in some sort, in Britain. The grandeur of Rome was the work of many centuries, the effect of much wisdom, and the price of much blood. She maintained her grandeur, whilst she preserved her virtue; but when luxury grew up to favour corruption, and corruption to nourish luxury, then Rome grew venal; the election of her magistrates, the sentences of her judges, the decrees of her senate, all was sold: for her liberty was sold when these were sold; and her riches, her power, her glory could not long survive her liberty. She, who had been the envy, as well as the mistress of nations, fell to be an object of their scorn, or their pity. They had seen and felt that she governed other people by will, and her own by law. They beheld her governed herself by will; by the arbitrary will of the worst of her own citizens, of the worst of both sexes, of the worst of human kind; by Caligula, by Claudius, by Nero, by Messalina, by Agrippina, by Poppaea, by Narcissus, by Callistus, by Pallas; by princes that were stupid or mad; by women that were abandoned to ambition and to lust; by ministers that were emancipated slaves, parasites and panders, insolent and rapacious. In this miserable state, the few that retained some sparks of the

old Roman spirit, had double cause to mourn in private; for it was not safe even to mourn in public. They mourned the loss of the liberty and grandeur of Rome; and they mourned that both should be sacrificed to wretches whose crimes would have been punished, and whose talents would scarce have recommended them to the meanest offices, in the virtuous and prosperous ages of the commonwealth. Into such a state, the difference of times and of other circumstances considered, at least, into a state as miserable as this, will the people of Britain both fall, and deserve to fall, if they suffer, under any pretence, or by any hands, that constitution to be destroyed, which cannot be destroyed, unless they suffer it; unless they co-operate with the enemies of it, by renewing an exploded distinction of parties; by electing those to represent them, who are hired to betray them; or by submitting tamely, when the mask is taken off, or falls off, and the attempt to bring beggary and slavery is avowed, or can be no longer concealed. If ever this happens, the friends of liberty, should any such remain, will have one option still left; and they will rather choose, no doubt, to die the last of British freemen, than bear to live the first of British slaves.

I am, sir, etc.

Letter XVIII

Sir, If we had proposed nothing more to ourselves, in writing this dissertation on parties, than the entertainment, such as it is, of your readers, and our own amusement; we should not have dwelt, perhaps, so much on the nature of the British constitution, nor have recurred so often to assert the necessary independency of Parliaments on the crown. But we had another motive, which we are neither afraid, nor ashamed to avow. This necessary independency of Parliaments, in which the essence of our constitution, and by consequence of our liberty consists, seems to be in great, not to say, in imminent danger of being lost. They who are alarmed at every thing that is said in favour of our constitution, and of British liberty, and who are prejudiced against every man who writes or speaks in defence of them, may take, or affect to take, and try to give offence at this expression. But we desire to be understood, as we have explained our meaning upon some former occasion. We understand our constitution to be in danger, not only when it is attacked, but as soon as a breach is made, by which it may be attacked; and we understand this danger to be greater, or less, in proportion to the breach that is made, and without any regard to the probability or improbability of an attack. This explanation of our meaning is the better founded, because the nation hath an undoubted right to preserve the constitution not only inviolate, but secure from violations. Should corruption prevail among the members, which we trust will never happen, as notoriously as it does in the elections of Parliament, we all know how much the magnanimity of our present King would scorn to take so mean an advantage over the nation; how much, on the contrary, his heroical spirit would prompt him to maintain the liberty even of a degenerate people, who might deserve no longer the enjoyment of so invaluable a blessing, but who could never deserve to have it taken from them by a prince of that family, which was raised by them to the throne, for no other reason but to preserve it. All this we know; and the nation may have, no doubt, the same confidence in every future King of the same illustrious and royal house. But this will not alter the case; nor make that, which I call danger, cease to be such. Should angels and arch-angels come down from heaven to govern us, the same danger would exist, until the springs, from whence it arises, were cut off; not because some angels and arch angels have fallen, and from being the guardians, have become the tempters and tormentors of mankind, and others therefore may fall; but because, as private liberty cannot be deemed secure under a government, wherein law, the proper and sole security of it, is dependent on will; so public liberty must be in danger, whenever a free constitution, the proper and sole security of it, is dependent on will; and a free constitution, like ours, is dependent on will, whenever the will of one estate can direct the conduct of all three.

Having thus explained what I mean by danger, and taken away all colour for cavil, it remains that I prove this danger to be real, and not the phantom of a crazy imagination, or a prejudiced mind. This shall be done therefore as shortly as I am able, and by an undeniable deduction of facts.

