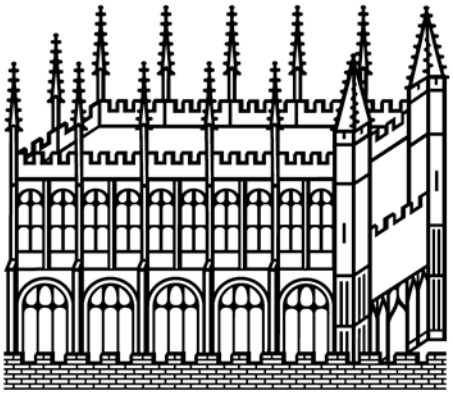

LETTERS

FROM PARIS,

TO THE

CITIZENS OF THE UNITED STATES

OF

AMERICA,

ON

THE SYSTEM OF POLICY HITHERTO PURSUED

BY THEIR GOVERNMENT

RELATIVE TO

THEIR COMMERCIAL INTERCOURSE WITH ENGLAND AND FRANCE, &c.

By JOEL BARLOW.

London,

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1800.

JOEL BARLOW

TO

HIS FELLOW-CITIZENS

OF THE UNITED STATES OF AMERICA.

LETTER I.

On the System of Policy hitherto pursued by their Government.

PARIS, 4th March, 1799.

FELLOW-CITIZENS,

SINCE your commercial intercourſe with this country has been ſuſpended, and the produce of your labour arrives at market by a double voyage, as it uſed to do when we were Britiſh colonies, I rarely ſee an American newspaper. It was only yeſterday, that a writing, ſaid to be a Letter from me to a member of Congreſs, dated in March 1798, came into my hands. I have it in a Boſton paper, called the *Centinel*; and, by ſome obſervations of the Editor, I perceive that the authorſhip, a circum-

ſtance very trifling in itſelf, has occaſioned doubts and diſputes. The general tradition that it is mine, has been queſtioned by ſome perſons, who expreſs a tenderneſs for my reputation; for which I will certainly thank them, whenever they will convince me of the morality of their motives. Both opinions in this caſe are partly right, and both partly wrong. *Truth lies between*, as it often does in queſtions of more conſequence than the preſent.

I did write a Letter to a member of Congreſs in March 1798, to which the publication in queſtion bears a ſtrong reſemblance. Indeed the political caſt and general complexion of my Letter are eaſily recogniſed in this; but every part of it is mutilated and diſtorted more or leſs. There is not a paragraph without ſome omiſſions, additions or changes, which in ſome places give a bitterneſs to party invective which I did not mean; in others, deſtroy all meaning, and render me unintelligible; and in others, vulgariſe the ſtyle, vitiate the grammar, and make the phraſes ridiculous.

I know not by what means, nor for what purpoſe this Letter has been intercepted, metamorphoſed and publiſhed. I pretend not to ſay there was any intention of doing an injury to me or to my friends. The haſty manner in which a copy may be ſuppoſed to have been taken, if done by ſtealth, and the number of preſſes and hands of ignorant editors which it has probably paſſed through, might perhaps be ſufficient to account for the variations, were it

not

not that they are uniformly againſt me, that is, againſt that calmneſs of temper, dignity of manner, purity of language, and delicacy of political or perſonal animadverſion, which I wiſh to preſerve. The Letter was written in great haſte, addreſſed to a very particular friend, and confided to a channel of conveyance which I thought uncommonly ſafe. It may be ſuppoſed therefore to have been penned with a careleſſneſs and freedom which would admit of corrections or alterations in favour of method and moderation. And there is reaſon to ſuppoſe that ſome at leaſt of the alterations it has undergone would have been on that ſide, had they been the effect of chance, or even of ignorance.

But the ſubſtantial character of the Letter, ſo far as it reſpects my opinions on the ſyſtem of policy purſued by our Executive towards France and England, during the period to which it relates, muſt anſwer for itſelf. I ſee nothing in them to retract or correct. Though I always reſerve to myſelf the right of changing my opinions, as every man who is not omniſcient muſt often have occaſion to do; yet on this ſubject I have not changed them during the laſt year. It is my belief that it would coſt you dearer even now to ſettle your diſpute with France, than it would have done (had your negotiations been properly managed) at the time I wrote that Letter. How much you have unfortunately ſuffered from the piracies carried on under the French laws ſince that period, you can doubtleſs determine better than I; and what

what will be the final expenſe of the negotiation, thoſe only will be able to decide who ſhall live to ſee it.

Thus much for the ſentiments originally contained in that Letter. I will now rectify one or two miſtakes, which I have obſerved in the American papers, relative to the circumſtances under which it was written.

Firſt: It is ſuppoſed by ſome, who do not reflect on the chronology of dates, that I was knowing to the attempts which had been made here to extort from our commiſſioners a bribe to individuals, and a promiſe of a loan to the government. They imagine that I wrote under this impreſſion, and conſequently approved the meaſure. I believe that not the moſt diſtant hint of either of theſe baſe attempts was known, or whiſpered (beyond the circle of thoſe perſons mentioned in the diſpatches) until their publication in Philadelphia; which happened to be on the ſame day that my Letter was dated in Paris. The printed diſpatches arrived here in May; and no man in America could feel a greater indignation than I did, at the piece of villainy therein detailed; though I am far from thinking that a proper uſe was made of the circumſtance, either before or after it was communicated to the American government. I had no knowledge that even a *loan* was aſked for, or contemplated to be aſked for, on the part of France. It was my opinion that it was the policy of the American government, under circumſtances then exiſting, to *offer* a loan; and a ſmall one would have been ſufficient.

cient. One fourth part of the ſum you have ſince loſt by plunder would have been acceptable, and might have been loaned conſiſtently with that honour and national independence which I wiſh to ſee you maintain. The diſpatches of General Pinckney, alluded to in my Letter, were not thoſe of the three commiſſioners, as ſuppoſed by the *Centinel*, but were dated the year before, and were the fruits of his former embaſſy.

Secondly: Had that Letter been deſigned for publication, I ſhould not have left it open to criticiſm in another point more remarkable than the one above noticed. In reviewing the errors of the American government, I there made no mention of thoſe of the French; and it has been concluded, from this omiſſion, that I approved the conduct of the latter;—that I ſaw nothing wrong in that monſtrous ſyſtem of piracy and plunder exerciſed towards neutrals;—indeed, I am ſuppoſed to have reliſhed all the horrors that have attended this tremendous revolution. God forbid that I ſhould loſe my ſenſes to ſuch a degree? I have not only diſapproved the innumerable acts of injuſtice and violence committed under the order of the 2d of March 1797, and the law of the 18th of Jan. 1798, but I have uniformly remonſtrated, with as much force as an individual of little influence could do, againſt that order and that law, and againſt the general current of reſentment which has marked the meaſures of this government towards that of the United States, ever ſince the ratification of the

the Britiſh treaty. This reſentment has appeared to me far greater than the occaſion would juſtify; and I have not failed to enforce this opinion wherever I thought it could be uſefully done. But *Paris* is the place where it is proper to point out for correction the errors of the French government; and *Philadelphia*, thoſe of the American. My friend was in Philadelphia. My Letter was written with the ſimple hope of doing ſome immediate good; not with a deſign of tranſmitting hiſtory to future ages. Where then would have been the uſe of ſwelling it with a liſt of blunders which might have been diſcovered on this ſide of the queſtion? blunders, or *crimes* if you pleaſe, which no man of candour will deny; but on which his ſilence ought not to be conſtrued into approbation. You might as well ſay that I believe in the doctrines of Mahomet, becauſe I do not go out of my way to refute them.

We are ſo conſtituted, and circumſcribed in our powers of action, that moſt of the good or ill which we do in the world is the reſult of circumſtances not always in our power to controul. Whoever will give himſelf the trouble of obtaining a competent knowledge of the French revolution, ſo as to be able to judge it with intelligence, and weigh the infinite complication of difficulties and incentives to ungovernable paſſions that have lain in the way of its leaders, muſt indeed be ſhocked at their follies and their faults; but he will find more occaſion

caſion to aſk why they have committed ſo few, than why they have committed ſo many. A ſtate of political inſanity is not at all inconſiſtent with the ſituation in which they have been placed, by the irreſiſtible force of circumſtances. And there are caſes in which we ought to applaud men for the miſchiefs they have not done, as well as to ſearch excuſes for thoſe they have brought about.

I am ſenſible that, in your view, the wrongs committed by the French towards the United States are leſs excuſable than thoſe towards other nations. You form this opinion, not ſo much from national prejudice, as from a conſciouſneſs of the purity of your own intentions in your conduct towards this Republic; from having felt a general friendſhip to her cauſe, and not perceiving a ſufficient ground of complaint on which her reſentment can be founded. But you are not to learn that jealouſy is one of the ſtrongeſt and blindeſt of the human paſſions; and I believe you will be convinced that the facts hinted at in my Letter, viewed through the miſt of jealouſy that had conſtantly ſurrounded the leaders in the revolution, could not fail of producing effects ſimilar to what we now deplore.

No! my fellow-citizens: I have too high a ſenſe of juſtice and the rights of nations, to ſanction maritime plunder from any quarter, or even to approve the leaſt reſtriction on trade. A perfect liberty of commerce is among the moſt indubitable rights of man; and it is the

beſt policy of nations. The eſtabliſhment of this principle alone, with proper meaſures to preſerve it, would have a powerful tendency, if not an infallible effect, to maintain a perpetual peace between countries ſeparated by the ocean. The oppoſers of this branch of liberty, who do it from reflection, are not only the enemies of America, but they are the abettors of injuſtice, and the foes of humanity. They ſtrive to perpetuate a ſyſtem of war, of public devaſtation, private rapine, fraud and cruelty, which diſturb the tranquillity of ſtates, diſcourage honeſt induſtry, and blacken the character of man. Thoſe who oppoſe it through ignorance, and at the ſame time aſpire to the taſk of adminiſtring the government of a free people, ought to be ſent back to ſchool, and there taught the rudiments of the ſcience which ſolicits their ambition.

Poſſeſſing theſe opinions, and ſeeing America move nearer to this principle than any other nation, how is it poſſible that I could approve the blind policy of European plunder, or look with indifference on the tyranny of the ſeas? From the time when your firſt veſſel was taken by the Engliſh at the beginning of the preſent war, I expected to ſee ſome of your great men in power come forward with ſomething luminous on the right of nations relative to trade. From the reputed wiſdom of America I expected to ſee Europe at laſt enlightened on a ſubject of ſo much importance to the human race. In addition to the freedom of your conſtitution

ſtitution, I conſidered you as poſſeſſing two ſingular advantages for the attainment of this great object. 1ſt, Nature had placed a wide ocean between you and thoſe nations to which your commercial intercourſe extended. And you had not, or ought not to have, any other political intercourſe abroad, but what relates to commerce. 2d, From the nature of your trade, and the conſtant reſult of your accounts current, you are always indebted to thoſe nations in ſums amounting from 15 to 30 millions of dollars. This ſtate of your accounts was not confined to England. It extended (before the preſent war) to thoſe other countries whoſe manufactures you were in the habit of importing; and to France and Holland in as high a proportion, compared with their manufactures imported, as to England.

The firſt of theſe advantages, being a ſufficient bulwark againſt attacks by land, ſecured you from the political ſquabbles of Europe; leaving you vulnerable only in your commerce. The ſecond furniſhed you, in your commerce itſelf, with a moſt powerful weapon of defence. The Engliſh began to plunder you in the year 1793, in a manner totally unprovoked, and without even a pretext. Here was an occaſion which called for the talents of your leaders, and invited them to uſe with dexterity this weapon, which was the moſt legitimate, the moſt pacific, and the moſt effectual that was ever put into the hands of any government. But inſtead of this, an embaſſy is diſpatched to London, to

reſign this precious weapon, the only infallible one you had, into the hands of the Britiſh king; and this for no other reaſon than for fear that a future Congreſs and another Executive might uſe it. Your ſituation, though new to you, was not difficult nor delicate; it required a declaration of neutrality, a ſolemn declaration and definition of the rights of neutrality, and a notification of your intention that all property taken unjuſtly from your citizens by any power at war ſhould be compenſated by ſo much property of the ſubjects of that power found within your juriſdiction, whether in the public funds or in the hands of private debtors. There is nothing unjuſt or immoral in this mode of proceeding. The aggreſſion would be on the part of the foreign power; you compenſate your own citizen, and leave that power to compenſate hers; and if ſhe does not do it, the injuſtice is on her ſide, both as firſt aggreſſor and final delinquent. If ſhe makes the compenſation, ſhe will not be likely to repeat the offence, becauſe it would be an expenſive buſineſs; if ſhe refuſes compenſation, ſhe will ſoon be brought to reaſon by the clamours of her ſuffering ſubjects. England, in ſuch caſes, would not fail to do you juſtice; and that on the only principle you can count upon with certainty from any foreign nation, an attention to her own intereſt.

Let it not be ſaid that ſuch a ſyſtem of policy would prevent our merchants from obtaining ſufficient credits abroad for all the uſeful purpoſes

purpoſes of commerce. Or if any perſon is really of that opinion, I deſire him to viſit Mancheſter and Birmingham, and ſee whether he can paſs through thoſe towns without being ſtruck with the wonderful facility of obtaining credit; and without being beſieged for orders by rival houſes on almoſt any terms. Let him then travel in Germany, or in any part of Europe, and obſerve the quantity of riders for Engliſh manufacturing houſes, who are hawking their ſamples of goods, and offers of credit, in every corner of the continent.

I am ſenſible that I might ſtrengthen this part of my argument, in the minds of ſome readers, by adopting a prevailing opinion, that the facility of obtaining private credits abroad is of no ſervice to our country. But I do not partake this opinion. I believe that ſuch credits are of ſervice, and that the Engliſh trade in particular is highly beneficial to the United States, in an agricultural and economical point of view; but more eſpecially as furniſhing a ready inſtrument in the hands of American debtors, to be held up by our government in terror to one of the moſt quarrelſome ſtates of Europe.

But it is ſaid to be *diſhonourable* to reſort to the ſequeſtration of private property as a compenſation for public wrongs. Alas, when are we, poor children of feudality, to obtain proper ideas of honour, or of any other of the moral ſentiments! What can be more honourable in a government than to prevent the occaſion

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of wars, protect the works of peace, encourage honeſt induſtry, and induce foreign powers to hold a ſteady check on the licentiouſneſs of private violence, ſea robbery, murders, and other cruelties, which attend the conſciouſneſs of maritime ſuperiority in ſome of the nations of Europe? Such being the object, and this object being at leaſt an honourable one, let us examine the means here propoſed, and compare them with thoſe which are commonly reſorted to; for which we find plenty of precedents, and therefore have not been told that they are diſhonourable. After ſpoliations have been committed on the property of individuals, and you have made ſufficient and ineffectual remonſtrances to the government of the offending party, I ſuppoſe none will deny that it would be honourable to fit out armed veſſels, and make repriſals on the property of the nation that has committed the violence. But what is this but ſequeſtring private property? The only difference in the two caſes is that the latter is attended with great expence to yourſelves, leads to battles, homicides, cruelties, and a ſurplusage of plunder, which generally bring on a war; whereas the former is a calm unexpenſive proceeding, which gives you your compenſation by weight and meaſure, excites no ill blood, and can never, of itſelf, become a pretext for a continuance of hoſtile meaſures on either ſide. Take another compariſon: it is not uncommon to lay embargoes, and to ſequeſter embargoed property, to compenſate for injuries

ſuſtained.

ſuſtained. This indeed is attended with leſs expence, and leſs bullying and battling, than repriſals made at ſea; and therefore it may be thought not quite ſo honourable; but it is allowed. And what is the difference between this mode and the one of ſequeſtring debts? In both caſes the property is *bona fide* brought to your country and entruſted to your care, with a full underſtanding that you will perform the part of faithful agents, pay for what you buy, and reſtore the reſt to its owners. Why, I will tell you what is the difference: in the caſe of embargo, the ſhips at leaſt are ſubjected to great and uſeleſs damage; the crews are left in idleneſs and vice; the veſſels rot; and the cargoes are expoſed either to periſh, or to be ſold at a forced ſale; and it will often happen that at leaſt three quarters of the value of the property detained is clearly loſt to all parties: while in the ſeizure of debts, there is no loſs, and no extraordinary expence.

But there is another objection which I muſt undertake to anſwer. It is ſaid that to ſequeſter the property of a foreigner in the public funds, would injure the *credit* of the United States. I comprehend the argument perfectly well: it means their *borrowing credit.* As to their credit for moral honeſty, political economy, national dignity, good ſenſe, and that ſteady purſuit of pacific principles which inſpires reſpect and confidence abroad, and the love and veneration of their own citizens—this ſort of credit would be greatly benefited by ſuch a ſyſtem, if it were ſolemnly declared as a principle of neutrality,

trality, and impartially executed whenever occaſion ſhould require. But a *credit* in the mercantile ſenſe of the word, or a facility of making loans, deſerves a farther conſideration. It is, in my opinion, an inſtrument too dangerous to be truſted in the hands, I will not ſay of an executive government, but even a legiſlative body. I have examined pretty fully, in a former publication*, the advantages and diſadvantages of ſuch a credit in the policy of a free republic, generally, without applying it to my own country in particular. The diſadvantages are terrible beyond deſcription; and I will only add here, that I wiſh to ſee no ſuch credit habitually in the government of the United States. I acknowledge that there are caſes in which it might be highly beneficial; and ſo there are caſes where an unlimited arbitrary power might be advantageouſly concentred for a moment in one man. But no proſpect of ſuch a caſe, though poſſible, has been or ought to be thought ſufficient to induce you to provide for it in your conſtitution. If you had been convinced, therefore, that the power you have delegated to Congreſs of borrowing money on the credit of the United States, was as dangerous as it would be to delegate the power of creating a dictator, you doubtleſs would not have inſerted ſuch a clauſe in your conſtitution, without ſome modification or reſtriction, which would not have been difficult to apply to ſo tremendous an inſtrument of innovation and abuſe.

