BOOK V.

Of the Revenue of the Sovereign or Commonwealth.

CHAP. I.

Of the Expences of the Sovereign or Commonwealth.

PART FIRST.

Of the Expence of Defence.

THE firſt duty of the ſovereign, that of protecting the ſociety from the violence and invaſion of other independent ſocieties, can be performed only by means of a military force. But the expence both of preparing this military force in time of peace, and of employing it in time of war, is very different in the different ſtates of ſociety, in the different periods of improvement. CHAP. I.

AMONG nations of hunters, the loweſt and rudeſt ſtate of ſociety, ſuch as we find it among the native tribes of North America, every man is a warrior as well as a hunter. When he goes to war, either to defend his ſociety, or to revenge the injuries which have been done to it by other ſocieties, he maintains himſelf by his own labour in the ſame manner as when he lives at home. His ſociety, for in this ſtate of things there is properly neither ſovereign nor commonwealth, is at no ſort of expence, either to prepare him for the field, or to maintain him while he is in it.

BOOK V.

Among nations of ſhepherds, a more advanced ſtate of ſociety, ſuch as we find it among the Tartars and Arabs, every man is, in the ſame manner, a warrior. Such nations have commonly no fixed habitation, but live either in tents or in a ſort of covered waggons which are eaſily tranſported from place to place. The whole tribe or nation changes its ſituation according to the different ſeaſons of the year, as well as according to other accidents. When its herds and flocks have conſumed the forage of one part of the country, it removes to another, and from that to a third. In the dry ſeaſon, it comes down to the banks of the rivers; in the wet ſeaſon it retires to the upper country. When ſuch a nation goes to war, the warriors will not truſt their herds and flocks to the feeble defence of their old men, their women and children; and their old men, their women and children, will not be left behind without defence and without ſubſiſtence. The whole nation, beſides, being accuſtomed to a wandering life, even in time of peace, eaſily takes the field in time of war. Whether it marches as an army, or moves about as a company of herdſmen, the way of life is nearly the ſame, though the object propoſed by it is very different. They all go to war together, therefore, and every one does as well as he can. Among the Tartars, even the women have been frequently known to engage in battle. If they conquer, whatever belongs to the hoſtile tribe is the recompence of the victory. But if they are vanquiſhed, all is loſt, and not only their herds and flocks, but their women and children become the booty of the conqueror. Even the greater part of thoſe who ſurvive the action are obliged to ſubmit to him for the ſake of immediate ſubſiſtence. The reſt are commonly diſſipated and diſperſed in the deſart.

The ordinary life, the ordinary exerciſes of a Tartar or Arab, prepare him ſufficiently for war. Running, wreſtling, cudgel-playing, throwing the javelin, drawing the bow, &c. are the common

CHAP. I.

paſtimes of thoſe who live in the open air, and are all of them the images of war. When a Tartar or Arab actually goes to war, he is maintained by his own herds and flocks which he carries with him, in the ſame manner as in peace. His chief or ſovereign, for thoſe nations have all chiefs or ſovereigns, is at no ſort of expence in preparing him for the field; and when he is in it, the chance of plunder is the only pay which he either expects or requires.

An army of hunters can ſeldom exceed two or three hundred men. The precarious ſubſiſtence which the chace affords could ſeldom allow a greater number to keep together for any conſiderable time. An army of ſhepherds, on the contrary, may ſometimes amount to two or three hundred thouſand. As long as nothing ſtops their progreſs, as long as they can go on from one diſtrict, of which they have conſumed the forage, to another which is yet entire; there ſeems to be ſcarce any limit to the number who can march on together. A nation of hunters can never be formidable to the civilized nations in their neighbourhood. A nation of ſhepherds may. Nothing can be more contemptible than an Indian war in North America. Nothing, on the contrary, can be more dreadful than a Tartar invaſion has frequently been in Aſia. The judgement of Thucidides, that both Europe and Aſia could not reſiſt the Scythians united, has been verified by the experience of all ages. The inhabitants of the extenſive, but defenceleſs plains of Scythia or Tartary, have been frequently united under the dominion of the chief of ſome conquering horde or clan; and the havock and devaſtation of Aſia have always ſignalized their union. The inhabitants of the inhoſpitable deſarts of Arabia, the other great nation of ſhepherds, have never been united but once; under Mahomet and his immediate ſucceſſors. Their union, which was more the effect of religious enthuſiaſm than of conqueſt, was ſignalized in the ſame manner. If the hunting nations of America

BOOK V.

ſhould ever become ſhepherds, their neighbourhood would be much more dangerous to the European colonies than it is at preſent.

In a yet more advanced ſtate of ſociety, among thoſe nations of huſbandmen who have little foreign commerce and no other manufactures but thoſe coarſe and houſhold ones which almoſt every private family prepares for its own uſe, every man, in the ſame manner, either is a warrior or eaſily becomes ſuch. They who live by agriculture generally paſs the whole day in the open air, expoſed to all the inclemencies of the ſeaſons. The hardineſs of their ordinary life prepares them for the fatigues of war, to ſome of which their neceſſary occupations bear a good deal of analogy. The neceſſary occupation of a ditcher prepares him to work in the trenches, and to fortify a camp as well as to encloſe a field. The ordinary paſtimes of ſuch huſbandmen are the ſame as thoſe of ſhepherds, and are in the ſame manner the images of war. But as huſbandmen have leſs leiſure than ſhepherds, they are not ſo frequently employed in thoſe paſtimes. They are ſoldiers, but ſoldiers not quite ſo much maſters of their exerciſe. Such as they are, however, it ſeldom coſts the ſovereign or commonwealth any expence to prepare them for the field.

Agriculture, even in its rudeſt and loweſt ſtate, ſuppoſes a ſettlement; ſome ſort of fixed habitation which cannot be abandoned without great loſs. When a nation of mere huſbandmen, therefore, goes to war, the whole people cannot take the field together. The old men, the women and children, at leaſt muſt remain at home to take care of the habitation. All the men of the military age, however, may take the field, and in ſmall nations of this kind have frequently done ſo. In every nation the men of the military age are ſuppoſed to amount to about a fourth or fifth part of the whole body of the people. If the campaign too ſhould begin after ſeed-time

CHAP. I.

time and end before harveſt, both the huſbandman and his principal labourers can be ſpared from the farm without much loſs. He truſts that the work which muſt be done in the meantime can be well enough executed by the old men, the women and the children. He is not unwilling, therefore, to ſerve without pay during ſo ſhort a campaign, and it frequently coſts the ſovereign or commonwealth as little to maintain him in the field as to prepare him for it. The citizens of all the different ſtates of antient Greece ſeem to have ſerved in this manner till after the ſecond Perſian war; and the people of Peloponeſus till after the Peloponeſian war. The Peloponeſians, Thucidides obſerves, generally left the field in the ſummer and returned home to reap the harveſt. The Roman people under their kings and during the firſt ages of the republick ſerved in the ſame manner. It was not till the ſiege of Veii, that they who ſtaid at home began to contribute ſomething towards maintaining thoſe who went to war. In the European monarchies which were founded upon the ruins of the Roman empire, both before and for ſome time after the eſtabliſhment of what is properly called the feudal law, the great lords with all their immediate dependents uſed to ſerve the crown at their own expence. In the field, in the ſame manner as at home, they maintained themſelves by their own revenue, and not by any ſtipend or pay which they received from the king upon that particular occaſion.

In a more advanced ſtate of ſociety, two different cauſes contribute to render it altogether impoſſible that they who take the field ſhould maintain themſelves at their own expence. Thoſe two cauſes are, the progreſs of manufactures, and the improvement in the art of war.

Though a huſbandman ſhould be employed in an expedition, provided it begins after ſeed time and ends before harveſt, the interruption

BOOK V.

ruption of his buſineſs will not always occaſion any conſiderable diminution of his revenue. Without the intervention of his labour, nature does herſelf the greater part of the work which remains to be done. But the moment that an artificer, a ſmith, a carpenter, or a weaver, for example, quits his workhouſe, the ſole ſource of his revenue is completely dried up. Nature does nothing for him, he does all for himſelf. When he takes the field, therefore, in defence of the publick, as he has no revenue to maintain himſelf, he muſt neceſſarily be maintained by the publick. But in a country of which a great part of the inhabitants are artificers and manufacturers, a great part of the people who go to war muſt be drawn from thoſe claſſes, and muſt therefore be maintained by the publick as long as they are employed in its ſervice.

When the art of war too has gradually grown up to be a very intricate and complicated ſcience, when the event of war ceaſes to be determined, as in the firſt ages of ſociety, by a ſingle irregular ſkirmiſh or battle, but when the conteſt is generally ſpun out through ſeveral different campaigns, each of which laſts during the greater part of the year; it becomes univerſally neceſſary that the publick ſhould maintain thoſe who ſerve the publick in war, at leaſt while they are employed in that ſervice. Whatever in time of peace might be the ordinary occupation of thoſe who go to war, ſo very tedious and expenſive a ſervice would otherwiſe be by far too heavy a burden upon them. After the ſecond Perſian war, accordingly, the armies of Athens ſeem to have been generally compoſed of mercenary troops, conſiſting indeed partly of citizens, but partly too of foreigners; and all of them equally hired and paid at the expence of the ſtate. From the time of the ſeige of Veii the armies of Rome received pay for their ſervice during the time which they remained in the field. Under the feudal governments the military ſervice both of the great lords and of their immediate dependents was,

was, after a certain period, univerſally exchanged for a payment in money, which was employed to maintain thoſe who ſerved in their ſtead. CHAP. I.

The number of thoſe who can go to war, in proportion to the whole number of the people, is neceſſarily much ſmaller in a civilized than in a rude ſtate of ſociety. In a civilized ſociety, as the ſoldiers are maintained altogether by the labour of thoſe who are not ſoldiers, the number of the former never can exceed what the latter can maintain, over and above maintaining in a manner ſuitable to their reſpective ſtations both themſelves and the other officers of government, and law, whom they are obliged to maintain. In the little Agrarian ſtates of antient Greece, a fourth or a fifth part of the whole body of the people conſidered themſelves as ſoldiers, and would ſometimes, it is ſaid, take the field. Among the civilized nations of modern Europe, it is commonly computed, that not more than one hundredth part of the inhabitants of any country can be employed as ſoldiers, without ruin to the country at whoſe expence they are employed.

The expence of preparing the army for the field ſeems not to have become conſiderable in any nation, till long after that of maintaining it in the field had devolved entirely upon the ſovereign or commonwealth. In all the different republicks of antient Greece, to learn his military exerciſes was a neceſſary part of education impoſed by the ſtate upon every free citizen. In every city there ſeems to have been a publick field, in which, under the protection of the publick magiſtrate, the young people were taught their different exerciſes by different maſters. In this very ſimple inſtitution conſiſted the whole expence which any Grecian ſtate ſeems ever to have been at in preparing its citizens for war. In antient Rome the exerciſes of the Campus Martius anſwered the

BOOK V.

ſame purpoſe with thoſe of the Gymnaſium in antient Greece. Under the feudal governments, the many publick ordinances that the citizens of every diſtrict ſhould practiſe archery as well as ſeveral other military exerciſes, were intended for promoting the ſame purpoſe, but do not ſeem to have promoted it ſo well. Either from want of intereſt in the officers entruſted with the execution of thoſe ordinances, or from ſome other cauſe, they appear to have been univerſally neglected; and in the progreſs of all thoſe governments, military exerciſes ſeem to have gone gradually into diſuſe among the great body of the people.

In the republicks of antient Greece and Rome, during the whole period of their exiſtence, and under the feudal governments for a conſiderable time after their firſt eſtabliſhment, the trade of a ſoldier was not a ſeparate diſtinct trade which conſtituted the ſole or principal occupation of a particular claſs of citizens. Every ſubject of the ſtate, whatever might be the ordinary trade or occupation by which he gained his livelihood, conſidered himſelf upon all ordinary occaſions as fit likewiſe to exerciſe the trade of a ſoldier, and upon many extraordinary occaſions as bound to exerciſe it.

The art of war, however, as it is certainly the nobleſt of all arts, ſo in the progreſs of improvement it neceſſarily becomes one of the moſt complicated among them. The ſtate of the mechanical, as well as of ſome other arts with which it is neceſſarily connected, determines the degree of perfection to which it is capable of being carried at any particular time. But in order to carry it to this degree of perfection, it is neceſſary that it ſhould become the ſole or principal occupation of a particular claſs of citizens, and the diviſion of labour is as neceſſary for the improvement of this as of every other art. Into other arts the diviſion of labour is naturally introduced by the prudence of individuals, who find that they promote

CHAP. I.

promote their private intereſt better by confining themſelves to a particular trade, than by exerciſing a great number. But it is the wiſdom of the ſtate only which can render the trade of a ſoldier a particular trade ſeparate and diſtinct from all others. A private citizen who, in time of profound peace and without any particular encouragement from the publick, ſhould ſpend the greater part of his time in military exerciſes, might, no doubt, both improve himſelf very much in them, and amuſe himſelf very well; but he certainly would not promote his own intereſt. It is the wiſdom of the ſtate only which can render it for his intereſt to give up the greater part of his time to this peculiar occupation: and ſtates have not always had this wiſdom, even when their circumſtances had become ſuch that the preſervation of their exiſtence required that they ſhould have it.

A SHEPHERD has a great deal of leiſure; a huſbandman, in the rude ſtate of huſbandry, has ſome; an artificer or manufacturer has none at all. The firſt may, without any loſs, employ a great deal of his time in martial exerciſes; the ſecond may employ ſome part of it; but the laſt cannot employ a ſingle hour in them without ſome loſs, and his attention to his own intereſt naturally leads him to neglect them altogether. Thoſe improvements in huſbandry too, which the progreſs of arts and manufactures neceſſarily introduces, leave the huſbandman as little leiſure as the artificer. Military exerciſes come to be as much neglected by the inhabitants of the country as by thoſe of the town, and the great body of the people becomes altogether unwarlike. That wealth, at the ſame time, which always follows the improvements of agriculture and manufactures, and which in reality is no more than the accumulated produce of thoſe improvements, provokes the invaſion of all their neighbours. An induſtrious, and upon that account, a wealthy nation, is of all nations the moſt likely to be attacked; and unleſs the ſtate

BOOK V.

takes ſome new meaſures for the publick defence, the natural habits of the people render them altogether incapable of defending themſelves.

In theſe circumſtances there ſeem to be but two methods by which the ſtate can make any tolerable proviſion for the publick defence.

It may either, firſt, by means of a very rigorous police, and in ſpite of the whole bent of the intereſt, genius and inclinations of the people, enforce the practice of military exerciſes, and oblige either all the citizens of the military age, or a certain number of them, to join in ſome meaſure the trade of a ſoldier to whatever other trade or profeſſion they may happen to carry on.

Or, ſecondly, by maintaining and employing a certain number of citizens in the conſtant practice of military exerciſes, it may render the trade of a ſoldier a particular trade, ſeparate and diſtinct from all others.

If the ſtate has recourſe to the firſt of thoſe two expedients, its military force is ſaid to conſiſt in a militia; if to the ſecond, it is ſaid to conſiſt in a ſtanding army. The practice of military exerciſes is the ſole or principal occupation of the ſoldiers of a ſtanding army, and the maintenance or pay which the ſtate affords them is the principal and ordinary fund of their ſubſiſtence. The practice of military exerciſes is only the occaſional occupation of the ſoldiers of a militia, and they derive the principal and ordinary fund of their ſubſiſtence from ſome other occupation. In a militia, the character of the labourer, artificer or tradeſman, predominates over that of the ſoldier: in a ſtanding army, that of the ſoldier predominates over every other character; and in this diſtinction ſeems to conſiſt

CHAP. I.

the eſſential difference between thoſe two different ſpecies of military force.

Militias have been of ſeveral different kinds. In ſome countries the citizens deſtined for defending the ſtate, ſeem to have been exerciſed only, without being, if I may ſay ſo, regimented; that is, without being divided into ſeparate and diſtinct bodies of troops, each of which performed its exerciſes under its own proper and permanent officers. In the republicks of antient Greece and Rome each citizen, as long as he remained at home, ſeems to have practiſed his exerciſes either ſeparately and independently, or with ſuch of his equals as he liked beſt; and not to have been attached to any particular body of troops till he was actually called upon to take the field. In other countries, the militia has not only been exerciſed, but regimented. In England, in Switzerland, and, I believe, in every other country of modern Europe, where any imperfect military force of this kind has been eſtabliſhed, every militia-man is, even in time of peace, attached to a particular body of troops, which performs its exerciſes under its own proper and permanent officers.

Before the invention of fire-arms, that army was ſuperior in which the ſoldiers had, each individually, the greateſt ſkill and dexterity in the uſe of their arms. Strength and agility of body were of the higheſt conſequence, and commonly determined the fate of battles. But this ſkill and dexterity in the uſe of their arms, could be acquired only in the ſame manner as fencing is acquired at preſent, by practiſing, not in great bodies, but each man ſeparately, in a particular ſchool under a particular maſter, or with his own particular equals and companions. Since the invention of fire-arms, ſtrength and agility of body, or even extraordinary dexterity and ſkill in the uſe of arms, though they are far from being of no conſequence, are, however, of leſs conſequence. The nature of the weapon, though

BOOK V.

it by no means puts the awkward upon a level with the ſkilful; puts him more nearly ſo than he ever was before. All the dexterity and ſkill, it is ſuppoſed, which are neceſſary for uſing it, can be well enough acquired by practiſing in great bodies.

REGULARITY, order, and prompt obedience to command, are qualities which, in modern armies, are of more importance towards determining the fate of battles than the dexterity and ſkill of the ſoldiers in the uſe of their arms. But the noiſe of fire-arms, the ſmoke, and the inviſible death to which every man feels himſelf every moment expoſed, as ſoon as he comes within cannon-ſhot, and frequently a long time before the battle can be well ſaid to be engaged, muſt render it very difficult to maintain any conſiderable degree of this regularity, order, and prompt obedience, even in the beginning of a modern battle. In an antient battle there was no noiſe but what aroſe from the human voice; there was no ſmoke, there was no inviſible cauſe of wounds or death. Every man, till ſome mortal weapon actually did approach him, ſaw clearly that no ſuch weapon was near him. In theſe circumſtances, and among troops who had ſome confidence in their own ſkill and dexterity in the uſe of their arms, it muſt have been a good deal leſs difficult to preſerve ſome degree of regularity and order, not only in the beginning, but through the whole progreſs of an antient battle, and till one of the two armies was fairly defeated. But the habits of regularity, order, and prompt obedience to command, can be acquired only by troops which are exerciſed in great bodies.

A MILITIA, however, in whatever manner it may be either diſciplined or exerciſed, muſt always be much inferior to a well diſciplined and well exerciſed ſtanding army.

THE ſoldiers, who are exerciſed only once a week or once a month, can never be ſo expert in the uſe of their arms, as thoſe who

CHAP. I.

who are exerciſed every day or every other day; and though this circumſtance may not be of ſo much conſequence in modern, as it was in antient times; yet the acknowledged ſuperiority of the Pruſſian troops, owing, it is ſaid, very much to their ſuperior expertneſs in their exerciſe, may ſatisfy us that it is, even at this day, of very conſiderable conſequence.

THE ſoldiers, who are bound to obey their officer only once a week or once a month, and who are at all other times at liberty to manage their own affairs their own way, without being in any reſpect accountable to him, can never be under the ſame awe in his preſence, can never have the ſame diſpoſition to ready obedience, with thoſe whoſe whole life and conduct are every day directed by him, and who every day even riſe and go to bed, or at leaſt retire to their quarters, according to his orders. In what is called diſcipline, or in the habit of ready obedience, a militia muſt always be ſtill more inferior to a ſtanding army, than it may ſometimes be in what is called the manual exerciſe, or in the management and uſe of its arms. But in modern war the habit of ready and inſtant obedience is of much greater conſequence than a conſiderable ſuperiority in the management of arms.

THOSE militias which, like the Tartar or Arab militia, go to war under the ſame chieftains whom they are accuſtomed to obey in peace, are by far the beſt. In reſpect for their officers, in the habit of ready obedience, they approach neareſt to ſtanding armies. The highland militia, when it ſerved under its own chieftains, had ſome advantage of the ſame kind. As the highlanders, however, were not wandering, but ſtationary ſhepherds, as they had all a fixed habitation, and were not, in peaceable times, accuſtomed to follow their chieftain from place to place; ſo in time of war they were leſs willing to follow him to any conſiderable diſtance, or to continue for any long time in the field. When they had acquired any booty they

BOOK V.

they were eager to return home, and his authority was ſeldom ſufficient to detain them. In point of obedience they were always much inferior to what is reported of the Tartars and Arabs. As the highlanders too, from their ſtationary life, ſpend leſs of their time in the open air, they were always leſs accuſtomed to military exerciſes, and were leſs expert in the uſe of their arms than the Tartars and Arabs are ſaid to be.

A MILITIA of any kind, it muſt be obſerved, however, which has ſerved for ſeveral ſucceſſive campaigns in the field, becomes in every reſpect a ſtanding army. The ſoldiers are every day exerciſed in the uſe of their arms, and, being conſtantly under the command of their officers, are habituated to the ſame prompt obedience which takes place in ſtanding armies. What they were before they took the field, is of little importance. They neceſſarily become in every reſpect a ſtanding army, after they have paſſed a few campaigns in it. Should the war in America drag out through another campaign, the American militia may become in every reſpect a match for that ſtanding army, of which, in the laſt war, the valour appeared at leaſt not inferior to that of the hardieſt veterans of France and Spain.

THIS diſtinction being well underſtood, the hiſtory of all ages, it will be found, bears teſtimony to the irreſiſtible ſuperiority which a well regulated ſtanding army has over every ſort of militia.

ONE of the firſt ſtanding armies of which we have any diſtinct account, in any well authenticated hiſtory, is that of Philip of Macedon. His frequent wars with the Thracians, Illyrians, Theſſalians, and ſome of the Greek cities in the neighbourhood of Macedon, gradually formed his troops, which in the beginning were probably militia, to the exact diſcipline of a ſtanding army. When he was at peace, which he was very ſeldom, and never for any long

long time together, he was careful not to diſband that army. It vanquiſhed and ſubdued, after a long and violent ſtruggle indeed, the galant and well exerciſed militias of the principal republicks of antient Greece; and afterwards, with very little ſtruggle, the effeminate and ill exerciſed militia of the great Perſian empire. The fall of the Greek republicks and of the Perſian empire, was the effect of the irreſiſtable ſuperiority which a ſtanding army has over every ſort of militia. It is the firſt great revolution in the affairs of mankind of which hiſtory has preſerved any diſtinct or circumſtantial account.

CHAP. I.

THE fall of Carthage, and the conſequent elevation of Rome, is the ſecond. All the varieties in the fortune of thoſe two famous republicks may very well be accounted for from the ſame cauſe.

FROM the end of the firſt to the beginning of the ſecond Carthaginian war, the armies of Carthage were continually in the field, and employed under three great generals, who ſucceeded one another in the command; Amilcar, his ſon in law Aſdrubal, and his ſon Annibal; firſt in chaſtiſing their own rebellious ſlaves, afterwards in ſubduing the revolted nations of Africa, and, laſtly, in conquering the great kingdom of Spain. The army which Annibal led from Spain into Italy muſt neceſſarily, in thoſe different wars, have been gradually formed to the exact diſcipline of a ſtanding army. The Romans in the mean time, though they had not been altogether at peace, yet they had not, during this period, been engaged in any war of very great conſequence; and their military diſcipline, it is generally ſaid, was a good deal relaxed. The Roman armies which Annibal encountered at Trebia, Thraſymenus, and Cannæ, were militia oppoſed to a ſtanding army. This circumſtance, it is probable, contributed more than any other to determine the fate of thoſe battles.

BOOK V.

The ſtanding army which Annibal left behind him in Spain, had the like ſuperiority over the militia which the Romans ſent to oppoſe it, and in a few years, under the command of his brother, the younger Aſdrubal, expelled them almoſt entirely from that country.

Annibal was ill ſupplied from home. The Roman militia, being continually in the field, became in the progreſs of the war a well diſciplined and well exerciſed ſtanding army; and the ſuperiority of Annibal grew every day leſs and leſs. Aſdrubal judged it neceſſary to lead the whole, or almoſt the whole of the ſtanding army which he commanded in Spain, to the aſſiſtance of his brother in Italy. In his march he is ſaid to have been miſled by his guides; and in a country which he did not know, was ſurprized and attacked by another ſtanding army, in every reſpect equal or ſuperior to his own, and was entirely defeated.