He who undertakes to govern a free people by corruption, and to lead them by a false interest, against their true interest, cannot boast the honour of the invention. The expedient is as old as the world, and he can pretend to no other honour than that of being an humble imitator of the devil. To corrupt our Parliaments hath been often attempted, as well as to divide our people, in favour of prerogative, and in order to let the arbitrary will of our princes loose from the restraints of law. We observed this in speaking of the reign of Charles the Second: but the efforts then made were ineffectual. The frugal habits of the former age were not entirely lost in that; which, I presume, may be reckoned as one cause of the noble stands that were then made by our Parliaments in

opposition to the court. But not to ascribe more honour than is due, perhaps, to our fathers, the revenue of the crown was, at that time, so small (I speak comparatively; for, in every other respect, it was very ample) and the profusion of that prince on his pleasures was so great, that no minister of King Charles the Second could find sums sufficient to buy a Parliament. He stood therefore on his prerogative, strained it as far as he durst, and made all the use of it he could. The revenue of the crown was greatly increased in the reign of King James the Second, and was given most unwisely for life. I say, most unwisely; for as a prince who hath an heart and head to govern well, cannot stand in need of such a grant; so a prince who hath neither, does not deserve it: and therefore, whatever the generosity of our countrymen to their princes may carry them to do at any time, they might leave this undone at all times, without any reflection on their prudence, or even their generosity. The reign of King James was short; and during this short reign he rested on that prerogative, which he knew was a cheaper expedient than corruption, and which he vainly flattered himself was enough confirmed to support the measures he took, for subverting the religion, the laws, and the liberty of Britain. Thus were men brought, by the conduct of these two princes, to fix their eyes on prerogative, as the sole instrument of tyranny, and to forget that corruption had been employed, though unsuccessfully, by King Charles, and might have been employed with greater force, and perhaps more success, by King James. The cry of the nation was for a free Parliament, and no man seemed to doubt, in that ferment, but that a Parliament must be free, when the influence which the crown had usurped in the precedent reigns over the elections, was removed, as it was by the Revolution. But this general inadvertency, as well as the particular neglect of those who took the lead in national affairs at that time, is the more surprising, because corruption having been so lately employed, among other means, to render Parliaments dependent on the crown, the danger of corruption was, by consequence, one of those dangers against which the nation had a right to be secured, as well as a promise of being so, according to the terms of the Prince of Orange's declaration. Those persons especially, who had exclaimed so loudly against place-men and pensioners, in the reign of King Charles, and who complained, at this instant, so bitterly of the undue influence that had been employed, in small boroughs chiefly, to promote the elections of the Parliament which sat in the reign of King James, ought to have been attentive, one would think, to take the glorious opportunity that was furnished them by a new settlement of the crown, and of the constitution, to secure the independency of Parliaments effectually for the future. Machiavel observes, and makes it the title of one of his discourses, that 'a free government, in order to maintain itself free, hath need, every day, of some new provisions in favour of liberty'. The truth of this observation, and the reasons that support it, are obvious. But as every day may not furnish opportunities of making some of those new and necessary provisions, no day that does furnish the opportunity ought to be neglected. The Romans had been so liberal in bestowing the right of citizens on strangers, that the power of their elections began to fall into such hands as the constitution had not intended to trust with them. Quintus Fabius saw the growing evil; and being censor, he took the opportunity. confined all these new elections into four tribes; put it out of their power to turn the elections, as they had done, whilst their numbers were divided among all the tribes; freed his country from this danger; restored the constitution, according to the true intent and meaning of it; and obtained, by universal suffrage, the title of Maximus. If a spirit like this had prevailed among us, at the time we speak of, something like this would have been done: and surely something like it ought to have been done; for the Revolution was, in many instances, and it ought to have been so in all, one of those it had renewals of our constitution that we have often mentioned. If been such, with respect to the elections of members to serve in Parliament, these elections might have been drawn back to the ancient principle on which they had been established; and the rule of property, which was followed anciently, and was perverted by innumerable changes that length of time produced, might have been restored; by which the communities to whom the right of electing was trusted, as well as the qualifications of the electors and the elected, might have been settled in proportion to the present state of things. Such a remedy might have wrought a radical cure of the evil that threatens our constitution; whereas it is much to be apprehended, even from experience, that all others are merely palliative; and yet the palliative must be employed, no doubt, till the specific can be procured.

But nothing of this kind was done at the Revolution. Pleased that the open attacks on our constitution were defeated and prevented, men entertained no thought of the secret attacks that might be carried on against the independency of Parliaments; as if our dangers could be but of one kind, and could arise but from one family. Soon after the Revolution, indeed, men of all sides, and of all denominations (for it was not a party-cause, though it was endeavoured to be made such) began to perceive not only that nothing effectual had been done to hinder the undue influence of the crown in elections, and an over balance of the creatures of the court in Parliament, but that the means of exercising such an influence, at the will of the crown, were unawares and insensibly increased, and

every day increasing. In a word, they began to see that the foundations were laid of giving as great power to the crown indirectly, as the prerogative, which they had formerly dreaded so much, could give directly, and of establishing universal corruption. The first hath happened, and we pray that the last never may.