* *Advice to the Privileged Orders*, chap. 5, where the funding ſyſtem is diſcuſſed.

abuſe. Though great miſchiefs have already been done by the exerciſe of this power, thus indiſcreetly truſted out of your hands, yet it is not impoſſible to arreſt the evil where it is; and in my opinion you ought to attempt it without farther delay. Otherwiſe it will inevitably go on increaſing to a degree which no man will pretend to calculate, and no friend to his country can think of but with horror. Annex to your conſtitution an amendment to this effect: *That in future no aſſumption or obligation for the payment of money ſhall be made or authoriſed, by the Congreſs, the Executive, or any other officer of the United States, ſo as to be binding on the people thereof, except in caſe of actual invaſion; and then for the ſole purpoſe of immediate defence againſt ſuch invaſion.*

Experience has certainly taught us by this time, what theory unhappily did not, that a few detached citizens, however wiſe and virtuous in other reſpects, cannot be ſafely truſted with the fates of nations, and the happineſs of future ages, in a buſineſs attended with ſo many temptations, as that of thruſting the hand into the long and open purſe of poſterity. The giddineſs of power, the violence of paſſion, the multiform ſolicitations of artful ſpeculators, will almoſt neceſſarily drive them headlong to ſell our future earnings, and entail ſlavery on mankind; when it can be done by the ſimple act of voting; and when the reſponſibility is not to us who ſent them, but to generations not yet in being.

Look back through ten years of your hiſtory, and examine, if you can with patience, the riſe, progreſs, and preſent ſtate of your national debt. See with what wanton prodigality it has been hunted up from every corner, and in every ſhape aſſumed, funded, and ſaddled upon you. You were told ten years ago, and with ſuch effrontery as appeared to gain your belief, that if you would have the goodneſs to fund the propoſed debt, with all its accumulations, it would be very eaſily leſſened and very ſoon extinguiſhed; that the rate of intereſt in America would ſoon fall from ſix to five, and then to four per cent; and you were flattered with the idea that you would ſpeedily be able to make new loans at theſe latter rates, to purchaſe in the old capital; and by that means ſo diminiſh the annual call for money, as to be able by a ſurplusage of revenue to ſink the whole debt in a ſhort time. You have now had ten years of peace ſince this arrangement; eight of which were years of ſuch uncalculated proſperity as was never before experienced by any nation, and was aſtoniſhing even to yourſelves. During this time, how have the proſpects held out in your funding ſcheme been realiſed? Your debt has been conſtantly increaſing; and your government is now borrowing money, or trying to borrow it, at eight per cent.; and for no other object, as I can diſcern, but to augment the bleſſings of a national debt. As to the rate of intereſt offered, it is a matter of very little importance in my view of the ſubject. I wiſh

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the money were not to be found at twenty per cent.; or rather, I wiſh the government of the United States, were unable to borrow a dollar at any intereſt whatever; and were always to continue ſo, except in caſe of war and invaſion.

Your funding ſyſtem, conſidered as to the circumſtances and proſpects under which it was adopted, is doubtleſs one of the moſt memorable pieces of imbecility and impudence that ever was impoſed upon a nation. The ſcheme when preſented to Congreſs, and the report on public credit that accompanied it, have indeed procured extraordinary honours to their authors in America; but they would have done no remarkable credit to any clerk employed at ſeventy-five pounds a year in the fiſcal department in London. They contain no ideas that are new, or luminous, or analogous to your ſituation. All is a dead rotine of expedient, familiar to every corrupt government in Europe, whoſe only object is to find preſent money by any means whatever. And all the merit there is in the ſcheme, is the novelty of applying an old and deſperate remedy where there was no diſeaſe; or rather of creating a diſeaſe, in order to apply it to the remedy. The debt thus accumulated, and ſtill accumulating by the conſtant ſolicitude of thoſe who raiſed it up, has indeed finally aſſumed the appearance of an incurable diſeaſe; or at leaſt its ſtate has become ſo alarming as to require your moſt ſerious conſideration and immediate exertion, to

arreſt it, if poſſible, where it is, and try to get it under.

The actual ſtate of things with you, if not deſperate, is at leaſt diſquieting to the friends of liberty. When I ſee the American Executive advertiſing to borrow money at eight per cent., what do I ſee but a youthful, free, and flouriſhing nation advertiſing itſelf for ſale! I ſee an infant Hercules, after having ſtrangled the ſerpents in his cradle, and riſen on his feet with an indication of future force deſtined to free the world from violence, tie himſelf for life to the apron ſtrings of the ſame Juno who had brought the ſerpents to devour him. Your leaders attach you to England, not only by commercial treaties, which ought to humble you in your own eyes, as much as they diſgrace you in the eyes of the world, but by ſeeking precedents in every thing among the worſt of her follies; things indeed that ſcarcely paſs for follies in her, ſince the weakneſs, or wickedneſs, conſiſts chiefly in applying them to a country where they do not belong, and for which they never could have been invented. Your phyſicians have gone to a decrepid, intemperate old man, and borrowed his ſtrong cordials, his bandages, and gouty velvet ſhoes, to adminiſter them with cruel empiriciſm to a ſturdy plowboy.

France is at this time unable to obtain a credit, or to borrow money on any terms, even from her own citizens. As a friend to France

I re-

I rejoice at it. She now ſpends about thirty millions ſterling a year; if ſhe could borrow with the ſame fatal facility as England, ſhe would ſpend at leaſt ſixty millions. What will be her financial ſituation or policy at the end of the war, I cannot tell. Her debt will doubtleſs be enormous, and in a very depreciated ſtate. I hope ſhe will have more juſtice than to follow our example in funding it, in all its undiſtinguiſhed forms and accumulated ſize. I would rather ſee it cut up into paper money, given out to the creditors, and then ſet afloat, collected and burnt, in the courſe of three years, by the operation of one ſpecific and adequate tax. I do not pretend that this would be the moſt juſt or politic method that could be deviſed; but I am certain it would be leſs unjuſt, and leſs impolitic, than to increaſe it ten-fold, by raiſing it at once from ten per cent. to a hundred, and fixing it on the nation forever at the higheſt rate of intereſt known in the country. A middle courſe may doubtleſs be found, which would do leſs injuſtice than either of theſe extremes. I think too there was ſuch a middle courſe to be diſcovered in America; and I think it would have been diſcovered, had there been no ſpeculators in Congreſs, or about the treaſury. Whenever your eyes ſhall ceaſe to be dazzled with men, and you will fix them on meaſures, you will doubtleſs adopt the ſame opinion.

But in anſwer to what I have ſuggeſted relative to the beſt mode of defence againſt the in-

ſults

ſults of Europe, it will be ſaid that you have ſettled your diſpute with England, without reſorting to it; and, what is more, you have ſtipulated that you never will reſort to it. Have you ever calculated the real expenſe, paſt, preſent, and to come, of ſetling that diſpute in the manner in which you have done it? It has coſt you, 1ſt, A ſacrifice of character, perhaps irretrievable, in the diſgrace of having injured your old friend in her diſtreſs, aided your moſt inveterate enemy, and abandoned the ſtrong hold which the nature of things had given you, and in which you always would have been able to defend yourſelves againſt them both, with perfect dignity and independence. You ſeem to have forgotten that different nations, as well as different animals, have different means of defence, with which nature and circumſtances have reſpectively endowed them. England is defended almoſt entirely by a maritime force, without deeming it neceſſary to fortify her towns, or keep on foot any conſiderable army by land. Auſtria depends wholly upon her land troops and her fortifications. The Pope, though for many ages the moſt powerful monarch in Europe, depended on no phyſical force by land or ſea, but altogether on a moral force, or church policy. Now, if either of the latter powers had ſaid to England, lay aſide your navy; it is diſhonourable to make uſe of wooden walls and floating batteries: you ought to allow your enemy to land in your country when he pleaſes, and then truſt to your bayonet or your

your prayer-book, for defence,—is it probable that England would have been perſuaded by that argument to ſet fire to her ſhips? The defence of the United States lay in the peculiar nature of their commerce. You had an invincible bulwark in the debts you were conſtantly owing and renewing with all the nations that had it in their power to menace your repoſe. But the firſt nation that takes it in her head to inſult you, comes and tells you that your mode of defence is diſhonourable; that you muſt not uſe it, but give it up by compact. And, although it was more ſure, more peaceable, more natural, and leſs expenſive, than any other that could be imagined, you immediately reſign it into her hands.

2d, Your manner of ſettling that diſpute has brought on a rupture with France, which has already coſt, in private plunder and public preparation for war, at leaſt 60 millions of dollars. And it is not yet certain how much higher theſe loſſes will riſe, before the buſineſs is terminated.

3d, The moſt frightful and moſt incalculable expenſe, is one which is only yet beginning to begin: it is that terrible ſcourge of maritime nations, a military navy. I beg you to contemplate for a moment the abyſs that your leaders are digging under your feet in the naval ſyſtem now organiſing with ſo much addreſs. You will then liſten at your leiſure to that ſwarm of ſpeculators, who live upon your loſſes, and are now clamouring in favour of

this

this ſyſtem with as much affectation of patriotiſm, as if your ſalvation, inſtead of theirs, depended upon it. I will only obſerve, that it has been the ruin of every nation that has hitherto adopted it; and that it muſt be ſo from its nature. It is the ſyphon put in ſuction, which never can ſtop, or moderate its action, till all that feeds it is exhauſted.*

To aſſiſt in dragging you into this buſineſs, you have been told (I think in one of thoſe oracles delivered to both houſes of Congreſs) that there is no example among mankind of a commercial marine, without a military marine to ſupport it. The fact is not ſo; and if it were, that is no reaſon why it ſhould continue to be ſo. The republics of Raguſa, Hamburgh, Lubeck and Bremen, are among the oldeſt governments in Europe; and they are in a high degree *navigating ſtates*; that is, they have each of them a large commercial marine, and have had for many ages, without any military marine. Some of my readers will ſmile when they perceive that I am going to compare any of thoſe little ſovereignties with the great and independent republic of the United States. I ſhall do it only in one point; and there is one point in which the compariſon is very ſtriking, and I think applicable to the preſent ſubject. None of the neighbouring powers thinks proper

* I purpoſe, on another occaſion, to examine the naval ſyſtem of Europe; and to ſhow that it has been and muſt be ruinous, even to thoſe nations which had more plauſible reaſons for adopting it than we can have.

per to attack the commerce of thoſe ſovereignties, becauſe the intereſt of other neighbouring powers is concerned in its independence. In like manner, the power of St. James's (if our commerce were kept on its natural footing of ſelf-defence) would not think proper to attack it, becauſe the power of Liverpool, Birmingham, Sheffield, Mancheſter, London, and other commercial towns, which contain our creditors and ſtockholders, would oppoſe it for the ſtrongeſt of all reaſons, and with indubitable effect. The power of the Hague would be reſtrained, for the ſame reaſon, by the power of Amſterdam; the power of Paris, by that of Bourdeaux, Nantz, and St. Domingo; and ſo of the reſt. I make no exception in the argument on account of the preſent deplorable rupture with France, becauſe this rupture never would have happened, if we had not firſt reſigned our armour to England; and becauſe the neceſſary energies and violent convulſions of the revolution have concentrated for a moment all poſſible powers within the walls of Paris; ſo that the voice of the commercial towns, the colonies, and the true intereſts of the nation, are not heard. But this is a criſis, ſo far as it reſpects France, which cannot be repeated; and ſo far as it reſpects the provocations on our part, I hope it never will.

Our eſſential character is that of an agricultural people; and, happily for us, the vaſt quantities of our vacant lands, which call for culture, and demand a population equal to half

Europe, will preſerve us in this condition for ages to come. Our conſumption of European manufactures muſt therefore continue, and even increaſe. The rate of intereſt, during this period, will neceſſarily be higher in America than in Europe. Of conſequence, the maſs of private debts, habitually due from our merchants to thoſe of the manufacturing nations, will not diminiſh, but probably increaſe, at leaſt for many years; perhaps as long as a military marine will be ſuffered to exiſt in any country. There could be no fear therefore that this our natural defence would fail us, as long as the preſent ſyſtem of European policy ſhould continue; and we might at leaſt furniſh an example, if we could not find one, of maintaining a commercial, without a military marine. And I cannot but hope that there are perſons now living who will ſee the day when not a cannon ſhall be allowed to be carried to ſea, at leaſt on the Atlantic, and the European ſeas.

But the navy ſyſtem with you is like the funding ſyſtem. When once the funding ſcheme was adopted as a principle by your ſpeculating legiſlators, it was neceſſary to create a debt to ſupport it. For as the ſyſtem could not live without the debt; and as they were determined to have the former, they muſt of courſe raiſe up the latter: In like manner, the rage for a navy, which the ſame politicians have been kindling and puffing for ſome years, is at laſt wrought into a ſyſtem. They have created a new miniſterial department, adorned with

with all the pomp of patronage, and ready to contribute its part in the ſplendor of the Executive, and the growth of the public debt. They have now at leaſt one argument for building a fleet; for what is a marine miniſter, without a marine? And what is a navy without ſhips? Theſe two ſyſtems, whatever may have been the intentions of their authors, are certainly calculated for the deſtruction of liberty in the United States. And they will not fail of their effect, unleſs they are checked in their preſent career.

No one will deny that a great change is taking place in the ſtate of ſociety in Europe, both as to the interior government of nations, and their exterior and reciprocal intercourſe. The rapid progreſs of thought, ſet looſe from the ſhackles of precedent, and following the career of revolution that now ſhakes the political world, muſt neceſſarily lead to a new order of things. We all agree likewiſe, at leaſt all who reflect, that the law of nations is exceedingly vitious and unreaſonable in many reſpects; eſpecially in what concerns the rights of war and peace relative to commerce. It gives too much favour and encouragement to a ſtate of war, and ſubjects to too many inconveniences and vexations the inhabitants of ſuch countries as chooſe to remain in peace. It is evident that theſe unnatural regulations were made for kings, and not for people. They are founded on the principle that a ſtate of war is the chief ſolicitude of thoſe who govern; and the great object to

be encouraged and ſecured. This is the origin of thoſe exceptions in the articles of free tranſportation, which have ariſen to an enormous liſt, called *contraband of war*; it likewiſe gave riſe to the practice of ſearching neutral veſſels for enemy's goods, of ſubjecting them to extraordinary and unneceſſary rules of proof, to eſtabliſh the property; and many other ingenious vexations; as if we muſt make apologies for wiſhing to live in peace, and for being producers, inſtead of deſtroyers, of the aliments of human life.

No pacific nation can certainly be ſatisfied with this ſtate of things; as it evidently prefers violence and rapine to the honeſt purſuits of induſtry. Some of the powers of Europe, ſenſible of theſe wrongs, have united their efforts with thoſe of the friends of liberty, in attempting, for many years paſt, to change the law of nations in this reſpect; to emancipate neutral commerce from the tyranny of contraband, and ſcreen it from the ſeizures and vexations incident to the prevailing ſyſtem. America once joined them in theſe views, and adopted the ameliorations, as far as poſſible, in her early treaties in Europe, till her government choſe to ſacrifice them to a more favourite project, and threw them into the general hecatomb of rights and principles, buried in the Britiſh treaty.

If theſe revolutions in Europe ſhould terminate in favour of general interior liberty, which is altogether probable, they muſt neceſſarily extend

extend to exterior or commercial liberty. The Law of Nations muſt undergo a reviſion; and it muſt be ſettled on a general baſis of peace and honeſty, inſtead of violence and rapine. It would indeed have been glorious in the United States, who had given the firſt example to the world of interior and domeſtic liberty (in which they have now ſo many imitators), to have been alſo the firſt in aſſerting, defining and maintaining the exterior liberty of trade, and thoſe rules of national intercourſe which muſt finally be reſorted to, as the baſis of a pacific ſyſtem. Your geographical ſituation, as relative to Europe, not only called for ſuch a meaſure, but would have enſured its ſucceſs.

But while we regret that ſo ſingular an opportunity of doing ſo much good has been ſlighted and thrown away, it becomes us to conſider how much of the error is ſtill capable of being retrieved, and what will be the proper moment and the beſt method of attempting it. What are the meaſures that America ought to take, *to ſecure her own liberty*; *eſtabliſh a permanent and equal independence from every foreign power*; *command the reſpect and gain the confidence of all mankind*; *and induce the commercial nations to adopt a general plan of pacific intercourſe, which will perpetuate itſelf, and better the condition of ſociety?* It is poſſible that theſe inquiries may be the ſubject of another Letter which I may addreſs to you, my fellow-citizens, whoſe intereſts I will never ceaſe to cheriſh. I am your brother by the cloſe and complicated ties

of

of blood, of early ſympathies, common dangers and common triumphs; and your happineſs is naturally and habitually nearer to my heart than that of any other nation; though my general philanthropy leads me to pity the condition of every injured people, and to cenſure, if I cannot reſtrain, thoſe who lead them into error.

Some of you have blamed me for the ſeverity of my remarks on the conduct of your Executive. It is becauſe you have made them gods, that you are offended with me for finding them but men. I never doubted the patriotiſm of your principal leaders; that is, ſo far as patriotiſm conſiſts in good intentions. But I doubt the patriotiſm of thoſe who lead your leaders. I ſee immenſe fortunes made by your funding legiſlators, out of the public funds which they funded for themſelves. I ſee the moſt perfidious meaſures propoſed, adopted and perſiſted in, for hurling you from the exalted ſtation which enabled you to give commercial law to the governments of Europe; and for couching you under the pelican wing of one of thoſe governments. I ſee the treaty that conſummates this buſineſs, ratified in a guſt of paſſion, a moment of perſonal reſentment at an intercepted letter written by an officious French Miniſter, which happened to ſpeak of the weſtern inſurrection. And when the indignation of France, though excited by repeated provocations, riſes with ſymptoms of extravagant fury, and threatens an unjuſtifiable meaſure of revenge, I ſee no

prudent

prudent or manly attempts on your part, to allay the ſtorm and prevent a rupture; but prevarication about facts is given for explanation; and gaſconade at home keeps time with humiliation abroad. Then comes the flood of piracy and plunder let looſe upon your property; a ſcene of wickedneſs which no man can abominate more than myſelf, and no man has endeavoured more to prevent or mitigate. But when I trace theſe deplorable effects to their proper and indubitable cauſes, I cannot confine my animadverſion to this ſide of the Atlantic. Though you may chooſe to deify your firſt magiſtrates, the original authors of theſe calamities—though you enſhrine them in the temple of infallibility, fence them round with ſedition laws, and intoxicate them with addreſſes, birth-day odes, and Bacchanalian toaſts,—I ſee in them ſome of the frailties of men; and I will not join the chorus of adoration.

