

FIFTH LETTER ON PARTIES.

Addressed to the People of the State of New York.

IN my last address, I entered into some theoretic and practical definitions in order to present to your eye a precise and distinct image of the subject which I have undertaken to examine. By pursuing the spirit of party itself, in its operations, we are best enabled to judge of its effects.

I have stated, that the species of parties most natural to a regular and free government, is the mixed species; including indeed, in its temper and complexion either to the real or to the personal, according to circumstances connected with the spirit of the laws or the habits of the people. In this view of the subject, therefore, my remarks will principally proceed.

In attempting to shew that the prevalence of party spirit is inconsistent with the true interests of society, we labour under the same difficulty, which embarrasses us, when we apply the reasoning power to subjects of universal and sensible impression. The illustrations of argument seem almost thrown away, when they simply accord with the perceptions of the senses. Those have little need to be convinced, who forcibly feel. The unhappy effects of party spirit are strongly visible: they stand confessed: they are evidenced in the complaints of all virtuous men; in the forced acknowledgment of those who labour to support and perpetuate the party system. Mere assertions and simple descriptions of the evil influence of faction meet a ready assent in the silent and painful consciousness of the sufferers: but silent complaints do not produce reform. The suggestions of the press are re-echoed by the murmurs of the people; still faction triumphs over their best impressions, and holds them fast in her magic circle. Under this view of the futility of slight and superficial applications to a wound so deep, I commenced the present enquiry; and this shall be my apology for pursuing it so extensively. I expect no positive or final success from a single effort: but my ambition would be, to open the field of fair examination, and to excite a spirit of general enquiry; in order, that our ideas and views may assume a consistent and embodied form, and that we may be enabled thereby to make the more vigorous and decisive exertions.

Let us proceed to shew that the prevalence of party spirit is inconsistent with the dearest interests of society.

In the first place, party spirit is incompatible with some of the essential principles of republican government:—One of these principles is, that all shall be subject to the control of general, standing laws, and nothing to the occasional impulses of arbitrary will. Without this principle free states could not exist. The people, even in small societies, if governed by their own arbitrary will, would soon destroy their own liberty. Law, which is but the expression of the steady will of the people, is the only power which can protect them. They cannot rely upon expedients, for they have neither the capacity to judge, nor the power to apply them: Their safety and welfare will be in proportion to the extensive and equal operation, and to the permanency of the laws. Two objects, therefore, are of high importance; that the laws should be a just and faithful expression of the public will; and that they should be permanent and steady in their operation. This joint principle forms the perfect union of liberty and order:—it is the secret of an everlasting republic.

Again, it should be a main design in fundamental institutions, to provide, that the public will shall be consonant to the dictates of sound reason, as well as that it shall be truly and faithfully expressed in the councils of government. But how shall the public will be agreeable to reason, when the public mind is under the strong impulse of passion and prejudice? Reason forms just estimates of our substantial interests, by a comparative and calm survey of objects, with all their attendant circumstances. Passion creates deceitful visions, and imposes false estimates, by confining us to single objects, and to single points of view.—Reason binds us to the society, by shewing us the strong relations between our interests, and those of our country: Passion divides us from it by obscuring those relations. In a state of moderation and peace, reason always assumes her high control; passion always triumphs in times of faction and dissension. There is only one case in which a state of violence induces a sacrifice of partial to general interest: It

is the case of external war. War involves our partial and joint interests in one common danger. Such a sacrifice is natural. But the tendency of party spirit, is the very reverse. In party dissensions, to support the partial interest is the very object of the violent operation. Faction nourishes a selfishness of the worst kind, a selfishness founded on the malignant passions.

It follows from these considerations, that while party spirit prevails, the general will of the people, venerable as it is, can rarely ensure wisdom, purity and justice in the public administration.