The net revenue of the crown, at the abdication of King James, amounted to somewhat more than two millions, without any tax on land, or malt, and without a multitude of grievous impositions and excises, that have been since heaped on the nation. It is plain, and it was so then, that this revenue might have been so increased, as to answer annually the great annual expenses, in which we engaged soon afterwards. In this case, the people would not have had a greater, nay nor so great a burden to bear, as they had in the course of the two wars that followed; and, at the end of these wars, they would have found themselves with little or no load upon them, instead of crouching under a debt of fifty millions. That this method was not taken, furnishes matter of very melancholy reflection to the present, and will do so to future generations. But these reflections are no part of my subject. How it came to pass that a method so practicable, and so eligible, was not taken (whether this was owing to private interest, to party-cunning of different and opposite kinds, or to an unhappy refinement in politics, that contracting national debts, under a new establishment, was an effectual expedient to attach men to this establishment), I shall not presume to say. All three might have their share, perhaps, in determining for another measure. At least it is a point, on which the men of that time have spoken with much prejudice, and little candour. But however that might be, certain it is that we began to borrow at high interest, to anticipate and mortgage, immediately after the Revolution: and having once begun, there was no remedy; we were forced to proceed in the same manner, through the course of two mighty wars. Formerly, the whole expense of the state was borne by the crown; and when this expense grew, upon extraordinary occasions, too great for the revenue of the crown to bear, the people aided the crown, if they approved the occasions of the expense. These grants were properly aids, no more: for the revenue of the crown was engaged in the first place, and therefore it might seem reasonable that the crown should have the levying and management of the whole; of these aids, as well as of the standing revenue. But it happened in this case, as it does in many. the reason of the thing ceased, and the thing continued. A separate, private revenue, or a civil list, as we commonly call it, was assigned to the crown. From that time, the former order hath been reversed. Our Kings, instead of contributing most, have contributed nothing to the public charge; and the people of Britain, instead of giving occasionally aids to the crown, have taken upon themselves the whole load of ordinary and extraordinary expenses, for which they annually provide. Notwithstanding this vast alteration in the state of the revenue, and the interest of the King and the people in the management of it, the same forms of granting aids to the crown, and of levying taxes, and of managing the public treasure, have been continued; so that the people stand obliged (for the crown, that is trusted with the whole, is bound for nothing) to make good all deficiencies, though they have no share in the management of the revenue. Our Kings, since the establishment of the civil list, have not only a private and separate estate, but receive a kind of rent-charge out of the public estate, to maintain their honour and dignity, nothing else: and whether the public estate thrive, or not, this rent-charge must be made good to them; at least, as it hath been settled on our present most gracious monarch, if the funds appropriated produce the double of that immense revenue of eight hundred thousand pounds a year, which hath been so liberally given him for life, the whole is his, without account; but if they fail in any degree to produce it, the entire national fund is engaged to make up the difference. But although our Kings have thus no longer any immediate interest in the public estate, they are trusted with the entire management of it. They are not only stewards for the public, but they condescend to be such for all those private persons, who are the creditors of the public, and have the additional trouble of managing about three millions a year, on this head.

Now this new settlement, which appears absurd in speculation, how wise soever it may have been thought contrived for practice, hath had this evident and inevitable consequence. As we have annually increased our funds, and our taxes, we have annually increased the power of the crown; and these funds and taxes being established and laid for perpetuity, or for terms equivalent to perpetuity, in the sense here intended, this increase of power must not only continue, but still increase, as long as the system of economy subsists. How this increase of power arises from the increase of funds and taxes, and the influence of the crown grows, in proportion to the burden on the people, heavier, hath been explained so much in the debates on a late detestable occasion, that much less needs to be said on the subject here. If we consider, in the increase of taxes, nothing more than the increase of officers first, by which a vast number of new dependants on the crown are created in every part of the kingdom (dependants as numerous, and certainly more prevalent than all the tenants and wards of the crown were anciently); and secondly, the powers given to the

treasury, and other inferior officers, on account of these taxes, which are at least as great and as grievous, in this free government of ours, as any that are exercised in the most arbitrary government, on the same occasions; if we consider this alone, we shall find reason sufficient to conclude, that although the power of prerogative was more open, and more noisy in its operations, yet the power thus acquired is more real and may prove more dangerous for this very reason, because it is more covered, and more silent. That men began to see, very soon after the Revolution, the danger arising from hence to our constitution, as I said above, is most certain. No less than seven Acts were made, in King William's reign, to prevent undue influences on elections; and one of the Acts, as I remember, for I have it not before me, is grounded on this fact, 'that the officers of the excise had frequently, by threats and promises, prevailed on electors, and absolutely debarred them of the freedom of voting'. What hath been done, or attempted to be done, since that time, in the same view, and what hath been done, or attempted to be done, both in the reign of King William and since, to prevent an undue influence on the elected, as well as on the electors, I need not recapitulate. They are matters of fresh date, and enough known. Upon the whole, this change in the state and property of the public revenue hath made a change in our constitution, not yet perhaps attended to sufficiently, but such an one however as deserves our utmost attention, since it gives a power, unknown in former times, to one of the three estates; and since public liberty is not guarded against the dangers that may arise from this power, as it was, and as it is now more than ever, against the dangers that used to arise from the powers formerly possessed or claimed by the crown. Formerly, prerogative was kept in sight, and provisions were made against the effects and encroachments of it, as often as occasion required, and opportunity offered. They who called themselves friends to the government, in those days, opposed these provisions. They who were friends to the constitution, promoted them. That the same thing should happen again, in a similar case, we must expect. But as the friends of the constitution, in times past, were not deterred, tempted, nor wearied, whilst they defended it against dangers of one kind, and by their honest perseverance delivered it, down, not only safe, but more improved, to posterity; let us flatter ourselves with this agreeable hope, that the friends of the constitution, at this time, and in all times to come, will be neither deterred, tempted, not wearied in the same generous cause, in watching and guarding it against dangers of another kind; and that they will deliver it down, in like manner, to future generations. Sure I am there are reasons, and those of no small moment, why they should be more watchful, more upon their guard, more bold, and more incessant in their endeavours, if possible, even than the assertors of British liberty were formerly; and the enumeration of some of these reasons is an article not to be omitted on this occasion.