When Aſdrubal had left Spain, the great Scipio found nothing to oppoſe him but a militia inferior to his own. He conquered and ſubdued that militia, and, in the courſe of the war, his own militia neceſſarily became a well diſciplined and well exerciſed ſtanding army. That ſtanding army was afterwards carried to Africa, where it found nothing but a militia to oppoſe it. In order to defend Carthage it became neceſſary to recall the ſtanding army of Annibal. The diſheartened and frequently defeated African militia joined it, and, at the battle of Zama, compoſed the greater part of the troops of Annibal. The event of that day determined the fate of the two rival republicks.

From the end of the ſecond Carthaginian war till the fall of the Roman republick, the armies of Rome were in every reſpect ſtanding armies. The ſtanding army of Macedon made ſome reſiſtance

CHAP. I.

reſiſtance to their arms. In the height of their grandeur it coſt them two great wars, and three great battles, to ſubdue that little kingdom; of which the conqueſt would probably have been ſtill more difficult, had it not been for the cowardice of its laſt king. The militias of all the civilized nations of the ancient world, of Greece, of Syria, and of Egypt, made but a feeble reſiſtance to the ſtanding armies of Rome. The militias of ſome barbarous nations defended themſelves much better. The Scythian or Tartar militia, which Mithridates drew from the countries north of the Euxine and Caſpian ſeas, were the moſt formidable enemies which the Romans had to encounter after the ſecond Carthaginian war. The Parthian and German militias too were always reſpectable, and, upon ſeveral occaſions, gained very conſiderable advantages over the Roman armies. In general, however, and when the Roman armies were well commanded, they appear to have been very much ſuperior; and if the Romans did not purſue the final conqueſt either of Parthia or Germany, it was probably becauſe they judged that it was not worth while to add thoſe two barbarous countries to an empire which was already too large. The antient Parthians appear to have been a nation of Scythian or Tartar extraction, and to have always retained a good deal of the manners of their anceſtors. The ancient Germans were, like the Scythians or Tartars, a nation of wandering ſhepherds, who went to war under the ſame chiefs whom they were accuſtomed to follow in peace. Their militia was exactly of the ſame kind with that of the Scythians or Tartars, from whom too they were probably deſcended.

Many different cauſes contributed to relax the diſcipline of the Roman armies. Its extreme ſeverity was, perhaps, one of thoſe cauſes. In the days of their grandeur, when no enemy appeared capable of oppoſing them, their heavy armour was laid aſide as

BOOK V.

unneceſſarily burdenſome, their laborious exerciſes were neglected as unneceſſarily toilſome. Under the Roman emperors beſides, the ſtanding armies of Rome, thoſe particularly which guarded the German and Pannonian frontiers, became dangerous to their maſters, againſt whom they uſed frequently to ſet up their own generals. In order to render them leſs formidable, according to ſome authors, Diocleſian, according to others, Conſtantine, firſt withdrew them from the frontier, where they had always before been encamped in great bodies, generally of two or three legions each, and diſperſed them in ſmall bodies through the different provincial towns, from whence they were ſcarce ever removed, but when it became neceſſary to repel an invaſion. Small bodies of ſoldiers quartered in trading and manufacturing towns, and ſeldom removed from thoſe quarters, became themſelves tradeſmen, artificers, and manufacturers. The civil came to predominate over the military character; and the ſtanding armies of Rome gradually degenerated into a corrupt, neglected, and undiſciplined militia, incapable of reſiſting the attack of the German and Scythian militias, which ſoon afterwards invaded the weſtern empire. It was only by hiring the militia of ſome of thoſe nations, to oppoſe to that of others, that the emperors were for ſome time able to defend themſelves. The fall of the weſtern empire is the third great revolution in the affairs of mankind, of which antient hiſtory has preſerved any diſtinct or circumſtantial account. It was brought about by the irreſiſtable ſuperiority which the militia of a barbarous has over that of a civilized nation; which the militia of a nation of ſhepherds has over that of a nation of huſbandmen, artificers, and manufacturers. The victories which have been gained by militias have generally been, not over ſtanding armies, but over other militias in exerciſe and diſcipline inferior to themſelves. Such were the victories which the Greek militia gained over that of the Perſian empire; and ſuch too were thoſe which in later times the Swiſs militia gained over that of the Auſtrians and Burgundians.

CHAP. I.

THE military force of the German and Scythian nations who eſtabliſhed themſelves upon the ruins of the weſtern empire, continued for ſome time to be of the ſame kind in their new ſettlements as it had been in their original country. It was a militia of ſhepherds and huſbandmen, which, in time of war, took the field under the command of the ſame chieftains whom it was accuſtomed to obey in peace. It was, therefore, tolerably well exerciſed, and tolerably well diſciplined. As arts and induſtry advanced, however, the authority of the chieftains gradually decayed, and the great body of the people had leſs time to ſpare for military exerciſes. Both the diſcipline and the exerciſe of the feudal militia, therefore, went gradually to ruin, and ſtanding armies were gradually introduced to ſupply the place of it. When the expedient of a ſtanding army, beſides, had once been adopted by one civilized nation, it became neceſſary that all its neighbours ſhould follow the example. They ſoon found that their ſafety depended upon their doing ſo, and that their own militia was altogether incapable of reſiſting the attack of ſuch an army.

THE ſoldiers of a ſtanding army, though they may never have ſeen an enemy, yet have frequently appeared to poſſeſs all the courage of veteran troops, and the very moment that they took the field to have been fit to face the hardieſt and moſt experienced veterans. In 1756, when the Ruſſian army marched into Poland, the valour of the Ruſſian ſoldiers did not appear inferior to that of the Pruſſians, at that time ſuppoſed to be the hardieſt and moſt experienced veterans in Europe. The Ruſſian empire, however, had enjoyed a profound peace for near twenty years before, and could at that time have very few ſoldiers who had ever ſeen an enemy. When the

BOOK V.

the Spaniſh war broke out in 1739, England had enjoyed a profound peace for about eight and twenty years. The valour of her ſoldiers, however, far from being corrupted by that long peace, was never more diſtinguiſhed than in the attempt upon Carthagena, the firſt unfortunate exploit of that unfortunate war. In a long peace the generals, perhaps, may ſometimes forget their ſkill; but, where a well regulated ſtanding army has been kept up, the ſoldiers ſeem never to forget their valour.

When a civilized nation depends for its defence upon a militia, it is at all times expoſed to be conquered by any barbarous nation which happens to be in its neighbourhood. The frequent conqueſts of all the civilized countries in Aſia by the Tartars, ſufficiently demonſtrate the natural ſuperiority which the militia of a barbarous has over that of a civilized nation. A well regulated ſtanding army is ſuperior to every militia. Such an army, as it can beſt be maintained by an opulent and civilized nation, ſo it can alone defend ſuch a nation againſt the invaſion of a poor and barbarous neighbour. It is only by means of a ſtanding army, therefore, that the civilization of any country can be perpetuated, or even preſerved for any conſiderable time.

As it is only by means of a well regulated ſtanding army that a civilized country can be defended, ſo it is only by means of it that a barbarous country can be ſuddenly and tolerably civilized. A ſtanding army eſtabliſhes, with an irreſiſtible force, the law of the ſovereign through the remoteſt provinces of the empire, and maintains ſome degree of regular government in countries which could not otherwiſe admit of any. Whoever examines, with attention, the improvements which Peter the Great introduced into the Ruſſian empire, will find that they almoſt all reſolve themſelves into the eſtabliſhment of a well regulated ſtanding army. It is the inſtrument

ment which executes and maintains all his other regulations. That degree of order and internal peace which that empire has ever ſince enjoyed, is altogether owing to the influence of that army.

CHAP. I.

Men of republican principles have been jealous of a ſtanding army as dangerous to liberty. It certainly is ſo wherever the intereſt of the general and that of the principal officers are not neceſſarily connected with the ſupport of the conſtitution of the ſtate. The ſtanding army of Ceſar deſtroyed the Roman republick. The ſtanding army of Cromwell turned the long parliament out of doors. But where the ſovereign is himſelf the general, and the principal nobility and gentry of the country the chief officers of the army; where the military force is placed under the command of thoſe who have the greateſt intereſt in the ſupport of the civil authority, becauſe they have themſelves the greateſt ſhare of that authority, a ſtanding army can never be dangerous to liberty. On the contrary, it may in ſome caſes be favourable to liberty. The ſecurity which it gives to the ſovereign renders unneceſſary that troubleſome jealouſy which in ſome modern republicks ſeems to watch over the minuteſt actions, and to be at all times ready to diſturb the peace of every citizen. Where the ſecurity of the magiſtrate, though ſupported by the principal people of the country, is endangered by every popular diſcontent; where a ſmall tumult is capable of bringing about in a few hours a great revolution, the whole authority of government muſt be employed to ſuppreſs and puniſh every murmur and complaint againſt it. To a ſovereign, on the contrary, who feels himſelf ſupported, not only by the natural ariſtocracy of the country, but by a well regulated ſtanding army, the rudeſt, the moſt groundleſs, and the moſt licentious remonſtrances can give little diſturbance. He can ſafely pardon or neglect them, and his conſciouſneſs of his own ſuperiority naturally diſpoſes him to do

ſo,

BOOK V.

ſo. That degree of liberty which approaches to licentiouſneſs can be tolerated only in countries where the ſovereign is ſecured by a well regulated ſtanding army. It is in ſuch countries only that the publick ſafety does not require that the ſovereign ſhould be truſted with any diſcretionary power for ſuppreſſing even the impertinent wantonneſs of this licentious liberty.

The firſt duty of the ſovereign, therefore, that of defending the ſociety from the violence and injuſtice of other independent ſocieties, grows gradually more and more expenſive as the ſociety advances in civilization. The military force of the ſociety, which originally coſt the ſovereign no expence either in time of peace or in time of war, muſt, in the progreſs of improvement, firſt be maintained by him in time of war, and afterwards even in time of peace.

The great change introduced into the art of war by the invention of fire arms, has enhanced ſtill further both the expence of exerciſing and diſciplining any particular number of ſoldiers in time of peace, and that of employing them in time of war. Both their arms and their ammunition are become more expenſive. A muſquet is a more expenſive machine than a javelin or a bow and arrows; a cannon or a mortar, than a baliſta or a catapulta. The powder which is ſpent in a modern review is loſt irrecoverably, and occaſions a very conſiderable expence. The javelins and arrows which were thrown or ſhot in an antient one, could eaſily be picked up again, and were beſides of very little value. The cannon and the mortar are, not only much dearer, but much heavier machines than the baliſta or catapulta, and require a greater expence not only to prepare them for the field, but to carry them to it. As the ſuperiority of the modern artillery too over that of the antients is very great; it has become much more

CHAP. I.

difficult, and conſequently much more expenſive, to fortify a town ſo as to reſiſt even for a few weeks the attack of that ſuperior artillery. In modern times many different cauſes contribute to render the defence of the ſociety more expenſive. The unavoidable effects of the natural progreſs of improvement have, in this reſpect, been a good deal enhanced by a great revolution in the art of war, to which a mere accident, the invention of gunpowder, ſeems to have given occaſion.

In modern war the great expence of fire-arms gives an evident advantage to the nation which can beſt afford that expence; and conſequently to an opulent and civilized over a poor and barbarous nation. In antient times the opulent and civilized found it difficult to defend themſelves againſt the poor and barbarous nations. In modern times the poor and barbarous find it difficult to defend themſelves againſt the opulent and civilized. The invention of fire-arms, an invention which at firſt ſight appears to be ſo pernicious, is certainly favourable both to the permanency and to the extenſion of civilization.

Part II.

Of the Expence of Juſtice.

The ſecond duty of the ſovereign, that of protecting, as far as poſſible, every member of the ſociety from the injuſtice or oppreſſion of every other member of it, or the duty of eſtabliſhing an exact adminiſtration of juſtice, requires too very different degrees of expence in the different periods of ſociety.

Among nations of hunters, as there is ſcarce any property, or at leaſt none that exceeds the value of two or three days labour; ſo there is ſeldom any eſtabliſhed magiſtrate or any regular adminiſtration of juſtice. Men who have no property can injure one

BOOK V.

another only in their perſons or reputations. But when one man kills, wounds, beats, or defames another, though he to whom the injury is done ſuffers, he who does it receives no benefit. It is otherwiſe with the injuries to property. The benefit of the perſon who does the injury is often equal to the loſs of him who ſuffers it. Envy, malice, or reſentment, are the only paſſions which can prompt one man to injure another in his perſon or reputation. But the greater part of men are not very frequently under the influence of thoſe paſſions; and the very worſt men are ſo only occaſionally. As their gratification too, how agreeable ſoever it may be to certain characters, is not attended with any real or permanent advantage, it is in the greater part of men commonly reſtrained by prudential conſiderations. Men may live together in ſociety with ſome tolerable degree of ſecurity, though there is no civil magiſtrate to protect them from the injuſtice of thoſe paſſions. But avarice and ambition in the rich, in the poor the hatred of labour and the love of preſent eaſe and enjoyment, are the paſſions which prompt to invade property, paſſions much more ſteady in their operation, and much more univerſal in their influence. Wherever there is great property, there is great inequality. For one very rich man, there muſt be at leaſt five hundred poor, and the affluence of the few ſuppoſes the indigence of the many. The affluence of the rich excites the indignation of the poor, who are often both driven by want, and prompted by envy to invade his poſſeſſions. It is only under the ſhelter of the civil magiſtrate that the owner of that valuable property, which is acquired by the labour of many years, or perhaps of many ſucceſſive generations, can ſleep a ſingle night in ſecurity. He is at all times ſurrounded by unknown enemies, whom, though he never provoked, he can never appeaſe, and from whoſe injuſtice he can be protected only by the powerful arm of the civil magiſtrate continually held up to chaſtiſe it. The acquiſition

CHAP. I.

ſition of valuable or extenſive property, therefore, neceſſarily requires the eſtabliſhment of civil government. Where there is no property, or at leaſt none that exceeds the value of two or three days labour, civil government is not ſo neceſſary.

CIVIL government ſuppoſes a certain ſubordination. But as the neceſſity of civil government gradually grows up with the acquiſition of valuable property, ſo the principal cauſes which naturally introduce ſubordination gradually grow up with the growth of that valuable property.

THE cauſes or circumſtances which naturally introduce ſubordination, or which naturally, and antecedent to any civil inſtitution, give ſome men ſome ſuperiority over the greater part of their brethren, ſeem to be four in number.

THE firſt of thoſe cauſes or circumſtances is the ſuperiority of perſonal qualifications, of ſtrength, beauty, and agility of body; of wiſdom, and virtue, of prudence, juſtice, fortitude, and moderation of mind. The qualifications of the body, unleſs ſupported by thoſe of the mind, can give little authority in any period of ſociety. He is a very ſtrong man who by mere ſtrength of body can force two weak ones to obey him. The qualifications of the mind can alone give very great authority. They are, however, inviſible qualities; always diſputable, and generally diſputed. No ſociety, whether barbarous or civilized, has ever found it convenient to ſettle the rules of precedency, of rank and ſubordination, according to thoſe inviſible qualities; but according to ſomething that is more plain and palpable.

THE ſecond of thoſe cauſes or circumſtances is the ſuperiority of age. An old man, provided his age is not ſo far advanced as to give ſuſpicion of dotage, is every where more reſpected than a young

BOOK V.

young man of equal rank, fortune, and abilities. Among nations of hunters, ſuch as the native tribes of North America, age is the ſole foundation of rank and precedency. Among them, father is the appellation of a ſuperior; brother, of an equal; and ſon, of an inferior. In the moſt opulent and civilized nations, age regulates rank among thoſe who are in every other reſpect equal, and among whom therefore there is nothing elſe to regulate it. Among brothers and among ſiſters, the eldeſt always take place; and in the ſucceſſion of the paternal eſtate every thing which cannot be divided, but muſt go entire to one perſon, ſuch as a title of honour, is in moſt caſes given to the eldeſt. Age is a plain and palpable quality which admits of no diſpute.

THE third of thoſe cauſes or circumſtances is the ſuperiority of fortune. The authority of riches, however, though great in every age of ſociety, is perhaps greateſt in the rudeſt age of ſociety which admits of any conſiderable inequality of fortune. A Tartar chief, the increaſe of whoſe herds and flocks is ſufficient to maintain a thouſand men, cannot well employ that increaſe in any other way than in maintaining a thouſand men. The rude ſtate of his ſociety does not afford him any manufactured produce, any trinkets or baubles of any kind, for which he can exchange that part of his rude produce which is over and above his own conſumption. The thouſand men whom he thus maintains, depending entirely upon him for their ſubſiſtence, muſt both obey his orders in war, and ſubmit to his juriſdiction in peace. He is neceſſarily both their general and their judge, and his chieftainſhip is the neceſſary effect of the ſuperiority of his fortune. In an opulent and civilized ſociety, a man may poſſeſs a much greater fortune, and yet not be able to command a dozen of people. Though the produce of his eſtate may be ſufficient to maintain, and may perhaps actually maintain, more than a thouſand people,

CHAP. I.

yet as thoſe people pay for every thing which they get from him, as he gives ſcarce any thing to any body but in exchange for an equivalent, there is ſcarce any body who conſiders himſelf as entirely dependent upon him, and his authority extends only over a few menial ſervants. The authority of fortune, however, is very great even in an opulent and civilized ſociety. That it is much greater than that either of age or of perſonal qualities, has been the conſtant complaint of every period of ſociety which admitted of any conſiderable inequality of fortune. The firſt period of ſociety, that of hunters, admits of no ſuch inequality. Univerſal poverty eſtabliſhes there univerſal equality, and the ſuperiority either of age or of perſonal qualities are the feeble, but the ſole foundations of authority and ſubordination. There is therefore little or no authority or ſubordination in this period of ſociety. The ſecond period of ſociety, that of ſhepherds, admits of very great inequalities of fortune, and there is no period in which the ſuperiority of fortune gives ſo great authority to thoſe who poſſeſs it. There is no period accordingly in which authority and ſubordination are more perfectly eſtabliſhed. The authority of an Arabian ſcherif is very great; that of a Tartar khan altogether deſpotical.

THE fourth of thoſe cauſes or circumſtances is the ſuperiority of birth. Superiority of birth ſuppoſes an antient ſuperiority of fortune in the family of the perſon who claims it. All families are equally antient; and the anceſtors of the prince, though they may be better known, cannot well be more numerous than thoſe of the beggar. Antiquity of family means every where the antiquity either of wealth, or of that greatneſs which is commonly either founded upon wealth or accompanied with it. Upſtart greatneſs is every where leſs reſpected than antient greatneſs. The hatred of uſurpers, the love for the family of an antient monarch,

BOOK V.

are in a great meaſure founded upon the contempt which men naturally have for the former, and upon their veneration for the latter. As a military officer ſubmits without reluctance to the authority of a ſuperior by whom he has always been commanded, but cannot bear that his inferior ſhould be ſet over his head; ſo men eaſily ſubmit to a family to whom they and their anceſtors have always ſubmitted, but are fired with indignation when another family, in whom they had never acknowledged any ſuch ſuperiority, aſſumes a dominion over them.

The diſtinction of birth, being ſubſequent to the inequality of fortune, can have no place in nations of hunters, among whom all men, being equal in fortune, muſt likewiſe be very nearly equal in birth. The ſon of a wiſe and brave man may, indeed, even among them, be ſomewhat more reſpected than a man of equal merit who has the misfortune to be the ſon of a fool or a coward. The difference, however, will not be very great; and there never was, I believe, a great family in the world whoſe illuſtration was intirely derived from the inheritance of wiſdom and virtue.

The diſtinction of birth not only may, but always does take place among nations of ſhepherds. Such nations are always ſtrangers to every ſort of luxury, and great wealth can ſcarce ever be diſſipated among them by improvident profuſion. There are no nations accordingly who abound more in families revered and honoured on account of their deſcent from a long race of great and illuſtrious anceſtors; becauſe there are no nations among whom wealth is likely to continue longer in the ſame families.

Birth and fortune are evidently the two circumſtances which principally ſet one man above another. They are the two great ſources of

CHAP. I.

of perſonal diſtinction, and are therefore the principal cauſes which naturally eſtabliſh authority and ſubordination among men. Among nations of ſhepherds both thoſe cauſes operate with their full force. The great ſhepherd or herdſman, reſpected on account of his great wealth, and of the great number of thoſe who depend upon him for ſubſiſtence, and revered on account of the nobleneſs of his birth, and of the immemorial antiquity of his illuſtrious family, has a natural authority over all the inferior ſhepherds or herdſmen of his horde or clan. He can command the united force of a greater number of people than any of them. His military power is greater than that of any of them. In time of war they are all of them naturally diſpoſed to muſter themſelves under his banner, rather than under that of any other perſon, and his birth and fortune thus naturally procure to him ſome ſort of executive power. By commanding too the united force of a greater number of people than any of them, he is beſt able to compel any one of them who may have injured another to compenſate the wrong. He is the perſon, therefore, to whom all thoſe who are too weak to defend themſelves naturally look up for protection. It is to him that they naturally complain of the injuries which they imagine have been done to them, and his interpoſition in ſuch caſes is more eaſily ſubmitted to, even by the perſon complained of, than that of any other perſon would be. His birth and fortune thus naturally procure him ſome ſort of judicial authority.

It is in the age of ſhepherds, in the ſecond period of ſociety, that the inequality of fortune firſt begins to take place, and introduces among men a degree of authority and ſubordination which could not poſſibly exiſt before. It thereby introduces ſome degree of that civil government which is indiſpenſably neceſſary for its own preſervation: and it ſeems to do this naturally, and even independent of the conſideration of that neceſſity. The conſideration of that neceſſity

BOOK V.

neceſſity comes no doubt afterwards to contribute very much to maintain and ſecure that authority and ſubordination. The rich, in particular, are neceſſarily intereſted to ſupport that order of things which can alone ſecure them in the poſſeſſion of their own advantages. Men of inferior wealth combine to defend thoſe of ſuperior wealth in the poſſeſſion of their property, in order that men of ſuperior wealth may combine to defend them in the poſſeſſion of theirs. All the inferior ſhepherds and herdſmen feel that the ſecurity of their own herds and flocks depends upon the ſecurity of thoſe of the great ſhepherd or herdſman; that the maintenance of their leſſer authority depends upon that of his greater authority, and that upon their ſubordination to him depends his power of keeping their inferiors in ſubordination to them. They conſtitute a ſort of little nobility, who feel themſelves intereſted to defend the property and to ſupport the authority of their own little ſovereign, in order that he may be able to defend their property and to ſupport their authority. Civil government, ſo far as it is inſtituted for the ſecurity of property, is in reality inſtituted for the defence of the rich againſt the poor, or of thoſe who have ſome property againſt thoſe who have none at all.

THE judicial authority of ſuch a ſovereign, however, far from being a cauſe of expence, was for a long time a ſource of revenue to him. The perſons who applied to him for juſtice were always willing to pay for it, and a preſent never failed to accompany a petition. After the authority of the ſovereign too was thoroughly eſtabliſhed, the perſon found guilty, over and above the ſatisfaction which he was obliged to make to the party, was likewiſe forced to pay an amercement to the ſovereign. He had given trouble, he had diſturbed, he had broke the peace of his lord the king, and for thoſe offences an amercement was thought due. In the Tartar governments

CHAP. I.

ments of Aſia, in the governments of Europe which were founded by the German and Scythian nations who overturned the Roman empire, the adminiſtration of juſtice was a conſiderable ſource of revenue both to the ſovereign and to all the leſſer chiefs or lords who exerciſed under him any particular juriſdiction, either over ſome particular tribe or clan, or over ſome particular territory or diſtrict. Originally both the ſovereign and the inferior chiefs uſed to exerciſe this juriſdiction in their own perſons. Afterwards they univerſally found it convenient to delegate it to ſome ſubſtitute, bailiff, or judge. This ſubſtitute, however, was ſtill obliged to account to his principal or conſtituent for the profits of the juriſdiction. Whoever reads the inſtructions * which were given to the judges of the circuit in the time of Henry II. will ſee clearly that thoſe judges were a ſort of itinerant factors, ſent round the country for the purpoſe of levying certain branches of the king's revenue. In thoſe days the adminiſtration of juſtice not only afforded a certain revenue to the ſovereign, but to procure this revenue ſeems to have been one of the principal advantages which he propoſed to obtain by the adminiſtration of juſtice.

