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Americanus III

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“It is natural for a Republic to have only a small territory.” It may be thought by some an unpardonable piece of temerity in me to deny the truth of this maxim of the celebrated Civilian, in so decisive a tone as I have ventured to do in a former paper. To satisfy those therefore, whose delicacy may be hurt on this occasion, I hope I shall be able before I finish this paper to bring about a perfect reconciliation between the Baron and myself; and thus deprive Cato of the assistance of this powerful auxiliary, on this occasion at least. It is manifest from a variety of passages, that Montesquieu’s idea of a Republic, was a Government in which the collective body of the people, as in Democracy, or of the nobles, as in Aristocracy, possessed a share in the management of public affairs; Thus he tells us “the people in whom the supreme power resides ought to have the management of every thing within their reach.” “It is likewise a fundamental law in Democracies, that the people should have the sole power to enact laws.” It is obvious that to collect the suffrages of a numerous people, scattered over a wide extent of country on every law, on every public measure, would be utterly impracticable. According therefore to his idea of a Republican Government, this maxim of his, that a Republic should be confined to a small territory, is certainly a very just one. Should I be able to prove that the Governments of these States are founded on principles totally different from those which Montesquieu here had in view, it will then be manifest that Cato has lugged him into a controversy in which he is no ways concerned.

The Republics of antiquity were chiefly Democratic, those of modern date are chiefly Aristocratic. As to Aristocracies we have nothing to do with them. But let us enquire a little into the nature and genius of the antient Republics of Greece and Rome. Cato’s maxim, “that the safety of the people in a Republic depends on the share or proportion they have in the Government,” seem[s] to have been deemed by them indispensibly necessary; indeed, as they had no idea of appointing representatives to legislate for them, they had no other alternative; either the people collectively must retain to themselves a voice in the management of public affairs, or all pretensions to liberty must be resigned. To obviate the natural tendency of this radical defect in the frame of their Governments, they were under an absolute necessity of recurring to violent methods. To support these wretched institutions, the laws of nature herself were subverted. The life of a citizen was one continued effort of self-denial and restraint. Every social passion—all the finer feelings of the heart—the tender ties of parent and child—every enjoyment, whether of sentiment or of sense—every thing in short which renders life desirable, was relinquished. The

Romans did not carry this system of self-denial to that extreme as was done by some of the Grecian States. They found however that a rigid attention to manners was indispensibly necessary. Magistrates were appointed for the express purpose of inspecting into the lives and conduct of every citizen—the public good superceded every consideration of a private nature—fathers condemned their own sons to the axe. Let it not be thought however that this exalted degree of patriotism—this rigid system of mortification and self-denial was the effect of choice; no! far from it! it was necessity that imposed it on them.—This magnanimous people saw plainly that their safety depended upon keeping up this austerity of manners. As from the very nature of this sort of Government there can be no regular checks established for preventing the abuse of power, the people are in a great measure constrained to rely on the patriotism and personal virtue of those citizens who compose the Government.

The Grecians and Romans have however infinite merit in subjecting themselves to so severe a discipline, in foregoing so many of the blessings and enjoyments of this life, for the sake of liberty.

The history of these States affords us very striking instances of the astonishing force of this passion of the human heart, when man is placed in a situation proper for displaying it.

Without a due attention to these distinctive properties of the Republics of antiquity, we cannot form an adequate idea of the immense advantages of a representative legislature. The people of Rome, of Sparta, &c. were obliged to keep a constant eye on the conduct of their rulers for this reason, and that they might be enabled to exercise their right of a personal vote on public affairs, it was absolutely necessary that the citizens be confined within a small compass.

But if matters can be so ordered, that by appointing Representatives, the people can have the business of the State transacted in a better manner than they can possibly do it themselves, there is then no determining what may be the extent of the state. Thus it will be found that the Government of the most extensive State of the Union, though greater perhaps than all the States of Greece put together, may be administered with infinitely more care and safety than was any one of them, though comprehended within the limits of a few square miles.

The major part of mankind are slaves to sound—the writings of a great man, who has distinguished himself in any of the walks of science, in a short time become “irrefragable axioms.”¹ Thus, thro’ the indolence and inattention of some, and the knavery of others, error becomes at length so firmly established as to baffle, for a long time, the assaults of philosophy and truth.

And thus it is, that with those who suffer themselves to be carried away by a name, and attend not to things, the application Cato makes of Montesquieu’s maxim to the Government of these States, would pass currently and without opposition. But this would be to sacrifice sense to sound with a vengeance.