I am, sir, etc.

Letter XIX

Sir, As the means then of influencing by prerogative, and of governing by force, were considered to be increased formerly, upon every increase of power to the crown, so are the means of influencing. by money, and of governing by corruption, to be considered as increased now, upon that increase of power which hath accrued to the crown by the new constitution of the revenue since the Revolution. Nay farther. Not only the means of corrupting are increased, on the part of the crown, but the facility of employing these means with success is increased, on the part of the people, on the part of the electors, and of the elected. Nay, farther still. These means and this facility are not only increased, but the power of the crown to corrupt, as I have hinted already, and the proneness of the people to be corrupted, must continue to increase on the same principles, unless a stop be put to the growing wealth and power of one, and the growing depravity of the other. We are, to be sure, in no danger from any advantage his majesty will take of this situation; but if advantage be not taken in favour of our constitution, of the present most happy reign, of the mild and beneficent temper of our heroical monarch, of the generous principle, instilled by nature, and improved by philosophy, of his royal consort, it may be supposed, for we speak hypothetically all along, as the reader will please to remember, even where the precaution is not used; it may be supposed, I say, that pretended friends to the government, and real enemies to this constitution, no matter whether they are such by principle, or become such by the crimes, will get into superior power, in some future time, and under some weak or wicked prince: and whenever this happens, the subversion of our constitution, and of our liberty by consequence, will be the most easy enterprise imaginable; because nothing can be more easy than the creation of an anti-constitutional dependency of the two houses of Parliament on the crown will be in that case; and because such a dependency of the two houses is as real a subversion of our constitution as an absolute abolishment of Parliaments would be.

The first of those means of corruption, that have grown up, or been increased, since the Revolution, which I shall mention, is the establishment of the civil list; not so much on account of the manner in which it was originally given, as on account of that in which it hath been since given, and of the vast augmentations that have been made to it; augmentations, that may be doubled or trebled, in times to come, upon the same motives, under the same and other pretences; in short, just as speciously as they have been made. The revenue of King James the Second, as it stood at his abdication, hath been mentioned; and it would not be hard to show, by indisputable computations, that they who apprehended he might be able to govern without Parliaments, or to buy Parliaments, if he wanted their assistance, had good reason for such apprehensions, notwithstanding the expense he was at, over and above all the ordinary charges of the government, in maintaining against law a great standing army of sixteen or eighteen thousand men. But to go back to the reign of King Charles the Second, whose revenue was much less. The patriots of that age, even when this revenue was computed at no more than one million two hundred thousand pounds a year, took great alarm at the pecuniary influence it might create, and looked upon it, and spoke of it, as a fund for corruption. Now, if this revenue could afford a fund for corruption, when, besides maintaining the honour and dignity of the crown, it was to defray all the other expenses of the state, and among the rest, those of a small army, and a great fleet; what would the same patriots think of a revenue of eight hundred thousand pounds, or a million a year, applicable to the particular expenses of the crown alone, and not one farthing of which sacred treasure was ever diverted to any national use? They would have the same just confidence, no doubt, as we have in his present majesty; but they would say as we do, that so immense a private, or separate revenue, may become hereafter an inexhaustible fund of corruption: and therefore that the independency of Parliaments is, and must be in real danger, till some remedies, as effectual against the pecuniary influence, as have been found against the prerogative of the crown, are provided. They would show that a small sum, in aid of places and pensions, of fears and expectations, might serve for the ordinary charge of annual corruption; and that a small saving reserved every year might produce, at the end of seven, a fund sufficient for the extraordinary charge of septennial and national corruption.

But again. If we suppose the civil list to become an insufficient fund for these purposes, by the profusion of some future King (and nothing less than the most extravagant profusion can make it so), or if we suppose that some future King may join to so many ill qualities, as leave him no means of governing but by corruption, a sordid avarice, that renders him unable to open his coffers, even for this use; yet will a very little iniquitous cunning suffice to create funds for corruption, that may come in aid of the civil list. It is natural for men to be less frugal, when others are to pay for their want of frugality. Our Kings therefore may become more apt to take, and our ministers to advise such engagements as plunge the nation, at every turn, into vast expense, since the load which fell, in part at least, on the crown formerly, falls entire on the people now. But besides this general reason to promote a want of frugality, there may arise particular reasons, of more positive and more pernicious effect. A weak administration, for instance, may pretend public necessity, when private inability alone hath formed the conjuncture; and frequent and extravagant supplies may be asked and obtained, to do, or to undo, by the weight of money, what might have been attained, or prevented, by a little foresight, and by a prudent conduct. A wicked administration may propose to impoverish the people; to render them as submissive and as abject as the subjects, the boors, or the slaves, in some foreign countries, and to beggar them out of their sturdiness. But there is another view, that may be common to a weak and a wicked administration both. In such an age as we suppose, public money will be easily granted, and public accounts rarely, or incuriously inspected. The ministers therefore, though never so weak, may be impudent enough to ask, and able enough to get frequent supplies, on national pretences, for private purposes. The consequences of this are manifold; for, in general, the more money passes through their hands, the more opportunities they have of gain; and, in particular, they may share, if they please, in every bad bargain they make for the public; and the worse their bargain, the better their share will be. Thus an immense subsidy given to some little prince, who deals in soldiers, or an immense arrear stated in favour of these little merchants of human flesh, may be so ordered as to steal enough from the public to replenish the royal coffers, to glut the ministers, to feed some of their hungry creatures, and to bribe a Parliament besides. Several of these occasional jobs may be, and, no doubt, will be contrived, in such an age, and by such means as we here suppose, and may be justly reckoned as so many auxiliary funds, belonging to the great aggregate fund of corruption. Let us, however, break off from discoursing of these, which may be more easily and more frequently contrived under the present, but might have been contrived under the former constitutions of the revenue; and let us turn our discourse, to speak of that great source of corruption, which was opened soon after the Revolution; which was unknown before it; and which hath spread, since it was opened, like the box