THIS ſcheme of making the adminiſtration of juſtice ſubſervient to the purpoſes of revenue, could ſcarce fail to be productive of ſeveral very groſs abuſes. The perſon who applied for juſtice with a large preſent in his hand was likely to get ſomething more than juſtice; while he who applied for it with a ſmall one was likely to get ſomething leſs. Juſtice too might frequently be delayed, in order that this preſent might be repeated. The amercement, beſides, of the perſon complained of, might frequently ſuggeſt a very ſtrong reaſon for finding him in the wrong, even when he had not really been ſo. That ſuch abuſes were far from being uncommon, the antient hiſtory of every country in Europe bears witneſs.

* They are to be found in Tyrrell's Hiſtory of England.

BOOK V.

When the ſovereign or chief exerciſed his judicial authority in his own perſon, how much ſoever he might abuſe it, it muſt have been ſcarce poſſible to get any redreſs; becauſe there could ſeldom be any body powerful enough to call him to account. When he exerciſed it by a bailiff, indeed, redreſs might ſometimes be had. If it was for his own benefit only that the bailiff had been guilty of any act of injuſtice, the ſovereign himſelf might not always be unwilling to puniſh him, or to oblige him to repair the wrong. But if it was for the benefit of his ſovereign, if it was in order to make court to the perſon who appointed him and who might prefer him, that he had committed any act of oppreſſion, redreſs would upon moſt occaſions be as impoſſible as if the ſovereign had committed it himſelf. In all barbarous governments, accordingly, in all thoſe antient governments of Europe in particular, which were founded upon the ruins of the Roman empire, the adminiſtration of juſtice appears for a long time to have been extremely corrupt; far from being quite equal and impartial even under the beſt monarchs, and altogether profligate under the worſt.

Among nations of ſhepherds, where the ſovereign or chief is only the greateſt ſhepherd or herdſman of the horde or clan, he is maintained in the ſame manner as any of his vaſſals or ſubjects, by the increaſe of his own herds or flocks. Among thoſe nations of huſbandmen who are but juſt come out of the ſhepherd ſtate, and who are not much advanced beyond that ſtate; ſuch as the Greek tribes appear to have been about the time of the Trojan war, and our German and Scythian anceſtors when they firſt ſettled upon the ruins of the weſtern empire; the ſovereign or chief is in the ſame manner only the greateſt landlord of the country, and is maintained, in the ſame manner as any other landlord, by a revenue derived from his own private eſtate, or from what in modern Europe was called the demeſne of the crown. His ſubjects upon ordinary occaſions contribute nothing to his

CHAP. I.

his ſupport, except when they ſtand in need of the interpoſition of his authority in order to protect them from the oppreſſion of ſome of their fellow ſubjects. The preſents which they make him upon ſuch occaſions conſtitute the whole ordinary revenue, the whole of the emoluments which, except perhaps upon ſome very extraordinary emergencies, he derives from his dominion over them. When Agamemnon, in Homer, offers to Achilles for his friendſhip the ſovereignty of ſeven Greek cities, the ſole advantage which he mentions as likely to be derived from it was, that the people would honour him with preſents. As long as ſuch preſents, as long as the emoluments of juſtice, or what may be called the fees of court, conſtituted in this manner the whole ordinary revenue which the ſovereign derived from his ſovereignty, it could not well be expected, it could not even decently be propoſed that he ſhould give them up altogether. It might, and it frequently was propoſed, that he ſhould regulate and aſcertain them. But after they had been ſo regulated and aſcertained, how to hinder a perſon who was all-powerful from extending them beyond thoſe regulations, was ſtill very difficult, not to ſay impoſſible. During the continuance of this ſtate of things, therefore, the corruption of juſtice, naturally reſulting from the arbitrary and uncertain nature of thoſe preſents, ſcarce admitted of any effectual remedy.

But when from different cauſes, chiefly from the continually increaſing expence of defending the nation againſt the invaſion of other nations, the private eſtate of the ſovereign had become altogether inſufficient for defraying the expence of the ſovereignty; and when it had become neceſſary that the people ſhould, for their own ſecurity, contribute towards this expence by taxes of different kinds, it ſeems to have been very commonly ſtipulated that no preſent for the adminiſtration of juſtice ſhould, under any pretence, be accepted either by the ſovereign, or by his bailiffs and ſubſtitutes,

ſtitutes, the judges. Thoſe preſents, it ſeems to have been ſuppoſed, could more eaſily be aboliſhed altogether, than effectually regulated and aſcertained. Fixed ſalaries were appointed to the judges, which were ſuppoſed to compenſate to them the loſs of whatever might have been their ſhare of the antient emoluments of juſtice; as the taxes more than compenſated to the ſovereign the loſs of his. Juſtice was then ſaid to be adminiſtered gratis.

JUSTICE, however, never was in reality adminiſtered gratis in any country. Lawyers and attornies, at leaſt, muſt always be paid by the parties; and, if they were not, they would perform their duty ſtill worſe than they actually perform it. The fees annually paid to lawyers and attornies amount, in every court, to a much greater ſum than the ſalaries of the judges. The circumſtance of thoſe ſalaries being paid by the crown, can no where much diminiſh the neceſſary expence of a law-ſuit. But it was not ſo much to diminiſh the expence, as to prevent the corruption of juſtice, that the judges were prohibited from receiving any preſent or fee from the parties.

THE office of judge is in itſelf ſo very honourable, that men are willing to accept of it, though accompanied with very ſmall emoluments. The inferior office of juſtice of peace, though attended with a good deal of trouble, and in moſt caſes with no emoluments at all, is an object of ambition to the greater part of our country gentlemen. The ſalaries of all the different judges, high and low, together with the whole expence of the adminiſtration and execution of juſtice, even where it is not managed with very good œconomy, makes, in any civilized country, but a very inconſiderable part of the whole expence of government.

THE whole expence of juſtice too might eaſily be defrayed by the fees of court; and, without expoſing the adminiſtration of juſtice to

to any real hazard of corruption, the public revenue might thus be entirely diſcharged from a certain, though, perhaps, but a ſmall incumbrance. It is difficult to regulate the fees of court effectually, where a perſon ſo powerful as the ſovereign is to ſhare in them, and to derive any conſiderable part of his revenue from them. It is very eaſy, where the judge is the principal perſon who can reap any benefit from them. The law can very eaſily oblige the judge to reſpect the regulation, though it might not always be able to make the ſovereign reſpect it. Where the fees of court are preciſely regulated and aſcertained, where they are paid all at once, at a certain period of every proceſs, into the hands of a caſhier or receiver, to be by him diſtributed in certain known proportions among the different judges after the proceſs is decided, and not till it is decided, there ſeems to be no more danger of corruption than where ſuch fees are prohibited altogether. Thoſe fees, without occaſioning any conſiderable increaſe in the expence of a law-ſuit, might be rendered fully ſufficient for defraying the whole expence of juſtice. By not being paid to the judges till the proceſs was determined, they might be ſome incitement to the diligence of the court in examining and deciding it. In courts which conſiſted of a conſiderable number of judges, by proportioning the ſhare of each judge to the number of hours and days which he had employed in examining the proceſs, either in the court or in a committee by order of the court, thoſe fees might give ſome encouragement to the diligence of each particular judge. Public ſervices are never better performed than when their reward comes only in conſequence of their being performed, and is proportioned to the diligence employed in performing them. In the different parliaments of France, the fees of court (called Epices and vacations) conſtitute the far greater part of the emoluments of the judges. After all deductions are made, the neat ſalary paid by the crown to a counſellor or judge in the parliament of Toulouſe, in rank and dignity the

ſecond

BOOK V.

second parliament of the kingdom, amounts only to a hundred and fifty livres, about six pounds eleven shillings sterling a year. About seven years ago that sum was in the same place the ordinary yearly wages of a common footman. The distribution of those Epices too is according to the diligence of the judges. A diligent judge gains a comfortable, though moderate revenue by his office: An idle one gets little more than his salary. Those parliaments are perhaps, in many respects, not very convenient courts of justice; but they have never been accused; they seem never even to have been suspected of corruption.

The fees of court seem originally to have been the principal support of the different courts of justice in England. Each court endeavoured to draw to itself as much business as it could, and was, upon that account, willing to take cognizance of many suits which were not originally intended to fall under its jurisdiction. The court of king's bench, instituted for the trial of criminal causes only, took cognizance of civil suits; the plaintiff pretending that the defendant, in not doing him justice, had been guilty of some trespass or misdemeanor. The court of exchequer, instituted for the levying of the king's revenue, and for enforcing the payment of such debts only as were due to the king, took cognizance of all other contract debts; the plaintiff alledging that he could not pay the king, because the defendant would not pay him. In consequence of such fictions it came, in many cases, to depend altogether upon the parties before what court they would chuse to have their cause tried; and each court endeavoured, by superior dispatch and impartiality, to draw to itself as many causes as it could. The present admirable constitution of the courts of justice in England was, perhaps, originally in a great measure formed by this emulation which antiently took place between their respective judges; each judge endeavouring to give, in his own court, the speediest and most

effectual remedy, which the law would admit, for every sort of injustice. Originally the courts of law gave damages only for breach of contract. The court of chancery, as a court of conscience, first took upon it to enforce the specific performance of agreements. When the breach of contract consisted in the non-payment of money, the damage sustained could be compensated in no other way than by ordering payment, which was equivalent to a specific performance of the agreement. In such cases, therefore, the remedy of the courts of law was sufficient. It was not so in others. When the tenant sued his lord for having unjustly outed him of his lease, the damages which he recovered were by no means equivalent to the possession of the land. Such causes, therefore, for some time, went all to the court of chancery, to the no small loss of the courts of law. It was to draw back such causes to themselves that the courts of law are said to have invented the artificial and fictitious writ of ejectment, the most effectual remedy for an unjust outer or dispossession of land.

CHAP. I.

A STAMP-DUTY upon the law proceedings of each particular court, to be levied by that court, and applied towards the maintenance of the judges and other officers belonging to it, might, in the same manner, afford a revenue sufficient for defraying the expence of the administration of justice, without bringing any burden upon the general revenue of the society. The judges indeed might, in this case, be under the temptation of multiplying unnecessarily the proceedings upon every cause, in order to increase, as much as possible, the produce of such a stamp-duty. It has been the custom in modern Europe to regulate, upon most occasions, the payment of the attornies and clerks of court according to the number of pages which they had occasion to write; the court, however, requiring that each page should contain so many lines, and each line so many words. In order to increase their payment,

BOOK V.

the attornies and clerks have contrived to multiply words beyond all neceſſity, to the corruption of the law language of, I believe, every court of juſtice in Europe. A like temptation might perhaps occaſion a like corruption in the form of law proceedings.

But whether the adminiſtration of juſtice be ſo contrived as to defray its own expence, or whether the judges be maintained by fixed ſalaries paid to them from ſome other fund, it does not ſeem neceſſary that the perſon or perſons entruſted with the executive power ſhould be charged with the management of that fund, or with the payment of thoſe ſalaries. That fund might ariſe from the rent of landed eſtates, the management of each eſtate being entruſted to the particular court which was to be maintained by it. That fund might ariſe even from the intereſt of a ſum of money, the lending out of which might, in the ſame manner, be entruſted to the court which was to be maintained by it. A part, though indeed but a ſmall part, of the ſalary of the judges of the court of ſeſſion in Scotland, ariſes from the intereſt of a ſum of money. The neceſſary inſtability of ſuch a fund ſeems, however, to render it an improper one for the maintenance of an inſtitution which ought to laſt forever.

The ſeparation of the judicial from the executive power ſeems originally to have ariſen from the increaſing buſineſs of the ſociety, in conſequence of its increaſing improvement. The adminiſtration of juſtice became ſo laborious and ſo complicated a duty as to require the undivided attention of the perſons to whom it was entruſted. The perſon entruſted with the executive power not having leiſure to attend to the deciſion of private cauſes himſelf, a deputy was appointed to decide them in his ſtead. In the progreſs of the Roman greatneſs, the conſul was too much occupied with the political affairs of the ſtate to attend to the adminiſtration of juſtice.

CHAP. I.

A prætor, therefore, was appointed to adminiſter it in his ſtead. In the progreſs of the European monarchies which were founded upon the ruins of the Roman empire, the ſovereigns and the great lords came univerſally to conſider the adminiſtration of juſtice as an office both too laborious and too ignoble for them to execute in their own perſons. They univerſally, therefore, diſcharged themſelves of it by appointing a deputy, bailiff, or judge.

When the judicial is united to the executive power, it is ſcarce poſſible that juſtice ſhould not frequently be ſacrificed to, what is vulgarly called, politics. The perſons entruſted with the great intereſts of the ſtate may, even without any corrupt views, ſometimes imagine it neceſſary to ſacrifice to thoſe intereſts the rights of a private man. But upon the impartial adminiſtration of juſtice depends the liberty of every individual, the ſenſe which he has of his own ſecurity. In order to make every individual feel himſelf perfectly ſecure in the poſſeſſion of every right which belongs to him, it is not only neceſſary that the judicial ſhould be ſeparated from the executive power, but that it ſhould be rendered as much as poſſible independent of that power. The judge ſhould not be liable to be removed from his office according to the caprice of that power. The regular payment of his ſalary ſhould not depend upon the good-will, or even upon the good œconomy of that power.

PART III.

Of the Expence of publick Works and publick Inſtitutions.

The third and laſt duty of the ſovereign or commonwealth is that of erecting and maintaining thoſe publick inſtitutions and thoſe publick works, which, though they may be in the higheſt degree advantageous to a great ſociety, are, however, of ſuch a

BOOK V.

nature, that the profit could never repay the expence to any individual or ſmall number of individuals, and which it therefore cannot be expected that any individual or ſmall number of individuals ſhould erect or maintain. The performance of this duty requires too very different degrees of expence in the different periods of ſociety.

AFTER the publick inſtitutions and publick works neceſſary for the defence of the ſociety, and for the adminiſtration of juſtice, both of which have already been mentioned, the other works and inſtitutions of this kind are chiefly thoſe for facilitating the commerce of the ſociety, and thoſe for promoting the inſtruction of the people. The inſtitutions for inſtruction are of two kinds; thoſe for the education of the youth, and thoſe for the inſtruction of people of all ages. The conſideration of the manner in which the expence of thoſe different ſorts of publick work and inſtitutions may be moſt properly defrayed, will divide this third part of the preſent chapter into three different articles.

ARTICLE I.

Of the publick Works and Inſtitutions for facilitating the Commerce of the Society.

THAT the erection and maintenance of the publick works which facilitate the commerce of any country, ſuch as good roads, bridges, navigable canals, harbours, &c. muſt require very different degrees of expence in the different periods of ſociety, is evident without any proof. The expence of making and maintaining the publick roads of any country muſt evidently increaſe with the annual produce of the land and labour of that country, or with the quantity and weight of the goods which it becomes neceſſary to fetch and carry upon thoſe roads. The ſtrength of a bridge muſt be ſuited to the number and weight of the carriages which are likely to paſs over it. The depth and the ſupply of water for a navigable canal muſt be proportioned to the number and tunnage of the lighters which are likely to carry goods

goods upon it; the extent of a harbour to the number of the ſhipping which are likely to take ſhelter in it.

CHAP. I.

IT does not ſeem neceſſary that the expence of thoſe publick works ſhould be defrayed from that publick revenue, as it is commonly called, of which the collection and application is in moſt countries aſſigned to the executive power. The greater part of ſuch publick works may eaſily be ſo managed as to afford a particular revenue ſufficient for defraying their own expence, without bringing any burden upon the general revenue of the ſociety.

A HIGHWAY, a bridge, a navigable canal, for example, may in moſt caſes be both made and maintained by a ſmall toll upon the carriages which make uſe of them: a harbour, by a moderate port duty upon the tunnage of the ſhipping which load or unload in it. The coinage, another inſtitution for facilitating commerce, in many countries, not only defrays its own expence, but affords a ſmall revenue or ſeignorage to the ſovereign. The poſt office, another inſtitution for the ſame purpoſe, over and above defraying its own expence, affords in almoſt all countries a very conſiderable revenue to the ſovereign.

WHEN the carriages which paſs over a highway or a bridge, and the lighters which ſail upon a navigable canal, pay toll in proportion to their weight or their tunnage, they pay for the maintenance of thoſe publick works exactly in proportion to the tear and wear which they occaſion of them. It ſeems ſcarce poſſible to invent a more equitable way of maintaining ſuch works. This tax or toll too, though it is advanced by the carrier, is finally paid by the conſumer, to whom it muſt always be charged in the price of the goods. As the expence of carriage, however, is very much reduced by means of ſuch publick works, the goods, notwithſtanding the toll, come cheaper

BOOK V.

to the consumer than they could otherwise have done; their price not being so much raised by the toll, as it is lowered by the cheapness of the carriage. The person who finally pays this tax, therefore, gains, by the application, more than he loses by the payment of it. His payment is exactly in proportion to his gain. It is in reality no more than a part of that gain which he is obliged to give up in order to get the rest. It seems impossible to imagine a more equitable method of raising a tax.

When the toll upon carriages of luxury, upon coaches, post-chaises, &c. is made somewhat higher in proportion to their weight, than upon carriages of necessary use, such as carts, waggons, &c. the indolence and vanity of the rich is made to contribute in a very easy manner to the relief of the poor, by rendering cheaper the transportation of heavy goods to all the different parts of the country.

When high roads, bridges, canals, &c. are in this manner made and supported by the commerce which is carried on by means of them, they can be made only where that commerce requires them, and consequently where it is proper to make them. Their expence too, their grandeur and magnificence must be suited to what that commerce can afford to pay. They must be made consequently as it is proper to make them. A magnificent high road cannot be made through a desart country where there is little or no commerce, or merely because it happens to lead to the country villa of the intendant of the province, or to that of some great lord to whom the intendant finds it convenient to make his court. A great bridge cannot be thrown over a river at a place where nobody passes, or merely to embellish the view from the windows of a neighbouring palace: things which sometimes happen in countries where works of this kind are carried on by any other revenue than that which they themselves are capable of affording.

In

CHAP. I.

In several different parts of Europe the toll or lock-duty upon a canal is the property of private persons, whose private interest obliges them to keep up the canal. If it is not kept in tolerable order, the navigation necessarily ceases altogether, and along with it the whole profit which they can make by the tolls. If those tolls were put under the management of commissioners, who had themselves no interest in them, they might be less attentive to the maintenance of the works which produced them. The canal of Languedoc cost the king of France and the province upwards of thirteen millions of livres, which (at twenty-eight livres the mark of silver, the value of French money in the end of the last century) amounted to upwards of nine hundred thousand pounds sterling. When that great work was finished, the most likely method, it was found, of keeping it in constant repair was to make a present of the tolls to Riquet the engineer, who planned and conducted the work. Those tolls constitute at present a very large estate to the different branches of the family of that gentleman, who have therefore a great interest to keep the work in constant repair. But had those tolls been put under the management of commissioners who had no such interest, they might perhaps have been dissipated in ornamental and unnecessary expences, while the most essential parts of the work were allowed to go to ruin.

The tolls for the maintenance of a high road, cannot with any safety be made the property of private persons. A high road, though entirely neglected, does not become altogether impassable, though a canal does. The proprietors of the tolls upon a high road, therefore, might neglect altogether the repair of the road, and yet continue to levy very nearly the same tolls. It is proper, therefore, that the tolls for the maintenance of such a work should be put under the management of commissioners or trustees.

In

BOOK V.

In Great Britain, the abuſes which the truſtees have committed in the management of thoſe tolls, have in many caſes been very juſtly complained of. At many turnpikes, it has been ſaid, the money levied is more than double of what is neceſſary for executing in the compleateſt manner the work which is often executed in a very ſlovenly manner, and ſometimes not executed at all. The ſyſtem of repairing the high roads by tolls of this kind, it muſt be obſerved, is not of very long ſtanding. We ſhould not wonder, therefore, if it has not yet been brought to that degree of perfection of which it ſeems to be capable. If mean and improper perſons are frequently appointed truſtees; and if proper courts of inſpection and account have not yet been eſtabliſhed for controuling their conduct, and for reducing the tolls to what is barely ſufficient for executing the work to be done by them; the recency of the inſtitution both accounts and apologizes for thoſe defects, of which, by the wiſdom of parliament, the greater part may in due time be gradually remedied.

The money levied at the different turnpikes in Great Britain is ſuppoſed to exceed ſo much what is neceſſary for repairing the roads, that the ſavings, which with proper oeconomy might be made from it, have been conſidered, even by ſome miniſters, as a very great reſource which might at ſome time or another be applied to the exigencies of the ſtate. Government, it has been ſaid, by taking the management of the turnpikes into its own hands, and by employing the ſoldiers, who would work for a very ſmall addition to their pay, could keep the roads in good order at a much leſs expence than it can be done by truſtees who have no other workmen to employ, but ſuch as derive their whole ſubſiſtence from their wages. A great revenue, half a million perhaps, it has been pretended, might in this manner be gained without laying any new burden upon the people; and the turnpike

CHAP. I.

pike roads might be made to contribute to the general expence of the ſtate, in the ſame manner as the poſt-office does at preſent.

That a conſiderable revenue might be gained in this manner, I have no doubt, though probably not near ſo much, as the projectors of this plan have ſuppoſed. The plan itſelf, however, ſeems liable to ſeveral very important objections.

First, if the tolls which are levied at the turnpikes ſhould ever be conſidered as one of the reſources for ſupplying the exigencies of the ſtate, they would certainly be augmented as thoſe exigencies were ſuppoſed to require. According to the policy of Great Britain, therefore, they would probably be augmented very faſt. The facility with which a great revenue could be drawn from them, would probably encourage adminiſtration to recur very frequently to this reſource. Though it may perhaps be more than doubtful whether half a million could by any oeconomy be ſaved out of the preſent tolls, it can ſcarce be doubted but that a million might be ſaved out of them if they were doubled, and perhaps two millions if they were tripled. This great revenue too might be levied without the appointment of a ſingle new officer to collect and receive it. But the turnpike tolls being continually augmented in this manner, inſtead of facilitating the inland commerce of the country, as at preſent, would ſoon become a very great encumbrance upon it. The expence of tranſporting all heavy goods from one part of the country to another would ſoon be ſo much increaſed, the market for all ſuch goods conſequently would ſoon be ſo much narrowed, that their production would be in a great meaſure diſcouraged, and the moſt important branches of the domeſtic induſtry of the country annihilated altogether.

Secondly,

BOOK V.

Secondly, a tax upon carriages in proportion to their weight, though a very equal tax when applied to the ſole purpoſe of repairing the roads, is a very unequal one, when applied to any other purpoſe, or to ſupply the common exigencies of the ſtate. When it is applied to the ſole purpoſe above mentioned, each carriage is ſuppoſed to pay exactly for the tear and wear which that carriage occaſions of the roads. But when it is applied to any other purpoſe, each carriage is ſuppoſed to pay for more than that tear and wear, and contributes to the ſupply of ſome other exigency of the ſtate. But as the turnpike toll raiſes the price of goods in proportion to their weight, and not to their value, it is chiefly paid by the conſumers of coarſe and bulky, not by thoſe of precious and light commodities. Whatever exigency of the ſtate therefore this tax might be intended to ſupply, that exigency would be chiefly ſupplied at the expence of the poor, not of the rich; at the expence of thoſe who are leaſt able to ſupply it, not of thoſe who are moſt able.

Thirdly, if government ſhould at any time neglect the reparation of the high roads, it would be ſtill more difficult than it is at preſent to compel the proper application of any part of the turnpike tolls. A large revenue might thus be levied upon the people, without any part of it being applied to the only purpoſe to which a revenue levied in this manner ought ever to be applied. If the meanneſs and poverty of the truſtees of turnpike roads render it ſometimes difficult at preſent to oblige them to repair their wrong; their wealth and greatneſs would render it ten times more ſo in the caſe which is here ſuppoſed.

In France the funds deſtined for the reparation of the high roads are under the immediate direction of the executive power. Thoſe funds conſiſt partly in the ſix days labour which the country people are in moſt parts of Europe obliged to give to the repa-

CHAP. I.

ration of the highways; and partly in ſuch a portion of the general revenue of the ſtate as the king chuſes to ſpare from his other expences.