With reſpect to men, I am of no party; with reſpect to principle, I am a republican in theory and practice; notwithſtanding the diſgrace into which that principle ſeems to be falling in America. I conſider it as my unalienable right, as well as my indiſpenſable duty, to render a ſervice to you wherever I find occaſion. And when ſuch ſervice has led me to notice what I thought wrong in the adminiſtration of your government, I have always done it; and in ſuch a manner as I thought would be moſt likely to lead to a correction of the abuſe. And I ſhall not relinquiſh this right, nor neglect this

this duty, whoever may be the men, and whatever the party, to whom you may chooſe to delegate your powers.

Among my endeavours to ſerve you, as a volunteer in the cauſe of humanity, there is none which I have had more at heart than that of preventing a war between you and France, and of bringing about a reconciliation on terms honourable and advantageous to each. I have no doubt but that both governments deſire it; but whether they do or not, as long as I deem it for the intereſt of both nations, and there remains any hope of ſucceſs, I will not ſlacken my exertions. I do not believe in the modern doctrine of your cabinet, that it is a crime in a private citizen to ſerve his country; or even to call in queſtion the infallibility of its adminiſtration. And I know no man in America who did believe it, as long as he remained a private citizen. I am confident, and you may be in time, that the labours of myſelf and a few other men, not commiſſioned for the purpoſe, have hitherto prevented a war. But how long this will continue to be the caſe, I cannot pretend to ſay.

I have been animated in theſe exertions, not only by the deſire of diminiſhing preſent evils, and of ſparing the blood and treaſure of the preſent generation, but of preventing the cauſe of liberty from falling into diſgrace by the quarrels of the two Republics, and of diſappointing the tyrants of the world, who anticipate this ſort of triumph to their own cauſe. Perhaps I

deceive

deceive myſelf; but I cannot yet renounce the belief that the principle of free repreſentative government is ſo manifeſtly preferable to the principle of monarchy, that it will ſoon be adopted and brought into general practice, among the nations of Europe. I believe that if France has not yet reduced to practice the liberty ſhe has vindicated in theory, both civil and commercial, it is owing to a prolongation of revolutionary meaſures, neceſſitated by the ſtate of Europe, and not to a forgetfulneſs of principle. She has not yet taken meaſures to eſtabliſh the liberty of the ſeas, becauſe ſhe has not yet arrived at that ſtate of tranquillity which will enable her to look beyond preſent exigencies, to plans of permanent improvement. The ſame apology will not apply to the United States. You have had one period, and a pretty long one, of unexampled proſperity and repoſe; during which, your government appears to have done little for America but increaſe her debt, and nothing for Europe but imitate her follies.

I was indeed in hopes that advantage would be taken of the elevated ground on which you ſtood, to lay the foundation of an edifice that ſhould promiſe, at leaſt one day, to afford a ſhelter to the human race. I expected to ſee you propoſe a baſis for a Law of Nations, to be eſtabliſhed in reaſon, juſtice, and the principles of peace. And I flattered myſelf that when France ſhould come to her ſenſes, and reſt from her military labours, we might ſee the two

greateſt Republics on earth, not only enjoying liberty themſelves, but recommending it to others, by removing the occaſion of wars. But if you really have no talents among you of a higher nature than what is neceſſary to copy precedents from old monarchies, I pity you, and call upon you to pity me. It is time to deſpair of the perfectibility of human ſociety, and make up our minds to return to ſlavery, monarchy, and perpetual war.

JOEL BARLOW.

APPEN-

APPENDIX.

I write but few private letters on political ſubjects; but as the one which has given occaſion to the foregoing has been made public in ſuch an imperfect form, I am induced to ſubjoin hereto the copy of another, which poſſibly might otherwiſe meet a ſimilar deſtiny. Not that I apprehend that the perſon to whom it was addreſſed would adulterate, or even publiſh it; but accident may throw it into other hands.

TO GEORGE WASHINGTON.

Paris, Oct. 2, 1798.

Sir,

On hearing of your late nomination as Commander in Chief of the American armies, I rejoice at it; not becauſe I believe the war which this nomination contemplates is yet unavoidable, and that it will furniſh an occaſion for a farther diſplay of your military talents; but becauſe it may enable you to exert your influence to a greater effect in preventing the war. By becoming more the centre of information than you could be in your retirement, you will be better able to judge of the diſpoſitions of both governments, and to offer

ſuch counſels to your own as may tend to remove the obſtacles that ſtill oppoſe themſelves to a reconciliation.

Were you now Preſident of the United States, I ſhould not addreſs you this letter; becauſe, not knowing my inclination for the tranquillity of retired life, you might think that I was ſeeking a place, or had ſome other object in view than the ſimple one of promoting peace between the two Republics. But I hope, under preſent circumſtances, you will believe my motive to be pure and unmixed; and that the object of my Letter is only to call your attention to the true ſtate of facts.

Perhaps few men, who cannot pretend to have been in the ſecrets of either government, are in a better ſituation than myſelf to judge of the motives of both; to aſſign the true cauſes of their unhappy miſunderſtanding; or to appreciate their preſent diſpoſitions, pretenſions and wiſhes. I am certain that no one labours more ſincerely for the reſtoration of harmony, on terms honourable to the United States, and advantageous to the cauſe of liberty.

I will not in this place go over the hiſtory of paſt tranſactions. It would be of little uſe. The object is to ſeize the malady in its preſent ſtate, and try to arreſt its progreſs. The diſpute at this moment may be characterized ſimply and literally a *miſunderſtanding*. I cannot perſuade myſelf to give it a harſher name, as it applies to either government. It is clear that neither of them has an intereſt in going to war with the other; and I am convinced that neither of them has the inclination. That is, I believe, the balance of inclination as well as of intereſt, on both ſides, is in favour of peace.

But

But each government, though ſenſible of this truth with reſpect to itſelf, is ignorant of it with reſpect to the other. Each believes the other determined on war; and aſcribes all its conduct to a deep rooted hoſtility. The leaſt they can do therefore, under theſe impreſſions, is to prepare for an event that they both believe inevitable; while they both wiſh to avoid it.

By what fatality is it that a calamity ſo dreadful is to be rendered inevitable becauſe it is thought ſo? Both governments have tongues, and both have ears. Why will they not ſpeak? why will they not liſten? The cauſes that have hitherto prevented them are not difficult to aſſign. I could eaſily explain them, as I believe, to the ſatisfaction of all parties; and without throwing ſo much blame on either government, as each of them at preſent aſcribes to the other. But I will avoid ſpeaking of any paſt provocations on either ſide. The point which I wiſh to eſtabliſh in your mind is, that the French Directory is at preſent ſincerely deſirous of reſtoring harmony between this country and the United States, on terms advantageous to both parties. I wiſh to convince you of this, and through you the American government, becauſe that government, being deſirous of the ſame thing, would not fail to take ſuch ſteps as would lead immediately to the object.

In offering you my proofs of the preſent diſpoſition on this ſide, you will permit me to obſerve, that ſome of them are from their nature incapable of being detailed, and others improper to be truſted to the caſualties of a Letter. But I will mention a few that are oſtenſible, and, ſo far as they go, undeniable. 1ſt, The Directory has declared, that it will receive and treat with any miniſter from America, who ſhall appear to be

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ſent with a real intention of treating and terminating exiſting difficulties. I have no doubt but ſuch was the intention when the laſt envoys were ſent; but, from ſome unfortunate circumſtances, the Directory did not believe it. 2dly, As a preliminary, it has declared, that in the negociation there ſhall be no queſtion of loans of money, or apologies for offenſive ſpeeches pronounced by the Executive on either ſide. 3dly, All commiſſions given to privateers in the Weſt-Indies are recalled; and when new commiſſions are given, the owners and commanders are to be reſtricted under bonds to the legal objects of capture. 4thly, An embargo that had been laid on American veſſels within the Republic, in conſequence of a report that a war had been begun on the part of the United States, was taken off as ſoon as it was aſcertained that ſuch war had not been begun; and a new declaration was at that time ſent to America of the wiſhes of France to treat *.

Theſe facts will doubtleſs come to your knowledge through other channels before you receive this Letter. But there are other facts which in my mind are equally clear; though to you they will be deſtitute of corroborating circumſtances, and muſt reſt on my own information and opinion: 1ſt, That this government contemplates a juſt indemnity for ſpoliations on the American com-

* Since writing this letter, I am at liberty to ſtate that the new declaration, here referred to, was diſpatched from Paris through an official channel about the end of September laſt. It ſhould ſeem that it had not arrived at Philadelphia before the opening of Congreſs in December; as the Preſidents ſpeech alludes to a declaration made to Mr. Gerry in July, containing a ſort of condition; but it takes no notice of this ſubſequent one, which was perfectly explicit and unconditional.

commerce, to be aſcertained by commiſſioners in a manner ſimilar to the one preſcribed in our treaty with England. 2dly, That the legiſlation will ſoon be changed here with reſpect to neutrals, and all flags put on the footing of the Law of Nations. 3dly, That a public agent would have been named and ſent to Philadelphia ſoon after Mr. Gerry's departure, were it not for the apprehenſion that he would not be received. There was a doubt whether the American government would not have already taken ſuch meaſures of hoſtility, as to be unwilling to liſten to terms of accommodation; and the Directory did not chooſe to riſk the chance of ſeeing its offers refuſed. 4thly, That the Directory conſiders theſe declarations and tranſactions as a ſufficient overture on its part; that it has retreated to an open ground which is quite unſuſpicious; that a refuſal on the part of the American government to meet on this ground will be followed by immediate war: and that it will be a war of the moſt terrible and vindictive kind.

This, Sir, is my view of the preſent ſtate of facts. Should it make that impreſſion on your mind, which I deſire for the ſake of humanity that it may, you will judge whether it does not comport with the independence of the United States, and the dignity of their government, to ſend another miniſter, to form new treaties with the French Republic. In a war there is clearly nothing to be *gained* by us, not even honour. Honour indeed may be *ſaved* by war, and ſo it may by negotiation. But the calamities inſeparable from a war of this kind, and under preſent circumſtances, would be incalculable. I do not ſay that the United States, or any portion of them, would be conquered; but they would ſacrifice great numbers of their beſt citizens, burthen them-

themſelves with four times their preſent debt, overturn the pureſt ſyſtem of morals, and loſe the faireſt opportunity that ever a nation had of riſing to greatneſs and happineſs on the baſis of liberty.

Were I writing to a young general, whoſe name was yet to be created, I might deem it vain to aſk him to ſtifle in its birth a war on which he had founded his hopes of future honours. But you, Sir, having already earned and acquired all that can render a man great and happy, can ſurely have no object of ambition, but to render your country ſo. To engage your influence in favour of a new attempt at negotiation, before you draw your ſword, I thought it only neceſſary to convince you that ſuch attempt would be well received here, and probably attended with ſucceſs. I can only aſſure you that ſuch is my ſincere opinion; and that my information is drawn from unſuſpected ſources.

I am not accuſtomed to interpoſe my advice in the adminiſtration of any country; and ſhould not have done it now, did I not believe it my duty, as a citizen of my own, and a friend to all others. I ſee two great nations ruſhing on each other's bayonets, without any cauſe of contention, but a miſunderſtanding. I ſhudder at the proſpect, and wiſh to throw myſelf between the vaſts, and ſuſpend the onſet, till a word of explanation can paſs.

I hope my Letter will have caſt ſome light on the ſubject. But whether it will or not, I know you will excuſe the attempt; for you know my zeal is honeſt.

JOEL BARLOW.

LETTER II.

On certain political Meaſures propoſed to their Conſideration.

Paris, 20th December 1799.

FELLOW-CITIZENS,

IN my firſt Letter to you I ſignified an intention of addreſſing you a ſecond time on political ſubjects; and of ſuggeſting certain meaſures which appear to me to be within your power, for ſecuring your own liberty both civil and commercial, and for laying the foundation of a pacific intercourſe among all maritime nations, on a plan which may perpetuate itſelf and become univerſal. Some of my obſervations may appear ſuperfluous, as being already familiar to the minds of thinking men; and ſome of my theories may be thought impracticable, becauſe they are not familiar. Could I know beforehand what would really prove ſuperfluous, and what impracticable, I would certainly retrench all that ſhould come under both theſe deſcriptions; though it might go to the whole contents of my work. For my object is to aid the exertions of thoſe who wiſh to do good; and not to embarraſs them in the choice of means.

The art of governing a nation is the art of ſubſtituting a moral to a phyſical force. It is only in their rudeſt ſtate, antecedent to government and previous to any experience, that men can be ſuppoſed to be impelled or reſtrained altogether by the

action of other men, applied as bodily ſtrength. *The right of the ſtrongeſt*, among individuals, or in ſections of the ſame ſociety, ſuppoſes the abſence of that controlling power which is held over them by the ſociety at large; and which, being confided to the hands of the magiſtrate, conſtitutes the moral force with which the government uſually acts.

As the abſolute independence of one man upon another is incompatible with a ſtate of ſociety, perſonal ſtrength becomes no longer neceſſary to perſonal protection; but, on the contrary, it is a general maxim, that individual ſafety is beſt ſecured where individual exertion is leaſt reſorted to. Our ſubmitting to any force whatever, whether phyſical or moral, is the choice of ſelf-intereſt; reſulting in the firſt caſe from real defeat; and, in the laſt, either from calculation or from habit. The conſciouſneſs of public power gives riſe to public opinion; and while experience teaches us to calculate their energy, it brings on the habit of reſpecting their authority. We thus refrain from mutual injury by an habitual ſenſe of convenience, which reſembles the inſtinct of ſelf-preſervation, and is almoſt as ſtrong in us, as that ſenſitive horror which prevents our ſtepping off a precipice. Hence great ſocieties may be moved, millions of perſons protected, induſtry and virtue univerſally encouraged, idleneſs and violence completely reſtrained, without lifting the hand of one man upon another.

Theſe reflections open to our view an immenſe career of improvement; and explain the theory

of

of the whole progreſs of ſociety, paſt, preſent, and to come. Great ſtrides have been taken in this wonderful career; and a conſiderable elevation in the aſcending ſcale of improvement is already attained. Whoever will compare the preſent ſtate of the ſpecies with what it was when every thing was decided by bodily ſtrength,—when man, after having forced a bit of food from the elements, or robbed it from the ſavage beaſt, was ſtill obliged to diſpute its poſſeſſion with his fellow-man,—whoever looks back to that ſtate of painful privation, precarious toil, and perpetual danger, which ſaddened the exiſtence of unaſſociated men, and will then turn to himſelf, and contemplate what he now enjoys in his protected induſtry, in the comforts of life aſſured to himſelf and family, in the love and good-will of his neighbours, and even of diſtant nations, where virtue and talents are reſpected, muſt be convinced of a progreſs in human affairs, and of a tendency towards perfection. And he will not deny the truth of this general theory, though the period of a few years, taken in any one ſection of the great circle, may not preſent to his diſcernment any perceivable amelioration.

The perfectibility of human ſociety is not a ſubject of idle ſpeculation, fit only to adorn the pages of a book. It is a truth of the utmoſt importance in its practical tendency. No maxim is more eſſential to the legiſlator of a nation or to the negotiator of treaties; and it ought eſpecially to be preſent in the minds of all men who are called to adminiſter a repreſentative government. If

ſuch men have talents and information worthy of their place, and a proper zeal for performing its duties, they will not content themſelves with the thoughtleſs routine of official functions, juſt neceſſary to eſcape impeachment; they will not think it enough to avoid crimes themſelves, or to puniſh them in others; but they will call forth the energies of their own genius and that of their fellow-citizens, to interrogate the native reſources of their country, the elements of national happineſs; they will ſecond the deſigns of nature by accelerating the progreſs of improvement, by exploring the objects of induſtry, multiplying the means of ſubſiſtence, creating new inducements for peace and harmony with neighbouring ſtates, and removing every occaſion for jealouſy and war.

An enlightened magiſtrate will not be ſatisfied with himſelf, as having done his duty, unleſs he can ſay, on quitting the adminiſtration, that he leaves the nation better than he found it. Neither can he be ſaid to have ſerved his own country well, unleſs he has communicated benefits to other countries, to which her relations extend. There is no abſolute independence of nations, any more than of individuals. Men are every where ſurrounded with wants, and every where encumbered with ſuperfluities; the neceſſity of aſking aid and the ability of granting it are mutual, perpetual, and univerſal; they keep up a conſtant exchange of commodities, a circulation of the vital fluid of ſociety. Our mutual wants and aids are the elements of our civilization; they have already civilized individuals to a great degree,

degree, convinced them of their relative dependance, and taught them the art, as well as the convenience, of living together in peace. They have made ſome progreſs too in civilizing ſtates; and their energy muſt be infallible in carrying on the work of harmony and happineſs; till nations ſhall ſtand in the ſame relation to each other, as families do at preſent in the beſt regulated community.

The *civilization of ſtates* is the great object to be aimed at in the preſent ſtage of the progreſs of human affairs. It is that part of general improvement which has been the leaſt underſtood, and the leaſt inveſtigated, both as to the means of bringing it forward, and the conſequences that would reſult from its ſucceſs. So little has it been ſtudied, ſo ill have the principles of ſociety been applied to it, even in theoretical diſcuſſion, that its poſſibility is ſtill regarded as a problem. Many perſons imagine that ſtates or nations never can be civilized more than they are at preſent; that among them the ſavage principle, or *the right of the ſtrongeſt*, will always be reſorted to. And, as it is evident that individual improvement, being conſtantly interrupted by the quarrels of nations, cannot be carried much farther, unleſs thoſe nations will agree to live in peace, they ſay there is no reaſon to hope that human ſociety will ever attain a greater degree of perfection than what we ſee at preſent. This would evidently be the caſe if nations were never to civilize; that is, if a ſenſe of mutual dependance were not to produce the ſame effects in the great

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ſections of ſociety called ſtates, as it does in the ſmall ſections called families. But why ſhould we deſpair of theſe effects? The mutual dependance of men is univerſal, and it is perpetual; it is not only ſure to ſerve as a permanent ſource of reciprocal confidence, but as an increaſing ſource; it increaſes with our factitious wants; it becomes more ſenſible in proportion to our knowledge of diſtant countries and of their productions, in proportion to the acquiſitions we make in ſcience, to the accumulation of ſuperfluities, and the infinite reſearches of induſtry.