of Pandora, innumerable evils over this unhappy country.

The increase and continuance of taxes acquire to the crown, by multiplying officers of the revenue, and by arming them with formidable powers against the rest of their fellow subjects, a degree of power, the weight of which the inferior ranks of our people have long felt, and they most, who are most useful to the commonwealth, and which even the superior ranks may feel one time or other; for I presume it would not be difficult to show how a full exercise of the powers that are in being, with, or even without some little additions to them, for the improvement of the revenue, that stale pretence for oppression, might oblige the greatest lord in the land to bow as low to a commissioner of the customs, or excise, or to some subaltern harpy, as any nobleman or gentleman in France can be obliged to bow to the intendant of his province. But the establishment of public funds, on the credit of these taxes, hath been productive of more and greater mischiefs than the taxes themselves, not only by increasing the means of corruption, and the power of the crown, but by the effect it hath had on the spirit of the nation, on our manners, and our morals. It is impossible to look back, without grief, on the necessary and unavoidable consequences of this establishment; or without indignation on that mystery of iniquity, to which this establishment gave occasion, which hath been raised upon it, and carried on, for almost half a century, by means of it. It is impossible to look forward, without horror, on the consequences that may still follow. The ordinary expenses of our government are defrayed, in great measure, by anticipation and mortgages. In time of peace, in days of prosperity, as we boast them to be, we contract new debts, and we create new funds. What must we do in war, and in national distress? What will happen, when we have mortgaged and funded all we have to mortgage and to fund; when we have mortgaged to new creditors that sinking fund which was mortgaged to other creditors not yet paid off; when we have mortgaged all the product of our land, and even our land itself? Who can answer, that when we come to such extremities, or have them more nearly in prospect, ten millions of people will bear any longer to be hewers of wood, and drawers of water, to maintain the two hundredth part of that number at ease, and in plenty? Who can answer, that the whole body of the people will suffer themselves to be treated, in favour of an handful of men (for they who monopolize the whole power, and may in time monopolize the whole property of the funds, are indeed but an handful), who can answer, that the whole body of the people will suffer themselves to be treated, in favour of such an handful, as the poor Indians are, in favour of the Spaniards; to be parcelled out in lots, as it were; and to be assigned, like these indians to the Spanish planters, to toil and starve for the proprietors of the several funds? Who can answer, that a scheme, which oppresses the farmer, ruins the manufacturer, breaks the merchant, discourages industry, and reduces fraud into system; which beggars so often the fair adventurer and innocent proprietor; which drains continually a portion of our national wealth away to foreigners, and draws most perniciously the rest of that immense property that was diffused among thousands, into the pockets of a few; who can answer that such a scheme will be always endured? But I have run, before I was aware, from my subject, which requires no more than that I should take notice of the establishment of the public funds, as it furnishes new means of corruption on the part of the crown, and new facilities to these means, on the part of the people.

Now this, I suppose, hath need of no proof, and of little explanation; for, first, the whole art of stockjobbing, the whole mystery of iniquity mentioned above, arises from this establishment, and is employed about the funds; and, secondly, the main springs that turn, or may turn, the artificial wheel of credit, and make the paper estates that are fastened to it, rise or fall, lurk behind the veil of the treasury. From hence it follows, that if this office should be ever unrighteously administered; if there should ever be at the head of it, one of those veteran sharpers, who hath learned by experience how to improve the folly, and aggravate the misfortunes of his fellow-subjects, of the innocent, of the poor, of the widow, and of the orphan, to his own, or any other private advantage; it follows, I say, that he must have it in his power, and there can be no doubt of his will, to employ two methods of corruption, without any encumbrance to the civil list. Such a ministerial jobber may employ the opportunities of gaining on the funds, that he can frequently create by a thousand various artifices (notwithstanding the excellent provisions that have been lately made against the infamous practice of stockjobbing, by the wisdom of the legislature, and which we promise ourselves will be still improved), and he may apply the gains that are thus made, to corruption, in aid of the civil list. He may corrupt men with their own spoils, and bribe even those whom he reduced by his clandestine practices to that penury which could alone make them capable of being bribed; or, when he hath to do with men of another character (for no rank alone will be sufficient to raise them, in such an age, above the most direct and prostitute corruption), he may bribe them by a whisper, initiate them into his mystery to gain them, and then secure them by a participation of the same fraud and the same profit.