Another great enquiry is, how shall the public will be ascertained and collected? This is one of the most difficult, as well as most important operations, in government. It is not a mere matter of mechanical skill.—Much will depend upon the temper and habits of the people. Wise legislators, when they have provided, in the structure of the system, the most sure and convenient channels, thro' which to convey the sovereign will of the people have done but half their work: a greater and nobler effort of genius is to provide in the same system, a principle of re-action and moral influence upon the people themselves, in order to form and model that will, according to the eternal laws of virtue. This may indeed be in part accomplished by a mechanical operation. For example, one of the highest improvements in constitutional theory, is to divide a state into small districts for the purposes of election: But what constitutes the merit of this principle? chiefly its tendency to exclude or check party spirit. Faction delights in large combinations under a singular form; in setting a mass of people in motion: in drawing a thousand points of excitability to the touch of contagion; It derives its first infantine nourishment from the more domestic relations; but as the monster arrives to a more vigorous growth it requires a stronger aliment, the product of a wider harvest. A favorite object of great legislators has ever been to guard against the dreadful evils of party-spirit. To this end, they have by every possible means, calculated their institutions to promote equality and independence among the people; to exclude corrupt influence; to temper the passions and to improve their habits, by educating them in the moral school of the laws.

But to recur to the question, how shall the general will of the people be collected? It can be done only in times of moderation and peace: or in particular moments, when they are subject to some universal impression of common danger, or labor under some palpable oppression.—The will of the people to be just, must be general, the result of natural impression and calm reflection. When parties prevail, the general good of the whole society, is out of sight; for this one melancholy reason, among many others; a measure of universal utility must embrace both parties in the circle of its benefits; is totally inconsistent with that spirit of rancor and hatred, which possesses the breasts of both. So deadly is this spirit, that an established faction will freely sacrifice the personal advantages and enjoyments of the individuals who compose it, in order to involve its enemy in the same sacrifice.—This is indeed a strong position, but I ask the supporters of the party system will answer me in the triumph of conscious rectitude, or with the blush of guilty regret, if they have never advocated measures inconsistent with the general good of the people, because such measures were necessary to enable one half of the community to gain a victory over the other; if they have never opposed a measure of obvious utility, because their political adversaries would participate in its benefits.—True; the party leaders are ready on all occasions to hold out to the view and embrace of their deluded followers,—an image which they call the public good; it is the standard, round which to rally.—But it is in truth an empty phantom, compounded of mischief and error—the eye of reason looks thro' it, and sees the wicked mechanism of sorcery under its gaudy garb. The public good and the interest of a faction, let that faction appear in what shape it will, are totally incompatible.—The public good excludes the idea of a partial interest, and with a partial interest a faction cannot exist.

When a community is split into two great divisions, which is the actual state of things to which the party spirit system inclines, the public good is a subject justly understood by those calm and philosophical patriots alone, who, retiring from the scene of dissension, are equally free from the influence of passion and the stimulus of interest. But in such a state, what is called the will of the people is a mere fiction. The true will of the people must approach to unanimity; it must accord with their true interests, which are always too general, comprehensive and indefinite to be confined to any distinct portion of the community. It will avail nothing to say, that the will of the people is determined by the voice of a majority.—It is an outrage upon our common understanding and feelings. That a majority should govern is a rule founded on dire necessity; and where does this necessity arise? from party spirit. Look into all legislative bodies, at a period when parties run high, do you not see all questions of public policy, tho' ever so various, tho' ever so simple, tho' ever so momentous, discussed in the tone of hostility, by parties disciplined, officered and drawn out in martial array? Do you not see these rival armies generally well matched in numbers, in prowess and skill? Do you not see victory often determined by the treachery of a leader, the loss of a man, or the

capture of a post? What is the process of collecting the public mind, under this corrupt system, but a method of recruiting for the field? What is legislating by bare majorities but tyranny and usurpation?—It is only a means for one half of the state to triumph over and oppress the other. If it becomes the established system, it is not to be endured: It becomes an outrageous and habitual sacrifice of the natural interests of the people to artificial objects with which they have no concern.

The only remedy for this great evil is the extinction of party spirit.

Again, the measures of government, in order to express the true will of the people, must be uniform; for the interests of the people are uniform: they rest on principles and circumstances which are subject to few changes. But, where a state is rent into two factions, the public measures will fluctuate with the slightest accidents, with the occasional variations in the success of the several parties: instead of being safe and permanent, they are exposed to all the risks and casualties of the ocean and the enemy; to day a system is established, to which the habits of the people may assimilate, under which, however vicious it may be, they may find protection, if not felicity: to-morrow, it is levelled to the ground by a single vote. At one moment a measure of general policy is adopted, as just and necessary; at another, it is condemned as dangerous and absurd. Can this be the will of the people? No! It is the will of a rival power; a power unrecognized by the principles of a free state, and unknown to the constitution and laws.