By the antient law of France, as well as by that of moſt other parts of Europe, the ſix days labour was under the direction of a local or provincial magiſtracy, which had no immediate dependency upon the king's council. But by the preſent practice both the ſix days labour, and whatever other fund the king may chuſe to aſſign for the reparation of the high roads in any particular province or generality, are entirely under the management of the intendant; an officer who is appointed and removed by the king's council, who receives his orders from it, and is in conſtant correſpondence with it. In the progreſs of deſpotiſm the authority of the executive power gradually abſorbs that of every other power in the ſtate, and aſſumes to itſelf the management of every branch of revenue which is deſtined for any public purpoſe. In France, however, the great poſt roads, the roads which make the communication between the principal towns of the kingdom, are in general kept in good order; and in ſome provinces are even a good deal ſuperior to the greater part of the turnpike roads of England. But what we call the croſs roads, that is, the far greater part of the roads in the country, are entirely neglected, and are in many places abſolutely impaſſable for any heavy carriage. In ſome places it is even dangerous to travel on horſeback, and mules are the only conveyance which can ſafely be truſted. The proud miniſter of an oſtentatious court may frequently take pleaſure in executing a work of ſplendor and magnificence, ſuch as a great highway which is frequently ſeen by the principal nobility, whoſe applauſes, not only flatter his vanity, but even contribute to ſupport his intereſt at court. But to execute a great number of little works, in which nothing that can be done can make any great appearance, or excite the ſmalleſt degree of admiration in any traveller, and

BOOK V.

which, in ſhort, have nothing to recommend them but their extreme utility, is a buſineſs which appears in every reſpect too mean and paultry to merit the attention of ſo great a magiſtrate. Under ſuch an adminiſtration, therefore, ſuch works are almoſt always entirely neglected.

In China, and in ſeveral other governments of Aſia, the executive power charges itſelf both with the reparation of the high roads, and with the maintenance of the navigable canals. In the inſtructions which are given to the governor of each province, thoſe objects, it is ſaid, are conſtantly recommended to him, and the judgement which the court forms of his conduct is very much regulated by the attention which he appears to have paid to this part of his inſtructions. This branch of public police accordingly is ſaid to be very much attended to in all thoſe countries, but particularly in China, where the high roads, and ſtill more the navigable canals, it is pretended, exceed very much every thing of the ſame kind which is known in Europe. The accounts of thoſe works, however, which have been tranſmitted to Europe, have generally been drawn up by weak and wondering travellers, frequently by ſtupid and lying miſſionaries. If they had been examined by more intelligent eyes, and if the accounts of them had been reported by more faithful witneſſes, they would not perhaps appear to be ſo wonderful. The account which Bernier gives of ſome works of this kind in Indoſtan, falls very much ſhort of what had been reported of them by other travellers more diſpoſed to the marvellous than he was. It may too perhaps be in thoſe countries as it is in France, where the great roads, the great communications which are likely to be the ſubjects of converſation at the court and in the capital, are attended to, and all the reſt neglected. In China, beſides, in Indoſtan, and in ſeveral other governments of Aſia, the revenue of the ſovereign ariſes almoſt altogether from a land-tax or land-rent, which riſes or falls with

CHAP. I.

with the riſe or fall of the annual produce of the land. The great intereſt of the ſovereign, therefore, his revenue, is in ſuch countries neceſſarily and immediately connected with the cultivation of the land, with the greatneſs of its produce, and with the value of its produce. But in order to render that produce both as great and as valuable as poſſible, it is neceſſary to procure to it as extenſive a market as poſſible, and conſequently to eſtabliſh the freeſt, the eaſieſt, and the leaſt expenſive communication between all the different parts of the country, which can be done only by means of the beſt roads and the beſt navigable canals. But the revenue of the ſovereign does not in any part of Europe ariſe chiefly from a land-tax or land-rent. In all the great kingdoms of Europe, perhaps the greater part of it may ultimately depend upon the produce of the land: But that dependency is neither ſo immediate, nor ſo evident. In Europe, therefore, the ſovereign does not feel himſelf ſo directly called upon to promote the increaſe, both in quantity and value, of the produce of the land, or, by maintaining good roads and canals, to provide the moſt extenſive market for that produce. Though it ſhould be true, therefore, what I apprehend is not a little doubtful, that in ſome parts of Aſia this department of the public police is very properly managed by the executive power, there is not the leaſt probability that, during the preſent ſtate of things, it could be tolerably managed by that power in any part of Europe.

Even thoſe public works which are of ſuch a nature that they cannot afford any revenue for maintaining themſelves, but of which the conveniency is nearly confined to ſome particular place or diſtrict, are always better maintained by a local or provincial revenue under the management of a local or provincial adminiſtration, than by the general revenue of the ſtate, of which the executive power muſt always have the management. Were the

ſtreets of London to be lighted and paved at the expence of the treaſury, is there any probability that they would be ſo well lighted and paved as they are at preſent, or even at ſo ſmall an expence? The expence beſides, inſtead of being raiſed by a local tax upon the inhabitants of each particular ſtreet, pariſh, or diſtrict in London, would, in this caſe, be defrayed out of the general revenue of the ſtate, and would conſequently be raiſed by a tax upon all the inhabitants of the kingdom, of whom the greater part derive no ſort of benefit from the lighting and paving of the ſtreets of London.

THE abuſes which ſometimes creep into the local and provincial adminiſtration of a local and provincial revenue, how enormous ſoever they may appear, are in reality, however, almoſt always very trifling in compariſon of thoſe which commonly take place in the adminiſtration and expenditure of the revenue of a great empire. They are, beſides, much more eaſily corrected. Under the local or provincial adminiſtration of the juſtices of the peace in Great Britain, the ſix days labour which the country people are obliged to give to the reparation of the highways, is not always perhaps very judiciouſly applied, but it is ſcarce ever exacted with any circumſtance of cruelty or oppreſſion. In France, under the adminiſtration of the intendants, the application is not always more judicious, and the exaction is frequently the moſt cruel and oppreſſive. Such Corvées, as they are called, make one of the principal inſtruments of tyranny by which the intendant chaſtiſes any pariſh or communauté which has had the misfortune to fall under his diſpleaſure.

ARTICLE II.

Of the Expence of the Inſtitutions for the Education of the Youth.

THE inſtitutions for the education of the youth may in the ſame manner furniſh a revenue ſufficient for defraying their own expence.

expence. The fee or honorary which the ſcholar pays to the maſter naturally conſtitutes a revenue of this kind.

EVEN where the reward of the maſter does not ariſe altogether from this natural revenue, it ſtill is not neceſſary that it ſhould be derived from that general revenue of the ſociety of which the collection and application is in moſt countries aſſigned to the executive power. Through the greater part of Europe accordingly the endowment of ſchools and colleges makes either no charge upon that general revenue, or but a very ſmall one. It every where ariſes chiefly from ſome local or provincial revenue, from the rent of ſome landed eſtate, or from the intereſt of ſome ſum of money allotted and put under the management of truſtees for this particular purpoſe, ſometimes by the ſovereign himſelf, and ſometimes by ſome private donor.

HAVE thoſe public endowments contributed in general to promote the end of their inſtitution? Have they contributed to encourage the diligence, and to improve the abilities of the teachers? Have they directed the courſe of education towards objects more uſeful, both to the individual and to the public, than thoſe to which it would naturally have gone of its own accord? It ſhould not ſeem very difficult to give at leaſt a probable anſwer to each of thoſe queſtions.

IN every profeſſion the exertion of the greater part of thoſe who exerciſe it is always in proportion to the neceſſity they are under of making that exertion. This neceſſity is greateſt with thoſe to whom the emoluments of their profeſſion are the only ſource from which they expect their fortune, or even their ordinary revenue and ſubſiſtence. In order to acquire this fortune, or even to get this ſubſiſtence, they muſt, in the courſe of the year, execute a certain quantity

quantity of work of a known value; and, where the competition is free, the rivalſhip of competitors, who are all endeavouring to juſtle one another out of employment, obliges every man to endeavour to execute his work with a certain degree of exactneſs. The greatneſs of the objects which are to be acquired by ſucceſs in ſome particular profeſſions may, no doubt, ſometimes animate the exertion of a few men of extraordinary ſpirit and ambition. Great objects, however, are evidently not neceſſary in order to occaſion the greateſt exertions. Rivalſhip and emulation render excellency, even in mean profeſſions, an object of ambition, and frequently occaſion the very greateſt exertions. Great objects, on the contrary, alone and unſupported by the neceſſity of application, have ſeldom been ſufficient to occaſion any conſiderable exertion. In England, ſucceſs in the profeſſion of the law leads to ſome very great objects of ambition; and yet how few men, born to eaſy fortunes, have ever in this country been eminent in that profeſſion!

The endowments of ſchools and colleges have neceſſarily diminiſhed more or leſs the neceſſity of application in the teachers. Their ſubſiſtence, ſo far as it ariſes from their ſalaries, is evidently derived from a fund altogether independent of their ſucceſs and reputation in their particular profeſſions.

In ſome univerſities the ſalary makes but a part, and frequently but a ſmall part of the emoluments of the teacher, of which the greater part ariſes from the honoraries or fees of his pupils. The neceſſity of application, though always more or leſs diminiſhed, is not in this caſe entirely taken away. Reputation in his profeſſion is ſtill of ſome importance to him, and he ſtill has ſome dependency upon the affection, gratitude, and favourable report of thoſe who have attended upon his inſtructions, and theſe favourable ſentiments

ments he is likely to gain in no way ſo well as by deſerving them, that is, by the abilities and diligence with which he diſcharges every part of his duty.

In other univerſities the teacher is prohibited from receiving any honorary or fee from his pupils, and his ſalary conſtitutes the whole of the revenue which he derives from his office. His intereſt is, in this caſe, ſet as directly in oppoſition to his duty as it is poſſible to ſet it. It is the intereſt of every man to live as much at his eaſe as he can; and if his emoluments are to be preciſely the ſame whether he does, or does not perform ſome very laborious duty, it is certainly his intereſt, at leaſt as intereſt is vulgarly underſtood, either to neglect it altogether, or, if he is ſubject to ſome authority which will not ſuffer him to do this, to perform it in as careleſs and ſlovenly a manner as that authority will permit. If he is naturally active and a lover of labour, it is his intereſt to employ that activity in any way, from which he can derive ſome advantage, rather than in the performance of his duty, from which he can derive none.

If the authority to which he is ſubject reſides in the body corporate, the college, or univerſity, of which he himſelf is a member, and in which the greater part of the other members are, like himſelf, perſons who either are or ought to be teachers, they are likely to make a common cauſe, to be all very indulgent to one another, and every man to conſent that his neighbour may neglect his duty, provided he himſelf is allowed to neglect his own. In the univerſity of Oxford, the greater part of the public profeſſors have, for theſe many years, given up altogether even the pretence of teaching.

If the authority to which he is ſubject reſides, not ſo much in the body corporate of which he is a member, as in ſome other extra-

neous

BOOK V.

neous perſons, in the biſhop of the dioceſe, for example; in the governor of the province; or, perhaps, in ſome miniſter of ſtate, it is not indeed in this caſe very likely that he will be ſuffered to neglect his duty altogether. All that ſuch ſuperiors, however, can force him to do is to attend upon his pupils a certain number of hours, that is, to give a certain number of lectures in the week or in the year. What thoſe lectures ſhall be, muſt ſtill depend upon the diligence of the teacher; and that diligence is likely to be proportioned to the motives which he has for exerting it. An extraneous juriſdiction of this kind, beſides, is liable to be exerciſed both ignorantly and capriciouſly. In its nature it is arbitrary and diſcretionary, and the perſons who exerciſe it, neither attending upon the lectures of the teacher themſelves, nor perhaps underſtanding the ſciences which it is his buſineſs to teach, are ſeldom capable of exerciſing it with judgement. From the inſolence of office too they are frequently indifferent how they exerciſe it, and are very apt to cenſure or deprive him of his office wantonly, and without any juſt cauſe. The perſon ſubject to ſuch juriſdiction is neceſſarily degraded by it, and, inſtead of being one of the moſt reſpectable, is rendered one of the meaneſt and moſt contemptible perſons in the ſociety. It is by powerful protection only that he can effectually guard himſelf againſt the bad uſage to which he is at all times expoſed; and this protection he is moſt likely to gain, not by ability or diligence in his profeſſion, but by obſequiouſneſs to the will of his ſuperiors, and by being ready, at all times, to ſacrifice to that will the rights, the intereſt, and the honour of the body corporate of which he is a member. Whoever has attended for any conſiderable time to the adminiſtration of a French univerſity, muſt have had occaſion to remark the effects which naturally reſult from an arbitrary and extraneous juriſdiction of this kind.

WHATEVER forces a certain number of ſtudents to any college or univerſity, independent of the merit or reputation of the teachers,

tends more or leſs to diminiſh the neceſſity of that merit or reputation.

CHAP. I.

THE privileges of graduates in arts, in law, in phyſic, and divinity, when they can be obtained only by reſiding a certain number of years in certain univerſities, neceſſarily force a certain number of ſtudents to ſuch univerſities independent of the merit or reputation of the teachers. The privileges of graduates are a ſort of ſtatutes of apprenticeſhip, which have contributed to the improvement of education, juſt as other ſtatutes of apprenticeſhip have to that of arts and manufactures.

THE charitable foundations of ſcholarſhips, exhibitions, burſaries, &c. neceſſarily attach a certain number of ſtudents to certain colleges, independent altogether of the merit of thoſe particular colleges. Were the ſtudents upon ſuch charitable foundations left free to chuſe what college they liked beſt, ſuch liberty might perhaps contribute to excite ſome emulation among different colleges. A regulation, on the contrary, which prohibited even the independent members of every particular college from leaving it, and going to any other, without leave firſt aſked and obtained of that which they meant to abandon, would tend very much to extinguiſh that emulation.

IF in each college the tutor or teacher who was to inſtruct each ſtudent in all arts and ſciences, ſhould not be voluntarily choſen by the ſtudent, but appointed by the head of the college; and if in caſe of neglect, inability, or bad uſage, the ſtudent ſhould not be allowed to change him for another without leave firſt aſked and obtained; ſuch a regulation would not only tend very much to extinguiſh all emulation among the different tutors of the

BOOK V.

ſame college, but to diminiſh very much in all of them the neceſſity of diligence and of attention to their reſpective pupils. Such teachers, though very well paid by their ſtudents, might be as much diſpoſed to neglect them as thoſe who are not paid by them at all, or who have no other recompence but their ſalary.

If the teacher happens to be a man of ſenſe, it muſt be an unpleaſant thing to him to be conſcious, while he is lecturing his ſtudents, that he is either ſpeaking or reading nonſenſe, or what is very little better than nonſenſe. It muſt too be unpleaſant to him to obſerve that the greater part of his ſtudents deſert his lectures; or perhaps attend upon them with plain enough marks of neglect, contempt and deriſion. If he is obliged, therefore, to give a certain number of lectures, theſe motives alone, without any other intereſt, might diſpoſe him to take ſome pains to give tolerably good ones. Several different expedients, however, may be fallen upon which will effectually blunt the edge of all thoſe incitements to diligence. The teacher, inſtead of explaining to his pupils himſelf, the ſcience in which he propoſes to inſtruct them, may read ſome book upon it; and if this book is written in a foreign and dead language, by interpreting it to them into their own; or, what would give him ſtill leſs trouble, by making them interpret it to him, and by now and then making an occaſional remark upon it, he may flatter himſelf that he is giving a lecture. The ſlighteſt degree of knowledge and application will enable him to do this without expoſing himſelf to contempt or deriſion, or ſaying any thing that is really fooliſh, abſurd, or ridiculous. The diſcipline of the college at the ſame time may enable him to force all his pupils to the moſt regular attendance upon this ſham-lecture, and to maintain the moſt decent and reſpectful behaviour during the whole time of the performance.

The

CHAP. I.

The diſcipline of colleges and univerſities is in general contrived not for the benefit of the ſtudents, but for the intereſt, or more properly ſpeaking, for the eaſe of the maſters. Its object is in all caſes to maintain the authority of the maſter, and whether he neglects or performs his duty, to oblige the ſtudents in all caſes to behave to him as if he performed it with the greateſt diligence and ability. It ſeems to preſume perfect wiſdom and virtue in the one order, and the greateſt weakneſs and folly in the other. Where the maſters, however, really perform their duty, there are no examples, I believe, that the greater part of the ſtudents ever neglect theirs. No diſcipline is ever requiſite to force attendance upon lectures which are really worth the attending, as is well known where-ever any ſuch lectures are given. Force and reſtraint may no doubt be in ſome degree requiſite in order to oblige children or very young boys to attend to thoſe parts of education which it is thought neceſſary for them to acquire during that early period of life; but after twelve or thirteen years of age, provided the maſter does his duty, force or reſtraint can ſcarce ever be neceſſary to carry on any part of education. Such is the generoſity of the greater part of young men, that, ſo far from being diſpoſed to neglect or deſpiſe the inſtructions of their maſter, provided he ſhows ſome ſerious intention of being of uſe to them, they are generally inclined to pardon a great deal of incorrectneſs in the performance of his duty, and ſometimes even to conceal from the publick a good deal of groſs negligence.

Those parts of education, it is to be obſerved, for the teaching of which there are no publick inſtitutions, are generally the beſt taught. When a young man goes to a fencing or a dancing ſchool, he does not indeed always learn to fence or to dance very well; but he ſeldom fails of learning to fence or to dance. The good effects of the riding ſchool are not commonly ſo evident. The expence of a

BOOK V.

riding ſchool is ſo great, that in moſt places it is a publick inſtitution. The three moſt eſſential parts of literary education, to read, write, and account, it ſtill continues to be more common to acquire in private than in publick ſchools; and it very ſeldom happens that any body fails of acquiring them to the degree in which it is neceſſary to acquire them.

In England the publick ſchools are much leſs corrupted than the univerſities. In the ſchools the youth are taught, or at leaſt may be taught, Greek and Latin, that is, every thing which the maſters pretend to teach, or which, it is expected, they ſhould teach. In the univerſities the youth neither are taught, nor always can find any proper means of being taught, the ſciences which it is the buſineſs of thoſe incorporated bodies to teach. The reward of the ſchoolmaſter in moſt caſes depends principally, in ſome caſes almoſt entirely, upon the fees or honoraries of his ſcholars. Schools have no excluſive privileges. In order to obtain the honours of graduation, it is not neceſſary that a perſon ſhould bring a certificate of his having ſtudied a certain number of years at a publick ſchool. If upon examination he appears to underſtand what is taught there, no queſtions are aſked about the place where he learnt it.

The parts of education which are commonly taught in univerſities, it may perhaps be ſaid, are not very well taught. But had it not been for thoſe inſtitutions they would not have been commonly taught at all, and both the individual and the public would have ſuffered a good deal from the want of thoſe important parts of education.

The preſent univerſities of Europe were originally, the greater part of them, eccleſiaſtical corporations; inſtituted for the education of churchmen. They were founded by the authority of the pope,

CHAP. I.

pope, and were ſo entirely under his immediate protection, that their members, whether maſters or ſtudents, had all of them what was then called the benefit of clergy, that is, were exempted from the civil juriſdiction of the countries in which their reſpective univerſities were ſituated, and were amenable only to the eccleſiaſtical tribunals. What was taught in the greater part of thoſe univerſities was, ſuitable to the end of their inſtitution, either theology, or ſomething that was merely preparatory to theology.

When chriſtianity was firſt eſtabliſhed by law, a corrupted latin had become the common language of all the weſtern parts of Europe. The ſervice of the church accordingly, and the tranſlation of the Bible, which was read in churches, were both in that corrupted latin, that is, in the common language of the country. After the irruption of the barbarous nations who overturned the Roman empire, latin gradually ceaſed to be the language of any part of Europe. But the reverence of the people naturally preſerves the eſtabliſhed forms and ceremonies of religion, long after the circumſtances which firſt introduced and rendered them reaſonable are no more. Though latin, therefore, was no longer underſtood any where by the great body of the people, the whole ſervice of the church ſtill continued to be performed in that language. Two different languages were thus eſtabliſhed in Europe, in the ſame manner as in antient Egypt; a language of the prieſts, and a language of the people; a ſacred and a profane; a learned and an unlearned language. But it was neceſſary that the prieſts ſhould underſtand ſomething of that ſacred and learned language in which they were to officiate; and the ſtudy of the latin language therefore made from the beginning an eſſential part of univerſity education.

It was not ſo with that either of the Greek or of the Hebrew language. The infallible decrees of the church had pronounced the

BOOK V.

the latin tranſlation of the Bible, commonly called the Latin Vulgate, to have been equally dictated by divine inſpiration, and therefore of equal authority with the Greek and Hebrew originals. The knowledge of thoſe two languages, therefore, not being indiſpenſibly requiſite to a churchman, the ſtudy of them did not for a long time make a neceſſary part of the common courſe of univerſity education. There are ſome Spaniſh univerſities, I am aſſured, in which the ſtudy of the Greek language has never yet made any part of that courſe. The firſt reformers found the Greek text of the new teſtament and even the Hebrew text of the old more favourable to their opinions than the vulgate tranſlation, which, as might naturally be ſuppoſed, had been gradually accommodated to ſupport the doctrines of the catholic church. They ſet themſelves therefore to expoſe the many errors of that tranſlation, which the Roman catholic clergy were thus put under the neceſſity of defending or explaining. But this could not well be done without ſome knowledge of the original languages, of which the ſtudy was therefore gradually introduced into the greater part of univerſities; both of thoſe which embraced and of thoſe which rejected the doctrines of the reformation. The Greek language was connected with every part of that claſſical learning, which, though at firſt principally cultivated by catholics and Italians, happened to come into faſhion much about the ſame time that the doctrines of the reformation were ſet on foot. In the greater part of univerſities therefore that language was taught previous to the ſtudy of philoſophy, and as ſoon as the ſtudent had made ſome progreſs in the latin. The Hebrew language having no connection with claſſical learning, and, except the holy ſcriptures, being the language of not a ſingle book in any eſteem, the ſtudy of it did not commonly commence till after that of philoſophy, and when the ſtudent had entered upon the ſtudy of theology.

ORIGINALLY

CHAP. I.

ORIGINALLY the firſt rudiments both of the Greek and Latin languages were taught in univerſities, and they ſtill continue to be ſo in ſome univerſities. In others it is expected that the ſtudent ſhould have previouſly acquired at leaſt the rudiments of one or both of thoſe languages, of which the ſtudy continues to make every where a very conſiderable part of univerſity education.

THE antient Greek philoſophy was divided into three great branches; phyſics, or natural philoſophy; ethics, or moral philoſophy; and logic. This general diviſion ſeems perfectly agreeable to the nature of things.

THE great phenomena of nature, the revoluſion of the heavenly bodies, eclipſes, comets, thunder, lightning, and other extraordinary meteors, the generation, the life, growth, and diſſolution of plants and animals, are objects which, as they naturally excite the wonder, ſo they neceſſarily call forth the curioſity of mankind to enquire into their cauſes. Superſtition firſt attempted to ſatisfy this curioſity by referring all thoſe wonderful appearances to the immediate agency of the gods. Philoſophy afterwards endeavoured to account for them, from more familiar cauſes, or from ſuch as mankind were better acquainted with, than the agency of the gods. As thoſe great phenomena are the firſt objects of human curioſity, ſo the ſcience which pretends to explain them muſt naturally have been the firſt branch of philoſophy that was cultivated. The firſt philoſophers accordingly of whom hiſtory has preſerved any account, appear to have been natural philoſophers.

IN every age and country of the world men muſt have attended to the characters, deſigns, and actions of one another, and many reputable rules and maxims for the conduct of human life, muſt have been laid down and approved of by common conſent. As

ſoon

BOOK V.

ſoon as writing came into faſhion, wiſe men, or thoſe who fancied themſelves ſuch, would naturally endeavour to increaſe the number of thoſe eſtabliſhed and reſpected maxims, and to expreſs their own ſenſe of what was either proper or improper conduct, ſometimes in the more artificial form of apologues, like what are called the fables of Æſop; and ſometimes in the more ſimple one of apophthegms, or wiſe ſayings, like the Proverbs of Solomon, the verſes of Theognis and Phocyllides, and ſome part of the works of Heſiod. They might continue in this manner for a long time merely to multiply the number of thoſe maxims of prudence and morality, without even attempting to arrange them in any very diſtinct or methodical order, much leſs to connect them together by one or more general principles, from which they were all deducible like effects from their natural cauſes. The beauty of a ſyſtematical arrangement of different obſervations connected by a few common principles, was firſt ſeen in the rude eſſays of thoſe antient times towards a ſyſtem of natural philoſophy. Something of the ſame kind was afterwards attempted in morals. The maxims of common life were arranged in ſome methodical order, and connected together by a few common principles, in the ſame manner as they had attempted to arrange and connect the phenomena of nature. The ſcience which pretends to inveſtigate and explain thoſe connecting principles, is what is properly called moral philoſophy.