A particular *people*, whatever extenſion we give to the meaning of the word, whether it means a pariſh or an empire, is every where a phyſical and moral agent, whoſe intereſts are analogous and reciprocal with thoſe of another people of a like deſcription, who inhabits a neighbouring territory. Each of them has a real intereſt in the proſperity of the other; becauſe proſperity creates certain relative ſuperfluities, which, being exchanged between the parties, ſupply their relative wants. This interchange of commodities creates an interchange of affections; it begins among individuals, and extends, in regular progreſſion with their knowledge, to every country and every portion of mankind *.

Nature has certainly placed no barrier in this long courſe of improvement. Whatever bar-

* See Reflections on the Formation and Diſtribution of Wealth, by M. Turgot.

riers

riers are perceived in it are unnatural and accidental; they will therefore be removed by the development of the human faculties, though by ſlow degrees. There is no reaſon why civilization, after having ſoftened the temper of individuals, and harmonized the component parts of a ſtate, as acting among themſelves, ſhould for ever ſtop ſhort at that point, and leave the ſtate a ſavage without, while it is ſocial and peaceful within. For in this caſe it acts by its phyſical force abroad, and by its moral force at home; which ſuppoſes on the one ſide a want of experience which borders on the rudeſt condition of ſavage man; and on the other it indicates a ſenſe of convenience and the habits of ſocial life.

To make this matter a little plainer, and ſhow that our hopes of progreſſive civilization are well founded, let us recur to firſt principles, and explain the cauſes which ſeem to impede its progreſs in certain ſtages of its career. What do we mean by the word *nation?* and what is that preciſe portion of mankind which neceſſarily forms a body politic, independent and unſocial, beneficent within and ferocious without? It is certain that the neceſſary limits of a nation are not geographical; neither are they numerical. In both theſe reſpects they are perpetually changing, and are already exceedingly various. One of them, the Chineſe, is ſuppoſed to contain three hundred millions of inhabitants; another, the Dutch, which does not exceed three millions, is eſtabliſhed in the four quarters of the

world; its different branches being ſeparated by the wideſt oceans, and yet united in intereſt, friendly and ſocial, like a family. The territory now covered by one federal republic, the United States, was lately inhabited by at leaſt two hundred different nations at a time; all independent, ſovereign and ſavage towards each other, as the nations of Europe are at this day. France itſelf, a few centuries ago, was compoſed of a great number of independent ſtates; which have been united one after another, under the name of provinces, for the purpoſes of exterior defence, and the ſplendour of the crown; but never till the preſent revolution were they completely incorporated in one national body for the objects of interior commerce, or attached to each other by a ſimilarity of political rights and pecuniary burdens.

It ſeems then that the tendency of civilization is to diminiſh the number of nations, and to increaſe their ſize and proſperity. But this kind of progreſſion, as applied to independent nations, is limited by the nature of things. The few men, to whom the government of a ſtate muſt be confided, cannot extend their knowledge nor multiply their attentions to ſuch a degree as the affairs of a great people would require. France, in her preſent limits, preſents a maſs of population and territory ſufficient for at leaſt twenty integral and well-conſtituted ſtates. Her legiſlative body is repreſentative; it is twice as numerous as any legiſlative body ought to be; and yet it is not the fifth part ſo numerous as a pro-

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per repreſentation of the people would require. It is incumbered with much more buſineſs than it can treat with that attention which the buſineſs deſerves; and yet not half the affairs which are neceſſary to the people are ever brought up for its deliberation. This republic, for the purpoſes of interior or local legiſlation and police, ſhould be organized into about twenty ſubordinate republics; while, for the purpoſes of general legiſlation, exterior relations, defence, commerce, canals, roads, and every common concern, they ſhould remain concentrated in one great union, or community, with a national legiſlative and executive, reſtricted in their powers to the ſimple objects of great national intereſt; which objects ſhould be defined with the utmoſt preciſion in their general conſtitution *.

In

* The terms *federal*, *confederacy*, and others from the ſame original, have been proſcribed in France during the organization of the republic, becauſe their *ordinary* meaning refers to a different ſtate of things from what the condition of France admits; and different from what would be their *appropriate* meaning in this country, were the ſyſtem adopted which I ſhould recommend; and which appears to me the only one capable of preſerving liberty here, and of civilizing Europe. To *federalize*, applied to ſtates, uſually ſignifies to bring towards a union, but not into unity, thoſe that were before diſtinct and independent. But as France was already one integral ſtate, to *federalize* France would ſeem to be to divide and diſmember that which was before united; which, in the vocabulary of the revolution, was another word for anarchy and inteſtine war. The federality which I would propoſe for France and for Europe would not carry with it any ſuch idea. The integrity

In purſuance of ſuch a ſyſtem there would be no danger that France would become too extenſive or too populous for her internal convenience. And the ſeveral nations that are now forming republics in her neighbourhood ought to conſtitute them on the ſame plan as thoſe of France, and make part of the general confederation. This ſyſtem ſhould be adopted and this confederation joined by every European people, as faſt as they become free; though it ſhould extend through this quarter of the world. It would preſent a great union of republics, which might aſſume the name of *the United States of*

of the republic, for every purpoſe of ſafety, and harmony of parts, would not be altered by it.

There has been a great deal of falſe reaſoning on this ſubject. It is now believed by moſt of the philoſophers in Europe to be a great misfortune to our United States that they were in ſeveral ſtates, and not all in one ſtate. This would truly be a misfortune, had we not adopted the federal principle; but now it is one of our greateſt advantages.

I am ſorry to ſee that M. de Liancourt, in his late Travels in America, has given countenance to this European ſentiment, which I conſider as a very unfortunate one for the progreſs of ſociety. His book, which contains a vaſt quantity of facts and information, will have a tendency to accredit this doctrine in the minds of many perſons who had not before adopted it. If that able and laborious inquirer after truth will reflect on the calamities which I ſhall notice in this Letter, as what would be the conſequence of a diſſolution of our federal ſyſtem, and will contemplate the principle of that ſyſtem in its vaſt extent, as a new means of civilizing ſtates and preventing wars, I hope he will find occaſion for changing his opinion.—See vol. vii. page 221 of his Travels, Paris edition.

Europe, and guarantee a perpetual harmony among its members.

This beneficent ſyſtem of federalizing appears to be the only reſource that nature has offered us, at leaſt in the preſent ſtate of political ſcience, for avoiding at once the two dangerous extremes of having the republic too great for an equitable adminiſtration within, or too ſmall for ſecurity without. On this principle, if wiſely purſued, no confederated republic will be too great, and no member of it too ſmall; as all ſubjects of jealouſy will be done away by the nature of the aſſociation. The new republics of Europe muſt reſort to this principle, if they mean to hold the ground they have gained, in changing their feudal for their repreſentative conſtitutions. Could we flatter ourſelves that they would reſort to it at the end of the preſent war, then we might hope to ſee the moral force of nations take place of their phyſical force, the civilization of ſtates keep pace with that of individuals, and their commercial relations eſtabliſhed on the principles of peace.

Infinite credit is due to the conductors of our American revolution for the wiſdom and energy with which they ſeized the occaſion of eſtabliſhing our interior and federal governments in the forms which they now poſſeſs. The two moſt conſoling principles that political experience has yet brought to light, are thoſe on which we have founded our conſtitutions—I mean *repreſentative democracy*, and the *federalizing of ſtates*. It is true that neither of theſe principles was wholly

of our own diſcovery. But what little experience had been made of either of them by other nations was extremely imperfect, was attended with little ſucceſs, and had by no means united the opinions even of the moſt ſanguine in their favour. In no inſtance had the two principles been brought together and wrought into one ſyſtem; nor had they ever been attempted both by the ſame people.

Democracy had been diſgraced by the pretended experience of ſome of the ſtates of Greece, though, in reality, no ſuch thing as democracy ever did exiſt either in Greece or Rome. It has been concluded, and very juſtly, that *pure democracy*, or the immediate autocracy of the people, is unfit for a great ſtate; it might be added, that it is unfit for the ſmalleſt ſtate imaginable, even a little town. But *repreſentative democracy* is applicable to a ſtate of any ſize, and under any circumſtances where men have the uſe of their reaſon; though neither this nor any other principle hitherto diſcovered is ſufficient *of itſelf* to regulate the concerns of a great people; as no one integral government is capable of beſtowing equal and adequate benefits on every part of an extenſive and populous country. But, happily for mankind, the repreſentative principle is a fit companion and a ſure guide of that other precious experiment which our country has adopted with ſuch ſingular propriety, the principle of *confederation*. The union of theſe two theories, as organized in America, is a vaſt improvement on the wiſdom of former ages; and

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I cannot but hope that they will oe ſo far cheriſhed by us, and imitated by others, as to change very greatly the face of human ſociety.

It is eſſential to the intereſts of America, and would be a compliment to her wiſdom, to ſee her political ſyſtem, in both its parts, adopted by other countries. It would be the ſureſt pledge of peace from abroad, and the ſtrongeſt guarantee againſt a relapſe of principle at home. But for ourſelves, there is one maxim which ought not to be forgotten, that theſe two pillars of the edifice, the repreſentative principle and the federal principle, ſhould never be ſeparated. Though one of them alone may promiſe liberty, and the other of them alone may promiſe peace, yet we cannot be confident that either liberty or peace will become extenſive or permanent, unleſs theſe well-aſſorted principles are united in one ſyſtem, and kept inſeparable in their practice.

Let us convince ourſelves of this truth by examining the effect of each principle apart, as operating without the aid of the other. *Firſt*, the federalizing of ſtates whoſe governments were monarchical or ariſtocratical, has not obtained any brilliant ſucceſs either in ancient or modern times. The Amphictyonic Council of the Greeks was a body of ſo little conſequence in a political view, that it would not be worth noticing in this place, were it not for a certain practice among writers on government of ſeeking models for every thing in the annals of that pompous people. The Amphictyons had no regular conſtituted authority, except in matters of religion.

religion. They never prevented a foreign war either offenſive or defenſive. It would be difficult indeed to ſay they never prevented a domeſtic war among the ſtates, becauſe ſuch a thing might be done with ſo little rumour as to eſcape the notice of hiſtory; but it is certain that they *excited* ſeveral domeſtic wars, and thoſe of the moſt cruel and exterminating kind, being wars of religion. On the whole, it appears that this congreſſional inſtitution, notwithſtanding its ſolemn pretenſions of confederating the ſtates of Greece, was more detrimental than beneficial to the people. Whenever their common country was invaded, whether by Perſians, Macedonians, or Romans, about half the ſtates in every inſtance joined the invading enemy. The power of the Amphictyons was effectual only in directing, on certain occaſions, the united vengeance of ſeveral powerful ſtates againſt a weaker one, for having ſlighted the authority of the prieſts, for having put into cultivation certain lands which religion had devoted to ſterility, or neglected ſome frivolous or barbarous duty enjoined by an inſidious oracle.

As to the Corinthian, the Peloponneſian, and the Achaian leagues, they were only alliances or coalitions againſt an enemy, temporary in their nature, and not extenſive in their effects. The other examples from Greece, which are ſometimes cited as confederations, ſuch as the Arcadian, the Beotian, the Elian, and the primitive Achaian, preſent ſomething more regular and permanent in their conſtitutions. But they

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were each of them too diminutive to merit the name of an aſſociation of ſtates. The primitive Achaian, for inſtance, was the union of twelve ſmall boroughs into one ſmall republic. It may be conſidered rather as a model of repreſentative democracy in a ſingle ſtate, than as a federal ſyſtem; and in this view, perhaps, it approaches nearer to modern republican repreſentation, than any other example left us by the ancients.

The ſubſequent, or great Achaian league, was indeed an aſſociation of ſtates, whoſe object was laudable and well defined. It ſuffered leſs from a defect in its federal principle, than from the corruption of its members. It retrieved, in a partial degree, the liberties of Greece from the rapacity of Alexander's ſucceſſors, preſerved them with conſiderable energy for more than a hundred years, and finally yielded them with ſome appearance of dignity to the irreſiſtible fortunes of Rome.

The Lycian league was not unlike the latter Achaian, either in its object or its deſtiny. It cauſed itſelf to be reſpected by the Romans as long as the Romans retained any reſpect for themſelves; but no inſtitution could ſtand before the corruptions of their monſtrous and debilitated empire.

The Etruſcans, and ſome other early tribes in Italy, had likewiſe their ſeveral confederations. But their conſtitutions are ſo little known, and they refer to a ſtate of ſociety ſo different from ours, that for every purpoſe, except for diſplaying an empty erudition, their inveſtigation would be

be as uſeleſs to us as that of ſome of the native tribes of North America, the ſix nations of the Tlaſcallans. Examples of theſe imperfect aſſociations are not rare. It is probable that the hiſtory of the human race would preſent them in every corner of the earth, if its affecting and monotonous page could be completely laid open before us. They ſhow the feeble efforts of inexperienced ſocieties to defend themſelves againſt the effects of each others inexperience.

The German Empire, the Swiſs Cantons, and the United Netherlands, preſent us three great examples of the confederation of ſtates in modern Europe; the former ſtill ſubſiſting, the two latter but lately overturned. It requires but little obſervation to diſcern the conſtitutional defects in the Germanic body: it is a confederation of princes, and not of nations. With this radical vice in its organization, it is impoſſible that its object ſhould be peace, or its policy juſtice; and without purſuing theſe, no ſociety of men can be tolerably happy, no union of ſtates can be ſincere, no portion of the earth can greatly increaſe its population, or preſent that progreſſive augmentation of benefits which nature has placed within our reach, and ſcience is teaching us how to realize. National happineſs is never the object of a ſtate, where the intereſt of thoſe who govern is in any meaſure different from that of the people. The purſuits, therefore, of the Germanic princes are mutual encroachment, inſtead of mutual aſſiſtance; the object of their union is war, and not peace; their conſtitution

is military, and not commercial. Hence all the compulſory proviſions that are made in it have reference to warlike preparations, contingences of men and money for recruiting armies and diſcouraging induſtry. There is no public proviſion made for the encouragement of uſeful arts and manufactures; no power lodged in the federal diet for eſtabliſhing a general ſyſtem of canal or river navigation, for equalizing the duties on the objects of commerce, allowing a free exchange of the produce of labour, even in the moſt neceſſary articles of life.

There is no inhibition which prevents any prince or ſtate from beginning a war without the conſent of the diet, from building forts, and raiſing armies, with the manifeſt intention to invade each others territory, from entering into foreign alliances and other treaties, for involving the empire in deſtructive wars. But, on the contrary, every facility and every temptation are held out for inteſtine wars among the ſtates, as if no federal tie ſubſiſted between them; while their interior commerce from ſtate to ſtate is ſhackled with all thoſe reſtrictions which hoſtile jealouſy has invented among the moſt independent and ferocious monarchies of Europe.

Many other defects might be eaſily pointed out in the Germanic conſtitution. We may find ſome of them in the books that treat on this ſubject; but where is the advantage of ſearching them? The fundamental defect, which is the ſource of all the reſt, is not noticed in any book, but ſtares us in the face on the firſt reflection: a

confederation of princes ſtands no chance of being beneficial to the people. You might as well expect to render ſervice to the ſheep by confederating the wolves that ſhould be ſet to watch them.

The Swiſs Cantons, and the United Netherlands, have been more fortunate in their federal ſyſtems. Conſidering the feebleneſs of the means with which they began, the quantity of force againſt which they roſe, and the weight of effort that has been frequently made to deſtroy them, they exhibit wonderful monuments of the efficacy of organized liberty in political bodies. Though the Swiſs Cantons had ſcarcely the appearance of a federal conſtitution, their acts of union being little more than treaties of alliance, which external danger generally kept them from violating; and though that of the United Netherlands was very imperfect; yet theſe were not the radical defects which brought on the decline and overthrow of either of their celebrated ſyſtems. The original defect, in each caſe, lay in the conſtitutions of the particular ſtates of which the union was compoſed. The repreſentative principle was originally unknown, and never underſtood in either country. Without this principle the people cannot exerciſe their rights, unleſs it be in the form of mobs; the neceſſary conſequence of which is to throw the active power into the hands of a few, where it ſoon becomes habitual and hereditary, no longer the property of the nation, and no longer exerciſed for her benefit. It would be as impracticable to eſtabliſh a rational ſyſtem of federal government

vernment among ariſtocratical ſtates, as among principalities or monarchies: for the principle is the ſame in each; the ſuppoſed intereſt of a few maſters, not the real intereſt of the people.

The plan for a perpetual peace, projected two centuries ago by Henry IV. new-modelled and propoſed with great zeal in the early part of the preſent century by the Abbé de St. Pierre, and afterwards embelliſhed with the nervous eloquence of J. J. Rouſſeau, muſt have been a fruitleſs experiment, if attempted on the model of either of its illuſtrious patrons. The project was to league all the Chriſtian powers of Europe in one confederation, guaranteeing to each its own form of government and its limits as then exiſting; to eſtabliſh a permanent diet, compoſed of delegates from every ſtate, with power to ſettle all diſputes that might ariſe between the ſeveral ſtates; to prevent any of them from raiſing armies on their own account, building forts or fleets to act againſt each other, or forming any foreign alliances; but all exterior relations, and all meaſures of defence, ſhould be directed and managed by the general diet, in the name of the confederacy.

