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When Men first began to form themselves into Societys, the equality subsisting in the State of Nature ceas'd, the weakness of the Individual was felt no more; the Aggregate Body became sensible of its force; this produc'd Wars and Contention, the most powerful Nation attack'd its weaker Neighbour, for the object of War is Victory, and that the forerunner of Conquest; the ultimate end of Conquest ought to be the preservation of the thing acquir'd, reason dictates that as Peace produces all the good, War ought to do as little harm as possible. Here then we see the beginning, and real foundation of the Laws of Nations, some kind or other of which appears even amongst the most barbarous people, tho often form'd on enormous principles.

As no Society can subsist without Government the union of all the powers of individuals gave birth to the Political Law; such a union of power can never be expected, without a perfect agreement of the Wills and opinions of the Members of the Society, and this in a general sense composes the Civil and Municipal Law.

These three different species of Law under various modifications are equaly calculated for every kind of Government Republican, Monarchical, or Despotic, with all the mixtures that have been form'd from them; some one kind prevailing more, some less, according to various accidents, as temper, education, climate &c.—

To justify this assertion be it sufficient to observe, that Law in general is mere human reason, in as much as all the World is govern'd by it, and the Political, and Civil Laws of each Nation, are the particular cases in which this human reason is apply'd; Political Laws form Government, Municipal Laws support it; in either case, they should be relative to the Nature of the Government intended, or already form'd.

They ought also to be relative to the Climate, Soil, and extent of the Country; to the temper, manners, Customs, Religion, Inclinations, Riches, Number, and Comerce of the Inhabitants, to the degree of Liberty the Constitution will bear; they should not only have relation among themselves, but to their origin also, to the intention of the Legislature, and to the order of things on which they are establish'd; these are the different lights in which we propose to examine them; by this means we shall be enabl'd

to discover the good and bad in every form of Government, what Laws are peculiarly adapted to the Republic, which to the Monarchy, what to the Despotic State, and which of these are Common to them all.

There are three species of Government Republican, Monarchical, and Despotic; in the first either the whole body of the people, or a part of them are possessd of Supreme power; the former constitutes a Democracy, the latter an Aristocracy.

In Monarchys a single person governs by establish'd Laws.

In Despotic States one person directs every thing by his Supreme Will and humour.

The great principle of a Republican Government is Virtue, in Monarchys Honour, in Despotic States Fear.

Where the people in general have a principle, the constituent parts of the whole as Familys, &c. will have one also; from hence it follows that Laws of Education will in some measure be analogous to the different principle of every Government.

Therefore the principle of a Republican Education will be Virtue; of that in Monarchys Honour, and in Despotic States Fear.

What we have here said about Education holds equaly with regard to the Legislature's Laws, they ought likewise to have a strong relation to the principles of the Government they are calculated for.

We propose to examine these relations as we proceed to trace the foundamental Laws, the nature, form, and essential requisites of each Government, beginning with Republican, and that part of it where the whole people have their share of the Supreme Power.

Of Democracy.

In this State the People are sometimes Sovereigns, and at others Subjects; but as they cannot be the former without their own suffrages, the power of Voting comes to be a foundamental Law.

The ascertaining the number of Citizens that have this right to Vote in the Assemblys, is also essentialy necessary; Sparta confin'd it to ten thousand, Rome was undone by leaving it unlimitted.

The people in their aggregate capacity are incapable of executing all the powers of Sovereignty, they must therefore have Ministers to do what would be

improper for them; they must likewise have a Council or Senate to examine matters that would be unfit, or — impossible for the whole body to take cognizance, of; but to be their Ministers or their Council, it is absolutely — necessary they should be nam'd by them, here then are two other fundamental Laws.

The people generaly make an excellent choise of those they delegate their power to, nor can there be a greater proof of this assertion, than the succession of great men elected by the Athenians and Romans; this is their sort, but it happens otherwise with regard to conducting a particular business, seizing occasions, or profiting of fortunate minutes, these are not suited to their capacitys, they can order, and examine into the manner their orders have been obey'd, but are incapable of execution themselves; for such great bodys are — apt to move ever in extremes, either too rapidly or much too slow.

Popular States for the convenieney of gathering the Votes and opinions of so numerous a body, have been — always divided into certain classes; on this division — generaly depends the duration of the Republic, and here it is therefore that Legislatures have been most

attentive, and have most display'd their wisdom and talents.

Solon full of the idea of a Democracy, separated the Athenians into four Classes, the three first of which contain'd the richest Citizens, from whence the Magistracy were to be chosen; but the Judges might be taken out of any of the four indiscriminately.

Servius Tullus follow'd Aristocratical ideas, He divided the Roman Citizens into 193. Centurys, the rich tho in small number, he put into the first Centurys, the middling people who were very numerous constituted the following Centurys, and the latter ones were reserv'd for the indigent; from hence it follow'd that as every Century had but one vote, the majority of suffrages fell to the rich and middling people, tho not to individuals; the manner therefore of dividing those who are entitl'd to Vote, and the determining in what manner they are to vote, form two fundamental Laws.

With regard to determining how suffrages are to be given, furnishes two material questions, the one whether ballotting for Offices, be proper or not, in a Republic; the other whether the people

in a Republic should vote publicly or privately; as to the first it appears suited to a Democracy, but a free choise is better in an Aristocracy; the second is pretty undecided, both methods have been, and are still practised; it would appear that where the people vote, they cannot do it too publicly, as they stand in great need of able men to direct them; they ought also to be kept in awe by the presence of Citizens whom they respect; but where the Senate of a Democratical State vote, it cannot be too secret, we say the same with regard to Aristocracys, for nothing is more necessary here, than to prevent faction, which is extremly dangerous in a Senate, or body of Nobility, but seldom in a great Assembly of people, who act commonly by passion; to say the truth a Republic without faction is on its decline, for this seldom happens till the people are thoroughly corrupted by money, who then, and not till then grow indifferent to all business, and government itself, have nothing but profit in view, and therefore wait contentedly to receive their pensions, and give their suffrages with great calmness and indifference according according to the dictates of the person who feeds their Avarice.

