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[Whole No. 236.]

FROM THE COLUMBIAN CENTINEL.

MR. RUSSELL,

THE next article upon which Mr. Paine has pronounced the superiority of the French constitution, is upon the subject of making war and peace. The right, he says, is placed where the expense is; that is in the nation.—Whereas, “in England, the right is said to reside in a metaphor, shewn at the Tower for sixpence or a shilling a piece.” He answers himself again in this passage, and shows the folly of placing such a formidable right in a metaphor; but in this instance, as in the former, there is much wit, and no truth; and I must take the liberty to affirm, in contradiction to Mr. Paine, that the French constitution has not, nor could not place the right of declaring war, where the expense must fall; and that the English constitution has not placed this right in a metaphor.

The expense of supporting wars must in all countries be defrayed by the nation, and every individual must bear his proportion of the burthen. In free countries that proportion must always be determined by the representatives of the people; but the right of deciding when it may be expedient to engage in a war cannot possibly be retained by the people of populous and extensive territory, it must be a delegated power; and the French constitution has vested it in the *National Assembly*. By the English constitution it is vested in the supreme executive officer: but to guard against the abuse of this formidable power, it has given to the representatives of the people the exclusive right of providing for the support of the war, and of withholding the supplies, “the sinews of war,” if it should ever be declared contrary to the sense of the people themselves. Mr. Paine supposes a perplexity which is warranted neither by theory nor by the experience of history, “if the one rashly declares war,” says he, “as a matter of right, and the other pre-emptorily withholds the supplies as a matter of right, the remedy becomes as bad if not worse than the disease.”

But every war in England must be the war of the people: the King is in reality no more than the organ of the nation, and must be more than an idiot to declare a war, upon which he must depend altogether upon them for its support, without being certain of that support. Imaginary conclusions drawn by reasoning against the inevitable order of things, are unworthy of a politician, and should be left as a feeble resource for the satyrists. To have given this objection even an appearance of plausibility, Mr. Paine should have mentioned an instance, when this clashing of the rights of the King and of the Commons has ever been productive of the ill effects which his fancy has sagaciously drawn from them.

Indeed Mr. Paine himself, upon further reflection acknowledges the futility of his objection, and says “that in the manner the English nation is represented, it signifies not where this right resides, whether in the Crown or in the Parliament.” But I apprehend, if the representation in England were as perfect as human wisdom could devise, their present system with respect to peace and war, would comprize all the advantages of the French system, and at the same time be free from many inconveniences to which that must be liable.

It must be clear to every one that the French have not, as Mr. Paine pretends, united the right and the expense: The impracticability of such an union, must be equally evident; and the only question which can establish a fair ground of comparison between the two constitutions is, Whether it is expedient to delegate to the legislative, or whether to the executive authority, the right of declaring war.

As I am not a convert to Mr. Paine’s opinion, that a nation has a right to do what it pleases, I must be allowed to say that they have no right to make war upon their neighbours, without provocation. The people by their representatives must judge, when the provocation is sufficient to dissolve them from all the obligations of morality and humanity, by which nations are bound to preserve the blessings of peace. But when they have determined that the great law of self-preservation, to which all other laws must give way, or that the laws which they have enacted in consequence of the primitive contract which united all their power for the benefit of every individual, compel them to appeal for justice to the God of battles, then, the declaration of war, the for-

mal act, by which they announce to the world their intention to employ the arm of power in their own defence, seems to be the proper attribute of the executive power. The difference therefore, between the English and French constitutions considered in this light can involve only a question of propriety, and as such the English appears to me to deserve the preference.

If this idea should be considered as heretical, I must beg leave to call to my assistance the authority of *Rousseau*, a name still more respectable than that of Mr. Paine, because death has given the ultimate sanction to his reputation. “The act of declaring war,” says he in his social compact, “and that of making peace, have been considered as acts of sovereignty, which is not the case; for either of those acts is not a law, but only an application of the law; a particular act which determines the operation of the law, as will be clearly perceived when the idea annexed to the word *law* shall be ascertained.” The spirit of the English constitution is perfectly agreeable to this idea.

But let us consider the subject a little further. Whenever a difference arises between two nations which may terminate in a war, it is proper and customary, that previous negotiations should be held, in order to use every possible means of settling amicably the dispute. These negotiations, the appointment of the agents, by whom they are to be conducted, and the communication of the proposals for accommodation, which are respectively offered by either of the parties, are all appropriated to the executive department. When the restoration of peace becomes expedient in the opinion of the people, agents must again be appointed, and proposals of pacification must again be made. It is obvious to every man, that in the management of these concerns the utmost secrecy and dispatch are frequently of essential necessity to the welfare of the people; but what secrecy can ever be expected, when every instruction to an Ambassador, every article of a proposed treaty, and every circumstance of information from the minister, in the progress of his operations, must be known to twelve hundred men assembled in the capital of the republic; what probability of dispatch, when all these things must be debated in this assembly of 1200 men; where every thing must in the necessary order of events be opposed, by interested individuals and irritated factions, who may protract the discussion for months or years at their pleasure.