The political institutions we have contrived and adopted in this new world differ as widely from the republics of the old, whether antient or modern, as does a well constructed edifice, where elegance and utility unite and harmonize, differ from a huge mishapen pile reared by Gothic ignorance and barbarity.

I have already remarked, that a Republic confined to a small territory, must, from its own nature, be incident to great inconvenience. Faction, instability, and frequent revolutions, are inherent properties. Besides, that its weakness exposes it to continual danger from the enterprizes of ambitious neighbours. What a capital improvement then is representation to a Republican

Government. By this simple expedient can the sense of the people of an extensive Empire be collected with ease and certainty. By this admirable contrivance, the care and attention of Government is extended equally to every part—the wants and wishes of the most remote corners are known and attended to. But what is of infinite importance, a Government on this plan can be so constructed, as that the different parts of it shall form mutual checks on each other. This is not all a number of lesser communities may be united under one head; and thus form an extensive Empire. But this new combination will give still greater security to liberty, because more checks will be added. The Government of the Union, and those of the States individually, will be watchful centinels on the conduct of each other. By this means the usurpations of power are guarded against, and liberty secured without the interference of the collective body of the people. Until this important discovery in the art of Government was made, the people themselves formed almost the only check on the Government. For, from the necessity of the case, the right of proposing new laws to the consideration of the people, necessarily devolved upon those who were entrusted with the execution of those laws. Now it may easily be conceived, that to counteract the sinister views of their rulers, it required the utmost circumspection in the people—indeed it was impossible, by the most active and vigilant attention to public officers, for the people to avoid being dupes to the artifices of designing men. This indeed is a business the people are by no means calculated for. Conscious of this inability, the Romans procured the establishment of tribunes, who were to be the guardians of the people's rights, and to defend their privileges against the power of the Senate and the Consuls. How well this expedient answered the end, history will inform us. All that train of unavoidable mischiefs, which necessarily attends the interference of the people in the management of public affairs, instantly vanish when we have recourse to a representative Legislature. Nothing more is then necessary to place liberty on the firmest basis, than the frequent recurrence of elections—that representation be adequate and proportionate—and that the Representatives be tied down from interfering in any shape, in the Executive parts of Government, but confined absolutely to the business of their mission, which should be Legislation solely. If these things are attended to, the people need be under no apprehensions about the management of affairs. From the very nature of things, these Representatives cannot fail of proving the faithful and effectual guardians of the people. Here then we have that grand desideratum, that has hitherto been wanting in all the popular Governments we are acquainted with, that the people may repose confidence in Government, without danger of its being abused. As these Representatives are chosen only for a short period, at the expiration of which, they are again reduced to the level of their fellow-citizens; and as, during their continuance in this service, they are absolutely prohibited from interfering in any of the Executive branches of the Government; thus it becoming impossible for them to form an interest separate from that of the community at large, they can have no motive whatever for betraying that of their Constituents. A Government formed on this plan, requires in the execution of it, none of those heroic virtues which we admire in the antients, and to us are known only by story. The sacrifice of our dearest interests, self-denial, and austerity of manners, are by no means necessary. Such a Government requires nothing more of its subjects than that they should study and pursue merely their own true interest and happiness. As it is adapted to the ordinary circumstances of mankind, requiring no extraordinary exertions to support it, it must of course be the more firm, secure and lasting. A Government thus founded on the broad basis of human nature, like a tree which is

suffered to retain its native shape, will flourish for ages with little care or attention. But like this same tree, if distorted into a form unnatural and monstrous, will require the constant use of the pruning knife, and all the art and contrivance of a skilful operator, to counteract the efforts of nature against the violence which has been offered her.

I would not however, wish it to be thought, that it is in any degree my design to depreciate that amor patriæ, which is a sentiment so natural to the human breast, and which, when well directed, is capable of such glorious effects—but unfortunately for mankind, the majority possess it in a very gross degree. It is with them generally nothing more than a blind attachment to a party, or to the local interests of a narrow district.

1. “Cato” III stated that “The governments of Europe have taken their limits and form from adventitious circumstances, and nothing can be argued on the motive of agreement, from them; but these adventitious political principles, have nevertheless produced effects that have attracted the attention of philosophy, which has established axioms in the science of politics therefrom, as irrefragable as any in Euclid.”

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