It appears then, my fellow-citizens, that wherever party spirit prevails, the measures of government can never be uniform and steady; can never represent fairly the national interest, nor express truly the national will—it appears then, that the operation of party spirit is directly repugnant to the operation of the law, which delights in diffusing equal and universal benefits, and abhors uncertainty, partiality and a fluctuating policy. It appears in fine, that the spirit of party is the most bitter and dangerous enemy to the principles of republican government.

I shall pursue this branch of the enquiry in a subsequent letter.

CONSTANTIUS.

From the Daily Advertiser.

IT is certainly very fair to conclude, that as the Democratic Societies have undertaken to justify their institution, the reasons we have seen are the best if not the only ones they had to offer.—Of these justifications, that of the committees, conventions, and congresses, existing at the commencement of our revolution, and of the order of the Cincinnati: appear to be their principal reliance.—It is therefore proper to consider these subjects, in order to discover how far they apply to their case or whether they apply to it at all.

It must be obvious to every person of common reflection, that upon the sudden overthrow of a former government there must necessarily be a certain interval of time, between that and the organization of another system, in which for the preservation of common order, and the efficacious operation of revolutionary measures, the community must have recourse to some temporary expedients, not warranted by the strictest principles of municipal law.—Especially when these operations take place, in the face of hostilities with an inveterate and powerful enemy.

This was precisely the case at the separation of the American colonies from the dominion of Great-Britain.—Our committees, &c. were formed, or existed only during the season of revolution, or until a more regular system could be adopted.—The ancient government was totally unshinged—and we were in a state of war. But for the expedients which were applied, we must have been in a state of complete anarchy—and a certain prey to the enemies of our liberties.—It ought however, carefully to be remarked, that the committees and conventions, &c. were as freely and fully elected, and by as great a majority, as the nature of existing calamities would possibly admit.—And as soon as a regular plan of government was digested and received—we heard no more of committees or conventions.—Such was the virtue, wisdom, and true patriotism of the whigs of seventy-six and seventy seven. Now if our country is again in a state of revolution, or if our national and individual calamities, are so insupportable, as to call for the immediate prostration of government again—or be this as it may, if the societies do mean at all events to destroy it.—why then it must be acknowledged they have been happy in their allusion or have hit upon the right expedient. But if we are not in a state of revolution—and they are not resolved to destroy the government, then their reasoning on the score of our committees is entirely groundless.—And as they could not be ignorant of facts of so recent a date, their suggestion can be regarded in no other light than an intended deception upon the credulous and unthinking part of society—or a powerful evidence that

their object really is, or was, the annihilation of the present constitution.

The observations of an individual might be received with less weight, if they were not supported in the fullest manner, by the convention of this state in forming the constitution, and by declarations of the provincial congress in seventy-six.

In the preamble of the constitution, we have the following words:

“Whereas, the many tyrannical usurpations, &c. on the rights and liberties of the people of the American colonies, had reduced them to the necessity of introducing a government by Congresses and committees, as temporary expedients,” &c.—This clause is very explicit—and among other things; shews, that the convention were either fearful that the committees, &c. would attempt to prolong their existence and influence, after the formation of a regular government—or, that they looked to posterity, and meant to give them a caution, or establish the principle that societies of a political nature, not founded on the most pressing national necessities such as the subversion of former government, which is a revolution—ought to be avoided.—It is no disparagement, to say, we have not better whigs at this day, than the members of that convention—and I am sure there were among them men of greater abilities and knowledge, than are to be found in the Democratic Societies from one end of the United States to the other.

“And whereas many inconveniences, &c. attend the mode of government by Congress and committees, as of necessity in many instances, legislative, judicial, and executive powers have been vested therein, &c.”