By the constitution of the United States, it is true, the right of declaring war is vested in the Congress, that is, in the legislative power. But it is in the point of form that it agrees with the constitution of France; it has wisely placed the management of all negotiations and treaties, and the appointment of all agents and ministers in the executive department; and it has so thoroughly adopted in this instance the *principles* of the English constitution, that although it has given the Congress the right of declaring war, which is merely a difference of form, it has vested in the President, with the advice of the Senate as his executive council, the right of making peace, which is implied in that of forming treaties. This is not the first instance in which Mr. Paine’s principles attack those of the constitution of his country. Highly as we may revere, however, the principles which we are under every obligation to support, we may without irreverence acknowledge that they partake of the human imperfection from which they originated, and if Mr. Paine’s principles in opposition to them, are in any instance founded upon eternal truth, we may indulge the hope, that every necessary improvement will be adopted in a peaceable and amicable manner by the general consent of the people. But if the principles of Mr. Paine, or those of the French National Assembly, would lead us by a vain and delusive pretence of an impracticable union between the right of declaring, and the expense of supporting a war, to the sacrifice of principles founded in immutable truth, if they could persuade us, by establishing in the legislative body all negotiations with foreign nations relative to war and peace, to open a thousand avenues for base intrigue, for furious faction, for foreign bribery, and domestic treason, let us remain immovably fixed at the banners of our constitutional freedom, and not desert the impregnable fortrefs of our liberties, for the unsubstantial fabric of visionary politicians.

PUBLICOLA.

FROM THE GENERAL ADVERTISER.

BRUXELLES, April 21.

NEITHER the internal disturbances which followed the insurrection, nor the agitation which still exists, have been any opposition to the execution of the Emperor’s intentions. It was of importance to Leopold that the Belgic people should feel the necessity of order, and wish for the return of any kind of government. Princes have more patience than the people—they understand the art of wearing out the courage of the people, simply by suffering them to act. They sometimes even irritate the unfortunate beings who suffer, in order to tire them the sooner—and then they become an easy prey: They then step forward, and the people contend who shall first be placed under their paternal protection, and adore the iron hand that protects them. This is our history.

A remarkable operation, partly commercial, and in part political, has been performed here. Government has granted to the house of *Haye* and *Co.* of Bruxelles, the exclusive privilege of buying the muskets and other arms, of the patriots of Brabant. Who would credit the shameful eagerness with which our citizens run to dispose of their arms? The company of *Haye* has already bought up an astonishing quantity; they have upwards of 28 or 30,000 muskets. What must we think of this people, who resume the yoke as a garment? What are we to conclude from this inconceivable docility, but that this people, the sport of intrigue, have never acted from proper spirit, and a sentiment of their own dignity; and that excited, by the mere cry of liberty, by some seditious characters, they now conceive their past conduct founded on an error, and inwardly regret and pant after the habits of their ancient and comfortable obedience; The government appears yet to fear a popular clamor against the reinstated States General, and are busy in protecting them, as the assembly, by a military force, which is looked on by the people only as a diverting shew. This is our present situation.

THE REV. DR. PRICE.

A List of some of the writings of this excellent man, may be acceptable to our readers:

His first publication was a *Thanksgiving Sermon*, preached in the year 1759. He has since published a Review of the principal questions in Morals, 8vo. A treatise on Reverfionary Payments, 1 vol. 8vo. afterwards enlarged to 2 vols. An appeal to the public on the National Debt. In 1776, he published a pamphlet on the justice and policy of the American war, which made a great impression on the inhabitants of this country.

This work has been since enlarged to an 8vo. volume. In 1779 and 1781, two or three fast sermons: A treatise on annuities and assurances for lives; with an essay on population, in 8vo.: State of the Public Finances and Public Debt in 1783: Observations on the American Revolution, and a volume of Sermons on the Christian Doctrines. He contributed largely to a volume of Friendly Correspondence, published by himself and Dr. Priestley, on the Doctrines of Materialism and Philosophical necessity. One of his last publications was a Discourse on the Love of our Country, preached at the Old Jewry to the Revolution Society, on the 4th of November, 1789.

LANSINBURGH, July 22.

It is observed that several farmers are spreading their flax before beating out the seed, by which they are like to lose what the more prudent will save. It is true, flax-seed has run low; but if we may credit the late accounts from Ireland, that article will this season be in demand: exports last year turned out so, that it is very possible the shipments will be larger this. Farmers, save your seed! at any rate, if it be properly cleaned, it will bear a price with wheat.

NEW-YORK, July 28.

A generous and humane action of a sailor deserves to be recorded. A fine little boy, son of Mr. James Saidler, of this city, accidentally fell into the East-River yesterday, from Jones’s wharf. Mr. Launcelot Chalmers, of the brig *Sally* of London, fortunately observing the accident, immediately at the imminent risk of his own life, jumped into the river, and happily saved the life of the boy.