Though this reasoning be hypothetical, yet the suppositions are not strained, nor unnatural; for as the meanest grubs on earth have raised themselves by stockjobbing to the rank and port of noblemen and gentlemen; so may noblemen and gentlemen debase themselves to their meanness, and acquire the same spirit, by following the same trade. That luxury which began to spread after the Restoration of King Charles the Second, hath increased ever since; hath descended from the highest to the lowest ranks of our people, and is become national. Now nothing can be more certain than this, that national luxury and national poverty may, in time, establish national prostitution. Besides this, it is to be considered, that the immense wealth of particular men is a circumstance which always attends national poverty, and is in a great measure the cause of it. We may apply already to our country thus much at least of that which Sallust makes Cato say of the state of Rome; and I wish we could apply no more, -- Habemus luxuriam, atque avaritiam, publice egestatem, privatim opulentiam; 'luxury and avarice, public want and private wealth abound'. Now, as public want, or general poverty, for in that sense I take it here, will lay numbers of men open to the attacks of corruption; so private wealth will have the same effect, especially where luxury prevails, on some of those who do not feel the public want; for there is imaginary as well as real poverty. He who thought himself rich before, may begin to think himself poor, when he compares his wealth, and the expense he is able to make, with those men whom he hath been used to esteem, and perhaps justly, far inferior to himself in all respects. He who would have been ashamed to participate in fraud, or to yield to corruption, may begin to think the fault venial, when he sees men who were far below him, rise above him by fraud and by corruption; when he sees them maintain themselves by these means in an elevation which they could not have acquired by the contrary virtues, if they had had them. Thus may contraries unite in their effect, and poverty and wealth combine to facilitate the means and the progress of corruption. Thus may the great thieves of the nation do more, and less reparable mischief, by the practices they introduce and the examples they set, than by the actual robberies they commit. Plusque exemplo quam peccato nocent, to use an expression of Tully, in one of his books of laws.

Much more might be said, concerning the increase of power which the crown hath acquired, and must continue to acquire, according to the present constitution and management of the revenue. Much more might be said to show that the power of money, as the world is now constituted, is real power, and that all power, without this, is imaginary; that the prince who gets prerogative alone, gets a phantom; but that he who gets money, even without prerogative, gets something real, and will be as much stronger than his neighbours, and his people too, as he hath a greater command of money. In fine, a great deal more might be said to show how much corruption is a more deadly weapon than the highest prerogative, in the hands of men who are enemies to such a constitution of government as ours is. -- But I hasten to a conclusion.

If then a spirit of rapine and venality, of fraud and corruption, continue to diffuse themselves, not only luxury and avarice, but every kind of immorality will follow. and the whole may be improved by such ways as have been sketched out, and by others, whenever the nation falls under a bad government, till the prince on the throne shall not be able to say, speaking of his whole people, even that which Philip the Second said, speaking of the corruption of his own court; 'They all take money, except myself and Sapena.' Britain will then be in that very condition in which, and in which alone, her constitution, and her liberty by consequence, may be destroyed; because the people may; in a state of universal corruption, and will in no other, either suffer others to betray them, or betray themselves. How near a progress we have made towards this state, I determine not. This I say. It is time for every man, who is desirous to preserve the British constitution, and to preserve it secure, to contribute all he can to prevent the ill effects of that new influence and power which have gained strength in every reign since the Revolution; of those means of corruption that may be employed, one time or other on the part of the crown, and of that proneness to corruption on the part of the people, that hath been long growing, and still grows. It may otherwise happen, that these causes remaining in force, their effects will become too strong to be checked, and will ensure the ruin of the best constitution upon earth, whenever the men in power shall think their grandeur or their safety concerned in the ruin of it. We are not exposed at present, most certainly, to any such contingency; but the bare possibility of being so is a reason sufficient to awaken and alarm every honest man. Hath not every such man, indeed, reason to be alarmed, when he hears the cause of corruption publicly pleaded, and when men are suffered, nay paid by somebody or other, to plead this unrighteous cause, as if it was that of our most righteous government. Had we lived when the Star Chamber tyrannized, and many other extravagant powers were exercised, under the authority of the crown, we should have found fault as much as we dared, no doubt, and vet have waited patiently, perhaps, for some favourable opportunity of redressing the grievances. But when we heard these acts of power justified as legal and constitutional, and the prerogative, by virtue of which they were

done, claimed as a right in the crown, we should have taken the alarm, I presume, as hot as our predecessors did. Thus, in the case now before us, corruption may have been practised in some degree, perhaps, at all times. But then it hath been always kept under by the shame and danger, that attended both the corrupter and the corrupted. It hath been always complained of, never defended, and endeavours have been used, from time to time, with general applause, to prevent it. But according to the principles now avowed, these endeavours were unjust; they ought to be repented of; and the Acts made in consequence of them ought to be repealed: for the constitutional independency of the crown cannot be supported, unless the crown have the right and the means of taking their independency from the other parts of the legislature, by keeping the members of those assemblies under a pecuniary influence. Let no man think that the absurdity and profligacy of these doctrines secure us against the effect of them. They may soon grow into vogue, and be reputed as sacred truths as any of those falsehoods, that are established by the systems of policy and religion, in many other countries. What can be too absurd, or too profligate, for an absurd and profligate, or for a superstitious people?