It is poſſible that by the means which Henry had in his power, this ſublime conception might have been realized ſo far as to organize the conſtitution, and begin the operation, had not an untimely death prevented the experiment, by depriving the world of its author. Rouſſeau has detailed the reaſons why this project could not be carried into effect at any period ſince the days

of Henry, nor by any influence ſhort of that which he poſſeſſed among the powers of Europe. But the ſame writer ſuppoſes, that, were it once adopted, its benefits would be ſo conſpicuous and univerſal as to ſecure its continuance. I queſtion the probability of this ſuppoſition. What could ſecure the members of this diet from corruption? There is but one effectual mode of ſecuring them; and that is, to make it the intereſt of none of the parties to corrupt them: no other principle can be relied upon with ſafety. In an aſſociation of this magnitude, it is not enough that it ſhould be the intereſt of each of the aſſociated ſtates to preſerve the conſtitution; but it ſhould be the intereſt of thoſe who govern the aſſociated ſtates. Now as long as theſe were governed by hereditary princes, who had an intereſt in extending their private dominions to the detriment of each other, it muſt be expected that they would ſeek to encroach as much as poſſible, and violate the conſtitution by every means in their power. And as the federal government, if well adminiſtered, would prevent their doing it by force, the more effectual way would be to corrupt the members of the diet, ſo as to palſy the operation of the conſtitution, ſuſpend its protection of the weaker aſſociates, and re-eſtabliſh the *right of the ſtrongeſt*, as in the preſent ſtate of Europe. This is a favourite ſtate of ſociety for princes; a ſtate of hazard, inviting them to plunder, and ſo far expoſing them to be plundered in their turn, as to afford a conſtant pretext for armies and navies. It is what they call

independence; and notwithſtanding it leads them every day to commit crimes for which they would hang a hundred ſubjects, they will not agree to be reſtrained by law; though the ſame law would reſtrain their neighbours who prey upon themſelves; though it would greatly increaſe their revenues by increaſing the population and the quantity of productive labour within their dominions; and though it would greatly leſſen their expenſes, by reducing to almoſt nothing their conſtant preparations for defence.

But if the powers of government in every aſſociated ſtate were in the hands of the people, in whom the right reſides, and if theſe powers were exerciſed in all caſes by an equal repreſentation, freely choſen and frequently renewed, then would there be no perſon intereſted in extending the limits of any one ſtate to the detriment of another; then would no perſon attempt to corrupt the diet to violate the compact, and throw Europe back into a ſtate of national animoſity and princely plunder; then the farmer would be on his own farm and the artiſan in his own ſhop; and whether his habitation were included in the limits of Pruſſia or of Auſtria, whether it were called Proteſtant or Catholic, would not be to him a matter of intereſt; he would find equal protection in each diſtrict, by laws made and obeyed by his own delegates.

A confederation of ſtates whoſe interior governments ſhould be founded on theſe principles might indeed extend through Europe with the project of Henry IV. and be as laſting as was imagined

imagined by the fervid benevolence of St. Pierre; but it would not be a confederation of hereditary proprietors of nations.

Hence we may conclude, ſo far as the experience of mankind will enable us to judge from practice, and, ſo far as the nature of the caſe will ſtrengthen our concluſions, from theory, that no conſiderable advantage ought to be expected from the federal principle among ſtates, unleſs the ſtates themſelves are conſtituted on the repreſentative principle; ſo as that the ſyſtem in both its branches may be the work of the people, carried on for their benefit, by perſons of their own choice and under their own control.

Second: In the other branch of the preſent examination, to diſcover the effect of the repreſentative principle, without the aid of federalizing, we ſhall receive but little light from the experience of any nation. There is no example, within my knowledge, of a complete repreſentative government of an elder date than thoſe of our own country; and thoſe were effectually federalized as ſoon as they were formed, or before. It is true that the governments of Connecticut and Rhode Iſland were as perfectly repreſentative before the American revolution as they are now; and ſome other of their ſiſter colonies had been at ſome periods nearly ſo. But their common tie with the monarchy of Great Britain anſwered ſome of the purpoſes of a federal union. They were not independent; and no ſtate on earth, in my opinion, ought to be called independent. For as no ſtate can really be

be ſo in fact, it is only a ſource of falſe ideas, and of endleſs calamities, to have them ſo in form.

France, and the other new republics in Europe, cannot be ſaid as yet to have had much experience of the repreſentative principle. Their practical governments are hitherto revolutionary; and muſt of neceſſity continue ſo till the end of the revolutionary war which has been excited to deſtroy them.

There being, therefore, no example of real repreſentative government, except in the American States, and theſe being united by ſtrong federal ties, we are driven to theoretical inquiry alone for the opinion we ought to form of the operation of the republican principle among individual and unconfederated ſtates.

We ſhould begin by obſerving that ſuch ſtates muſt neceſſarily be ſmall, for the reaſons already noticed; otherwiſe the repreſentative energy cannot be well preſerved, nor the benefits of equal government be experienced by every portion of the people. If the ſtates are ſmall, their territories contiguous, and their governments independent, they will neceſſarily be rivals; there will probably be mutual reſtrictions on their trade, for the ſake of revenue; there will be forts and armies and generals; it will not be long before ſome citizens in each ſtate will conceive themſelves to have a private property in their reſpective governments, and an intereſt in extending the dominion of their own ſtate, to the detriment of the others: they will have ſycophants to flatter this fatal ambition, places and patronage

tronage at their diſpoſal, and a number of new departments and their appendages to be created at the moment of a rupture with their neighbours.

The firſt cannon fired between two rival ſtates in this ſituation may be taken as the ſignal of the departure of liberty from them both. The power in each ſtate becomes military; military power is neceſſarily concentred in a few hands, where it ſoon becomes hereditary. The reſt of the hiſtory of ſuch ſtates might as well be written before they exiſt, as after they are extinguiſhed. But it would not be worth writing at all; it would be but the repetition of ſome indifferent chapter in the great hiſtory of deſpotiſm and war.

Since then, my fellow-citizens, it is to you that we muſt turn for the beſt practical leſſons on the ſubject of government, in both the principles on which your ſyſtem is founded, you will at leaſt acknowledge the importance of maintaining thoſe principles. And I hope at the ſame time that you will not be averſe to making ſuch improvements in your ſituation as the nature of your ſyſtem will admit, without changing its theory. Your objects are; 1. To ſecure the continuance of interior liberty, in the United States: and, 2. To take ſuch an attitude in vindicating your commercial liberty, as to gain the confidence of other powers, and lay the foundation of perpetual peace, at leaſt between you and them, poſſibly between all commercial nations. Theſe two objects are ſo eſſential to your own proſperity, and at the ſame time ſo accordant with that deſire which is natural to uncorrupted minds,

minds, of extending benefits to other ſections of the human race, that you will indulge me in a few obſervations upon each.

I. *The Means of ſecuring interior Liberty in the United States.*

I will not go into an examination of the ſtate conſtitutions, nor propoſe to your conſideration thoſe amendments of which ſome of them appear ſuſceptible, becauſe it is at all times a delicate ſubject; and to give it a candid diſcuſſion requires a moment of leſs fermentation than the preſent. It is not a work of immediate neceſſity, though ſome parts of it ſhould not be neglected till your population is very greatly increaſed, and till certain habits founded on conſtitutional defects become too inveterate to be eaſily removed. But there are other objects of a more general concern, which may be noticed with leſs danger of giving offence, and which doubtleſs demand an early attention.

The face of things in North America is changing ſo exceedingly faſt, that every political ſtep you take ought to have a ſpecial reference to the time to come, as well as to the time preſent. No government ſhould have ſo little to do with temporizing, and ſo much to do with ſyſtem, as that of the United States. The ſcience of political perſpective ought to be rendered familiar to thoſe who aſpire to be your guides; ſo that the great events which are ſure to happen may be claſſed and meaſured, and their places

aſſigned them, before they come into being. Without this precaution it would be impoſſible to go right; with it, the taſk of governing would be ſo eaſy, that honeſt men would ſcarcely go wrong. The approaching changes in our ſituation ſhould be diſtinctly noticed, and their conſequences profoundly meditated. 1. Our nation is young in reſpect to the date of its independence, the habits of thinking incident to this condition, and the trial we have had of our political inſtitutions. 2. One half of the territory within our limits remains unoccupied; on the other half the population is ſmall, compared with what it is capable of becoming; and the increaſe muſt be rapid. 3. Extenſive and flouriſhing colonies are ſpringing up beyond our frontiers in every direction: theſe are of various extraction, principally Spaniſh, French, and Engliſh; all of them, from the impulſe given them by their mother-countries, are doubtleſs unfriendly to us; but all of them, from real intereſt, ſimilarity of circumſtances, and future inevitable events, are capable of becoming our natural and beſt friends, and, with proper management, our fellow-citizens. Not many years can paſs before theſe colonies will ſhake off their foreign dependance, and burſt the ties which now bind them to European governments.

Theſe are ſome of the principal circumſtances to be conſulted in ſupporting the interior of our ſyſtem. The events are eaſy to foreſee; they muſt be provided for; and it depends on you, from this moment, to ſay whether they ſhall

redound to our advantage, and to the extenſive benefit of ages and nations; or whether they ſhall bring deſtruction to our hopes, and overturn the faireſt fabric of human policy that the world has hitherto ſeen.

I will waſte no arguments in proving, that it is eſſential to the intereſt of the United States to continue their federal union, whatever may be the increaſe of population, and the addition of new ſtates within our preſent limits. Taking this to be a poſition which will not be denied by thoſe for whom I write, I will content myſelf with noticing the means by which alone the union can be preſerved.

Firſt: The United States, to maintain their federal ſyſtem entire, through all their limits, and under approaching circumſtances, *muſt be out of debt*, or nearly ſo. The annual call for money, for federal purpoſes, muſt be moderate; otherwiſe the people in different diſtricts, who ſee with what ſimplicity and economy their own ſtate governments are carried on, and who know that much the greater part of their real intereſts are regulated there, will begin to calculate, and inquire whether their part of the expenſes of the confederation does not exceed its benefits. Such inquiries, indeed, would be of a nature not to be purſued with the utmoſt fairneſs; nor could we expect calculations of this ſort to be conducted with all that foreſight which the ſubject would require. There is no doubt but prudence would dictate to any diſtrict of the Union to ſubmit to very great expenſes, rather than with-

draw from it, and beome a rival nation. But experience teaches us, that in political reſentments we are not to expect much prudence or true policy.

To keep the frontier diſtricts attached to the union, we muſt rely more on their paſſions and their ſenſe of preſent convenience, than on their prudence and their calculation of future convenience. We ſhould not forget that the United States are to be held together by intereſt, not by force; and the federal government ſhould conduct its operations in ſuch a manner, as that this intereſt ſhall always be felt by every ſtate, and act upon the inhabitants, as a ſteady principle of union; ſince there is no other on which we can depend.

In the old governments of Europe, the people of different diſtricts are held together under one head, by the co-operation of ſeveral cauſes which do not exiſt with us. A military force, or a ſtanding army, acts as a conſtant preſſure on them, both by the terror it excites, and the great number of places it offers to the nobility and the ambitious of every claſs. To this is added a ſuperſtitious veneration for a reigning family, who never fail to be painted to their ſubjects as the centre of every virtue, and the particular favourites of Heaven; ſo that withdrawing from their government is conſidered as rebellion againſt God. Then comes the enginery of a ſtate religion, which is kept in continual play by a hoſt of artful men, who teach that every thing beyond their own dominion is heretic and repro-

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bate. And farther to diſcourage every wiſh for a change, the people are ſo hemmed in by nations as miſerable as themſelves, that they perceive that great taxes and other vexations are not to be avoided by ſhifting their allegiance, and looking to the right inſtead of the left, for the centre of their government.

We ſhall deceive ourſelves exceedingly, if we ſuppoſe that any of theſe cauſes are to operate in the weſtern and ſouthern diſtricts of the United States. Our ſyſtem of policy does not admit of ſtanding armies; and if it did, we could not ſupport one ſufficiently ſtrong to reſtrain a whole people who have arms in their hands, who ſhould think themſelves oppreſſed, and determine to be free. No ſuperſtition that is likely to be laſting or extenſive, is yet eſtabliſhed among us in favour of any one man or family; for, notwithſtanding the pains that are taken to deify ſome of our citizens, and to propagate an opinion that they can do no wrong, theſe efforts are ridiculed by the maſs of people whom they were intended to deceive. As to religion, the ſects are ſo numerous in America, and the people are ſo convinced, that whatever concern they may have in it muſt be perſonal and not political, that the general government cannot hope to eſtabliſh a uniformity of worſhip, and therefore can never make of it a powerful engine of ſtate. And with regard to the laſt article above mentioned, that of being ſurrounded by nations habituated to oppreſſion, this is totally wanting in our country. If, therefore, the

federal

federal government becomes oppreſſive to the people of the frontier ſtates, or only appears to be ſo, there is no other example of oppreſſion in their neighbourhood with which to compare it, and their reaſoning in this caſe will be very ſhort: "Nothing binds us to this boaſted Union; it is at leaſt an inconvenience to us; let us ſhake it off, and be our own Union; or, if we are not ſtrong enough for that, let us form another with the Spaniſh or Engliſh colony in our neighbourhood, where every encouragement is held out to us; where, having no national debt, we ſhall have no taxes but for the current expenſes of a government, which, being of our own formation, ſhall be kept within the bounds of economy."

Theſe good people will not, perhaps, reflect on the immenſe inconveniences which would afterwards ariſe both to them and us, from our new condition of two or more rival nations, bordering on each other, having each an extenſive line of forts and garriſons, and ſtanding armies and frequent wars to maintain; which would inevitably plunge us all into the gulf of monarchy, nobility, and prieſthood; from which we never could ariſe, or regain the ground we ſhould have loſt.

Should this Letter reach the inhabitants of the frontier ſtates and diſtricts of our common country, I beg, on the one hand, that they will not be offended at the apprehenſion I expreſs, that a diſpoſition may one day ariſe in them to diſſolve their union with their ſiſter ſtates, and that they will

will pardon my fears if no ſuch event is likely to occur. But, on the other hand, if theſe apprehenſions are well founded, I entreat them to liſten for a moment to the voice of the moſt diſintereſted friend that will probably ever diſcuſs the ſubject.

Let them look at the condition of Europe, and contemplate its hiſtory through the bloody ſeries of modern ages. It is divided into rival ſtates, that call themſelves *independent*; which is another word for the ferocity of ſavage life, and a licence for organized violence. Theſe ſtates are ſeparated from each other by triple or quadruple ranges of fortified towns, whoſe inhabitants, from age to age ſubjected to military law, are ſhut up at night like cattle, and purſue their labours by day under the ſhade of the bayonet, within the view of an inſolent ſoldiery, whoſe ranks are ſupplied by draining the country of its beſt young men, and whoſe pay and proviſions are drawn from the hard induſtry of thoſe who remain behind.

The commerce of theſe independent nations is ſo haraſſed with duties and impoſts in paſſing through different dominions, that very little of it can be carried on. A barrel of ſugar, brought into the middle of Germany, muſt have paid at leaſt ſix or eight different taxes. And when the conſumer has any produce of his own labour to ſend abroad, it is loaded with as many more burdens before it can arrive at market.

Such is their condition in their beſt times, the times of peace; but in the years of war, which

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are about half the years of every generation of theſe unhappy men, immenſe armies are ſet in motion; whole countries are overſpread and exhauſted by the marches of ſucceſſive hordes of friends and enemies, confederates and allies; whoſe undiſtinguiſhed voracity excites equal terror among the inhabitants. Sieges, battles, hoſpitals, priſons, peſtilence, and famine, ſweep off half the population of each country, and force their princes, at laſt, to a temporary ceſſation of butchery, which they call peace. Perhaps the halves of ſome provinces are ſevered from one dominion and annexed to another, and this they call conqueſt. This occaſions a new line of frontier, and new ranges of fortifications to be run through an interior country, cutting up the cultivated fields, and forcing the owners (who cannot fly from the devaſtation) to work at the new trenches and ramparts, to prepare this transfiguration of nature, and be ready for another war.

This picture is not overcharged; and if it ſhould be thought inapplicable to the preſent ſubject, becauſe modern Europe is governed by hereditary princes, and the projected independent governments of America expect to be republics, let us look back for another example to the ſtates of ancient Greece. Thoſe ſtates were moſt of them called republics, and were independent of each other; and among the five or ſix hundred years of their political exiſtence, from the commencement of hiſtory till they became a Roman province, I believe there was not a ſingle year

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when they can be ſaid to have been completely at peace among themſelves. No; the evil is not altogether in the nature of the interior government; though this in itſelf, when bad, is a great ſource of calamities; a ſtill greater ſource, if poſſible, is in the independence and rivalſhip of neighbouring governments. What a long and uninterrupted ſeries of wars between England and Scotland was arreſted by the union of the two crowns, and afterwards of the two kingdoms! And how much more extenſive and more lamentable would have been the ſcenes of ſlaughter among the American States, had we left them independent of each other, after effecting their independence from Great Britain!

Since, then, we have found the means of avoiding theſe diſaſters — ſince we have eſtabliſhed a union of intereſts and of ſtates, which may bid defiance to every poſſible enemy but ourſelves, ſhall we not have the wiſdom to preſerve this union? Shall we, on the one ſide, indulge in the prodigality of increaſing our debt, and in a proud indifference to the opinions of an irritable and powerful portion of the nation; and on the other ſide, will that portion run wild with an untimely reſentment, and not conſent to a ſmall and temporary ſacrifice, rather than plunge themſelves and their brethren, with all their intermingled poſterity, into calamities without meaſure and without end;—calamities which are inſeparable from a diſjunction of the ſtates, and the frightful experiment of independent and rival go-

vernments, whoſe tempers will have been already imbittered by the act of ſeparation?

It is doubtleſs to be lamented that the debt of the United States has riſen to ſuch a formidable ſize; and that there ſtill ſeems to be a diſpoſition to increaſe it from pretences ſo frivolous as to be clearly ſeen through by thoſe whom they were intended to blind and miſlead. It is impoſſible that the ſmalleſt portion of the American people has been made to believe that there was any conceivable danger of an invaſion from France; and the reſentment occaſioned by the creation of that part of the debt which has been raiſed on this pretence muſt therefore be ſharpened by the impudent attempt to impoſe on their underſtanding.