DIFFERENT authors gave different ſyſtems both of natural and moral philoſophy. But the arguments by which they ſupported thoſe different ſyſtems, far from being always demonſtrations, were frequently at beſt but very ſlender probabilities, and ſometimes mere ſophiſms, which had no other foundation but the inaccuracy and ambiguity of common language. Speculative ſyſtems have in all ages of the world been adopted for reaſons too frivolous to have determined the judgement of any man of common ſenſe, in a matter

CHAP. I.

a matter of the ſmalleſt pecuniary intereſt. Groſs ſophiſtry has ſcarce ever had any influence upon the opinions of mankind, except in matters of philoſophy and ſpeculation; and in theſe it has frequently had the greateſt. The patrons of each ſyſtem of natural and moral philoſophy naturally endeavoured to expoſe the weakneſs of the arguments adduced to ſupport the ſyſtems which were oppoſite to their own. In examining thoſe arguments, they were neceſſarily led to conſider the difference between a probable and a demonſtrative argument, between a fallacious and a concluſive one; and Logic, or the ſcience of the general principles of good and bad reaſoning, neceſſarily aroſe out of the obſervations which a ſcrutiny of this kind gave occaſion to. Though in its origin poſterior both to phyſics and to ethics, it was commonly taught, not indeed in all, but in the greater part of the antient ſchools of philoſophy, previouſly to either of thoſe ſciences. The ſtudent, it ſeems to have been thought, ought to underſtand well the difference between good and bad reaſoning, before he was led to reaſon upon ſubjects of ſo great importance.

THIS antient diviſion of philoſophy into three parts was in the greater part of the univerſities of Europe, changed for another into five.

IN the antient philoſophy, whatever was taught concerning the nature either of the human mind or of the Deity, made a part of the ſyſtem of phyſics. Thoſe beings, in whatever their eſſence might be ſuppoſed to conſiſt, were parts of the great ſyſtem of the univerſe, and parts too productive of the moſt important effects. Whatever human reaſon could either conclude or conjecture concerning them made, as it were, two chapters, though no doubt two very important ones, of the ſcience which pretended to give an account of the origin and revolutions of the great ſyſtem

BOOK V.

of the univerſe. But in the univerſities of Europe, where philoſophy was taught only as ſubſervient to theology, it was natural to dwell longer upon thoſe two chapters than upon any other of the ſcience. Thoſe two chapters were gradually more and more extended, and were divided into many inferior chapters, till at laſt the doctrine of ſpirits, of which ſo little can be known, came to take up as much room in the ſyſtem of philoſophy as the doctrine of bodies, of which ſo much can be known. The doctrines concerning thoſe two ſubjects were conſidered as making two diſtinct ſciences. What was called Metaphyſics or Pneumatics was ſet in oppoſition to Phyſics, and was cultivated not only as the more ſublime, but, for the purpoſes of a particular profeſſion, as the more uſeful ſcience of the two. The proper ſubject of experiment and obſervation, a ſubject in which a careful attention is capable of making ſo many uſeful diſcoveries, was almoſt entirely neglected. The ſubject in which, after a few very ſimple and almoſt obvious truths, the moſt careful attention can diſcover nothing but obſcurity and uncertainty, and can conſequently produce nothing but ſubtleties and ſophiſms, was greatly cultivated.

When thoſe two ſciences had thus been ſet in oppoſition to one another, the compariſon between them naturally gave birth to a third, to what was called Ontology, or the ſcience which treated of the qualities and attributes which were common to both the ſubjects of the other two ſciences. But if ſubtleties and ſophiſms compoſed the greater part of the Metaphyſics or Pneumatics of the ſchools, they compoſed the whole of this cobweb ſcience of Ontology, which was likewiſe ſometimes called Metaphyſics.

Wherein conſiſted the happineſs and perfection of a man, conſidered not only as an individual, but as the member of a family, of a ſtate, and of the great ſociety of mankind, was the object

CHAP. I.

object which the antient moral philoſophy propoſed to inveſtigate. In that philoſophy the duties of human life were treated of as ſubſervient to the happineſs and perfection of human life. But when moral, as well as natural philoſophy, came to be taught only as ſubſervient to theology, the duties of human life were treated of as chiefly ſubſervient to the happineſs of a life to come. In the antient philoſophy the perfection of virtue was repreſented as neceſſarily productive, to the perſon who poſſeſſed it, of the moſt perfect happineſs in this life. In the modern philoſophy it was frequently repreſented as generally, or rather as almoſt always inconſiſtent with any degree of happineſs in this life; and heaven was to be earned only by penance and mortification, by the auſterities and abaſement of a monk; not by the liberal, generous, and ſpirited conduct of a man. Caſuiſtry and an aſcetic morality made up in moſt caſes the greater part of the moral philoſophy of the ſchools. By far the moſt important of all the different branches of philoſophy, became in this manner by far the moſt corrupted.

Such, therefore, was the common courſe of philoſophical education in the greater part of the univerſities of Europe. Logic was taught firſt: Ontology came in the ſecond place: Pneumatology, comprehending the doctrine concerning the nature of the human ſoul and of the Deity, in the third: In the fourth followed a debaſed ſyſtem of Moral philoſophy, which was conſidered as immediately connected with the doctrines of Pneumatology, with the immortality of the human ſoul, and with the rewards and puniſhments which, from the juſtice of the Deity, were to be expected in a life to come: A ſhort and ſuperficial ſyſtem of Phyſics uſually concluded the courſe.

The alterations which the univerſities of Europe thus introduced into the antient courſe of philoſophy, were all meant for the

BOOK V.

education of eccleſiaſtics, and to render it a more proper introduction to the ſtudy of theology. But the additional quantity of ſubtlety and ſophiſtry; the caſuiſtry and the aſcetic morality which thoſe alterations introduced into it, certainly did not render it more proper for the education of gentlemen or men of the world, or more likely either to improve the underſtanding, or to mend the heart.

THIS courſe of philoſophy is what ſtill continues to be taught in the greater part of the univerſities of Europe; with more or leſs diligence, according as the conſtitution of each particular univerſity happens to render diligence more or leſs neceſſary to the teachers. In ſome of the richeſt and beſt endowed univerſities the tutors content themſelves with teaching a few unconnected ſhreds and parcels of this corrupted courſe; and even theſe they commonly teach very negligently and ſuperficially.

THE improvements which, in modern times, have been made in ſeveral different branches of philoſophy, have not, the greater part of them, been made in univerſities; though ſome no doubt have. The greater part of univerſities have not even been very forward to adopt thoſe improvements after they were made; and ſeveral of thoſe learned ſocieties have choſen to remain for a long time the ſanctuaries in which exploded ſyſtems and obſolete prejudices found ſhelter and protection, after they had been hunted out of every other corner of the world. In general, the richeſt and beſt endowed univerſities have been the ſloweſt in adopting thoſe improvements, and the moſt averſe to permit any conſiderable change in the eſtabliſhed plan of education. Thoſe improvements were more eaſily introduced into ſome of the poorer univerſities, in which the teachers, depending upon their reputation for the greater part of their ſubſiſtence, were obliged to pay more attention to the current opinions of the world.

CHAP. I.

BUT though the publick ſchools and univerſities of Europe were originally intended only for the education of a particular profeſſion, that of churchmen; and though they were not always very diligent in inſtructing their pupils even in the ſciences which were ſuppoſed neceſſary for that profeſſion, yet they gradually drew to themſelves the education of almoſt all other people, particularly of almoſt all gentlemen and men of fortune. No better method, it ſeems, could be fallen upon of ſpending, with any advantage, the long interval between infancy and that period of life at which men begin to apply in good earneſt to the real buſineſs of the world, the buſineſs which is to employ them during the remainder of their days. The greater part of what is taught in ſchools and univerſities, however, does not ſeem to be the moſt proper preparation for that buſineſs.

IN England, it becomes every day more and more the cuſtom to ſend young people to travel in foreign countries immediately upon their leaving ſchool, and without ſending them to any univerſity. Our young people, it is ſaid, generally return home much improved by their travels. A young man who goes abroad at ſeventeen or eighteen, and returns home at one and twenty, returns three or four years older than he was when he went abroad; and at that age it is very difficult not to improve a good deal in three or four years. In the courſe of his travels he generally acquires ſome knowledge of one or two foreign languages; a knowledge, however, which is ſeldom ſufficient to enable him either to ſpeak or write them with propriety. In other reſpects he commonly returns home more conceited, more unprincipled, more diſſipated, and more incapable of any ſerious application either to ſtudy or to buſineſs, than he could well have become in ſo ſhort a time had he lived at home. By travelling ſo very young, by ſpending in the moſt frivolous diſſipation the moſt precious years of his life, at a diſtance from the inſpec-

BOOK V.

tion and controul of his parents and relations, every uſeful habit which the earlier parts of his education might have had ſome tendency to form in him, inſtead of being rivetted and confirmed, is almoſt neceſſarily either weakened or effaced. Nothing but the diſcredit into which the univerſities are allowing themſelves to fall, could ever have brought into repute ſo very abſurd a practice as that of travelling at this early period of life. By ſending his ſon abroad, a father delivers himſelf, at leaſt for ſome time, from ſo diſagreeable an object as that of a ſon unemployed, neglected, and going to ruin before his eyes.

Such have been the effects of ſome of the modern inſtitutions for education.

Different plans and different inſtitutions for education ſeem to have taken place in other ages and nations.

In the republics of antient Greece, every free citizen was inſtructed, under the direction of the public magiſtrate, in gymnaſtic exerciſes and in muſic. By gymnaſtic exerciſes it was intended to harden his body, to ſharpen his courage, and to prepare him for the fatigues and dangers of war; and as the Greek militia was, by all accounts, one of the beſt that ever was in the world, this part of their public education muſt have anſwered completely the purpoſe for which it was intended. By the other part, muſic, it was propoſed, at leaſt by the philoſophers and hiſtorians who have given us an account of thoſe inſtitutions, to humanize the mind, to ſoften the temper, and to diſpoſe it for performing all the ſocial and moral duties both of public and private life.

In antient Rome the exerciſes of the Campus Martius anſwered the ſame purpoſe as thoſe of the Gymnazium in antient Greece, and

CHAP. I.

and they ſeem to have anſwered it equally well. But among the Romans there was nothing which correſponded to the muſical education of the Greeks. The morals of the Romans, however, both in private and public life, ſeem to have been not only equal, but, upon the whole, a good deal ſuperior to thoſe of the Greeks. That they were ſuperior in private life we have the expreſs teſtimony of Polybius and of Dionyſius of Halicarnaſſus; two authors well acquainted with both nations; and the whole tenor of the Greek and Roman hiſtory bears witneſs to the ſuperiority of the public morals of the Romans. The good temper and moderation of contending factions ſeems to be the moſt eſſential circumſtance in the public morals of a free people. But the factions of the Greeks were almoſt always violent and ſanguinary; whereas, till the time of the Gracchi, no blood had ever been ſhed in any Roman faction; and from the time of the Gracchi the Roman republic may be conſidered as in reality diſſolved. Notwithſtanding, therefore, the very reſpectable authority of Plato, Ariſtotle, and Polybius, and notwithſtanding the very ingenious reaſons by which Mr. Monteſquieu endeavours to ſupport that authority, it ſeems probable that the muſical education of the Greeks had no great effect in mending their morals, ſince, without any ſuch education, thoſe of the Romans were upon the whole ſuperior. The reſpect of thoſe antient ſages for the inſtitutions of their anceſtors had probably diſpoſed them to find much political wiſdom in what was, perhaps, merely an antient cuſtom, continued without interruption from the earlieſt period of thoſe ſocieties to the times in which they had arrived at a conſiderable degree of refinement. Muſic and dancing are the great amuſements of almoſt all barbarous nations, and the great accompliſhments which are ſuppoſed to fit any man for entertaining his ſociety. It is ſo at this day among the negroes on the coaſt of Africa. It was ſo among the antient Celtes, among the antient Scandinavians, and, as we may learn from Homer, among the

BOOK V.

the antient Greeks in the times preceding the Trojan war. When the Greek tribes had formed themſelves into little republics, it was natural that the ſtudy of thoſe accompliſhments ſhould for a long time make a part of the public and common education of the people.

THE maſters who inſtructed the young people either in muſic or in military exerciſes, do not ſeem to have been paid, or even appointed by the ſtate, either in Rome, or even in Athens, the Greek republic of whoſe laws and cuſtoms we are the beſt informed. The ſtate required that every free citizen ſhould fit himſelf for defending it in war, and ſhould, upon that account, learn his military exerciſes. But it left him to learn them of ſuch maſters as he could find, and it ſeems to have advanced nothing for this purpoſe but a public field or place of exerciſe, in which he ſhould practiſe and perform them.

IN the early ages both of the Greek and Roman republics, the other parts of education ſeem to have conſiſted in learning to read, write, and account, according to the arithmetic of the times. Theſe accompliſhments the richer citizens ſeem frequently to have acquired at home by the aſſiſtance of ſome domeſtic pedagogue, who was generally either a ſlave or a freed-man; and the poorer citizens in the ſchools of ſuch maſters as made a trade of teaching for hire. Such parts of education, however, were abandoned altogether to the care of the parents or guardians of each individual. It does not appear that the ſtate ever aſſumed any inſpection or direction of them. By a law of Solon, indeed, the children were acquitted from maintaining in their old age thoſe parents who had neglected to inſtruct them in ſome profitable trade or buſineſs.

IN the progreſs of refinement, when philoſophy and rhetoric came into faſhion, the better ſort of people uſed to ſend their children

dren to the ſchools of philoſophers and rhetoricians, in order to be inſtructed in thoſe faſhionable ſciences. But thoſe ſchools were not ſupported by the public. They were for a long time barely tolerated by it. The demand for philoſophy and rhetoric was for a long time ſo ſmall, that the firſt profeſſed teachers of either could not find conſtant employment in any one city, but were obliged to travel about from place to place. In this manner lived Zeno of Elea, Protagoras, Gorgias, Hippias, and many others. As the demand increaſed, the ſchools both of philoſophy and rhetoric became ſtationary; firſt in Athens, and afterwards in ſeveral other cities. The ſtate however ſeems never to have encouraged them further than by aſſigning to ſome of them a particular place to teach in, which was ſometimes done too by private donors. The ſtate ſeems to have aſſigned the Academy to Plato, the Lyceum to Ariſtotle, and the Portico to Zeno of Citta the founder of the Stoics. But Epicurus bequeathed his gardens to his own ſchool. Till about the time of Marcus Antoninus however, no teacher appears to have had any ſalary from the public, or to have had any other emoluments, but what aroſe from the honoraries or fees of his ſcholars. The bounty which that philoſophical emperor, as we learn from Lucian, beſtowed upon the teachers of philoſophy, probably laſted no longer than his own life. There was nothing equivalent to the privileges of graduation, and to have attended any of thoſe ſchools was not neceſſary, in order to be permitted to practiſe any particular trade or profeſſion. If the opinion of their own utility could not draw ſcholars to them, the law neither forced any body to go to them, nor rewarded any body for having gone to them. The teachers had no juriſdiction over their pupils, nor any other authority beſides that natural authority which ſuperior virtue and abilities never fail to procure from young people towards thoſe who are entruſted with any part of their education.

CHAP. I.

BOOK V.

At Rome, the ſtudy of the civil law made a part of the education, not of the greater part of the citizens, but of ſome particular families. The young people however, who wiſhed to acquire knowledge in the law, had no public ſchool to go to, and had no other method of ſtudying it than by frequenting the company of ſuch of their relations and friends, as were ſuppoſed to underſtand it. It is perhaps worth while to remark, that though the laws of the twelve tables were many of them copied from thoſe of ſome antient Greek republics, yet law never ſeems to have grown up to be a ſcience in any republic of antient Greece. In Rome it became a ſcience very early, and gave a conſiderable degree of illuſtration to thoſe citizens who had the reputation of underſtanding it. In the republics of antient Greece, particularly in Athens, the ordinary courts of juſtice conſiſted of numerous and therefore diſorderly bodies of people, who frequently decided almoſt at random, or as clamour, faction, and party ſpirit happened to determine. The ignominy of an unjuſt deciſion, when it was to be divided among five hundred, a thouſand, or fifteen hundred people, (for ſome of their courts were ſo very numerous) could not fall very heavy upon any individual. At Rome, on the contrary, the principal courts of juſtice conſiſted either of a ſingle judge, or of a ſmall number of judges, whoſe characters, eſpecially as they deliberated always in public, could not fail to be very much affected by any raſh or unjuſt deciſion. In doubtful caſes, ſuch courts, from their anxiety to avoid blame, would naturally endeavour to ſhelter themſelves under the example or precedent of the judges who had ſat before them either in the ſame or in ſome other court. This attention to practice and precedent neceſſarily formed the Roman law into that regular and orderly ſyſtem in which it has been delivered down to us; and the like attention has had the like effects upon the laws of every other country where ſuch attention has taken place. The ſuperiority of character in the Romans over that of the Greeks, ſo much

CHAP. I.

much remarked by Polybius and Dionyſius of Halicarnaſſus, was probably more owing to the better conſtitution of their courts of juſtice, than to any of the circumſtances to which thoſe authors aſcribe it. The Romans are ſaid to have been particularly diſtinguiſhed for their ſuperior reſpect to an oath. But the people who were accuſtomed to make oath only before ſome diligent and well informed court of juſtice, would naturally be much more attentive to what they ſwore, than they who were accuſtomed to do the ſame thing before mobbiſh and diſorderly aſſemblies.

The abilities both civil and military of the Greeks and Romans will readily be allowed to have been at leaſt equal to thoſe of any modern nation. Our prejudice is perhaps rather to over-rate them. But except in what related to military exerciſes, the ſtate ſeems to have been at no pains to form thoſe great abilities: for I cannot be induced to believe that the muſical education of the Greeks could be of much conſequence in forming them. Maſters, however, had been found, it ſeems, for inſtructing the better ſort of people among thoſe nations in every art and ſcience in which the circumſtances of their ſociety rendered it neceſſary or convenient for them to be inſtructed. The demand for ſuch inſtruction produced, what it always produces, the talent for giving it; and the emulation which an unreſtrained competition never fails to excite, appears to have brought that talent to a very high degree of perfection. In the attention which the antient philoſophers excited, in the empire which they acquired over the opinions and principles of their auditors, in the faculty which they poſſeſſed of giving a certain tone and character to the conduct and converſation of thoſe auditors; they appear to have been much ſuperior to any modern teachers. In modern times, the diligence of public teachers is more or leſs corrupted by the circumſtances, which render them more or leſs independent of their ſucceſs and reputation in their particular profeſſions. Their ſalaries too put the private teacher, who would pretend to come into competition with

BOOK V.

them, in the ſame ſtate with a merchant who attempts to trade without a bounty, in competition with thoſe who trade with a conſiderable one. If he ſells his goods at nearly the ſame price, he cannot have the ſame profit, and poverty and beggary at leaſt, if not bankruptcy and ruin, will infallibly be his lot. If he attempts to ſell them much dearer, he is likely to have ſo few cuſtomers that his circumſtances will not be much mended. The privileges of graduation, beſides, are in many countries neceſſary, or at leaſt extremely convenient to moſt men of learned profeſſions, that is, to the far greater part of thoſe who have occaſion for a learned education. But thoſe privileges can be obtained only by attending the lectures of the public teachers. The moſt careful attendance upon the ableſt inſtructions of any private teacher, cannot always give any title to demand them. It is from theſe different cauſes that the private teacher of any of the ſciences which are commonly taught in univerſities, is in modern times generally conſidered as in the very loweſt order of men of letters. A man of real abilities can ſcarce find out a more humiliating or a more unprofitable employment to turn them to. The endowments of ſchools and colleges have in this manner not only corrupted the diligence of public teachers, but have rendered it almoſt impoſſible to have any good private ones.

WERE there no public inſtitutions for education, no ſyſtem, no ſcience would be taught for which there was not ſome demand; or which the circumſtances of the times did not render it, either neceſſary, or convenient, or at leaſt faſhionable to learn. A private teacher could never find his account in teaching either an exploded and antiquated ſyſtem of a ſcience acknowleged to be uſeful, or a ſcience univerſally believed to be a mere uſeleſs and pedantic heap of ſophiſtry and nonſenſe. Such ſyſtems, ſuch ſciences, can ſubſiſt no where but in thoſe incorporated ſocieties for education whoſe proſperity and revenue are in a great meaſure independent of their reputation, and altogether

CHAP. I.

gether independent of their induſtry. Were there no public inſtitutions for education, a gentleman, after going through with application and abilities the moſt complete courſe of education, which the circumſtances of the times were ſuppoſed to afford, could not come into the world completely ignorant of every thing which is the common ſubject of converſation among gentlemen and men of the world.

THERE are no public inſtitutions for the education of women, and there is accordingly nothing uſeleſs, abſurd, or fantaſtical in the common courſe of their education. They are taught what their parents or guardians judge it neceſſary or uſeful for them to learn; and they are taught nothing elſe. Every part of their education tends evidently to ſome uſeful purpoſe; either to improve the natural attractions of their perſon, or to form their mind to reſerve, to modeſty, to chaſtity, and to oeconomy: to render them both likely to become the miſtreſſes of a family, and to behave properly when they have become ſuch. In every part of her life a woman feels ſome conveniency or advantage from every part of her education. It ſeldom happens that a man in any part of his life derives any conveniency or advantage from ſome of the moſt laborious and troubleſome parts of his education.

OUGHT the public, therefore, to give no attention, it may be aſked, to the education of the people? Or if it ought to give any, what are the different parts of education which it ought to attend to in the different orders of the people? and in what manner ought it to attend to them?

IN ſome caſes the ſtate of the ſociety neceſſarily places the greater part of individuals in ſuch ſituations as naturally form in them, without any attention of government, almoſt all the abilities and virtues which that ſtate requires, or perhaps can admit of;

BOOK V.

of. In other cafes the ſtate of the ſociety does not place the greater part of individuals in ſuch ſituations, and ſome attention of government is neceſſary in order to prevent the almoſt entire corruption and degeneracy of the great body of the people.

In the progreſs of the diviſion of labour, the employment of the far greater part of thoſe who live by labour, that is, of the great body of the people, comes to be confined to a very few ſimple operations; frequently to one or two. But the underſtandings of the greater part of men are neceſſarily formed by their ordinary employments. The man whoſe whole life is ſpent in performing a few ſimple operations, of which the effects too are, perhaps, always the ſame, or very nearly the ſame, has no occaſion to exert his underſtanding, or to exerciſe his invention in finding out expedients for removing difficulties which never occur. He naturally loſes, therefore, the habit of ſuch exertion, and generally becomes as ſtupid and ignorant as it is poſſible for a human creature to become. The torpor of his mind renders him, not only incapable of reliſhing or bearing a part in any rational converſation, but of conceiving any generous, noble, or tender ſentiment, and conſequently of forming any juſt judgement concerning many even of the ordinary duties of private life. Of the great and extenſive intereſts of his country, he is altogether incapable of judging; and unleſs very particular pains have been taken to render him otherwiſe, he is equally incapable of defending his country in war. The uniformity of his ſtationary life naturally corrupts the courage of his mind, and makes him regard with abhorrence the irregular, uncertain, and adventurous life of a ſoldier. It corrupts even the activity of his body, and renders him incapable of exerting his ſtrength with vigour and perſeverance in any other employment than that to which he has been bred. His dexterity at his own particular trade ſeems in this manner to be acquired at the expence of his intellectual,

CHAP. I.

ſocial, and martial virtues. But in every improved and civilized ſociety this is the ſtate into which the labouring poor, that is, the great body of the people, muſt neceſſarily fall, unleſs government takes ſome pains to prevent it.

