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[WHOLE No. 157.]

From the ENGLISH REVIEW,
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[A Defence of the Constitutions of Government of the United States of America. By JOHN ADAMS, LL.D. and a Member of the Academy of Arts and Sciences at Boston.]

(Continued from our last.)

OUR author next examines the opinion of M. Turgot, "That an assembly of representatives should be chosen by the nation, and vested with all the powers of government; and that this assembly, being the centre in which all authority is collected, shall be virtually deemed the nation." To state the consequences, and expose the absurdity of this opinion, Mr. Adams takes a brief, but comprehensive view of all those countries in Europe in which the government may be called republican; and from this survey, demonstrates the necessity of different orders in a state, and of an equilibrium between them. His reflections in the twenty-third letter are enlightened, spirited, and manly:

"As we have taken a cursory view of those countries in Europe where the government may be called, in any reasonable construction of the word, republican, let us now pause a few moments, and reflect upon what we have seen.

"Among every people, and in every species of republics, we have constantly found a first magistrate, a head; a chief, under various denominations, indeed, and with different degrees of authority, with the title of stadtholder, burgomaster, avoyer, doge, consaloniero, president, syndick, mayor, alcade, capitano, governor, or king; in every nation we have met with a distinguished officer: if there is no example in any free government any more than in those which are not free, of a society without a principal personage, we may fairly conclude that the body politic cannot subsist without one more than the animal body without a head. If M. Turgot had made any discovery which had escaped the penetration of all the legislators and philosophers who had lived before him, he ought at least to have communicated it to the world for his improvement; but as he has never hinted at any such invention, we may safely conclude that he had none; and therefore, that the Americans are not justly liable to censure for instituting governors.

"In every form of government we have seen a senate, or little council; a composition generally of those officers of state who have the most experience and power, and a few other members selected from the highest ranks and most illustrious reputations. On these lesser councils, with the first magistrate at their head, generally rests the principal burden of administration, a share in the legislative as well as executive and judicial authority of government. The admission of such senates to a participation of these three kinds of power has been generally observed to produce in the minds of their members an ardent aristocratical ambition, grasping equally at the prerogatives of the first magistrate, and the privileges of the people, and ending in the nobility of a few families, and a tyrannical oligarchy: but in those States where the senates have been separated from all executive power, and confined to the legislative, they have been observed to be firm barriers against the encroachments of the crown, and often great supporters of the liberties of the people. The Americans then, who have carefully confined their senates to the legislative power, have done wisely in adopting them.

"We have seen, in every instance, another and a larger assembly, composed of the body of the people, in some little States; of representatives chosen by people in others; of members appointed by the senates, and supposed to represent the people, in a third sort; and of persons appointed by themselves or the senate, in certain aristocracies, to prevent them from becoming oligarchies. The Americans then, whose assemblies are the most adequate, proportional, and equitable representations of the people that are known in the world, will not be thought erroneous in appointing houses of representatives.

"In every republic, in the smallest and most popular, in the larger and more aristocratical, as well as in the largest and most monarchical, we have observed a multitude of curious and ingenious inventions to balance, in their turn, all those powers, to check the passions peculiar to them, and to control them from rushing into those exorbitancies to which they are most addicted; the Americans will then be no longer censured for endeavoring to introduce an equilibrium, which is much more profoundly meditated, and much more effectual for the protection of the laws, than any we have seen, except in England; we may even question, whether that is an exception.

"In every country we have found a variety of orders, with very great distinctions. In America there are different orders of offices, but none of men; out of office all men are of the same species, and of one blood; there is neither a greater nor a lesser nobility. Why then are they accused of establishing different orders of men? To our inexplicable mortification we must have remarked that the people have preserved a share of power, or an existence in the government, in no country out of England, except upon the tops of a few inaccessible mountains, among rocks and precipices, in territories so narrow that you may span them with an hand's breadth; where, living unenriched, in extreme poverty, chiefly upon pasturage, destitute of manufactures and commerce, they still exhibit the most charming picture of life, and the most dignified character of human nature.

"Wherever we have seen a territory somewhat larger, arts and sciences more cultivated, commerce flourishing, or even agriculture improved to any great degree, an aristocracy has risen up in a course of time, consisting of a few rich and honorable families, who have united with each other against both the people and the first magistrate; wrested from the former, by art and by force, all their participation in the government, and even inspired them with so mean an esteem of themselves, and so deep a veneration and strong attachment to their rulers, as to believe and confess them a superior order of beings.