That great and wanton augmentation of the federal debt in the year 1790 which aroſe from the aſſumption of thoſe of the individual ſtates, was founded on a very ſingular argument: it was ſaid that this meaſure would have a tendency to cement the federal union. Why was it not foreſeen that preciſely the contrary muſt be the effect? While the ſtate remained the debtor and its own citizens the creditor, neither of them could find relief by withdrawing from the Union; the citizens in fact were all debtors, and as many of them as choſe to be were creditors. But now they would both find relief by withdrawing; for by that act all the citizens of ſuch a ſtate would ceaſe to be debtors, while the creditors would remain the ſame. Theſe would have only to ſell their ſtock and receive payment; and then that

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ſtate would have nothing more to do with the burdens of the late war, nor with the ſubſequent accumulation of the national debt. If there can be an argument proper to engage a ſtate or diſtrict to withdraw from the Union, this is certainly one.

Perhaps I miſtake the preſent temper of the American people; but it appears to me that the greateſt riſk we run of a diſmemberment of the empire, ariſes from the magnitude of the debt. There are many other reaſons why its progreſs ought to be arreſted where it is, and the capital diminiſhed as faſt as poſſible; but the greateſt of all reaſons is the preſervation of the federal ſyſtem, on which our liberty and happineſs moſt eſſentially depend. This argument I apprehend has not been ſufficiently attended to.

Beſides the magnitude of our debt, the manner of funding it has had a pernicious influence on the policy of our government with foreign powers. The payment of the intereſt was made to depend in a great meaſure on the duties to be levied on imported merchandiſe, which were by law appropriated for fifteen years to this object. This made every ſtock-holder a partiſan of our commercial connexions with that country whoſe commerce with us was ſuppoſed principally to ſecure this revenue; however injurious thoſe connexions might become to the general intereſt of the United States. It is greatly owing to this unfortunate meaſure that our commerce has ſuffered ſo much during the preſent war from Engliſh and French depredations. For no one will

deny that the latter were occaſioned by our tame ſubmiſſion to the former.

Second: As the government belongs to the people, and not the people to the government, it is proper that the latter ſhould be as accommodating as poſſible with regard to the place of its reſidence. The exiſting law, by which the Congreſs has pledged itſelf to remove to the Federal City at a certain time, ought to ſuffer no delay in its execution, after that time arrives. If that law had carried the Federal City eighty or a hundred miles farther up the Potowmac, it would have been ſtill more central, and doubtleſs would have had a greater effect in preſerving the Union entire.

The article is trifling in itſelf; but every thing in this world goes by appearance. It would have been a mark of attention, a complaiſance, an accommodation to our weſtern brethren, that would have been worth millions in fixing their affections. It is doubtleſs too late to think of changing the reſolution already taken by the legiſlature; but it would doubtleſs be impolitic to admit of a new delay, as many perſons apprehend, in carrying it into effect.

Third: The opening of roads, and the improvement of water communication between the central and the frontier ſtates ſhould be an object of conſtant ſolicitude, not only to the ſtate legiſlatures and to Congreſs, as far as may be in their power, but to patriotic individuals and companies, wherever they can reconcile private intereſt with ſo great a public benefit.

A facility

A facility of intercourſe for the objects of commerce, travelling, and the tranſportation of letters, would have a powerful effect in aſſimilating our manners, and inſpiring that confidence and friendſhip ſo neceſſary to the political union of men who feel themſelves able at all times to change their connexions at pleaſure.

A ſyſtem of ſmall canals, as projected by one of our moſt eſtimable citizens, on a plan ſo extenſive, as to take place generally of public roads in the moſt frequented routes, may one day be preſented to the conſideration of the federal government. This is not the moment to enter into a development of the project, either in its political or its fiſcal operation. I will only obſerve, that in both theſe views it would greatly ſerve to harmonize the intereſts of the ſtates, and to ſtrengthen their preſent union.

Fourth: A univerſal attention to the education of youth, and a republican direction given to the elementary articles of public inſtruction, are among the moſt eſſential means of preſerving liberty in any country where it is once enjoyed; eſpecially in the United States. The repreſentative ſyſtem muſt neceſſarily degenerate, and become an inſtrument of tyranny, rather than of liberty, where there is an extraordinary diſparity of information between the generality of the citizens and thoſe who aſpire to be their chiefs. And as to the federal ties between the different ſtates, how ſhall they be maintained but by extending the views and enlightening the minds of thoſe whoſe votes are frequently to be conſulted,

and

and whoſe actions are always irreſiſtible by their numbers, and the direction which they take?

Ignorance is every where ſuch an infallible inſtrument of deſpotiſm, that there can be no hope of continuing even our preſent *forms* of government, either federal or provincial, much leſs that ſpirit of equal liberty and juſtice on which they were founded, but by diffuſing univerſally among the people that portion of inſtruction which is ſufficient to teach them their duties and their rights.

We muſt not content ourſelves with ſaying, that education is an individual intereſt and a family concern; and that every parent, from a deſire to promote the welfare of his children, will procure them the neceſſary inſtruction, as far as may be in his power, which will be enough for their ſtation. Theſe aſſertions are not true; parents are ſometimes too ignorant, and often too inattentive or avaricious, to be truſted with the ſole direction of their children; unleſs ſtimulated by ſome other motive than a natural ſenſe of duty to them. Neither is it merely a family concern; it is a civil, and even a political concern. The legiſlator and the magiſtrate neglect an eſſential part of their duty, if they do not provide the means and carry them into effect, for giving inſtruction to every member of the ſtate.

This may be done with very little expenſe, and with much leſs trouble than is generally imagined. The ſubject appears to me to be too much neglected in the United States in gene-

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ral, conſidering that the preſervation of liberty depends in a great meaſure upon it.

Fifth: What ſhall we ſay of thoſe gigantic colonies that are forming on our frontiers, to the weſtward of the Miſſiſſipi and to the northward of the lakes? Theſe are germs of empire which offer an immenſe field of meditation to the American politician. How ſoon, and by what combination of events, are they to become independent ſtates? When that day arrives, are they to be our rivals, and conſequently our enemies, after the example of the ſtates of Europe? Or can the way be prepared, and they be perſuaded to adopt our principles, to form with us a great union of political intereſts, and make of the whole but one confederated empire? Theſe queſtions hurry the mind into an awful train of thought, which it is difficult to methodize and delicate to communicate. Yet no branch of the inquiry is uſeleſs; ſince it contemplates an event the moſt important that can probably affect our conſtitution; and one which a prudent conduct on our part may modify in a very conſiderable degree. I do not mean that it will be our duty to interfere in their preſent concerns, or to take any part in any diſpute that may happen between them and their parent governments, with a view to haſten or retard the moment of their ſeparation. But it is eſſential that we ſhould ſo conduct our own affairs, as to ſet them ſuch an example of rational liberty and public happineſs, as they cannot fail to admire, and muſt therefore wiſh to partake.

Our frontier ſtates, which border on theirs, muſt neceſſarily entertain an intimate and extenſive intercourſe with them. Reciprocal migrations and intermarriages will be numerous between them; their commerce will be active; their manners, language, and modes of education will be the ſame on both ſides. The probability is, that if we do not induce them to join themſelves to us, they will induce ſome of our extenſive diſtricts to quit us and join with them.

But if at that day the United States ſhould be clear of debt, and ſhould exhibit the ſingular phenomenon of a wiſe, impartial, and energetic government, reſerving ſo much power to individual ſtates as ſhall enable the people to regulate the great maſs of their moſt intereſting concerns at home, where they are beſt underſtood, and yet continuing a ſufficient force in the federal head to enſure at all times the means of giving protection and obtaining reſpect,—there can be no inſuperable objection, and there may be a powerful inducement, for thoſe new nations to form their ſtate governments after the model of ours, and to join our confederation.

I am aware of the inconvenience that might ariſe from the magnitude of this projected empire; as the colonies in queſtion are ſpreading over a ſurface at leaſt equal to that of the preſent United States. The objection is weighty; but my anſwer is at hand: by encountering this inconvenience, which is new, and therefore formidable in appearance, we avoid thoſe that are infinitely more ſerious; though, from being familiar

liar and thought unavoidable, they are leſs attended to. There is no political inconvenience ſo great as the neighbourhood of independent and rival nations. Their commercial reſtrictions, their military preparations, their fortified frontiers, their interfering juriſdictions, their whimſical and undefinable points of honour, give ſo many occaſions of diſpute in the minds of paſſionate or ambitious men, that ſuch nations, if not always at war, muſt be always in ſuch a warlike poſture, as to preſent a perpetual image of the ſavage ſtate, degrade the morals and devour the ſubſtance of the people.

Beſides, I apprehend that if we well conſider the nature of a federal government we ſhall have leſs reaſon to dread the extenſion of its limits. The objects of its legiſlation are few, according to our preſent ſyſtem; and I have no doubt but this might ſtill be ſimplified, without riſk of leſſening its energy. If its ſimplification ſhould be found practicable, this circumſtance may add to the inducements that our neighbours may one day have to join us in confederation, and may diminiſh on our ſide the inconvenience which many will apprehend from the firſt view of the caſe.

Though the Achaian and the Lycian confederacies were the moſt perfect that hiſtory has tranſmitted to us, we ought to recollect that the former was overturned by refuſing to admit the ſtate of Sparta as a member; and the deſtruction of the latter was brought on by its excluding ſixty cities which deſired to join it.

The intereſt we ſhall have in inducing new nations to join our Union, inſtead of being our rivals, is a ſtrong argument, in addition to many others, for preſerving at leaſt as much power to our individual ſtates as they now poſſeſs, and for not ſuffering any encroachment from the federal government. It is convenient, as well as inviting, for every ſection of a free people to regulate as many of their own affairs at home, as is conſiſtent with the intereſt of the whole. And when their federalizing with us depends on their own choice, they will be more likely to do it if the requiſite ſacrifice of power ſhould be ſmall, than if it ſhould be great.

I hope none will infer from the obſervations in this article, that I am an advocate for *conqueſt*, in any caſe whatever; and ſtill leſs that I would extend the limits of a dominion by colonies and foreign poſſeſſions. Nothing is more deſtructive to liberty, both at home and abroad, than this ſort of policy. There is no doubt (all other circumſtances being equal) but ſmall dominions are preferable to large ones. It is only to avoid the greater evils of the independence and rivalſhip of ſtates, that I would conſent to an extenſion of limits. And this would be ſcarcely tolerable, but on the federal plan; which I regard as one of the moſt uſeful and moſt conſoling experiments to be found in the hiſtory of government. There is no knowing yet to what extent it may be carried.

Sixth: The more I reflect on the nature of political liberty, the more I am convinced that a military

military eſtabliſhment of any magnitude is extremely incompatible with it. The moſt effectual way of preventing this, as well as the ſureſt mode of providing for the defence of the country, is by a univerſal attention to arming and diſciplining the militia. When every citizen is a ſoldier, every ſoldier will be a citizen. Military exerciſe, to a certain degree, ſhould be conſidered as a part of education; and, though a ſubordinate part, it ſhould not be neglected.

But it is happy for us that a military life, as an excluſive object, is not yet become a profeſſion in the United States. There are very few evils of a political kind that would be more ſubverſive of their liberty. Ambition, which has been ſo deſtructive to national happineſs, could ſcarcely be taken in a bad ſenſe, but for its uſual aſſociation with military fame. And if excellence in warlike achievements, in themſelves conſidered, without regard to the cauſe, ſhould once become an object of purſuit with the young men of America, it would ſoon be found impoſſible to keep us out of unneceſſary wars, and all the miſeries and degradations of character that they entrain. The epidemy would ſeize, as uſual, the richeſt and moſt influencial families; the rage would become faſhionable; it would be made an object of real profit, as well as of ſuppoſed honour. And how many votes, in the freeſt governments in Europe, have been given for war, from no other motive than that of placing ſons, brothers, couſins, or the voters themſelves?

War has hitherto been conſidered in America, I believe by every claſs of people, as a calamity to be avoided in all poſſible caſes by all rational means. It probably may be avoided, as long as we are out of the neighbourhood of independent nations; and as long as the ambition of our leading men ſhall be directed to the true intereſts of ſociety.

II. *The Means of vindicating our commercial Liberty.*

I noticed to you in my former Letter that the American commerce, ſo far from requiring the protection of a navy, was of a nature capable of protecting itſelf and us againſt the aggreſſions of all thoſe powers with which it is principally carried on. This idea requires ſome development, which I will endeavour to give it in this place; and I do not deſpair of eſtabliſhing the principle ſo clearly, that it may ſerve as the baſis of a ſyſtem which you will mature in your cooler moments, and carry into practice on all future occaſions. When preſent paſſions ſhall have ſubſided, and an interval of peace ſhall be reſtored to Europe, there will be a proper occaſion for you to come to a definition and declaration of the rights of neutral commerce; and at the ſame time to declare the manner in which you will defend thoſe rights.

With regard to what are the rights of neutral commerce, and what in my opinion ought to be ſo declared and maintained by you, I cannot expreſs

preſs my ideas with more preciſion than I have done in a Memoir and the project of a Declaration written at the deſire of one of the members of the French government a few days ago, at the moment when they were framing their new conſtitution. Our intention then was to cauſe ſuch a declaration to be prefixed to the conſtitution. But that work was to be hurried through with ſo much precipitancy, that its authors concluded to adjourn to a future day, as a ſubject of conſideration to the Legiſlative Body, the declaratory act firſt propoſed to be conſecrated in a more ſolemn form. I will ſubjoin a copy of the Memoir and propoſed Declaration, as an Appendix to this Letter; only obſerving that, by what I can diſcover of the prevailing diſpoſition of this government, the principles therein contained are gaining ground, and will probably one day be enacted *.

Although it would have been deſirable that France or ſome other firſt-rate power in Europe, ſhould take the lead in eſtabliſhing doctrines which tend to ſo great a change in the maritime law of nations, yet the poſition of the American government is ſuch, that it is not neceſſitated to wait the deciſion of any foreign power, before pronouncing its own. For of all ſubjects touching the law of nations, it is that on which it is the moſt eaſy to diſcern what is right; and of all governments in the world, that of the United States is the beſt able to carry into effect

* It would facilitate the intelligence of what follows, to read the Appendix before proceeding with the Letter.

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its own deciſions on that ſubject. You have only to mark out the ground which is juſt; and that ground is tenable by you. Referring then to the Appendix for what I have to obſerve on the nature of the rights to be defended, I will cloſe this Letter by ſuggeſting the moſt eligible means by which you may defend them.

Had the French republic adopted the projected Declaration, I intended, in conſequence of the invitation held out in the ſeventh article, to put into ſome channel of conſideration a propoſition to the following effect:

"There ſhall be a treaty, called *the Maritime Convention*, formed by and between as many powers as may chooſe to be parties to it in the firſt inſtance; and it ſhall be afterwards acceded to indefinitely by ſuch other powers as may at any time think proper to ſubſcribe to its conditions.

"The object of this Convention is: 1. To define and declare the rights of neutral commerce; which ſhall be done in the inſtrument itſelf: 2. A general and mutual guarantee of thoſe rights among the parties by the operation of commerce alone; without reſorting to an armed force by land or ſea, in any caſe provided for in this Convention. But if ſuch reſort ſhould hereafter be found neceſſary, it may be authorized and regulated by a ſubſequent treaty, which ſhall be regarded as ſupplementry to this, and predicated on the practical inſufficiency of the penalties herein preſcribed. Theſe I preſume, however, for the reaſons I am going to explain,

will always be found ſufficient; and in ſuch caſe it would doubtleſs be more detrimental than beneficial to provide for any armament at all.

" To effectuate this mutual guarantee among the parties, there ſhall be eſtabliſhed a *Chancery* of the Maritime Convention, compoſed of one delegate from each contracting power, to aſſemble at ſome convenient place not within the limits of any of the great maritime nations; but if poſſible in one of the Hanſeatic towns. The Chancery ſhall be always in ſeſſion in time of war; that is to ſay, when one or more of the contracting parties, or any other maritime power of Europe, ſhall be at war. When no ſuch war exiſts, the Chancery ſhall name, out of its own body, a Committee of Vacation; which ſhall remain permanent during the time of peace. The nomination of the Committee of Vacation ſhall be notified to the ſeveral contracting parties; its powers ſhall be the ſame in peace as thoſe of the whole Chancery in war; and it ſhall have moreover the power of convoking the other members on extraordinary occaſions.

" If the rights of neutral commerce, as declared by this Convention, ſhall be violated, in the property of any one of the contracting parties, or in that of their citizens or ſubjects, by the order or by the citizens or ſubjects of any other of the contracting parties, or by thoſe of any other power not a party to this Convention, complaint thereof ſhall be made within a reaſonable time by the power offended, both to the Chancery of the Maritime Convention, and to the offending power,

power, accompanied always with ſuch proofs as the nature of the caſe will reaſonably admit. The Chancery ſhall decide on the firſt view of the caſe, and without citing either party, whether the complaint is well founded or not; and, if well founded, it ſhall immediately decree the ſum of damages in money which it ſhall find to be juſt, and ſhall notify the ſame to the offending power.

" If within three months after notification made to the offending power, it being in Europe, or in ſix months, it being in America, the full ſum decreed in damages is not paid into the hands of the Chancery, then the offending power ſhall be declared by the Chancery to be under *the Ban of Commerce*, until full payment ſhall be made, not only of the ſum already decreed in favour of the complainant, but of the other ſums forfeited to the other contracting parties by this neglect, and payable as compenſations, as explained below.

" The effect of the Ban of Commerce declared by the Chancery ſhall be, that every power, being a party to the Maritime Convention, ſhall withdraw all commercial intercourſe from the bandicted power, its citizens and ſubjects, until the Ban ſhall be removed by the declaration of the Chancery; which removal of the Ban ſhall be made immediately on payment being received of the ſeveral ſums before mentioned.

" By withdrawing all commercial intercourſe, in the ſenſe of this Convention, is underſtood prohibiting the veſſels of the bandicted power, and

and thoſe of its citizens or ſubjects, or any goods, wares, or merchandiſe of the produce or manufacture of their country or dominions, to enter the ports or country of the party withdrawing ſuch intercourſe; and likewiſe prohibiting its own citizens or ſubjects from frequenting the ports or places of the bandicted power, refuſing to clear any veſſel, whether national or foreign, for any ſuch port or place, and laying them under bonds not to frequent them during any voyage for which a clearance may be granted. But the obligation to withdraw commercial intercourſe ſhall not neceſſarily extend to recalling ambaſſadors, other public agents, or conſuls.