It is otherwiſe in the barbarous ſocieties, as they are commonly called, of hunters, of ſhepherds, and even of huſbandmen in that rude ſtate of huſbandry which precedes the improvement of manufactures, and the extenſion of foreign commerce. In ſuch ſocieties the varied occupations of every man oblige every man to exert his capacity, and to invent expedients for removing difficulties which are continually occurring. Invention is kept alive, and the minds of men are not ſuffered to fall into that drowſy ſtupidity which in a civilized ſociety ſeems to benumb the underſtanding of almoſt all the inferior ranks of people. In thoſe barbarous ſocieties, as they are called, every man, it has already been obſerved, is a warrior. Every man too is in ſome meaſure a ſtateſman, and can form a tolerable judgement concerning the intereſt of the ſociety, and the conduct of thoſe who govern it. How far their chiefs are good judges in peace, or good leaders in war, is obvious to the obſervation of almoſt every ſingle man among them. In ſuch a ſociety indeed, no man can well acquire that improved and refined underſtanding which a few men ſometimes poſſeſs in a more civilized ſtate. Though in a rude ſociety there is a good deal of variety in the occupations of every individual, there is not a great deal in thoſe of the whole ſociety. Every man does, or is capable of doing, almoſt every thing which any other man does or is capable of doing. Every man has a conſiderable degree of knowledge, ingenuity and invention; but ſcarce any man has a great degree. The degree, however, which is commonly poſſeſſed, is generally ſufficient for conducting the whole ſimple buſineſs of the ſociety. In a civilized ſtate, on the contrary, though there is little variety in the occupations of the

BOOK V.

greater part of individuals, there is an almoſt infinite variety in thoſe of the whole ſociety. Theſe varied occupations preſent an almoſt infinite variety of objects to the contemplation of thoſe few who, being attached to no particular occupation themſelves, have leiſure and inclination to examine the occupations of other people. The contemplation of ſo great a variety of objects neceſſarily exerciſes their minds in endleſs compariſons and combinations, and renders their underſtandings in an extraordinary degree both acute and comprehenſive. Unleſs thoſe few, however, happen to be placed in ſome very particular ſituations, their great abilities, though honourable to themſelves, may contribute very little to the good government or happineſs of their ſociety. Notwithſtanding the great abilities of thoſe few, all the nobler parts of the human character may be in a great meaſure obliterated and extinguiſhed in the great body of the people.

THE education of the common people requires, perhaps, in a civilized and commercial ſociety, the attention of the public more than that of people of ſome rank and fortune. People of ſome rank and fortune are generally eighteen or nineteen years of age before they enter upon that particular buſineſs, profeſſion, or trade, by which they propoſe to diſtinguiſh themſelves in the world. They have before that full time to acquire, or at leaſt to fit themſelves for afterwards acquiring, every accompliſhment which can recommend them to the public eſteem, or render them worthy of it. Their parents or guardians are generally ſufficiently anxious that they ſhould be ſo accompliſhed, and are in moſt caſes willing enough to lay out the expence which is neceſſary for that purpoſe. If they are not always properly educated, it is ſeldom from the want of expence laid out upon their education; but from the improper application of that expence. It is ſeldom from the want of maſters; but from the negligence and incapacity of the maſters who are to be had, and

CHAP. I.

from the difficulty, or rather from the impoſſibility which there is in the preſent ſtate of things of finding any better. The employments too in which people of ſome rank or fortune ſpend the greater part of their lives are not, like thoſe of the common people, ſimple and uniform. They are almoſt all of them extremely complicated, and ſuch as exerciſe the head more than the hands. The underſtandings of thoſe who are engaged in ſuch employments can ſeldom grow torpid from want of exerciſe. The employments of people of ſome rank and fortune, beſides, are ſeldom ſuch as harraſs them from morning to night. They generally have a good deal of leiſure, during which they may perfect themſelves in every branch either of uſeful or ornamental knowledge of which they may have laid the foundation, or for which they may have acquired ſome taſte in the earlier part of life.

IT is otherwiſe with the common people. They have little time to ſpare for education. Their parents can ſcarce afford to maintain them even in infancy. As ſoon as they are able to work, they muſt apply to ſome trade by which they can earn their ſubſiſtence. That trade too is generally ſo ſimple and uniform as to give little exerciſe to the underſtanding, while at the ſame time their labour is both ſo conſtant and ſo ſevere, that it leaves them little leiſure and leſs inclination to apply to, or even to think of any thing elſe.

BUT though the common people cannot in any civilized ſociety be ſo well inſtructed as people of ſome rank and fortune, the moſt eſſential parts of education, however, to read, write, and account, can be acquired at ſo early a period of life, that the greater part even of thoſe who are to be bred to the loweſt occupations, have time to acquire them before they can be employed in thoſe occupations. For a very ſmall expence the public can facilitate, can encourage, and can even impoſe upon almoſt the whole body of

BOOK V.

the people, the neceſſity of acquiring thoſe moſt eſſential parts of education.

THE public can facilitate this acquiſition by eſtabliſhing in every pariſh or diſtrict a little ſchool, where children may be taught for a reward ſo moderate, that even a common labourer may afford it; the maſter being partly, but not wholly paid by the public; becauſe if he was wholly, or even principally paid by it, he would ſoon learn to neglect his buſineſs. In Scotland the eſtabliſhment of ſuch pariſh ſchools has taught almoſt the whole common people to read, and a very great proportion of them to write and account. In England the eſtabliſhment of charity ſchools has had an effect of the ſame kind, though not ſo univerſally, becauſe the eſtabliſhment is not ſo univerſal. If in thoſe little ſchools the books by which the children are taught to read were a little more inſtructive than they commonly are; and if, inſtead of the little ſmattering of Latin, which the children of the common people are ſometimes taught there, and which can ſcarce ever be of any uſe to them, they were inſtructed in the elementary parts of geometry and mechanics, the literary education of this rank of people would perhaps be as complete as it is capable of being. There is ſcarce a common trade which does not afford ſome opportunities of applying to it the principles of geometry and mechanics, and which would not therefore gradually exerciſe and improve the common people in thoſe principles, the neceſſary introduction to the moſt ſublime as well as to the moſt uſeful ſciences.

THE public can encourage the acquiſition of thoſe moſt eſſential parts of education by giving ſmall premiums, and little badges of diſtinction, to the children of the common people who excel in them.

THE public can impoſe upon almoſt the whole body of the people the neceſſity of acquiring thoſe moſt eſſential parts of education, by obliging every man to undergo an examination or probation in them before

before he can obtain the freedom in any corporation, or be allowed to ſet up any trade either in a village or town corporate. CHAP. I.

IT was in this manner, by facilitating the acquiſition of their military and gymnaſtic exerciſes, by encouraging it, and even by impoſing upon the whole body of the people the neceſſity of learning thoſe exerciſes, that the Greek and Roman republics maintained the martial ſpirit of their reſpective citizens. They facilitated the acquiſition of thoſe exerciſes by appointing a certain place for learning and practiſing them, and by granting to certain maſters the privilege of teaching in that place. Thoſe maſters do not appear to have had either ſalaries or excluſive privileges of any kind. Their reward conſiſted altogether in what they got from their ſcholars; and a citizen who had learnt his exerciſes in the public Gymnaſia, had no ſort of legal advantage over one who had learnt them privately, provided the latter had learnt them equally well. Thoſe republics encouraged the acquiſition of thoſe exerciſes by beſtowing little premiums and badges of diſtinction upon thoſe who excelled in them. To have gained a prize in the Olympic, Iſthmian or Nemæan games, gave illuſtration not only to the perſon who gained it, but to his whole family and kindred. The obligation which every citizen was under to ſerve a certain number of years, if called upon, in the armies of the republic, ſufficiently impoſed the neceſſity of learning thoſe exerciſes without which he could not be fit for that ſervice.

THAT in the progreſs of improvement the practice of military exerciſes, unleſs government takes proper pains to ſupport it, goes gradually to decay, and, together with it, the martial ſpirit of the great body of the people, the example of modern Europe ſufficiently demonſtrates. But the ſecurity of every ſociety muſt always depend, more or leſs, upon the martial ſpirit of the great body of the people. In the preſent times, indeed, that martial ſpirit alone,

BOOK V.

and unſupported by a well diſciplined ſtanding army, would not perhaps be ſufficient for the defence and ſecurity of any ſociety. But where every citizen had the ſpirit of a ſoldier, a ſmaller ſtanding army would ſurely be requiſite. That ſpirit beſides would neceſſarily diminiſh very much the dangers to liberty, whether real or imaginary, which are commonly apprehended from a ſtanding army. As it would very much facilitate the operations of that army againſt a foreign invader, ſo it would obſtruct them as much if unfortunately they ſhould ever be directed againſt the conſtitution of the ſtate.

THE antient inſtitutions of Greece and Rome ſeem to have been much more effectual for maintaining the martial ſpirit of the great body of the people than the eſtabliſhment of what are called the militias of modern times. They were much more ſimple. When they were once eſtabliſhed, they executed themſelves, and it required little or no attention from government to maintain them in the moſt perfect vigour. Whereas to maintain even in tolerable execution the complex regulations of any modern militia, requires the continual and painful attention of government, without which they are conſtantly falling into total neglect and diſuſe. The influence beſides of the antient inſtitutions was much more univerſal. By means of them the whole body of the people was completely inſtructed in the uſe of arms. Whereas it is but a very ſmall part of them who can ever be ſo inſtructed by the regulations of any modern militia; except, perhaps, that of Switzerland. But a coward, a man incapable either of defending or of revenging himſelf, evidently wants one of the moſt eſſential parts of the character of a man. He is as much mutilated and deformed in his mind as another is in his body, who is either deprived of ſome of its moſt eſſential members, or has loſt the uſe of thoſe members. He is evidently the more wretched and miſerable of the two; becauſe happineſs and miſery,

CHAP. I.

miſery, which reſide altogether in the mind, muſt neceſſarily depend more upon the healthful or unhealthful, the mutilated or entire ſtate of the mind, than upon that of the body. Even though the martial ſpirit of the people were of no uſe towards the defence of the ſociety, yet to prevent that ſort of mental mutilation, deformity and wretchedneſs which cowardice neceſſarily involves in it, from ſpreading themſelves through the great body of the people, would ſtill deſerve the moſt ſerious attention of government; in the ſame manner as it would deſerve its moſt ſerious attention to prevent a leproſy or any other loathſome and offenſive diſeaſe, though neither mortal nor dangerous, from ſpreading itſelf among them; though perhaps no other public good might reſult from ſuch attention beſides the prevention of ſo great a public evil.

THE ſame thing may be ſaid of the groſs ignorance and ſtupidity which, in a civilized ſociety, ſeem ſo frequently to benumb the underſtandings of all the inferior ranks of people. A man, without the proper uſe of the intellectual faculties of a man, is, if poſſible, more contemptible than even a coward, and ſeems to be mutilated and deformed in a ſtill more eſſential part of the character of human nature. Though the ſtate was to derive no advantage from the inſtruction of the inferior ranks of people, it would ſtill deſerve its attention that they ſhould not be altogether uninſtructed. The ſtate, however, derives no inconſiderable advantage from their inſtruction. The more they are inſtructed, the leſs liable they are to the deluſions of enthuſiaſm and ſuperſtition, which, among ignorant nations, frequently occaſion the moſt dreadful diſorders. An inſtructed and intelligent people beſides are always more decent and orderly than an ignorant and ſtupid one. They feel themſelves each individually more reſpectable, and more likely to obtain the reſpect of their lawful ſuperiors, and they are therefore more diſpoſed to reſpect thoſe ſuperiors. They are more diſpoſed to

examine, and more capable of ſeeing through, the intereſted complaints of faction and ſedition, and they are, upon that account, leſs apt to be miſled into any wanton or unneceſſary oppoſition to the meaſures of government. In free countries, where the ſafety of government depends very much upon the favourable judgement which the people may form of its conduct, it muſt ſurely be of the higheſt importance that they ſhould not be diſpoſed to judge raſhly or capriciouſly concerning it.

ARTICLE III.

Of the Expence of the Inſtitutions for the Inſtruction of People of all Ages.

THE inſtitutions for the inſtruction of people of all ages are chiefly thoſe for religious inſtruction. This is a ſpecies of inſtruction of which the object is not ſo much to render the people good citizens in this world, as to prepare them for another and a better world in a life to come. The teachers of the doctrine which contains this inſtruction, in the ſame manner as other teachers, may either depend altogether for their ſubſiſtence upon the voluntary contributions of their hearers; or they may derive it from ſome other fund to which the law of their country may entitle them; ſuch as a landed eſtate, a tythe or land-tax, an eſtabliſhed ſalary or ſtipend. Their exertion, their zeal and induſtry, are likely to be much greater in the former ſituation than in the latter. In this reſpect the teachers of new religions have always had a conſiderable advantage in attacking thoſe antient and eſtabliſhed ſyſtems of which the clergy, repoſing themſelves upon their benefices, had neglected to keep up the fervour of faith and devotion in the great body of the people; and having given themſelves up to indolence, were become altogether incapable of making any vigorous exertion in defence even of their own eſtabliſhment. The clergy of an eſtabliſhed and well endowed religion frequently become men of learning and elegance, who poſſeſs all the virtues of gentlemen, or which can

can recommend them to the eſteem of gentlemen; but they are apt gradually to loſe the qualities, both good and bad, which gave them authority and influence with the inferior ranks of people, and which had perhaps been the original cauſes of the ſucceſs and eſtabliſhment of their religion. Such a clergy, when attacked by a ſet of popular and bold, though perhaps ſtupid and ignorant enthuſiaſts, feel themſelves as perfectly defenceleſs as the indolent, effeminate, and full-fed nations of the ſouthern parts of Aſia, when they were invaded by the active, hardy, and hungry Tartars of the North. Such a clergy, upon ſuch an emergency, have commonly no other reſource than to call upon the civil magiſtrate to perſecute, deſtroy, or drive out their adverſaries as diſturbers of the public peace. It was thus that the Roman catholic clergy called upon the civil magiſtrate to perſecute the proteſtants; and the church of England to perſecute the diſſenters; and that in general every religious ſect, when it has once enjoyed for a century or two the ſecurity of a legal eſtabliſhment, has found itſelf incapable of making any vigorous defence againſt any new ſect which choſe to attack its doctrine or diſcipline. Upon ſuch occaſions the advantage in point of learning and good writing may ſometimes be on the ſide of the eſtabliſhed church. But the arts of popularity, all the arts of gaining proſelytes, are conſtantly on the ſide of its adverſaries. In England thoſe arts have been long neglected by the well-endowed clergy of the eſtabliſhed church, and are at preſent chiefly culitvated by the diſſenters and by the methodiſts. The independent proviſions, however, which in many places have been made for diſſenting teachers, by means of voluntary ſubſcriptions, of truſt-rights, and other evaſions of the law, ſeem very much to have abated the zeal and activity of thoſe teachers. They have many of them become very learned, ingenious, and reſpectable men; but they have in general ceaſed to be very popular preachers. The methodiſts, without half the learning of the diſſenters, are much more in vogue.

BOOK V.

In the church of Rome the induſtry and zeal of the inferior clergy is kept more alive by the powerful motive of ſelf-intereſt than perhaps in any eſtabliſhed proteſtant church. The parochial clergy derive, many of them, a very conſiderable part of their ſubſiſtence from the voluntary oblations of the people; a ſource of revenue which confeſſion gives them many opportunities of improving. The mendicant orders derive their whole ſubſiſtence from ſuch oblations. It is with them, as with the huſſars and light infantry of ſome armies, no plunder, no pay. The parochial clergy are like thoſe teachers whoſe reward depends partly upon their ſalary, and partly upon the fees or honoraries which they get from their pupils, and theſe muſt always depend more or leſs upon their induſtry and reputation. The mendicant orders are like thoſe teachers whoſe ſubſiſtence depends altogether upon their induſtry. They are obliged, therefore, to uſe every art which can animate the devotion of the common people. The eſtabliſhment of the two great mendicant orders of St. Dominick and St. Francis, it is obſerved by Machiavel, revived, in the thirteenth and fourteenth centuries, the languiſhing faith and devotion of the catholic church. In Roman catholic countries the ſpirit of devotion is ſupported altogether by the monks and by the poorer parochial clergy. The great dignitaries of the church, with all the accompliſhments of gentlemen and men of the world, and ſometimes with thoſe of men of learning, are careful enough to maintain the neceſſary diſcipline over their inferiors, but ſeldom give themſelves any trouble about the inſtruction of the people.

"Most of the arts and profeſſions in a ſtate," ſays, by far the moſt illuſtrious philoſopher and hiſtorian of the preſent age, "are "of ſuch a nature, that, while they promote the intereſts of the "ſociety, they are alſo uſeful or agreeable to ſome individuals; "and in that caſe, the conſtant rule of the magiſtrate, except, "perhaps,

CHAP. I.

"perhaps, on the firſt introduction of any art, is, to leave the "profeſſion to itſelf, and truſt its encouragement to the indivi- "duals who reap the benefit of it. The artizans finding their "profits to riſe by the favour of their cuſtomers, increaſe, as "much as poſſible, their ſkill and induſtry; and as matters are "not diſturbed by any injudicious tampering, the commodity is "always ſure to be at all times nearly proportioned to the "demand.

"But there are alſo ſome callings, which, though uſeful and "even neceſſary in a ſtate, bring no advantage or pleaſure to any "individual, and the ſupreme power is obliged to alter its conduct "with regard to the retainers of thoſe profeſſions. It muſt give "them publick encouragement in order to their ſubſiſtence; and it "muſt provide againſt that negligence to which they will naturally "be ſubject, either by annexing particular honours to the profeſ- "ſion, by eſtabliſhing a long ſubordination of ranks and a ſtrict "dependance, or by ſome other expedient. The perſons employed "in the finances, fleets, and magiſtracy, are inſtances of this order "of men."

"It may naturally be thought, at firſt ſight, that the eccle- "ſiaſtics belong to the firſt claſs, and that their encouragement, as "well as that of lawyers and phyſicians, may ſafely be entruſted to "the liberality of individuals, who are attached to their doctrines, "and who find benefit or conſolation from their ſpiritual miniſtry "and aſſiſtance. Their induſtry and vigilance will, no doubt, be "whetted by ſuch an additional motive; and their ſkill in the "profeſſion, as well as their addreſs in governing the minds of the "people, muſt receive daily increaſe, from their increaſing practice, "ſtudy, and attention.

BOOK V.

"But if we conſider the matter more cloſely, we ſhall find, that "this intereſted diligence of the clergy is what every wiſe legiſlator "will ſtudy to prevent; becauſe in every religion except the true, "it is highly pernicious, and it has even a natural tendency to "pervert the true, by infuſing into it a ſtrong mixture of ſuper- "ſtition, folly, and deluſion. Each ghoſtly practitioner, in order "to render himſelf more precious and ſacred in the eyes of his "retainers, will inſpire them with the moſt violent abhorrence of "all other ſects, and continually endeavour, by ſome novelty, to "excite the languid devotion of his audience. No regard will be "paid to truth, morals, or decency in the doctrines inculcated. "Every tenet will be adopted that beſt ſuits the diſorderly affections "of the human frame. Cuſtomers will be drawn to each conven- "ticle by new induſtry and addreſs in practiſing on the paſſions "and credulity of the populace. And in the end, the civil "magiſtrate will find, that he has dearly paid for his pretended "frugality, in ſaving a fixed eſtabliſhment for the prieſts; and "that in reality the moſt decent and advantageous compoſition, "which he can make with the ſpiritual guides, is to bribe their "indolence, by aſſigning ſtated ſalaries to their profeſſion, and "rendering it ſuperfluous for them to be farther active, than "merely to prevent their flock from ſtraying in queſt of new "paſtures. And in this manner eccleſiaſtical eſtabliſhments, though "commonly they aroſe at firſt from religious views, prove in the "end advantageous to the political intereſts of ſociety."

But whatever may have been the good or bad effects of the independent proviſion of the clergy; it has, perhaps, been very ſeldom beſtowed upon them from any view to thoſe effects. Times of violent religious controverſy have generally been times of equally violent political faction. Upon ſuch occaſions each political party has either found it, or imagined it, for its intereſt to league "itſelf

CHAP. I.

itſelf with ſome one or other of the contending religious ſects. But this could be done only by adopting, or at leaſt by favouring, the tenets of that particular ſect. The ſect which had the good fortune to be leagued with the conquering party, neceſſarily ſhared in the victory of its ally, by whoſe favour and protection it was ſoon enabled in ſome degree to ſilence and ſubdue all its adverſaries. Thoſe adverſaries had generally leagued themſelves with the enemies of the conquering party, and were therefore the enemies of that party. The clergy of this particular ſect having thus become complete maſters of the field, and their influence and authority with the great body of the people being in its higheſt vigour, they were powerful enough to over-awe the chiefs and leaders of their own party, and to oblige the civil magiſtrate to reſpect their opinions and inclinations. Their firſt demand was generally, that he ſhould ſilence and ſubdue all their adverſaries; and their ſecond, that he ſhould beſtow an independent proviſion on themſelves. As they had generally contributed a good deal to the victory, it ſeemed not unreaſonable that they ſhould have ſome ſhare in the ſpoil. They were weary beſides of humouring the people, and of depending upon their caprice for a ſubſiſtence. In making this demand therefore they conſulted their own eaſe and comfort, without troubling themſelves about the effect which it might have in future times upon the influence and authority of their order. The civil magiſtrate, who could comply with this demand only by giving them ſomething which he would have choſen much rather to take or to keep to himſelf, was ſeldom very forward to grant it. Neceſſity, however, always forced him to ſubmit at laſt, though frequently not till after many delays, evaſions, and affected excuſes.

But if politics had never called in the aid of religion, had the conquering party never adopted the tenets of one ſect more than thoſe of another, when it had gained the victory, it would proba-

BOOK V.

bly have dealt equally and impartially with all the different ſects, and have allowed every man to chuſe his own prieſt and his own religion as he thought proper. There would in this caſe, no doubt, have been a great multitude of religious ſects. Almoſt every different congregation might probably have made a little ſect by itſelf, or have entertained ſome peculiar tenets of its own. Each teacher would no doubt have felt himſelf under the neceſſity of making the utmoſt exertion, and of uſing every art both to preſerve and to increaſe the number of his diſciples. But as every other teacher would have felt himſelf under the ſame neceſſity; the ſucceſs of no one teacher, or ſect of teachers, could have been very great. The intereſted and active zeal of religious teachers can be dangerous and troubleſome only where there is either but one ſect tolerated in the ſociety, or where the whole of a large ſociety is divided into two or three great ſects; the teachers of each ſect acting by concert, and under a regular diſcipline and ſubordination. But that zeal muſt be altogether innocent where the ſociety is divided into two or three hundred, or perhaps into as many thouſand ſmall ſects, of which no one could be conſiderable enough to diſturb the publick tranquillity. The teachers of each ſect, ſeeing themſelves ſurrounded on all ſides with more adverſaries than friends, would be obliged to learn that candour and moderation which is ſo ſeldom to be found among the teachers of thoſe great ſects, whoſe tenets being ſupported by the civil magiſtrate, are held in veneration by almoſt all the inhabitants of extenſive kingdoms and empires, and who therefore ſee nothing round them but followers, diſciples, and humble admirers. The teachers of each little ſect, finding themſelves almoſt alone, would be obliged to reſpect thoſe of almoſt every other ſect, and the conceſſions which they would mutually find it both convenient and agreeable to make to one another, might in time probably reduce the doctrine of the greater part of them to that pure and rational religion, free from every mixture of abſurdity, impoſture, or fanaticiſm,

CHAP. I.

fanaticiſm, ſuch as wiſe men have in all ages of the world wiſhed to ſee eſtabliſhed; but ſuch as poſitive law has perhaps never yet eſtabliſhed, and probably never will eſtabliſh in any country: becauſe with regard to religion, poſitive law always has been, and probably always will be, more or leſs influenced by popular ſuperſtition and enthuſiaſm. This plan of eccleſiaſtical government, or more properly of no eccleſiaſtical government, was what the ſect called independents, a ſect no doubt of very wild enthuſiaſts, propoſed to eſtabliſh in England towards the end of the civil war. If it had been eſtabliſhed, though of a very unphiloſophical origin, it would probably by this time have been productive of the moſt philoſophical good temper and moderation with regard to every ſort of religious principle. It has been eſtabliſhed in Penſylvania, where, though the quakers happen to be the moſt numerous ſect, the law in reality favours no one ſect more than another, and it is there ſaid to have been productive of this philoſophical good temper and moderation.

But though this equality of treatment ſhould not be productive of this good temper and moderation in all, or even in the greater part of the religious ſects of a particular country; yet provided thoſe ſects were ſufficiently numerous, and each of them conſequently too ſmall to diſturb the publick tranquillity, the exceſſive zeal of each ſect for its particular tenets, could not well be productive of any very hurtful effects, but, on the contrary, of ſeveral good ones: and if the government was perfectly decided both to let them all alone, and to oblige them all to let alone one another, there is little danger that they would not of their own accord ſubdivide themſelves faſt enough, ſo as ſoon to become ſufficiently numerous.