"We have seen these noble families, although necessitated to have a head, extremely jealous of his influence, anxious to reduce his power, and constrain him to as near a level with themselves as possible, always endeavoring to establish a rotation, by which they may all equally in turn be entitled to the pre-eminence, and equally anxious to preserve to themselves as large a share of power as possible in the executive and judicial, as well as the legislative departments of the state.

"These patrician families have also appeared, in every instance, to be equally jealous of each other, and to have contrived, by blending lot and choice, by mixing various bodies in the elections to the same offices, and even by the horrors of an inquisition, to guard against the sin that so easily begets them, of being wholly influenced and governed by a junto or oligarchy of a few among themselves.

"We have seen no one government in which is a distinct separation of the legislative from the executive power, and of the judicial from both, or in which any attempt has been made to balance these powers with one another, or to form an equilibrium between the one, the few, and the many, for the purpose of enacting and executing equal laws, by common consent, for the general interest, excepting in England.

"Shall we conclude, from these melancholy observations, that human nature is incapable of liberty; that no honest equality can be preserved in society; and that such forcible causes are always at work as must reduce all men to a submission to despotism, monarchy, oligarchy, or aristocracy?

"By no means.—We have seen one of the first nations in Europe, possessed of ample and fertile territories at home, and extensive dominions abroad, of a commerce with the whole world, immense wealth, and the greatest naval power which ever belonged to any nation, who have still preserved the power of the people, by the equilibrium we are contending for, by the trial by jury, and by constantly refusing a standing army. The people of England alone, by preserving their share in the legislature, at the expense of the blood of heroes and patriots, have enabled their kings to curb the nobility, without giving him a standing army.

"After all, let us compare every constitution we have seen with those of the United States of America, and we shall have no reason to blush for our country; on the contrary, we shall feel the strongest motives to fall upon our knees in gratitude to heaven, for having been graciously pleased to give us birth and education in that country, and for having destined us to live under her laws! We shall have reason to exult, if we make our comparison with England and the English constitution. Our people are undoubtedly sovereign; all the landed and other property is in the hands of the citizens; not only their representatives, but their senators and governors, are annually chosen; there are no hereditary titles, honours, offices, or distinctions; the legislative, executive, and judicial powers are carefully separated from each other; the powers of the one, the few, and the many, are nicely balanced in their legislatures; trials by jury are preserved in all their glory, and there is no standing army; the habeas corpus is in full force; and the press is the most free in the world; and, where all these circumstances take place, it is unnecessary to add, that the laws alone can govern.

In the subsequent letters Mr. Adams contemplates, with a critical and philosophic eye, the most celebrated states and commonwealths of antiquity, Carthage, Athens, Achaia, Crete, Corinth, Argos, Thebes, Crotona, Sybaris, Lucris, and Rome; and at the same time delivers the opinions of the celebrated ancient and modern writers concerning the principles of government in general, and these governments in particular. The result of his researches is favorable to that division of power which the English and the Americans have adopted, and which appears to rest upon the authority, the experience, and the wisdom of ages.

In the postscript, Mr. Adams favors the public with the copy of a letter which he sent to the Abbe de Mably when he declared his intention of writing on the American revolution. The adventurous spirit of the French literati is well known; who, trusting to the versatility of their talents, which is often great, and to the correct elegance of their language, which is universally read, presume to write on all subjects, foreign and domestic, human and divine, on a very slender acquaintance. Our author's request to the Abbe to write upon American affairs was a piece of meek civility, and, as he informs us, "rather a desire that he would not expose himself, by attempting a history that he was altogether unprovided for, than any formal request that he should write at all. We are obliged," continues Mr. Adams, "to any gentleman in Europe who favors us with his thoughts; but, in general, the theory of government is as well understood in America as it is in Europe; and by great numbers of individuals is every thing, relating to a free constitution, infinitely better comprehended than by the Abbe de Mably, or M. Turgot, amiable, learned, and ingenious as they were."