" In caſes where payment is compelled by reſorting to the Ban of Commerce, the offending power ſhall be held to pay to the Chancery for each contracting party which ſhall have concurred in executing the Ban (as a compenſation for damages done their commerce in executing the ſame) a ſum equal to the ſum decreed in favour of the offended power. A new decree to this effect ſhall go forth with the declaration of the Ban of Commerce; and the ſame Ban ſhall be continued till theſe ſeveral ſums, together with the one firſt decreed, ſhall be acquitted.

" But although, for the ſake of expediting the operations of the mutual guarantee contemplated in this Convention, it is ordered that the Chancery ſhall pronounce immediately on the *ex parte* hearing of the firſt complaint, and ſhall ſuffer no delay in executing its decree; yet it is provided that the ſum paid on ſuch decree for

the complainant, if paid without reſorting to the Ban of Commerce, ſhall remain in the hands of the Chancery for ſix months, to wait a reclamation and a rehearing of the cauſe; which ſhall always be had by the party paying, if demanded, within ſix months after voluntary payment. And on this trial both parties ſhall be invited to appear: but in no caſe ſhall final judgment be delayed more than one year after ſuch payment. From this final judgment of the Chancery there ſhall be no appeal; and the money ſhall be paid over without delay to the party having right. Sums paid for the other contracting parties as compenſations for executing the Ban ſhall never remain in the Chancery, but ſhall be paid over to them without delay, and cannot be reclaimed.

" When the Chancery on the final hearing ſhall reverſe its firſt judgment, and reſtore the money to the reclaimant, it may likewiſe decree an additional ſum in damages againſt the firſt complainant, as a fine impoſed on him, if there be cauſe; that is to ſay, if his complaint ſhall finally appear to have been ill founded, and brought with a fraudulent deſign. The ſum of damages ſo decreed ſhall in no caſe exceed the amount of the firſt decree; it ſhall be notified in the ſame manner, a like term ſhall be allowed for payment, and the ſame mode of compulſion, by declaring the Ban of Commerce, as before preſcribed. On final payment to the Chancery, the ſum ſhall be paid over without delay to the party having right. And in caſes where payment of damages ſhall be compelled

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by reſorting to the Ban of Commerce, an equal ſum ſhall be paid to each of the powers executing the ſame, as in caſes of firſt decrees. But there is no rehearing of a cauſe where payment on the firſt decree has been compelled by the Ban of Commerce.

" The penalty and mode of compulſion here propoſed, for a breach of the Maritime Convention, appear to me abundantly ſufficient for the object, whether of prevention or atonement: 1. Becauſe they are of a nature ſimilar to the offence—a commercial deprivation for a commercial violence: 2. Becauſe thoſe maritime powers, which are moſt likely to commit theſe aggreſſions, are the moſt dependant on that extenſive intercourſe and exchange of commodities, of which the Ban of Commerce would be a ſudden and almoſt inſupportable ſuſpenſion; indeed moſt of our nations have now become ſo commercial, that no greater evil could be inflicted on them by their neighbours than what is here contemplated, provided this Convention becomes as general as may be expected: 3. Becauſe the great objection to the armed neutrality of the year 1780, and what would always prevent ſuch a plan from being carried into effect on a ſcale ſufficiently great to produce any permanent amelioration, was the unwieldineſs of the compulſory meaſures neceſſary to command reſpect. To ſeek redreſs in all caſes by arms, and to have its ſucceſs depend on contingencies to be furniſhed in naval armaments by a number of independent powers, is a mode ſo expenſive, ſo un-

certain, and ſo unmanageable, that it never can be relied upon; and if it could, the remedy might be worſe than the diſeaſe, as it might involve in war the powers which armed for the ſake of peace.

" A like objection would have ariſen to the project of Henry IV. for pacifying Europe by land. The mode of compulſion would have been unmanageable, and probably dangerous to the nations it was meant to protect. The mode of compulſion in the plan of *unarmed neutrality* here projected is ſimple, analogous to the object, eaſy and unexpenſive in its execution, and exceedingly pungent in its effect.

" A ſincere deſire in the contracting parties to preſerve the peace of Europe againſt all the other pretexts on which it is uſually violated, may poſſibly induce them to extend the powers of the Chancery in queſtion to all other branches of the rights of nations, as well as to thoſe relating to commerce. In that caſe they will doubtleſs agree upon, and declare a new code of public law, or law of nations, complete in all its parts, and commit the conſervation of it to this body of delegates.

" I ſhall not purſue this branch of the ſubject at preſent, becauſe it would require immenſe details. In an operation ſo new it will be beſt to begin with that part whoſe ſimplicity and daily utility ſhall recommend it to the moſt prejudiced obſervers. And if once the Maritime Convention can be organized, its principle may be extended as it ſhall be found practicable. I will

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not, however, loſe this occaſion of making one remark; that the commercial mode of compulſion herein ſuggeſted would probably be the moſt proper for all caſes to which this Chancery, or any other arbiters of nations, might apply their powers. In ſuch high and delicate concerns, much will depend on the mode of compulſion, as well as on the nature of the penalty. They ſhould both be moderate; and, if poſſible, let them be commercial, and not military. The commercial will go by weight and meaſure, and may always be kept within the intended bounds; the military will run wild, and excite paſſions of falſe glory, incompatible with the object we have in view."

Such is the baſis of a project which might have been offered to the conſideration of the maritime powers, had the way been opened by ſome public manifeſtation of a deſire to diſcover the beſt mode of preventing national diſputes. I introduce it here in the form of an imperfect ſketch; as this is not the channel, and as there exiſts at preſent no good occaſion, to offer it in the form of a finiſhed project.

But though theſe crude conceptions may be of ſome utility in exciting future attention to a theory of ſo much importance, yet this is not the principal reaſon for my inſerting them in this Letter. I deſign them as introductory to what I have to ſay on the practical ſyſtem which the United States may adopt for themſelves without any farther delay. Your ſituation does not require you, on this ſubject, to ſtop ſhort at theories, or to wait till you

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can perſuade other powers to join you in reducing them to practice. But, on the contrary, by commencing the ſyſtem for yourſelves alone, you will convince them of its good effects, and leave them to join you at their leiſure. It is probable indeed, that, contrary to moſt other experiments, it would operate with more preciſion on a large ſcale than on a ſmall one; yet the trial which you alone would be able to give it would doubtleſs be ſucceſsful. If ſo, the example would ſpread; and your efforts might finally point out to Europe the great deſideratum of good men, the means of eſtabliſhing a perpetual peace. You would prove beyond contradiction, that an unarmed neutrality is better than an armed one.

Your commerce, both active and paſſive, is uncommonly intereſting to the principal maritime nations of Europe, as a great ſource of nouriſhment to their manufactures and their agriculture; and it likewiſe affords a conſiderable ſource of revenue to their governments. There is not one of thoſe nations, to whom a ſudden ſuſpenſion of its intercourſe with you would not be a very ſerious evil. We muſt acknowledge at the ſame time that it would be an evil to you; but if your ſyſtem is well combined, the event will probably never occur. It is only contemplated as an extreme caſe, a meaſure of reſort; and, if ever put in practice, it will be to avoid a much greater evil, that of war, or that of unreſented oppreſſion.

The ſtate of your agriculture and population is ſuch, compared with the extent of your territory, that the rate of intereſt will neceſſarily continue

to be higher in the United States than in Europe for a great number of years; and conſequently our citizens will continue to be indebted to thoſe of the manufacturing nations in very large ſums: probably not leſs than twenty or thirty millions of dollars will be the average of the general balance. To bring the whole ſubject into one view, and at the ſame time to ſave repetition, I am obliged to refer to what I noticed in my former Letter on this head, and on that of our European ſtock-holders, or the public creditors of the United States.

Theſe ſeveral circumſtances offer the materials, out of which your ſyſtem of defence may be eaſily formed. Every part of the operation appears to be completely in your power, and muſt continue to be ſo; for theſe advantages cannot fail you at leaſt for half a century to come.

Your object is to remain at peace with all mankind, and to maintain a perfect neutrality whenever the powers of Europe are at war. You ought therefore to publiſh a ſolemn declaration of this intention, and likewiſe a clear definition and declaration of the rights of neutrality which you mean to enjoy. In the ſame declaratory act ſhould be contained an explanation of the means by which you will ſeek relief and compenſation for every violation of thoſe rights, from every foreign power, whether in time of war or peace.

Your mode of compelling compenſation might vary according to circumſtances, there being ſeveral productive ſources within your power, from which it may be drawn. You have the ſequeſ-

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tration of private debts due from our citizens to the ſubjects of the offending power; you have the ſequeſtration of ſuch portions of your public debt as may be due to the ſubjects of ſuch power; and, in caſes where theſe could not be found in ſums ſufficient to compenſate the injury ſuſtained (which is a thing ſcarcely poſſible), you have the ſuſpenſion of all commercial intercourſe with ſuch power, till compenſation ſhall be made: which compenſation, when you reſort to this laſt mode of compulſion, ſhould be augmented in proportion to the probable inconveniences that would reſult to yourſelves from carrying it into effect.

I ſay it is ſcarcely poſſible that this laſt mode need ever be reſorted to, not that we are at preſent indebted either publicly or privately to the ſubjects of every maritime power in ſufficient ſums to furniſh the government with a certain reſource; but I ſay it becauſe we are ſufficiently indebted to thoſe among them who would be moſt likely to violate our rights, and becauſe the return of peace and the cuſtomary run of confidence will ſoon obtain us ſufficient credits with the others. The difference in the rate of intereſt will always warrant ſuch a calculation; and we know that ſuch was uniformly the fact before the preſent unprecedented war. Beſides, it ought to be obſerved that moſt of the maritime powers are ſtrongly intereſted in extending and maintaining the rights of neutral commerce; and would wiſh to aid our pacific mode of defence,

rather than defeat its object by violating its principle.

It would not become me to go into the details neceſſary for the organization of the plan. My object is only to invite your attention to the meaſure, by ſhowing that there is a foundation on which it may be eſtabliſhed. But, *what are the real and defenſible rights of neutral commerce*; *what ſhall be the manner of proving and notifying their violation to the offending power*; *what the rule of eſtimating damages according to the different modes of compelling compenſation*; *what the conſtitution of the tribunal to be charged with receiving complaints, deciding on the firſt inquiry, and rehearing the cauſe in caſe of diſputed facts*; *and what ſhall be the penalty againſt a citizen for preferring a fraudulent complaint*; are queſtions which can only ariſe after the baſis of the inſtitution ſhall be found agreeable to your ideas of policy and juſtice.

I am not inattentive to certain objections which may be made againſt ſome parts of the ſyſtem; neither am I confident of being able entirely to remove them. Thoſe that ſhould be raiſed againſt the principle of ſequeſtering debts are ſo fully anſwered in my former Letter, that I have nothing new to add in this. But it will be ſaid that a ſudden ſuſpenſion of our commercial intercourſe with any one of the great maritime powers would create ſuch a ſhock in the affairs of our merchants, and in the receipts of duties deſtined to the public treaſury, as greatly to

affect our intereſt. To this it muſt be replied, 1. That, generally ſpeaking, in proportion to the amount of our commerce with any foreign power, is the amount of our debts to the ſubjects of that power; and there is nearly the ſame proportion between the debts we owe its ſubjects and its ordinary and well known diſpoſition to infringe the rights of neutrals, and tyrannize at ſea. The minor powers, to whom we owe little, have alſo little of our commerce, and are, at the ſame time, little diſpoſed to tyrannize at ſea; becauſe it is not their cuſtom, being againſt their intereſt. Theſe facts render it almoſt impoſſible that the caſe, againſt which the objection is raiſed, will ever happen with a great commercial nation, where the ſhock of ſuſpenſion would be greatly felt by us. They alſo render it very improbable with a minor nation; and if it ſhould happen there, the ſhock would be but ſmall. But if we conſider, that to any of theſe powers, whether great or ſmall, the ſhock of a ſudden ſuſpenſion of our trade would be more ſenſible than it would to us, and that they muſt always foreſee this effect, from the moment of the declaration of our mode of defence, we ſhall be ſtill more convinced that the event will never happen.

2. Though the evil attending this extreme caſe, if it ſhould occur, would be conſiderable, it muſt not be forgotten that a much greater one is avoided by it, the evil of being humbled under every ſpecies of maritime inſult, and of becoming

ing the football of rival powers who ſtrive which ſhall kick us the hardeſt; or elſe that other evil (whether greater or leſs than this) of a war, in which there is no calculating the calamities to a young republic, in fiſcal derangements, commercial diſtreſſes, or loſs of domeſtic liberty.

During the preſent ſtate of hoſtility in which Europe is involved, iniquitous and piratical as it is, there is no doubt, had we been prepared with a ſyſtem of neutrality and defence like what is here propoſed, but it would have carried us through without an inſult, or none that would not have been atoned without delay. Neglecting this precaution, how many millions have we ſuffered in property! what humiliation in character! And who can tell, after ſeven years plunder, whether we are not to be dragged into the war at laſt, or which ſide we are moſt likely to take?

My great anxiety to ſerve the cauſe of liberty, and accelerate the progreſs of civilization, has alone induced me to addreſs you theſe Letters. I can have little hope, however, that my arguments will produce any immediate effect in exciting your attention to theories ſo abſtracted from the great paſſions of the day. But principles remain, when the books that firſt contained them are forgotten; and I have ſo much confidence in thoſe I here advance, as to believe that they will deſcend to ſome future friend of humanity, who will find a more fortunate moment for their reception, and place them before

the world in a clearer point of light. The proſpect of thus contributing to a diſtant good has made me write with pleaſure; and it ought to engage you to read with patience.

JOEL BARLOW.

APPENDIX.

MEMOIR
ON
CERTAIN PRINCIPLES
OF
PUBLIC MARITIME LAW,
WRITTEN FOR THE FRENCH GOVERNMENT.

Paris, Dec. 5, 1799.

THE ſeveral conſtitutions which the French nation has hitherto given herſelf, have been prefaced by a declaration of the Rights of Man. It might not be improper that the preſent one ſhould carry with it a declaration of the *Rights of Nations*; I mean, ſome of thoſe great principles which would tend to the preſervation of tranquillity in Europe, and which would favour a ſtate of peace rather than a ſtate of war.

A proper underſtanding of the Rights of Man is doubtleſs leading to great ameliorations in his civil ſtate, and will throw much light on the ſcience of interior legiſlation, of which you may hope to profit as ſoon as you ſhall have paſſed the viciſſitudes of the revolution. A proper underſtanding of the Rights

Rights of Nations will, perhaps, enable you to avoid as many errors, and as great evils in your exterior concerns; and it ought likewiſe to be regarded as one of the great objects of the ſame revolution.

It is probable that your new conſtitution will haſten the epoch of a general peace; this peace will have been ſo dearly bought, that you muſt wiſh to render it as permanent as poſſible; and you will, doubtleſs, be willing to adopt the means moſt proper to attain the end. You ought, at this moment, to aſk yourſelves, what are the moſt uſual cauſes of war in the preſent ſtate of Europe? and how are theſe cauſes to be avoided in future?

Is there not ſomething vicious in the preſent organization of the great ſociety of nations relative to each other, eſpecially in what is called the Maritime Law of Nations, as now underſtood in Europe? Many articles in this maritime code are evidently calculated to favour a ſtate of war, and to throw advantages into the hands of belligerent powers to the prejudice of neutrals. This, of itſelf, is one inducement to war; and if it can be proved that ſome of theſe articles might be amended, it is hoped that no time will be loſt in adopting ſuch amendments.

1. The whole ſyſtem of privateering, and letters of marque and repriſal, ought to be for ever aboliſhed. It is eaſy to demonſtrate the evils that ariſe from this ſyſtem, both in its general principle, as it affects the ſtate of ſociety in Europe, and as it applies to the intereſt of the French nation in particular. It is one inducement for vicious individuals in all maritime countries to wiſh for a ſtate of war. Men of broken fortunes in the ſea-ports, ſuch captains of veſſels, and other ſailors, whoſe irregular conduct prevents their obtaining employment in regular buſineſs and peaceable times,—ſecretaries of miniſters

and chiefs of departments, who expect large gratifications for the commiſſions they obtain,—and other claſſes of men too various and too vile to be ſpecified in this place, all promiſe themſelves great profits from a looſe piratical warfare; and never fail to do all in their power to bring on hoſtilities, by irritating the parties at home and abroad.

When their ſyſtem of ſea robbery is once licenſed by a declaration of war, all bounds of morality and every tie of civil ſociety are broken with theſe claſſes of men. All means are lawful by which they can ſeize the property of others, whether friends or foes, neutrals, allies, or fellow-citizens. Every ſpecies of plunder, homicide, fraud, and cruelty, that human ingenuity can invent, are practiſed without diſguiſe; as they are ſure to go unpuniſhed by their own or any other government.

Vaſt quantities of property belonging to neutrals, being unjuſtly taken and deſtroyed, are clearly loſt to all parties, and muſt be paid for by the government that allows ſuch devaſtations; unleſs it avoids the payment by provoking ſuch neutrals to take part in the war, and thus extend its ravages beyond the original intention of the parties.

But this is not all. This terrible ſacrifice of morals gains other claſſes of ſociety. The regular merchant leaves his accuſtomed buſineſs, and launches into the moſt extravagant ſpeculations, founded on the cruelties and murders of an occupation which he has not the courage to exerciſe himſelf; but he renders himſelf equally guilty by hiring others to do it for him. The contagion of unuſual cupidity extends to every ſort of people in the commercial towns. Sea robbery becomes the faſhion of the country; manufactures are deſerted for a more ſeducing proſpect of gain; and all the ſea coaſt of every country at war preſents

preſents the afflicting proſpect of ſociety relapſing into a ſtate of barbarity and piracy, worſe than the ſavage ſtate from which our arts and ſciences have drawn us.