In every civilized ſociety, in every ſociety where the diſtinction of ranks has once been completely eſtabliſhed, there have been always

BOOK V.

always two different ſchemes or ſyſtems of morality current at the ſame time; of which the one may be called the ſtrict or auſtere; the other the liberal, or, if you will, the looſe ſyſtem. The former is generally admired and revered by the common people: The latter is commonly more eſteemed and adopted by what are called people of faſhion. The degree of diſapprobation with which we ought to mark the vices of levity, the vices which are apt to ariſe from great proſperity, and from the exceſs of gaiety and good humour, ſeems to conſtitute the principal diſtinction between thoſe two oppoſite ſchemes or ſyſtems. In the liberal or looſe ſyſtem, luxury, wanton and even diſorderly mirth, the purſuit of pleaſure to ſome degree of intemperance, the breach of chaſtity, at leaſt in one of the two ſexes, &c. provided they are not accompanied with groſs indecency, and do not lead to falſhood or injuſtice, are generally treated with a good deal of indulgence, and are eaſily either excuſed or pardoned altogether. In the auſtere ſyſtem, on the contrary, thoſe exceſſes are regarded with the utmoſt abhorrence and deteſtation. The vices of levity are always ruinous to the common people, and a ſingle week's thoughtleſneſs and diſſipation is often ſufficient to undo a poor workman for ever, and to drive him through deſpair upon committing the moſt enormous crimes. The wiſer and better ſort of the common people, therefore, have always the utmoſt abhorrence and deteſtation of ſuch exceſſes, which their experience tells them are ſo immediately fatal to people of their condition. The diſorder and extravagance of ſeveral years, on the contrary, will not always ruin a man of faſhion, and people of that rank are very apt to conſider the power of indulging in ſome degree of exceſs as one of the advantages of their fortune, and the liberty of doing ſo without cenſure or reproach, as one of the privileges which belong to their ſtation. In people of their own ſtation, therefore, they regard ſuch exceſſes with but a ſmall degree of diſapprobation, and cenſure them either very ſlightly or not at all.

CHAP. I.

ALMOST all religious ſects have begun among the common people, from whom they have generally drawn their earlieſt, as well as their moſt numerous proſelytes. The auſtere ſyſtem of morality has, accordingly, been adopted by thoſe ſects almoſt conſtantly, or with very few exceptions; for there have been ſome. It was the ſyſtem by which they could beſt recommend themſelves to that order of people to whom they firſt propoſed their plan of reformation upon what had been before eſtabliſhed. Many of them, perhaps the greater part of them, have even endeavoured to gain credit by refining upon this auſtere ſyſtem, and by carrying it to ſome degree of folly and extravagance; and this exceſſive rigour has frequently recommended them more than any thing elſe to the reſpect and veneration of the common people.

A MAN of rank and fortune is by his ſtation the diſtinguiſhed member of a great ſociety, who attend to every part of his conduct, and who thereby oblige him to attend to every part of it himſelf. His authority and conſideration depend very much upon the reſpect which this ſociety bears to him. He dare not do any thing which would diſgrace or diſcredit him in it, and he is obliged to a very ſtrict obſervation of that ſpecies of morals, whether liberal or auſtere, which the general conſent of this ſociety preſcribes to perſons of his rank and fortune. A man of low condition, on the contrary, is far from being a diſtinguiſhed member of any great ſociety. While he remains in a country village his conduct may be attended to, and he may be obliged to attend to it himſelf. In this ſituation, and in this ſituation only, he may have what is called a character to loſe. But as ſoon as he comes into a great city, he is ſunk in obſcurity and darkneſs. His conduct is obſerved and attended to by nobody, and he is therefore very likely to neglect it himſelf, and to abandon himſelf to every ſort of low profligacy and vice. He never emerges ſo effectually from this obſcurity, his conduct never excites ſo much

BOOK V.

the attention of any reſpectable ſociety, as by his becoming the member of a ſmall religious ſect. He from that moment acquires a degree of conſideration which he never had before. All his brother ſectaries are, for the credit of the ſect, intereſted to obſerve his conduct, and if he gives occaſion to any ſcandal, if he deviates very much from thoſe auſtere morals which they almoſt always require of one another, to puniſh him by what is always a very ſevere puniſhment, even where no civil effects attend it, expulſion or excommunication from the ſect. In little religious ſects, accordingly, the morals of the common people have been almoſt always remarkably regular and orderly; generally much more ſo than in the eſtabliſhed church. The morals of thoſe little ſects indeed have frequently been rather diſagreeably rigorous and unſocial.

THERE are two very eaſy and effectual remedies, however, by whoſe joint operation the ſtate might, without violence, correct whatever was unſocial or diſagreeably rigorous in the morals of all the little ſects into which the country was divided.

THE firſt of thoſe remedies is the ſtudy of ſcience and philoſophy, which the ſtate might render almoſt univerſal among all people of middling or more than middling rank and fortune; not by giving ſalaries to teachers in order to make them negligent and idle, but by inſtituting ſome ſort of probation, even in the higher and more difficult ſciences, to be undergone by every perſon before he was permitted to exerciſe any liberal profeſſion, or before he could be received as a candidate for any honourable office of truſt or profit. If the ſtate impoſed upon this order of men the neceſſity of learning, it would have no occaſion to give itſelf any trouble about providing them with proper teachers. They would ſoon find better teachers for themſelves than any whom the ſtate could provide for them. Science is the great

great antidote to the poiſon of enthuſiaſm and ſuperſtition; and where all the ſuperior ranks of people were ſecured from it, the inferior ranks could not be much expoſed to it. CHAP. I.

THE ſecond of thoſe remedies is the frequency and gaiety of public diverſions. The ſtate, by encouraging, that is by giving entire liberty to all thoſe who for their own intereſt would attempt, without ſcandal or indecency, to amuſe and divert the people by painting, poetry, muſic, dancing; by all ſorts of dramatic repreſentations and exhibitions, would eaſily diſſipate in the greater part of them that melancholy and gloomy humour which is almoſt always the nurſe of popular ſuperſtition and enthuſiaſm. Public diverſions have always been the objects of dread and hatred, to all the fanatical promoters of thoſe popular frenzies. The gaiety and good humour which thoſe diverſions inſpire were altogether inconſiſtent with that temper of mind, which was fitteſt for their purpoſe, or which they could beſt work upon. Dramatic repreſentations beſides, frequently expoſing their artifices to public ridicule, and ſometimes even to public execration, were upon that account more than all other diverſions the objects of their peculiar abhorrence.

IN a country where the law favoured the teachers of no one religion more than thoſe of another, it would not be neceſſary that any of them ſhould have any particular or immediate dependency upon the ſovereign or executive power; or that he ſhould have any thing to do either in appointing or in diſmiſſing them from their offices. In ſuch a ſituation he would have no occaſion to give himſelf any concern about them, further than to keep the peace among them in the ſame manner as among the reſt of his ſubjects; that is, to hinder them from perſecuting, abuſing, or oppreſſing one another. But it is quite otherwiſe in countries where there is an eſtabliſhed or

governing religion. The ſovereign can in this caſe never be ſecure, unleſs he has the means of influencing in a conſiderable degree the greater part of the teachers of that religion.

THE clergy of every eſtabliſhed church conſtitute a great incorporation. They can act in concert, and purſue their intereſt upon one plan and with one ſpirit, as much as if they were under the direction of one man; and they are frequently too under ſuch direction. Their intereſt as an incorporated body is never the ſame with that of the ſovereign, and is ſometimes directly oppoſite to it. Their great intereſt is to maintain their authority with the people; and this authority depends upon the ſuppoſed certainty and importance of the whole doctrine which they inculcate, and upon the ſuppoſed neceſſity of adopting every part of it with the moſt implicit faith, in order to avoid eternal miſery. Should the ſovereign have the imprudence to appear either to deride or doubt himſelf of the moſt trifling part of their doctrine, or from humanity attempt to protect thoſe who did either the one or the other, the punctilious honour of a clergy who have no ſort of dependency upon him, is immediately provoked to proſcribe him as a profane perſon, and to employ all the terrors of religion in order to oblige the people to transfer their allegiance to ſome more orthodox and obedient prince. Should he oppoſe any of their pretenſions or uſurpations, the danger is equally great. The princes who have dared in this manner to rebel againſt the church, over and above this crime of rebellion, have generally been charged too with the additional crime of hereſy, notwithſtanding their ſolemn proteſtations of their faith and humble ſubmiſſion to every tenet which ſhe thought proper to preſcribe to them. But the authority of religion is ſuperior to every other authority. The fears which it ſuggeſts conquer all other fears. When the authoriſed teachers of religion propagate through the great body of the people

people doctrines ſubverſive of the authority of the ſovereign, it is by violence only, or by the force of a ſtanding army, that he can maintain his authority. Even a ſtanding army cannot in this caſe give him any laſting ſecurity; becauſe if the ſoldiers are not foreigners, which can ſeldom be the caſe, but drawn from the great body of the people, which muſt almoſt always be the caſe, they are likely to be ſoon corrupted by thoſe very doctrines. The revolutions which the turbulence of the Greek clergy was continually occaſioning at Conſtantinople as long as the eaſtern empire ſubſiſted; the convulſions which, during the courſe of ſeveral centuries, the turbulence of the Roman clergy was continually occaſioning in every part of Europe, ſufficiently demonſtrate how precarious and inſecure muſt always be the ſituation of the ſovereign who has no proper means of influencing the clergy of the eſtabliſhed and governing religion of his country.

ARTICLES of faith, as well as all other ſpiritual matters, it is evident enough, are not within the proper department of a temporal ſovereign, who, though he may be very well qualified for protecting, is ſeldom ſuppoſed to be ſo for inſtructing the people. With regard to ſuch matters, therefore, his authority can ſeldom be ſufficient to counterbalance the united authority of the clergy of the eſtabliſhed church. The public tranquillity, however, and his own ſecurity, may frequently depend upon the doctrines which they may think proper to propagate concerning ſuch matters. As he can ſeldom directly oppoſe their deciſion, therefore, with proper weight and authority, it is neceſſary that he ſhould be able to influence it; and he can influence it only by the fears and expectations which he may excite in the greater part of the individuals of the order. Thoſe fears and expectations may conſiſt in the fear of deprivation or other puniſhment, and in the expectation of further preferment.

BOOK V.

In all christian churches the benefices of the clergy are a sort of freeholds which they enjoy, not during pleasure, but during life, or good behaviour. If they held them by a more precarious tenure, and were liable to be turned out upon every slight disobligation either of the sovereign or of his ministers, it would perhaps be impossible for them to maintain their authority with the people, who would then consider them as mercenary dependants upon the court, in the sincerity of whose instructions they could no longer have any confidence. But should the sovereign attempt irregularly, and by violence to deprive any number of clergymen of their freeholds on account, perhaps, of their having propagated, with more than ordinary zeal, some factious or seditious doctrine, he would only render, by such persecution, both them and their doctrine ten times more popular, and therefore ten times more troublesome and dangerous than they had been before. Fear is in almost all cases a wretched instrument of government, and ought in particular never to be employed against any order of men who have the smallest pretensions to independency. To attempt to terrify them serves only to irritate their bad humour, and to confirm them in an opposition which more gentle usage perhaps might easily induce them either to soften or to lay aside altogether. The violence which the French government usually employed in order to oblige all their parliaments or sovereign courts of justice to enregister any unpopular edict, very seldom succeeded. The means commonly employed, however, the imprisonment of all the refractory members, one would think were forcible enough. The princes of the house of Steuart sometimes employed the like means in order to influence some of the members of the parliament of England; and they generally found them equally intractable. The parliament of England is now managed in another manner; and a very small experiment which the duke of Choiseul made about twelve years ago upon the parliament of Paris, demonstrated sufficiently that all the parliaments

CHAP. I.

parliaments of France might have been managed still more easily in the same manner. That experiment was not pursued. For though management and persuasion are always the easiest and the safest instruments of government, as force and violence are the worst and the most dangerous, yet such, it seems, is the natural insolence of man, that he almost always disdains to use the good instrument, except when he cannot or dare not use the bad one. The French government could and durst use force, and therefore disdained to use management and persuasion. But there is no order of men, it appears, I believe, from the experience of all ages, upon whom it is so dangerous, or rather so perfectly ruinous, to employ force and violence, as upon the respected clergy of any established church. The rights, the privileges, the personal liberty of every individual ecclesiastic, who is upon good terms with his own order, are even in the most despotic governments more respected than those of any other person of nearly equal rank and fortune. It is so in every gradation of despotism, from that of the gentle and mild government of Paris, to that of the violent and furious government of Constantinople. But though this order of men can scarce ever be forced, they may be managed as easily as any other; and the security of the sovereign, as well as of the public tranquillity, seems to depend very much upon the means which he has of managing them; and those means seem to consist altogether in the preferment which he has to bestow upon them.

In the antient constitution of the Roman catholic church, the bishop of each diocese was elected by the joint votes of the clergy and of the people of the episcopal city. The people did not long retain their right of election; and while they did retain it, they almost always acted under the influence of the clergy, who in such spiritual matters appeared to be their natural guides. The clergy, however, soon grew weary of the trouble of managing them, and found

BOOK V.

found it eaſier to elect their own biſhops themſelves. The abbot, in the ſame manner, was elected by the monks of the monaſtery, at leaſt in the greater part of abbacies. All the inferior eccleſiaſtical benefices comprehended within the dioceſe were collated by the biſhop, who beſtowed them upon ſuch eccleſiaſtics as he thought proper. All church preferments were in this manner in the diſpoſal of the church. The ſovereign, though he might have ſome indirect influence in thoſe elections, and though it was ſometimes uſual to aſk both his conſent to elect, and his approbation of the election, yet had no direct or ſufficient means of managing the clergy. The ambition of every clergyman naturally led him to pay court, not ſo much to his ſovereign, as to his own order, from which only he could expect preferment.

THROUGH the greater part of Europe the Pope gradually drew to himſelf firſt the collation of almoſt all biſhopricks and abbacies, or of what were called Conſiſtorial benefices, and afterwards, by various machinations and pretences, of the greater part of inferior benefices comprehended within each dioceſe; little more being left to the biſhop than what was barely neceſſary to give him a decent authority with his own clergy. By this arrangement the condition of the ſovereign was ſtill worſe than it had been before. The clergy of all the different countries of Europe were thus formed into a ſort of ſpiritual army, diſperſed in different quarters indeed, but of which all the movements and operations could now be directed by one head, and conducted upon one uniform plan. The clergy of each particular country might be conſidered as a particular detachment of that army, of which the operations could eaſily be ſupported and ſeconded by all the other detachments quartered in the different countries round about. Each detachment was not only independent of the ſovereign of the country in which it was quartered, and by which it was maintained, but dependant upon a foreign

CHAP. I.

foreign ſovereign, who could at any time turn its arms againſt the ſovereign of that particular country, and ſupport them by the arms of all the other detachments.

THOSE arms were the moſt formidable that can well be imagined. In the antient ſtate of Europe, before the eſtabliſhment of arts and manufactures, the wealth of the clergy gave them the ſame ſort of influence over the common people, which that of the great barons gave them over their reſpective vaſſals, tenants, and retainers. In the great landed eſtates which the miſtaken piety both of princes and private perſons had beſtowed upon the church, juriſdictions were eſtabliſhed of the ſame kind with thoſe of the great barons; and for the ſame reaſon. In thoſe great landed eſtates, the clergy or their bailiffs could eaſily keep the peace without the ſupport or aſſiſtance either of the king or of any other perſon; and neither the king nor any other perſon could keep the peace there without the ſupport and aſſiſtance of the clergy. The juriſdictions of the clergy, therefore, in their particular baronies or manors, were equally independent, and equally excluſive of the authority of the king's courts, as thoſe of the great temporal lords. The tenants of the clergy were, like thoſe of the great barons, almoſt all tenants at will, entirely dependent upon their immediate lords, and therefore liable to be called out at pleaſure, in order to fight in any quarrel in which the clergy might think proper to engage them. Over and above the rents of thoſe eſtates, the clergy poſſeſſed, in the tythes, a very large portion of the rents of all the other eſtates in every kingdom of Europe. The revenues ariſing from both thoſe ſpecies of rents were, the greater part of them, paid in kind, in corn, wine, cattle, poultry, &c. The quantity exceeded greatly what the clergy could themſelves conſume; and there were neither arts nor manufactures for the produce of which they could exchange the ſurplus. The clergy could derive advantage from this immenſe

ſurplus in no other way than by employing it, as the great barons employed the like ſurplus of their revenues, in the moſt profuſe hoſpitality, and in the moſt extenſive charity. Both the hoſpitality and the charity of the antient clergy, accordingly, are ſaid to have been very great. They not only maintained almoſt the whole poor of every kingdom, but many knights and gentlemen had frequently no other means of ſubſiſtence than by travelling about from monaſtery to monaſtery, under pretence of devotion, but in reality to enjoy the hoſpitality of the clergy. The retainers of ſome particular prelates were often as numerous as thoſe of the greateſt lay-lords; and the retainers of all the clergy taken together were, perhaps, more numerous than thoſe of all the lay-lords. There was always much more union among the clergy than among the lay-lords. The former were under a regular diſcipline and ſubordination to the papal authority. The latter were under no regular diſcipline or ſubordination, but almoſt always equally jealous of one another, and of the king. Though the tenants and retainers of the clergy, therefore, had both together been leſs numerous than thoſe of the great lay-lords, and their tenants were probably much leſs numerous, yet their union would have rendered them more formidable. The hoſpitality and charity of the clergy too, not only gave them the command of a great temporal force, but increaſed very much the weight of their ſpiritual weapons. Thoſe virtues procured them the higheſt reſpect and veneration among all the inferior ranks of people, of whom many were conſtantly, and almoſt all occaſionally, fed by them. Every thing belonging or related to ſo popular an order, its poſſeſſions, its privileges, its doctrines, neceſſarily appeared ſacred in the eyes of the common people, and every violation of them, whether real or pretended, the higheſt act of ſacrilegious wickedneſs and profaneneſs. In this ſtate of things, if the ſovereign frequently found it difficult to reſiſt the confederacy of a few of the great nobility, we cannot wonder that he ſhould

ſhould find it ſtill more ſo to reſiſt the united force of the clergy of his own dominions ſupported by that of the clergy of all the neighbouring dominions. In ſuch circumſtances the wonder is, not that he was ſometimes obliged to yield, but that he ever was able to reſiſt.

THE privileges of the clergy in thoſe antient times (which to us who live in the preſent times appear the moſt abſurd) their total exemption from the ſecular juriſdiction, for example, or what in England was called the benefit of clergy; were the natural or rather the neceſſary conſequences of this ſtate of things. How dangerous muſt it have been for the ſovereign to attempt to puniſh a clergyman for any crime whatever, if his own order were diſpoſed to protect him, and to repreſent either the proof as inſufficient for convicting ſo holy a man, or the puniſhment as too ſevere to be inflicted upon one whoſe perſon had been rendered ſacred by religion. The ſovereign could, in ſuch circumſtances, do no better than leave him to be tried by the eccleſiaſtical courts, who, for the honour of their own order, were intereſted to reſtrain, as much as poſſible, every member of it from committing enormous crimes, or even from giving occaſion to ſuch groſs ſcandal as might diſguſt the minds of the people.

IN the ſtate in which things were through the greater part of Europe during the tenth, eleventh, twelfth and thirteenth centuries, and for ſome time both before and after that period, the conſtitution of the church of Rome may be conſidered as the moſt formidable combination that ever was formed againſt the authority and ſecurity of civil government, as well as againſt the liberty, reaſon and happineſs of mankind, which can flouriſh only where civil government is able to protect them. In that conſtitution the groſſeſt deluſions of ſuperſtition were ſupported in ſuch a manner by

BOOK V.

the private intereſts of ſo great a number of people as put them out of all danger from any aſſault of human reaſon: becauſe though human reaſon might perhaps have been able to unveil, even to the eyes of the common people, ſome of the deluſions of ſuperſtition; it could never have diſſolved the ties of private intereſt. Had this conſtitution been attacked by no other enemies but the feeble efforts of human reaſon, it muſt have endured forever. But that immenſe and well built fabric, which all the wiſdom and virtue of man could never have ſhaken, much leſs have over-turned, was by the natural courſe of things, firſt weakened, afterwards in part deſtroyed, and is now likely, in the courſe of a few centuries more, perhaps to crumble into ruins altogether.

THE gradual improvements of arts, manufactures and commerce, the ſame cauſes which deſtroyed the power of the great barons, deſtroyed in the ſame manner, through the greater part of Europe, the whole temporal power of the clergy. In the produce of arts, manufactures and commerce, the clergy, like the great barons, found ſomething for which they could exchange their rude produce, and thereby diſcovered the means of ſpending their whole revenues upon their own perſons, without giving any conſiderable ſhare of them to other people. Their charity became gradually leſs extenſive, their hoſpitality leſs liberal or leſs profuſe. Their retainers became conſequently leſs numerous, and by degrees dwindled away altogether. The clergy too, like the great barons, wiſhed to get a better rent from their landed eſtates, in order to ſpend it, in the ſame manner, upon the gratification of their own private vanity and folly. But this increaſe of rent could be got only by granting leaſes to their tenants, who thereby became in a great meaſure independent of them. The ties of intereſt, which bound the inferior ranks of people to the clergy, were in this manner gradually broken and diſſolved. They were even broken and

CHAP. I.

diſſolved ſooner than thoſe which bound the ſame ranks of people to the great barons: becauſe the benefices of the church being, the greater part of them, much ſmaller than the eſtates of the great barons, the poſſeſſor of each benefice was much ſooner able to ſpend the whole of its revenue upon his own perſon. During the greater part of the fourteenth and fifteenth centuries the power of the great barons was, through the greater part of Europe, in full vigour. But the temporal power of the clergy, the abſolute command which they had once had over the great body of the people, was very much decayed. The power of the church was by that time very nearly reduced through the greater part of Europe to what aroſe from her ſpiritual authority; and even that ſpiritual authority was much weakened when it ceaſed to be ſupported by the charity and hoſpitality of the clergy. The inferior ranks of people no longer looked upon that order, as they had done before, as the comforters of their diſtreſs, and the relievers of their indigence. On the contrary, they were provoked and diſguſted by the vanity, luxury, and expence of the richer clergy, who appeared to ſpend upon their own pleaſures what had always before been regarded as the patrimony of the poor.

IN this ſituation of things, the ſovereigns in the different ſtates of Europe endeavoured to recover the influence which they had once had in the diſpoſal of the great benefices of the church, by procuring to the deans and chapters of each dioceſe the reſtoration of their antient right of electing the biſhop, and to the monks of each abbacy that of electing the abbot. The re-eſtabliſhing of this antient order was the object of ſeveral ſtatutes enacted in England during the courſe of the fourteenth century, and of the pragmatic ſanction eſtabliſhed in France in the fifteenth century. In order to render the election valid, it was neceſſary that the ſovereign ſhould both conſent to it before-hand, and afterwards approve of

BOOK V.

the perſon elected; and though the election was ſtill ſuppoſed to be free, he had, however, all the indirect means which his ſituation neceſſarily afforded him of influencing the clergy in his own dominions. Other regulations of a ſimilar tendency were eſtabliſhed in other parts of Europe. But the power of the pope in the collation of the great benefices of the church ſeems, before the reformation, to have been no where ſo effectually and ſo univerſally reſtrained as in France and England. The Concordat afterwards, in the ſixteenth century, gave to the kings of France the abſolute right of preſenting to all the great and conſiſtorial benefices of the Gallican church.

SINCE the eſtabliſhment of the Pragmatic ſanction and of the Concordat, the clergy of France have in general ſhown leſs reſpect to the decrees of the papal court than the clergy of any other catholic country. In all the diſputes which their ſovereign has had with the pope, they have almoſt conſtantly taken party with the former. This independency of the clergy of France upon the court of Rome, ſeems to be principally founded upon the Pragmatic ſanction and the Concordat. In the earlier periods of the monarchy, the clergy of France appear to have been as much devoted to the pope as thoſe of any other country. When Robert, the ſecond Prince of the Capetian race, was moſt unjuſtly excommunicated by the court of Rome, his own ſervants, it is ſaid, threw the victuals which came from his table to the dogs, and refuſed to taſte any thing themſelves which had been polluted by the contact of a perſon in his ſituation. They were taught to do ſo, it may very ſafely be preſumed, by the clergy of his own dominions.

THE claim of collating to the great benefices of the church, a claim in defence of which the court of Rome had frequently ſhaken and ſometimes overturned the thrones of ſome of the greateſt ſovereigns

reigns in Chriſtendom, was in this manner either reſtrained or modified, or given up altogether, in many different parts of Europe, even before the time of the reformation. As the clergy had now leſs influence over the people, ſo the ſtate had more influence over the clergy. The clergy therefore had both leſs power and leſs inclination to diſturb the ſtate.

CHAP. I.