The preface to this work contains many excellent and manly sentiments, worthy of an ancient Greek or Roman. The following observations, which form a panegyric on the English as well as American constitution, will serve as a specimen:

"It is become a kind of fashion among writers to admit, as a maxim, that, if you could be always sure of a wise, active, and virtuous Prince, monarchy would be the best of governments. But this is so far from being admissible, that it will forever remain true that a free government has a great advantage over a simple monarchy. The best and wisest Prince, by means of a free communication with the people, and the greater opportunities to collect the best advice from the best of his subjects, would have an immense advantage in a free state more than in a monarchy. A senate consisting of all that is most noble, wealthy, and able in the nation, with a right to counsel the crown at all times, is a check to ministers, and a security against abuses, that a body of nobles who never meet, and have no such right, can never accomplish. Another assembly, composed of representatives, chosen by the people in all parts, gives the whole nation free access, and communicates all the wants, knowledge, projects, and wishes of the nation, to government; excites an emulation among all classes, removes com-

plaints, redresses grievances, affords opportunities of exertion to genius, though in obscurity, and gives full scope to all the faculties of man; opens a passage for every speculation to the legislature, to administration, and to the public; it gives an universal energy to the human character, in every part of the state, which never can be obtained in a monarchy.

"There is a third particular which deserves attention both from governments and people. The ministers of state, in a simple monarchy, can never know their friends from their enemies; cabals in secret undermine their influence, and blast their reputations. This occasions a jealousy ever anxious and irritated, which never thinks the government safe without an encouragement of informers and spies, throughout every part of the state, who interrupt the tranquility of private life, destroy the confidence of families in their own domestics and one another, and poison freedom in its sweetest retirements. In a free government, on the contrary, the ministers can have no enemies of consequence but among the members of the great or little council, where every man is obliged to take his side, and declare his opinion upon every question. This circumstance alone, to every manly mind, would be sufficient to decide the preference in favor of a free government. Even secrecy, where the executive is entire in one hand, is as easily and surely preserved in a free government as in a simple monarchy; and as to dispatch, all the simple monarchies of the whole universe may be defied to produce greater or more examples of it than are to be found in English history."

The celebrated Mr. Hume used to call Dr. Franklin "the first fruits of America." The American revolution has given elasticity and energy to the minds of the inhabitants, has called forth talents and abilities of every kind, and produced a more copious harvest than the solitary "first fruits" observed by Mr. Hume seemed to indicate. A Copley and a West have obtained the honors of the pencil; Dwight, Barlow, and Trumbull, have distinguished themselves in poetry; Belknap and Ramsay in history; Jefferson has excelled in philosophical researches; Paine in political speculations; and to these names, known and appreciated by the learned world, that of Mr. Adams will be added, who, in the work before us, discovers an extent of learning, an acuteness of reflection, and a masculine spirit, which few ambassadors in any court of Europe possess, but which all of them would be proud to display. Whatever opinion we may entertain of American ambition or policy, the muses are never at war; however the scale of empire rises or falls, every lover of literature will rejoice that the arts are about to make the tour of the world; and that the same sun of science and taste which guided the east with its orient rays, is now illuminating the west, and diffusing warmth and splendour on regions that were formerly unknown to history, and remote from civilization.

FAMILY COMPACT.

Report of the Committee of Foreign Affairs to the National Assembly.

"Your committee having taken into their most serious consideration the requisition from the Court of Spain, demanding a categorical answer, touching our engagements, in consequence of the Family Compact, have the honor to submit to the wisdom of the National Assembly, whether a strict compliance with the said requisition would not be risking too much under the present circumstances of the kingdom, more especially the nature of the question being materially altered since the preliminary declarations between England and Spain, subsequent to the date of our deliberation on this point, affording us the pleasing prospect of a speedy and amicable accommodation between the two powers; nevertheless, should your best endeavours towards a happy termination fail, we hold ourselves bound in honour to support our ancient ally, in every such right and claim as you shall deem reasonable and just."

The last messenger to Madrid had orders to stay for the answer from the Spanish Court ten days, and no longer. On the expiration of the ninth day, Mr. Fitzherbert sent notice to Count Florida Blanca that the messenger would certainly quit Madrid on the ensuing day. This occasioned an immediate interview, and produced the declarations. It is evident from this, that the Spaniard only consulted the convenience of the moment—only did it to prolong time—that he did it with great reluctance—and will wipe away the discharge with a war, if France can be brought to assist him.

WAR DEPARTMENT, Sept. 9, 1790.

INFORMATION is hereby given to all the military Invalids of the United States, that the sums to which they are annually entitled, and which will become due on the fourth day of March ensuing, will be paid on the said day, by the Commissioners of the Loans within the States respectively, under such regulations as the President of the United States may direct.

H. KNOX,
Secretary for the Department of War.