Such are the general effects of privateering, as obſerved in all European nations. But France has a peculiar intereſt in prohibiting this vile and degrading warfare. It never fails to deprive her of her ſeamen, and to cripple her national marine in a greater degree than it does her rivals the Engliſh. The reaſon of this is obvious: France is an agricultural nation, rather than a commercial one; her commerce is ſo little, in proportion to her military navy, that it is with great difficulty ſhe can man her national ſhips in caſe of need. She is obliged, therefore, to take landſmen to ſupply the deficiency; and ſhe endeavours to balance the want of ſkill by an augmentation of numbers. For this reaſon the equipage of a French ſhip is vaſtly more numerous than that of an Engliſh one; they fight to leſs advantage, and loſe many more priſoners. This is peculiarly the caſe with your privateers. Hence it is that your privateers in the preſent war have done little more than people the Engliſh priſons with the beſt of your ſeamen. Indeed, the maritime part of the preſent war offers a variety of the moſt terrible examples of the fatal conſequences of the ſyſtem of privateering, in every light in which the ſubject can be placed.

Therefore, as there can be no poſſible benefit ariſing from the ſyſtem, either in this or any future war; as your whole naval force can always be diſplayed to the beſt advantage in national ſhips, and under the ſole guidance of the ſupreme executive power; as you will thus take away one of the inducements which bad men have to provoke hoſtilities, and bring on a war; as you will thus avoid doing injuſtice to neutrals

trals abroad, reſtrain the violence of wicked men at home, and ſhut up a ſchool of immorality which threatens deſtruction to the whole ſyſtem of human ſociety, it is to be hoped that privateering will be hereafter for ever prohibited in France.

2. Another branch of the maritime law of Europe, which ought to undergo a ſerious conſideration at this time, is that which regards the rights of neutrality; eſpecially in ſome conteſted points which are ſuſceptible of a clear definition and a ſolemn declaration. The queſtion, whether the flag of a friend ſhall protect the cargo of an enemy, has been agitated in Europe for a century and a half, without being finally ſettled at this day. The practice of the Romans was in favour of the negative; and that was ſufficient, for a long time after the revival of commerce, to ſettle the practice in the early part of modern times. But the inconvenience of this was found to be ſo great to neutrals, without procuring any ſolid advantage to belligerents, that the contrary practice began to be recommended about the middle of the laſt century. It was found to be ſo much more convenient for all parties to allow the flag to protect the property, that the number of treaties in which the modern practice is adopted is almoſt as numerous, within the period above mentioned, as of thoſe in which the ancient uſage is maintained. The following is the liſt of treaties in which it is ſtipulated that the flag ſhall protect the cargo, in all caſes except in contraband of war:

Between France and	Holland	in 1646
	Hans-Towns	1655
	England	1655
	Spain	1659
	Holland	1662
	Idem	1678
	Idem	1697
	Idem	1713
	Idem	1739
	Denmark	1662
	Idem	1742
	Sweden	1672
	England	1677
	Idem	1713
Between England and	Portugal	1654
	Sweden	1656
	Spain	1667
	Idem	1670
	Idem	1713
	Holland	1668
	Idem	1674
Between Holland and	Portugal	1661
	Sweden	1667
	Idem	1675
	Idem	1679
	Naples	1752
Between Spain and	Auſtria	1725
	Denmark	1742
Between Denmark and	Genoa	1756
	Naples	1749

Between

Between Ruſſia and (Armed Neutrality.)	Holland - - -	in 1780
	Pruſſia - - -	
	Sweden - - -	
	Denmark - -	
	Naples - - -	

Between the United States and	France - - - - - -	1778
	Holland - - - - -	1780
	Pruſſia - - - - - -	1785
	Sweden - - - - -	1785

To this liſt may be added all the treaties that have been made by the powers of Europe with the Ottoman Empire, and with the ſeveral States of Barbary, as well as thoſe between America and the States of Barbary; it being an invariable principle among thoſe Mahometan powers to reſpect the flag of a friend, and all the property it covers *.

It will be remarked that England has been the principal oppoſer of this modern law, ſince the acceſſion of the houſe of Hanover. During the laſt century and in the beginning of the preſent, her name

* This is not the only point in which the States of Barbary have adopted principles of public law more rational, and approaching nearer to civilization, than thoſe of Europe.

They admit no ſuch thing as CONTRABAND OF WAR; but allow a neutral veſſel to carry any article, at any time and to any place, without examination.

They make no maritime war without a public declaration; and do not allow hoſtilities to commence till a certain number of days after the war is declared—thirty days when the party is bordering on the Mediterranean; a longer term, if at a greater diſtance. The number of days is fixed in the declaration.

All the veſſels, ſubjects, and property of the party, then within their juriſdiction, or that arrive during this interval, are ſent away with paſſports; and not ſuffered to be moleſted in their homeward voyage, though met at ſea after hoſtilities are begun.

Some of theſe principles may be ſometimes violated by a paſſionate prince; but they are acknowledged as law, and are generally obſerved with the moſt ſcrupulous honeſty.

is found in many treaties which recogniſe the new principle; and it is probably owing to her oppoſition to the general wiſhes of Europe during this century, that this advantage in favour of neutral commerce is not univerſally adopted at this day. I find no inſtance ſince the year 1713 in which ſhe has acknowledged it; and ſhe has made ſuch a conſiderable figure in naval wars and the tyranny of the ſeas ſince that period, as to cauſe other nations to vary in their policy continually; ſometimes forgetting their true intereſt and yielding to her ambition in ſupporting the Roman practice, and ſometimes recurring to the more rational ſyſtem, which they ought never to abandon.

But it is time that this queſtion was ſettled irrevocably: and France at the moment of her regeneration is in a condition, if not to dictate the principle as immediately binding on other nations, at leaſt to adopt it for herſelf as an inviolable maxim, and recommend it by her great example. A ſenſe of intereſt will induce all other nations to recogniſe it immediately, except the Engliſh. And if the Engliſh ſhould continue to oppoſe a meaſure ſo juſt, ſo convenient and ſo intereſting to every maritime power, it will attach thoſe powers on all future occaſions to the intereſt of France as their common benefactor, and oppoſe them to England as their common oppreſſor.

No nation can be more intereſted in the adoption of this meaſure than the French. Your reſources in agriculture and manufactures are immenſe. The encouragement of your induſtry and the increaſe of your wealth depend on a free exchange. As long as you have ſuch an inſatiable rival as the Engliſh government in its preſent form, you can hardly expect to avoid naval wars, however ſincere may be your wiſhes to avoid them. Your object then is to eſtabliſh ſuch liberal principles with reſpect to neutral commerce, that

your

your agricultural and manufacturing intereſts may ſuffer as little as poſſible from a naval war which may obſtruct your own navigation.

England has ſuch a prodigious mercantile marine, that ſhe has little uſe for neutrals as carriers of her commerce. But if you allow neutrals to be her carriers, it would tend to weaken her marine; as it would leſſen the number of ſeamen in her ſervice. Engliſh ſeamen would get into neutral employ for the ſake of higher wages, which neutrals could then afford to give; and ſuch ſeamen would rarely return to their country. Whereas allowing neutrals to carry for the French would nouriſh their agriculture and manufactures, the great reſources of the nation.

It ſeems therefore neceſſary that France ſhould not only recogniſe the principle in all her future treaties, that the flag ſhall protect the cargo, but that ſuch ſhould be declared by the people at the head of the conſtitution, in order that all nations may ſee that a future legiſlative or executive cannot deviate from it.

3. There is another caſe in the rights of neutrality which deſerves to be examined; in which I ſhall endeavour to eſtabliſh a doctrine that will appear new, but I hope it will likewiſe appear juſt. It is this, *that there ought to be no contraband of war*. If, for fiſcal or other purpoſes, a government chooſes to prohibit the importation or exportation of certain articles, theſe may be contraband with reſpect to its own nation. But this is private contraband, and has nothing to do with public maritime law. *Contraband of war* ſuppoſes an abridgment of neutral right in favour of belligerent force; which is immoral and abſurd. No principle is more clear in itſelf, or laid down with more preciſion by Wolff and his followers, on the Law of Nations, than this: *that a nation, remaining neuter while her neighbours are at war, retains all the rights*

which ſhe poſſeſſed before the war began. If this be true, there is nothing more contradictory than to ſay that certain articles which were lawful for that nation to carry to a certain country in time of peace, are not lawful in time of war. If the right exiſted before the war, it cannot be annihilated by any act of the belligerent powers; and for them to abridge the exerciſe of it is a violation of juſtice and an act of hoſtility towards the neutral nation, which affects not only her navigation and commerce, but likewiſe her manufactures and her agriculture. If the Ruſſian has been in the habit of carrying cordage to the French in time of peace, and the American has been in the habit of carrying them tobacco; and afterwards the Engliſh begin a war with the French; then, according to the preſent rules of contraband, the Engliſh will ſay to the Ruſſian, You ſhall no longer carry them your cordage; while they will ſay to the American, You may continue to carry them your tobacco. But why ſhall the Ruſſian cultivator of hemp be deprived of the fruits of his labour and the rights of his neutrality, any more than the American cultivator of tobacco? The reaſon given by the publiciſts for this diſtinction is by no means ſatisfactory. They allege the plea of neceſſity, which they ſay one belligerent power is under, to diſtreſs its enemy by depriving him of the articles uſed in war. This argument of neceſſity is miſapplied, and may be anſwered by a ſtronger neceſſity on the other ſide. There is a more legitimate neceſſity that the inhabitants of a neutral country ſhould live, and to this end be protected in their induſtry, than there is that one nation at war ſhould deſtroy another. If there is, among all the elements of ſociety, one principle more ſacred than others, it is this, that more protection is due to the honeſt purſuits of induſtry which tend to multiply the ſupports of human

man life, than to the violent operations of war which tend to its deſtruction.

It ought then to be recogniſed as a principle of public maritime law, that no neutral nation ſhall be interrupted in the courſe of its accuſtomed navigation and commerce on account of the nature of the articles it carries to market; or, in other words, there ought to be no ſuch thing as contraband of war.

One objection however may be made to this doctrine, which it is incumbent on me to anſwer. It may be ſaid that to allow a neutral to carry warlike ſtores to my enemy, I leave him not only the ſame advantages which he had before the war, but I allow him to increaſe thoſe advantages; ſince my enemy has need of a greater quantity of thoſe articles in war than in peace. To this it is replied, that the neutral has not to thank me for the benefit; ſince it is not with a view to his good that I undertake the war, but for my own intereſt or paſſions.

Under the moſt ſcrupulous attention to the rules of juſtice on my part, it is impoſſible but that neutrals muſt ſuffer in many reſpects from my war. If my enemy increaſes his demand for one article, he probably leſſens it for another. And I believe there is no inſtance of a war in which neutrals have not ſuffered immenſe inconveniences. We ſee them always rejoicing at the return of peace almoſt as much as the belligerents.

There will doubtleſs be ſome articles in which the neutral will find a benefit from my being at war; but as there are neceſſarily others in which he finds a detriment, I have no right to abridge his enjoyment of the firſt, ſince I do not leſſen his ſuffering in the laſt. And he has as good a right to ſupply the extraordinary market that may offer itſelf to the fruits of his labour when

when ſuch extraordinary market is occaſioned by war, as if it were occaſioned by famine.

There are ſome examples of incidental encouragement to the induſtry of neutrals, which are offered them by the temporary conceſſion of a belligerent; ſuch as taking off reſtrictions and prohibitions which have been cuſtomary in time of peace. The Engliſh in every war, and frequently in their intervals of peace, have ſuſpended the rigours of their *Navigation Act*, for the ſake of obtaining ſupplies of proviſions, either at home or in their foreign proſſeſſions. The French and Spaniſh governments ſometimes open the ports of their colonies to the ſhips and produce of other powers, and give an unuſual latitude to ſome branch of commerce of which they ſtand in need. Theſe occurrences create a higher market, and offer a temporary benefit to nations which are able to carry the ſupplies. And when they happen in time of war, they may throw a momentary advantage into the hands of neutrals. They muſt, therefore, be claſſed among the incidental rights of neutrality, of which no belligerent can with juſtice complain.

The Engliſh government, it is true, has denied this doctrine; and one of the members of that government, the Earl of Liverpool, has written a book to prove, that the commerce of neutrals cannot legally be extended, in time of war, either to any ports or places, or to any articles of merchandiſe, to which it was not accuſtomed to go in time of peace. But this poſition is ſo falſe in itſelf, and advanced with ſuch an evident deſign to apologiſe for a part of a general ſyſtem of tyranny over neutrals, which that government has been purſuing for a number of years, that no writer, I believe, has yet thought it worth refuting: it is of kin to that other novel maxim of

Britiſh

Britiſh invention, that whole kingdoms may be blockaded by a proclamation.

But when the benefits of trade are extended in this manner, pretended to be unlawful, which party is it that does the wrong—the belligerent that offers, or the neutral that accepts, the extenſion?

No Engliſh writer, I preſume, will deny, that the belligerent power has a right to open its own ports to any unuſual branch of commerce; ſince his own government does it very often, no leſs than three times during the preſent war. It muſt be then, according to Lord Liverpool, that the neutral is in fault; and that he has no right to go to the beſt market that is open. What is the conſequence? Should the neutral refuſe to go to the beſt market, and that beſt market was England, he would certainly be taxed, and very juſtly, with partiality to her enemy. When ſo much of the Britiſh Navigation Act is ſuſpended (this is the caſe at the moment I write), as to allow a Swediſh veſſel, for example, to carry American flour to England, ſuppoſe ſuch a veſſel ſhould be loaded in Philadelphia for London, and the cuſtom-houſe ſhould refuſe her a clearance for that place, where the market was high and a famine was apprehended, but ſhould clear her for France, where there was great abundance and a low price, and ſhould lay the veſſel under bonds not to go into England (which would be the duty of the cuſtom-houſe, if it was a crime to go there), would not this be called an act of partiality, an act of ſuch enmity to England, as would amount to a breach of neutrality? But all this would follow from the principle laid down by Lord Liverpool.

The Engliſh themſelves, however, have never acted on this principle in all its parts, nor ever will. It is thrown out to intimidate neutrals. But it is time

that the rule of juſtice was ſettled on this ſubject, as on many others. The rule ought to be this : that nations which remain neuter, and obſerve an impartial conduct while their neighbours are at war, retain all the rights which they poſſeſſed in time of peace, and all the additional and temporary advantages which the nature of the war itſelf may throw into their hands, or that may be conceded by any of the belligerent powers;—that is to ſay, complete and univerſal liberty ſhould be left to neutrals to be the carriers of all ſorts of goods, at all times and to all places, except only to places actually beſieged or blockaded. And to determine what ſhall be underſtood by a place blockaded, the ſtricteſt ſenſe of the phraſes uſed by the Armed Neutrality in the year 1780 ſhould be adopted : that is, when a place is ſo inveſted as that no veſſel can paſs into the port without imminent danger of being ſtopped by the inveſting force. But in no caſe can a whole coaſt be ſaid to be blockaded by a fleet cruiſing in ſuch manner as occaſionally to ſtop a neutral veſſel : a blockade in its nature being only applicable, if not to a ſingle port alone, at moſt to ſuch ports whoſe paſſage is abſolutely impeded by the habitual diſpoſition of the ſhips. And even in this caſe a neutral veſſel ought not to be confiſcated till ſhe have been once ſtopped and ſent away, and ſhall attempt to enter a ſecond time.

To recogniſe theſe great principles in ſuch a manner that they may ſerve as a guide to future legiſlators in the French Republic, be adopted by other nations, and become a part of the public maritime law through all the civilized world, I would preface the new conſtitution with a declaration to the following effect.

Article I. The French Republic will be and remain at peace with all people and at all times, ſo long

as

as peace can be maintained by the ſtricteſt obſervance, on her part, of juſtice and the rights of nations.

II. The rights of nations are, interior government and ſelf-control; the faculty of continuing their actual forms of government, or changing them for others; the faculty of remaining neuter, and obſerving an impartial conduct towards neighbouring nations while they may be at war.

III. The rights of neutrality are, the faculty of making or not making a public declaration of neutrality (hoſtile intentions not being imputable but in conſequence of an open act or declaration of hoſtility); the faculty of navigating all ſeas, trading to all places, carrying all articles without any exception of contraband of war, and for all perſons without any diſtinction of belligerent or neutral; the faculty in general of enjoying all the advantages poſſeſſed in time of peace, with the addition of ſuch other advantages as may ariſe from the nature of the war itſelf, and alſo ſuch as may be granted and conſented by one or more of the parties in the war; excepting only the caſe of a blockaded port or place.

IV. A port or place ſhall be deemed blockaded only when the inveſting force is actually and habitually ſo diſpoſed and ſtationed as that a veſſel cannot enter without imminent danger of being ſtopped. And even then confiſcation of a neutral veſſel or of her cargo ſhall not be made, till ſhe ſhall have been once ſtopped and ſent away, and ſhall return a ſecond time.

V. The neutrality of a veſſel, ſuch as ſhall enable her to protect her cargo and paſſengers, of whatever nature or country, ſhall be proved without unreaſonable formalities. The nature and form of the documents required for this proof ſhall be only ſuch as ſhall have been declared to be ſufficient by the neutral

power in her own laws, or ſtipulated by her in treaties with other nations.

VI. The French Republic, convinced of the inconveniences and immoralities which ariſe from the ſyſtem of privateering, will no more grant commiſſions for cruiſing, or letters of marque and repriſal, to any private ſhip.

VII. Solicitous to avoid and remove every occaſion of war, not only by a ſteady purſuit of juſtice towards every government and people, but alſo by adopting ſome rational ſyſtem of explanation of real or ſuppoſed wrongs which ſhe and other independent powers may impute to each other in their various intercourſe, the French Republic invites them all to turn their attention to the diſcovery of ſome pacific mode of public arbitration: in which national grievances may be diſcuſſed, removed, atoned, compenſated, and finally ſettled, without recurring to the right of the ſtrongeſt, as in barbarous and uncivilized ages. And ſhe declares ſolemnly to all mankind, with whom ſhe deſires to live in peace, that ſhe will do all in her power to inveſtigate the means and arrive at the eſtabliſhment of ſuch a beneficent inſtitution.

THE END.

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