But if we should apprehend the effects of these doctrines as little as we esteem the doctors who preach them, yet still the alarm is given by them, and it would be stupidity, or somewhat much worse than stupidity, not to take it. We despise the drummers and trumpeters of an enemy's army (for I resume the allusion that I applied in the first of these discourses) but when we hear the noise of their drums and trumpets, we take the alarm, and conclude the enemy is near. The friends of our constitution therefore are in the right to join issue upon this point with the enemies of it, and to fix upon this principal and real distinction and difference, the present division of parties; since parties we must have; and since those which subsisted formerly are quite extinguished, notwithstanding all the wicked endeavours of some men, who can have no merit but party-merit, nor safety but in faction, to revive them. If there was merit, and surely there was great merit, in opposing the assertors of prerogative formerly, when it rose so high as to endanger our liberty; there is great merit in opposing the assertors of corruption now, and in exposing the means by which this expedient may be improved to the ruin of our constitution, and therefore of our liberty. Nay, the merit is greater in some respects, if corruption be in itself, in its own nature, and in the present circumstances of the nation, and dispositions of the people, more dangerous than prerogative ever was; and if the means of establishing a government of arbitrary will, by corruption, be more likely to prove effectual than those of doing it by prerogative ever were. That it should ever become harder to save our country from the effects of corruption, than it was to defeat the efforts of prerogative, God forbid. On the whole matter, a dissertation upon parties could not wind itself up more properly, we think, than by showing that the British constitution of government deserves, above all others, the constant attention, and care to maintain it, of the people who are so happy as to live under it; that it may be weakened for want of attention, which is a degree of danger; but that it cannot be destroyed, unless the peers and the commons, that is, the whole body of the people, unite to destroy it, which is a degree of madness, and such a monstrous iniquity, as nothing but confirmed and universal corruption can produce; that since the time, when all our dangers from prerogative ceased, new dangers to this constitution, more silent and less observed, are arisen; and, finally, that as nothing can be more ridiculous than to preserve the nominal division of Whig and Tory parties, which subsisted before the Revolution, when the difference of principles, that could alone make the distinction real, exists no longer; so nothing can be more reasonable than to admit the nominal division of constitutionists and anti-constitutionists, or of a Court and a Country party, at this time, when an avowed difference of principles makes this distinction real. That this distinction is real cannot be denied, as long as there are men amongst us, who argue for, and who promote even a corrupt dependency of the members of the two houses of Parliament on the crown; and others who maintain that such a dependency of the members takes away the constitutional independency of the two houses, and that this independency lost, our constitution is a dead letter, and we shall be only in a worse condition by preserving the forms of it.

To reduce therefore our present parties to this single division, our present disputes to this single contest, and to fix our principal attention on this object of danger, too long and too much neglected, hath been and is the sole design of these discourses. The design may have been insufficiently executed, but it is honest; but it is of the last importance; and whatever the enemies of our constitution, who call themselves the friends of the government, may say, to amuse and impose on the weak, ignorant, and trifling part of mankind, the importance of it will be felt every day, and every hour, more and more, till it be felt by every man in Britain. Let us hope, and endeavour by all possible means, that it may not be felt too late; and to encourage the constitutionists, or Country party, in this attempt, let us consider from whom an opposition to it is to be expected. -- Shall it be expected then from those, who have passed under the denomination of Tories? Certainly not. They