In a Democracy the people are Sovereigns, to

them therefore belongs the sole power of enacting Laws, this consequently is another fundamental Law, occasions may indeed offer where it becomes necessary for the Senate to exercise the Legislative function; we meet with this frequently in the Historys of Athens and Rome; but then these Acts of the Senate subsisted in force but one Year, to make them perpetual the people's ratification was necessary.

We have hitherto pointed out several Laws that from the very nature of things are essentialy necessary to support a Democracy, but the great principle on which this government must be founded ab origine is Virtue; and that same principle which we suppose coeval with its first constitution, must attend it through all its different Stages; for whenever corruption grows strong enough here to suspend the Laws, this State is irretrievably undone.

Virtue was the great paladium of all the little Greek Republics, on this single principle that little Country bid defiance to the whole Asiatic World; but once degenerated they became a prey to Nations that in the age of Virtue, a little City would have despised.

Athens had 20m. Citizens when enslav'd and

conquer'd; these were by Demetrius Phalarus number'd like so many Slaves, and yet they possess'd no more when they defended Greece against the Persian power; afterwards when rouz'd by Demosthenes the same number were totaly conquer'd by Philip of Charonia, the reason is plain, they did not meet the Macedonian as the cruel enemy of their Liberty; but as the odious disturber of their pleasures.

When Sylla attempted to restore his Country to Liberty, Virtue was almost totaly extinguish'd, and of all those Emperors that afterwards fell by the sword, none perish'd by the hand of Liberty, personal offences, hatred, jealousy struck the blow, it was the Tyrant, not the Tyranny that was aim'd at; for every catastrophy of that kind rivited more and more the chains of Slavery.

Carthage did not fall till Virtue was extinguish'd in the State; when Hanibal was made Prator, he endeavouring to check the rapaciousness of the Magistrates, they invok'd the Roman assistance, chose their bitterest Enemys to enable them to secure their ill got wealth

from him who only wish'd to employ it in the defence of their Country; the mighty efforts made by this City when destitute of all hopes, and drove to the last despair, is the strongest proof of what Virtue might have done with half the force of Carthage, before she was reduc'd to the last extremity.

This is then the great principle on which a popular Government must be founded, and by which it must be preserv'd, when once gone ambition takes its place, and join'd with avarice becomes the sole object of public adoration, some former desires and wishes may remain, but the great object is chang'd, they enjoy'd freedom under the Laws; they now pant for freedom to act against Law; former maxims of equity are call'd rigour, decent rules of action complain'd of as constraint, prudent caution is deem'd timidity, frugality passes for avarice, the public treasure becomes private property, the different members of the State riot in the public spoils, and the only strength of the Nation, is concenter'd in a few Citizens, while the great majority, lost to all those noble sentiments that once enspir'd

their forefathers to incredible exertions in the cause of Liberty, look with supreme indifference on the impending storm, each individual flatters himself the Nation will survive his life, and thinks of nothing in the mean time but accumulating all the wealth he can; this puts an end to all police, opens the door to every vice, and prepares the unhappy people tamely to receive the yoke of an arbitrary or despotic master, whenever some overgrown Citizen, some bold ambitious man seizes the lucky minute to erect a throne, of his once free and powerful Country.

This is the dismal scale by which a free popular state descends from the loss of Virtue, to abject slavery and cruel despotism; the History of the World is one continued proof of this melancholy change; the same tragical events that have befallen many powerful Nations where Liberty and freedom were once triumphant, will never fail to appear again when the same causes operate.

The whole power of education is necessary in a Republic, either such as we suppose an absolute self-denial, the most difficult passion in nature to

acquire, tis the love of the Laws and of our Country, the ever preferring the public to any private interest, which in reality is the source of all other Virtues.

This ardent love of one's Country is most essential to the preservation of all Republican Governments, the inspiring therefore the minds of youth in the first dawn of reason with this passion, ought to be the principal view of education; nothing will more effectualy do this than example, and above all that of the Parents, for youth is seldom vitiated, till those of riper years have made vice fashionable.

We find the Greeks had singular institutions to instill and promote this virtue; Licurgus who fashion'd Sparta on the model of the Cretan Laws, blended all antient customs and virtues with the spirit of Justice, the severest servitude with immence liberty, the most rigid sentiments with the greatest moderation, while Arts, Commerce, Money, &c. being banish'd, ambition prevail'd without interest, natural sentiments without marital, filial, or paternal tyes, and chastity remain'd strip'd even of modesty and shame; by these institutions Sparta reach'd the

supreme summit of renown, and tho some times vanquish'd, it was never finaly overcome till this amazing plan of education was alter'd; Philopamon remark'd this truth, and prevail'd on the Lacedamonians to change their plan of education; this soon brought Sparta on a level with the rest of Greece.

We must however owne that institutions of this nature are only proper for small states, where education may be general, and the body of the people train'd up like a private family; in these the use of money may be prohibited; but in great societys, the variety and importance of affairs, the facility in purchasing, the difficulty attending a change in kind, requires a common measure and known coin.

It is remarkable that in the Greek Republics it was held infamous for Citizens to be employ'd in low commercial Arts, Agriculture was deem'd a servile profession, and we find Xenophon observing in general that most Arts corrupt and enervate men; idleness being however equaly destructive, health and the rougher passions were maintain'd and excited by military and gymnastic exercises;

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