THE authority of the church of Rome was in this ſtate of declenſion when the diſputes which gave birth to the reformation began in Germany, and ſoon ſpread themſelves through every part of Europe. The new doctrines were every where received with a high degree of popular favour. They were propagated with all that enthuſiaſtic zeal which commonly animates the ſpirit of party when it attacks eſtabliſhed authority. The teachers of thoſe doctrines, though perhaps in other reſpects not more learned than many of the divines who defended the eſtabliſhed church, ſeem in general to have been better acquainted with eccleſiaſtical hiſtory, and with the origin and progreſs of that ſyſtem of opinions upon which the authority of the church was eſtabliſhed, and they had thereby ſome advantage in almoſt every diſpute. The auſterity of their manners gave them authority with the common people, who contraſted the ſtrict regularity of their conduct with the diſorderly lives of the greater part of their own clergy. They poſſeſſed too in a much higher degree than their adverſaries, all the arts of popularity, and of gaining proſelytes, arts which the lofty and dignified ſons of the church had long neglected, as being to them in a great meaſure uſeleſs. The reaſon of the new doctrines recommended them to ſome, their novelty to many; the hatred and contempt of the eſtabliſhed clergy to a ſtill greater number; but the zealous, paſſionate and fanatical, though frequently coarſe and ruſtic eloquence with which they were almoſt every where inculcated, recommended them to by far the greateſt number.

THE

BOOK V.

The ſucceſs of the new doctrines was almoſt every where ſo great, that the princes who at that time happened to be on bad terms with the court of Rome, were by means of them eaſily enabled, in their own dominions, to over-turn the church, which having loſt the reſpect and veneration of the inferior ranks of people, could make ſcarce any reſiſtance. The court of Rome had diſobliged ſome of the ſmaller princes in the northern parts of Germany, whom it had probably conſidered as too inſignificant to be worth the managing. They univerſally, therefore, eſtabliſhed the reformation in their own dominions. The tyranny of Chriſtiern II. and of Troll archbiſhop of Upſal, enabled Guſtavus Vaſa to expel them both from Sweden. The pope favoured the tyrant and the archbiſhop, and Guſtavus Vaſa found no difficulty in eſtabliſhing the reformation in Sweden. Chriſtiern II. was afterwards depoſed from the throne of Denmark, where his conduct had rendered him as odious as in Sweden. The pope, however, was ſtill diſpoſed to favour him, and Frederic of Holſtein, who had mounted the throne in his ſtead, revenged himſelf by following the example of Guſtavus Vaſa. The magiſtrates of Berne and Zurich, who had no particular quarrel with the pope, eſtabliſhed with great eaſe the reformation in their reſpective cantons, where juſt before ſome of the clergy had, by an impoſture ſomewhat groſſer than ordinary, rendered the whole order both odious and contemptible.

In this critical ſituation of its affairs the papal court was at ſufficient pains to cultivate the friendſhip of the powerful ſovereigns of France and Spain, of whom the latter was at that time emperor of Germany. With their aſſiſtance it was enabled, though not without great difficulty and much bloodſhed, either to ſuppreſs altogether or to obſtruct very much the progreſs of the reformation in their dominions. It was well enough inclined too to be complaiſant to the king of England. But from the circumſtances

CHAP. I.

ſtances of the times it could not be ſo without giving offence to a ſtill greater ſovereign, Charles V. king of Spain and emperor of Germany. Henry VIII. accordingly, though he did not embrace himſelf the greater part of the doctrines of the reformation, was yet enabled, by the general prevalence of thoſe doctrines, to ſuppreſs all the monaſteries, and to aboliſh the authority of the church of Rome in his dominions. That he ſhould go ſo far, though he went no further, gave ſome ſatisfaction to the patrons of the reformation, who having got poſſeſſion of the government in the reign of his ſon and ſucceſſor, completed without any difficulty the work which Henry VIII. had begun.

In ſome countries, as in Scotland, where the government was weak, unpopular, and not very firmly eſtabliſhed, the reformation was ſtrong enough to overturn, not only the church, but the ſtate likewiſe for attempting to ſupport the church.

Among the followers of the reformation, diſperſed in all the different countries of Europe, there was no general tribunal which, like that of the court of Rome, or an œcumenical council, could ſettle all diſputes among them, and with irreſiſtable authority preſcribe to all of them the preciſe limits of orthodoxy. When the followers of the reformation in one country, therefore, happened to differ from their brethren in another, as they had no common judge to appeal to, the diſpute could never be decided; and many ſuch diſputes aroſe among them. Thoſe concerning the government of the church, and the right of conferring eccleſiaſtical benefices, were perhaps the moſt intereſting to the peace and welfare of civil ſociety. They gave birth accordingly to the two principal parties or ſects among the followers of the reformation, the Lutheran and Calviniſtic ſects, the only ſects among them, of which the doctrine and diſcipline have ever yet been eſtabliſhed by law in any part of Europe.

The

BOOK V.

The followers of Luther, together with what is called the church of England, preſerved more or leſs of the epiſcopal government, eſtabliſhed ſubordination among the clergy, gave the ſovereign the diſpoſal of all the biſhopricks, and other conſiſtorial benefices within his dominions, and thereby rendered him the real head of the church; and without depriving the biſhop of the right of collating to the ſmaller benefices within his dioceſe, they, even to thoſe benefices, not only admitted, but favoured the right of preſentation both in the ſovereign and in all other lay-patrons. This ſyſtem of church government was from the beginning favourable to peace and good order, and to ſubmiſſion to the civil ſovereign. It has never accordingly been the occaſion of any tumult or civil commotion in any country in which it has once been eſtabliſhed. The church of England in particular has always valued herſelf, with great reaſon, upon the unexceptionable loyalty of her principles. Under ſuch a government the clergy naturally endeavour to recommend themſelves to the ſovereign, to the court, and to the nobility and gentry of the country, by whoſe influence they chiefly expect to obtain preferment. They pay court to thoſe patrons, ſometimes, no doubt, by the vileſt flattery and aſſentation, but frequently too by cultivating all thoſe arts which beſt deſerve, and which are therefore moſt likely to gain them the eſteem of people of rank and fortune; by their knowledge in all the different branches of uſeful and ornamental learning, by the decent liberality of their manners, by the ſocial good humour of their converſation, and by their avowed contempt of thoſe abſurd and hypocritical auſterities which fanatics inculcate and pretend to practiſe, in order to draw upon themſelves the veneration, and upon the greater part of men of rank and fortune, who avow that they do not practiſe them, the abhorrence of the common people. Such a clergy, however, while they pay their court in this manner to the higher ranks of life, are very apt to neglect altogether the means of maintaining their

CHAP. I.

their influence and authority with the lower. They are liſtened to, eſteemed and reſpected by their ſuperiors; but before their inferiors they are frequently incapable of defending, effectually and to the conviction of ſuch hearers, their own ſober and moderate doctrines againſt the moſt ignorant enthuſiaſt who chuſes to attack them.

The followers of Zuinglius, or more properly thoſe of Calvin, on the contrary, beſtowed upon the people of each pariſh, whenever the church became vacant, the right of electing their own paſtor; and eſtabliſhed at the ſame time the moſt perfect equality among the clergy. The former part of this inſtitution, as long as it remained in vigour, ſeems to have been productive of nothing but diſorder and confuſion, and to have tended equally to corrupt the morals both of the clergy and of the people. The latter part ſeems never to have had any effects but what were perfectly agreeable.

As long as the people of each pariſh preſerved the right of electing their own paſtors, they acted almoſt always under the influence of the clergy, and generally of the moſt factious and fanatical of the order. The clergy, in order to preſerve their influence in thoſe popular elections, became, or affected to become many of them, fanatics themſelves, encouraged fanaticiſm among the people, and gave the preference almoſt always to the moſt fanatical candidate. So ſmall a matter as the appointment of a pariſh prieſt occaſioned almoſt always a violent conteſt, not only in one pariſh, but in all the neighbouring pariſhes, who ſeldom failed to take party in the quarrel. When the pariſh happened to be ſituated in a great city, it divided all the inhabitants into two parties; and when that city happened either to conſtitute itſelf a little republic, or to be the head and capital of a little republic, as is the caſe with many of the conſiderable cities in Switzerland and Holland, every paltry diſpute of this kind, over and above exaſperating

BOOK V.

exaſperating the animoſity of all their other factions, threatened to leave behind it both a new ſchiſm in the church, and a new faction in the ſtate. In thoſe ſmall republics, therefore, the magiſtrate very ſoon found it neceſſary, for the ſake of preſerving the public peace, to aſſume to himſelf the right of preſenting to all vacant benefices. In Scotland, the moſt extenſive country in which this preſbyterian form of church government has ever been eſtabliſhed, the rights of patronage were in effect aboliſhed by the act which eſtabliſhed preſbytery in the beginning of the reign of William III. That act at leaſt put it in the power of certain claſſes of people in each pariſh to purchaſe for a very ſmall price the right of electing their own paſtor. The conſtitution which this act eſtabliſhed was allowed to ſubſiſt for about two and twenty years, but was aboliſhed by the 10th of queen Ann, ch. 12. on account of the confuſions and diſorders which this more popular mode of election had almoſt every where occaſioned. In ſo extenſive a country as Scotland, however, a tumult in a remote pariſh was not ſo likely to give diſturbance to government, as in a ſmaller ſtate. The 10th of queen Ann reſtored the rights of patronage. But though in Scotland the law gives the benefice without any exception to the perſon preſented by the patron; yet the church requires ſometimes (for ſhe has not in this reſpect been very uniform in her deciſions) a certain concurrence of the people, before ſhe will confer upon the preſentee what is called the cure of ſouls, or the eccleſiaſtical juriſdiction in the pariſh. She ſometimes at leaſt, from an affected concern for the peace of the pariſh, delays the ſettlement till this concurrence can be procured. The private tampering of ſome of the neighbouring clergy, ſometimes to procure, but more frequently to prevent this concurrence, and the popular arts which they cultivate in order to enable them upon ſuch occaſions to tamper more effectually, are perhaps the cauſes which principally keep up whatever remains of the old fanatical ſpirit, either in the clergy or in the people of Scotland.

CHAP. I.

THE equality which the preſbyterian form of church government eſtabliſhes among the clergy, conſiſts, firſt, in the equality of authority or eccleſiaſtical juriſdiction; and, ſecondly, in the equality of benefice. In all preſbyterian churches the equality of authority is perfect: that of benefice is not ſo. The difference however, between one benefice and another, is ſeldom ſo conſiderable as commonly to tempt the poſſeſſor even of the ſmall benefice to pay court to his patron, by the vile arts of flattery and aſſentation, in order to get a better. In all the preſbyterian churches, where the rights of patronage are thoroughly eſtabliſhed, it is by nobler and better arts that the eſtabliſhed clergy in general endeavour to gain the favour of their ſuperiors; by their learning, by the irreproachable regularity of their life, and by the faithful and diligent diſcharge of their duty. Their patrons even frequently complain of the independency of their ſpirit, which they are apt to conſtrue into ingratitude for paſt favours, but which at worſt perhaps is ſeldom any more than that indifference which naturally ariſes from the conſciouſneſs that no further favours of the kind are ever to be expected. There is ſcarce perhaps to be found any where in Europe a more learned, decent, independent, and reſpectable ſet of men, than the greater part of the preſbyterian clergy of Holland, Geneva, Switzerland, and Scotland.

WHERE the church benefices are all nearly equal, none of them can be very great; and this mediocrity of benefice, though it may no doubt be carried too far, has, however, ſome very agreeable effects. Nothing but the moſt exemplary morals can give dignity to a man of ſmall fortune. The vices of levity and vanity neceſſarily render him ridiculous, and are, beſides, almoſt as ruinous to him as they are to the common people. In his own conduct, therefore, he is obliged to follow that ſyſtem of morals which the common people reſpect the moſt. He gains their eſteem

and affection by that plan of life which his own intereſt and ſituation would lead him to follow. The common people look upon him with that kindneſs with which we naturally regard one who approaches ſomewhat to our own condition, but who, we think, ought to be in a higher. Their kindneſs naturally provokes his kindneſs. He becomes careful to inſtruct them, and attentive to aſſiſt and relieve them. He does not even deſpiſe the prejudices of people who are diſpoſed to be ſo favourable to him, and never treats them with thoſe contemptuous and arrogant airs which we ſo often meet with in the proud dignitaries of opulent and well-endowed churches. The preſbyterian clergy, accordingly, have more influence over the minds of the common people than perhaps the clergy of any other eſtabliſhed church. It is accordingly in preſbyterian countries only that we ever find the common people converted, without perſecution, completely, and almoſt to a man, to the eſtabliſhed church.

In countries where church benefices are the greater part of them very moderate, a chair in a univerſity is generally a better eſtabliſhment than a church benefice. The univerſities have, in this caſe, the picking and chuſing of their members from all the churchmen of the country, who, in every country, conſtitute by far the moſt numerous claſs of men of letters. Where church benefices, on the contrary, are many of them very conſiderable, the church naturally draws from the univerſities the greater part of their eminent men of letters; who generally find ſome patron who does himſelf honour by procuring them church preferment. In the former ſituation we are likely to find the univerſities filled with the moſt eminent men of letters that are to be found in the country. In the latter we are likely to find few eminent men among them, and thoſe few among the youngeſt members of the ſociety, who are likely too to be drained away from it before they can have acquired experience.

rience and knowledge enough to be of much uſe to it. It is obſerved by Mr. de Voltaire that father Porrée, a jeſuit of no great eminence in the republic of letters, was the only profeſſor they had ever had in France whoſe works were worth the reading. In a country which has produced ſo many eminent men of letters, it muſt appear ſomewhat ſingular that ſcarce one of them ſhould have been a profeſſor in a univerſity. The famous Gaſſendi was, in the beginning of his life, a profeſſor in the univerſity of Aix. Upon the firſt dawning of his genius it was repreſented to him that by going into the church he could eaſily find a much more quiet and comfortable ſubſiſtence, as well as a better ſituation for purſuing his ſtudies; and he immediately followed the advice. The obſervation of Mr. de Voltaire may be applied, I believe, not only to France, but to all other Roman catholic countries. We very rarely find, in any of them, an eminent man of letters who is a profeſſor in a univerſity, except, perhaps, in the profeſſions of law and phyſic; profeſſions from which the church is not ſo likely to draw them. After the church of Rome, that of England, is by far the richeſt and beſt endowed church in Chriſtendom. In England, accordingly, the church is continually draining the univerſities of all their beſt and ableſt members; and an old college tutor, who is known and diſtinguiſhed in Europe as an eminent man of letters, is as rarely to be found there as in any Roman catholic country. In Geneva, on the contrary, in the proteſtant cantons of Switzerland, in the proteſtant countries of Germany, in Holland, in Scotland, in Sweden, and Denmark, the moſt eminent men of letters whom thoſe countries have produced, have, not all indeed, but the far greater part of them, been profeſſors in univerſities. In thoſe countries the univerſities are continually draining the church of all its moſt eminent men of letters.

It may, perhaps, be worth while to remark, that, if we except the poets, a few orators, and a few hiſtorians, the far greater part of

BOOK V.

of the other eminent men of letters, both of Greece and Rome, appear to have been either public or private teachers; generally either of philoſophy or of rhetoric. This remark will be found to hold true from the days of Lyſias and Iſocrates, of Plato and Ariſtotle, down to thoſe of Plutarch and Epictetus, of Suetonius and Quintilian. Several of thoſe whom we do not know with certainty to have been public teachers, appear to have been private tutors. Polybius, we know, was private tutor to Scipio Æmilianus. Dionyſius of Halicarnaſſus, there are ſome probable reaſons for believing, was ſo to the children of Marcus and Quintus Cicero. To impoſe upon any man the neceſſity of teaching, year after year, any particular branch of ſcience, ſeems, in reality, to be the moſt effectual method for rendering him completely maſter of it himſelf. By being obliged to go every year over the ſame ground, if he is good for any thing, he neceſſarily becomes, in a few years, well acquainted with every part of it: and if upon any particular point he ſhould form too haſty an opinion one year, when he comes in the courſe of his lectures to re-conſider the ſame ſubject the year thereafter, he is very likely to correct it. As to be a teacher of ſcience is certainly the natural employment of a mere man of letters; ſo is it likewiſe, perhaps, the education which is moſt likely to render him a man of ſolid learning and knowledge. The mediocrity of church benefices naturally tends to draw the greater part of men of letters, in the country where it takes place, to the employment in which they can be the moſt uſeful to the public, and, at the ſame time, to give them the beſt education, perhaps, they are capable of receiving. It tends to render their learning both as ſolid as poſſible, and as uſeful as poſſible.

THE revenue of every eſtabliſhed church, ſuch parts of it excepted as may ariſe from particular lands or manors, is a branch, it ought to be obſerved, of the general revenue of the ſtate, which is

CHAP. I.

is thus diverted to a purpoſe very different from the defence of the ſtate. The tythe, for example, is a real land-tax, which puts it out of the power of the proprietors of land to contribute ſo largely towards the defence of the ſtate as they otherwiſe might be able to do. The rent of land, however, is, according to ſome, the ſole fund, and, according to others, the principal fund, from which, in all great monarchies, the exigencies of the ſtate muſt be ultimately ſupplied. The more of this fund that is given to the church, the leſs, it is evident, can be ſpared to the ſtate. It may be laid down as a certain maxim, that, all other things being ſuppoſed equal, the richer the church, the poorer muſt neceſſarily be, either the ſovereign on the one hand, or the people on the other; and, in all caſes, the leſs able muſt the ſtate be to defend itſelf. In ſeveral proteſtant countries, particularly in all the proteſtant cantons of Switzerland, the revenue which antiently belonged to the Roman catholic church, the tythes and church lands, has been found a fund ſufficient not only to afford competent ſalaries to the eſtabliſhed clergy, but to defray, with little or no addition, all the other expences of the ſtate. The magiſtrates of the powerful canton of Berne, in particular, have accumulated out of the ſavings from this fund a very large ſum, ſuppoſed to amount to ſeveral millions, part of which is depoſited in a public treaſure, and part is placed at intereſt in what are called the public funds of the different indebted nations of Europe; chiefly in thoſe of France and Great Britain. What may be the amount of the whole expence which the church, either of Berne, or of any other proteſtant canton, coſts the ſtate, I do not pretend to know. By a very exact account it appears, that, in 1755, the whole revenue of the clergy of the church of Scotland, including their glebe or church lands, and the rent of their manſes or dwelling houſes, eſtimated according to a reaſonable valuation, amounted only to 68,514l. 1s. 5d. $\frac{1}{12}$. This very moderate revenue affords a decent ſubſiſtence to nine hundred and forty-four

BOOK V.

four miniſters. The whole expence of the church, including what is occaſionally laid out for the building and repara tion of churches, and of the manſes of miniſters, cannot well be ſuppoſed to exceed eighty or eighty-five thouſand pounds a year. The moſt opulent church in Chriſtendom does not maintain better the uniformity of faith, the fervour of devotion, the ſpirit of order, regularity, and auſtere morals in the great body of the people, than this very poorly endowed church of Scotland. All the good effects, both civil and religious, which an eſtabliſhed church can be ſuppoſed to produce, are produced by it as completely as by any other. The greater part of the proteſtant churches of Switzerland, which in general are not better endowed than the church of Scotland, produce thoſe effects in a ſtill higher degree. In the greater part of the proteſtant cantons, there is not a ſingle perſon to be found who does not profeſs himſelf to be of the eſtabliſhed church. If he profeſſes himſelf to be of any other, indeed, the law obliges him to leave the canton. But ſo ſevere, or rather indeed ſo oppreſſive a law, could never have been executed in ſuch free countries, had not the diligence of the clergy before-hand converted to the eſtabliſhed church the whole body of the people, with the exception of, perhaps, a few individuals only. In ſome parts of Switzerland, accordingly, where, from the accidental union of a proteſtant and roman catholic country, the converſion has not been ſo complete, both religions are not only tolerated, but eſtabliſhed by law.

The proper performance of every ſervice ſeems to require that its pay or recompence ſhould be, as exactly as poſſible, proportioned to the nature of the ſervice. If any ſervice is very much under-paid, it is very apt to ſuffer by the meanneſs and incapacity of the greater part of thoſe who are employed in it. If it is very much over-paid, it is apt to ſuffer, perhaps, ſtill more by their negligence and idleneſs. A man of a large revenue, whatever may be

CHAP. I.

to his profeſſion, thinks he ought to live like other men of large revenues; and to ſpend a great part of his time in feſtivity, in vanity, and in diſſipation. But in a clergyman this train of life not only conſumes the time which ought to be employed in the duties of his function, but in the eyes of the common people deſtroys almoſt entirely that ſanctity of character which can alone enable him to perform thoſe duties with proper weight and authority.

Part IV.

Of the Expence of ſupporting the Dignity of the Sovereign.

OVER and above the expence neceſſary for enabling the ſovereign to perform his ſeveral duties, a certain expence is requiſite for the ſupport of his dignity. This expence varies both with the different periods of improvement, and with the different forms of government.

In an opulent and improved ſociety, where all the different orders of people are growing every day more expenſive in their houſes, in their furniture, in their tables, in their dreſs, and in their equipage; it cannot well be expected that the ſovereign ſhould alone hold out againſt the faſhion. He naturally, therefore, or rather neceſſarily becomes more expenſive in all thoſe different articles too. His dignity even ſeems to require that he ſhould become ſo.

As in point of dignity, a monarch is more raiſed above his ſubjects than the chief magiſtrate of any republic is ever ſuppoſed to be above his fellow citizens; ſo a greater expence is neceſſary for ſupporting that higher dignity. We naturally expect more ſplendor in the court of a king than in the manſion-houſe of a doge or burgo-maſter.

Conclusion.

THE expence of defending the ſociety, and that of ſupporting the dignity of the chief magiſtrate, are both laid out for the general benefit of the whole ſociety. It is reaſonable, therefore, that they ſhould be defrayed by the general contribution of the whole ſociety, all the different members contributing, as nearly as poſſible, in proportion to their reſpective abilities.

The expence of the adminiſtration of juſtice too may, no doubt, be conſidered as laid out for the benefit of the whole ſociety. There is no impropriety, therefore, in its being defrayed by the general contribution of the whole ſociety. The perſons, however, who give occaſion to this expence are thoſe, who, by their injuſtice in one way or another, make it neceſſary to ſeek redreſs or protection from the courts of juſtice. The perſons again moſt immediately benefited by this expence, are thoſe whom the courts of juſtice either reſtore to their rights or maintain in their rights. The expence of the adminiſtration of juſtice, therefore, may very properly be defrayed by the particular contribution of one or other or both of thoſe two different ſets of perſons according as different occaſions may require, that is, by the fees of court. It cannot be neceſſary to have recourſe to the general contribution of the whole ſociety, except for the conviction of thoſe criminals who have not themſelves any eſtate or fund ſufficient for paying thoſe fees.

Those local or provincial expences of which the benefit is local or provincial (what is laid out, for example, upon the police of a particular town or diſtrict) ought to be defrayed by a local or provincial revenue, and ought to be no burden upon the general revenue of the ſociety. It is unjuſt that the whole ſociety ſhould contribute towards an expence of which the benefit is confined to a part of the ſociety.

The expence of maintaining good roads and communications is, no doubt, beneficial to the whole ſociety, and may, therefore, without any injuſtice, be defrayed by the general contribution of the whole ſociety. This expence, however, is moſt immediately and directly beneficial to thoſe who travel or carry goods from one place to another, and to thoſe who conſume ſuch goods. The turnpike tolls in England, and the duties called peages in other countries, lay it altogether upon thoſe two different ſetts of people, and thereby diſcharge the general revenue of the ſociety from a very conſiderable burden.

The expence of the inſtitutions for education and religious inſtruction, is likewiſe, no doubt, beneficial to the whole ſociety, and may, therefore, without injuſtice, be defrayed by the general contribution of the whole ſociety. This expence, however, might perhaps with equal propriety, and even with ſome advantage, be defrayed altogether by thoſe who receive the immediate benefit of ſuch education and inſtruction, or by the voluntary contribution of thoſe who think they have occaſion for either the one or the other.

When the inſtitutions or public works which are beneficial to the whole ſociety, either cannot be maintained altogether, or are not maintained altogether by the contribution of ſuch particular members of the ſociety as are moſt immediately benefited by them, the deficiency muſt in moſt caſes be made up by the general contribution of the whole ſociety. The general revenue of the ſociety, over and above defraying the expence of defending the ſociety and of ſupporting the dignity of the chief magiſtrate, muſt make up for the deficiency of many particular branches of revenue. The ſources of this general or public revenue, I ſhall endeavour to explain in the following chapter.