feel as much as any men in Britain, the preference that ought to be given to that system of government which was established by the Revolution, and in which they took so great a share, and show themselves as ready to render that great work, which was left and still continues imperfect, complete. -- Shall this opposition be expected from the Dissenters? It cannot be. Shall they, who pretend to greater purity than others, become the advocates of corruption? Shall they contribute their endeavours to undermine the best constitution of government they can hope to enjoy, unless they hope to rise on the ruins of it, and to form another on their own model? As religious sects, they deserve indulgence, and they have it; but they are too wise not to see that, as a faction in the state, they would deserve none. -- In fine, shall this opposition be expected from those who have been called Whigs? That too is impossible. Their predecessors asserted the independency of Parliaments, and struggled hard against corruption, in former reigns. When the rest of mankind embrace the same principles, and pursue the same ends, shall they renounce one, and run Counter to the other? Shall they own themselves against one method of destroying our constitution, but for another? Against making kings independent on Parliaments by prerogative, but for making Parliaments dependent on kings by corruption? Shall they give the enemies of the Revolution a plausible pretence to say that nothing more was meant by them at least, than a change of government, in which they hoped to find their particular and party account? This would be to cast black and odious colours on the Revolution, indeed; more black, and more odious than any than it was in the power of a vain, forward, turbulent preacher to cast, by his frothy declamations. But the Whigs are so far from opposing the endeavours to preserve our constitution, that they co-operate to promote the success of them; and that, however personal prejudices, personal partialities, and old habits, that are daily wearing off, may be still entertained by some amongst them, all the independent men, who pass under that name, unite in the common cause of liberty and their country. -- It remains therefore that no national party can be formed in opposition to those, who endeavour to secure the independency of Parliaments against the new influence of the crown, and against corruption; nor any strength be exerted, except that of a faction, composed of the refuse of all parties, gleaned up by one who hath none for him. -- I would willingly carry this farther; and, in doing so, I shall not advance a paradox, unless it be supposed, which I think would be a greater paradox, that a man may have abilities to destroy the constitution, and yet not sense enough to see his remote, as well as immediate, his family, as well as personal interest. I say then, that if a design of raising the power of the crown above any pitch of prerogative, and of reducing Parliaments to an absolute dependency, as well as a faction to support this design, be formed; the very man who forms such a design, and such a faction, must be infatuated, if he can with very sincerely his own success. His first design, we are sure, will be that of raising a great family, and heaping upon it riches and honours. Shall his second design be that of rendering these riches and honours precarious and insecure, and of entailing servitude on his own race; for it will be impossible to exempt them from the common calamity? Nothing but despair, that is fear void of hope, arising from a consciousness of guilt, can drive any man into such a design. But, in this case, there will be fear opposed to fear, and one of these fears may be allayed by hope. The fear of being called to a severe account may be mitigated by the hope of escaping. Where is the insolent, rapacious, odious minister, that may not entertain some hope, as well as fear, when he sets before his eves the examples of those who have gone before him? Pallas was the favourite of Agrippina. He governed like the master of the empire, and supported her pride and ambition by his counsels and services, as he had been raised to power and was maintained in it by her credit, whilst her credit lasted. Nero dismissed him; and seeing him go from court with a crowd at his heels, said pleasantly enough, as if it had been spoken of a dictator, that he went to abdicate. But Pallas carried off the spoils of the empire with him; all scores were quitted between him and the public; and, according to the bargain he had made, he was called to no account. Many such examples might be cited to comfort with hope the most guilty minister, who is wise, if not honest enough, to stop in the career of iniquity, before the measure of it be entirely filled, pressed down, and running over. But if one of those bubbles of fortune, who thinks he always shall escape, because he always hath escaped, not content to wound a free constitution of government, should resolve to make it expire under his administration; the condition of such an one, however he may flatter himself, or be flattered by others, must be ten times more wretched and forlorn than the worst of those to which his cruelty hath reduced multitudes -- For what? -- If he succeeds in his sacrilegious designs (they are of as deep a die, at least), he may hope for impunity, perhaps, to his grey hairs, and be suffered to languish through the infirmities of old age, with an inward remorse more pungent than any of them; but he is sure to entail servitude on his whole race, and indelible infamy on his memory. If he fails, he misses of that impunity, to which he sacrificed his country; he draws triple vengeance on his own head; and exposes his innocent family to a thousand misfortunes, of which it will not be the least, whether he succeeds or fails, that they descended from him. -- But whatever ministers may govern,

whatever factions may arise, let the friends of liberty lay aside the groundless distinctions, which are employed to amuse and betray them; let them continue to coalite; let them hold fast their integrity, and support with spirit and perseverance the cause of their country, and they will confirm the good, reclaim the bad, vanquish the incorrigible, and make the British constitution triumph, even over corruption.

I have now gone through the task I imposed on myself, and shall only add these few words. There was an engagement taken, in the beginning of these discourses, not to flatter. I have kept this engagement, and have spoken with great freedom; but I hope with the justice and moderation, and decency that I intended, of persons and of things. This freedom entitles me to expect that no parallels, no innuendoes should be supposed to carry my sense farther than I have expressed it. The reasonable part of mankind will not disappoint so reasonable an expectation. But there are a set of creatures, who have no mercy on paper, to use an expression of Juvenal, and who are ready to answer, even when they are absolute strangers to the subject. Unable to follow a thread of fact and argument, they play with words, and turn and wrest particular passages. They have done mine that honour, as I am told, and have once or twice seen. They may do the same again, whenever they please, secure from any reply, unless they have sense enough, or their patron for them, to take for a reply the story I am going to tell you, and which you may find related a little differently in one of the Spectators. The story is this.

A certain pragmatical fellow, in a certain village, took it into his head to write the names of the squire, of all his family, of the principal parish officers, and of some of the notable members of the vestry, in the margins of the Whole Duty of Man, over against every sin, which he found mentioned in that most excellent treatise. The clamour was great, and all the neighbourhood was in an uproar. At last, the minister was called in, upon this great emergency; a pious and prudent divine, and the same, for ought I know, who was a member of the Spectator's club. He heard them with patience; with so much, that he brought them to talk one after the other. When he had heard them, he pronounced that they were all in the wrong; that the book was written against sins of all kinds, whoever should be guilty of them; but that the innocent would give occasion to unjust suspicions by all this clamour, and that the guilty would convict themselves. They took his advice. The Whole Duty of Man hath been read ever since, with much edification, by all the parishioners. The innocent hath been most certainly confirmed in virtue, and we hope the guilty have been reformed from vice.

I am, sir, etc.