If the conventions and committees, which were elected by, and acted under the authority of the people were deemed even in time of war, improper—what must be thought of our newly instituted legislators. Their constitution speaks of Statutes, Laws, Crimes, Trials, Judgments, and Punishment.—They are even styled a Legislature—and the three cardinal powers which were deemed improper to exist in one and the same body by our convention, are all centered in one mass, by the democratic societies—and that not by election, but self-creation.—And continued, after they have been denounced, not only by the Representatives of the nation—but also by nine tenths of the combined wisdom, virtue, patriotism, numbers, and wealth of the United States. Of this texture is the constitution of France; and it is strictly conformable to Jacobinical principles—at the same time there is little doubt that a combination of powers in one set of men has been the greatest cause of their unequalled calamities and anarchy.

In the partial suppression of the Jacobins they seem now to have a little respite. But I never will believe that such a government will hold together long, until I see it.

A very facetious and cunning wight of Mr. Franklin Bache's correspondence, declares those societies were erected, to support government.—That's a good one: and is a certain proof that he has not been of the cabinet council. This Wight has attempted to introduce a correspondence with me also.—In the first place he must pay the postage; otherwise the carrier will as before, have his labor for nothing. In the next place he must let me know his place of abode, &c. then perhaps by a personal communication he may be saved the trouble and expence of an epistolary correspondence.

By an after clause it appears that our provincial Congress, tho' elected by the people were so prudent that they would not further interfere with the concerns of the people without a new authority or another election.

It would be well if our democrats had a little of this consideration and delicacy. In fact if they would annihilate the federal Government at once, and then rule us alone; the thing would be more comfortable; for as any Government is better than none; so two Governments is worse than any.

In the 25th Sec. In order to shew that even where power has been exercised by the representatives of the people and acquiesced in by their constituents, if it has not received all the formalities of a deliberately organized system, it may be serupled, they authenticated the proceedings of the Congresses &c. by a constitutional fiat.

I think it must be very evident that the pretended analogy of the democratic societies to the committees &c. of our revolution, is not only totally unfounded; but by the investigation calls upon them by every argument of equality; political wisdom, and that equality which is the key stone of democracy, to adjourn their societies as has been done in Vermont; sine die; then, and

not till then, will their fellow citizens believe that they had it not in view, either to sap the foundations of our excellent system of Government; or, to prop up the tottering base of Antidemeralism.

Wm. WILLCOCKS.

Latest News from France

From the Aurora.

Late last evening the Editor was favored by capt. Waldron, of the schooner Maria, from Bordeaux, with a file of Paris papers for December complete. Copious extracts from them will appear in the Aurora with all expedition. In the mean time, we thought it would be acceptable to our readers to see a summary of their contents, which we therefore now translate.

PARIS, December 19.

Motion of Lecointre against the 26 assassins set free by the revolutionary tribunal: [The famous revolutionary committee of Nantes] Decree of the Convention on that subject, ordering those twenty-six individuals to be again put in prison. Motion of Bourdon de l'Oise against the revolutionary tribunal: decree ordering the juries and judges of that tribunal to be suspended and replaced. A considerable quantity of merchandise transmitted to Paris by the representatives of the people at L'Orient.

December 20.

All the horrors committed by the infamous tribunal of Robespierre revealed. Insurrection in the island of Guadeloupe.

December 21.

Dénunciation of Clauzel against Collet d'Herbois, Vauclaud and others. Decree on the reorganization of the revolutionary tribunal. Important news from the Vendee and Nantes. Return of the Chouans and other rebels, to the standard of liberty.

December 22.

Gregoire's speech on the necessity of establishing the liberty of opinion in religious matters: decree on that subject. Departure of the French fleet from Toulon, in order to fight the enemies of the republic. Arrival of several French commissaries in Italy. Negotiation between England and the United States. Result of the conferences between the British minister and the American ambassador. Important foreign news.

December 23.

Details on the manner in which Languinois [one of the most distinguished characters among the 22 members proscribed by the municipality of Paris on the 31st May, 1793] succeeded to put himself under the protection of the representatives near the coast of Cherbourg. False rumors spread on purpose, that the Convention intended to recall the emigrated officers of the ci-devant royal corps of matines. Interesting details of the death of Condorcet. Important report on the three committees; on the abolition of requisiions; on the prohibition of exporting cash; and the law of the maximum.

December 24.

Letter of Pache, the Ex-Mayor of Paris who demands to be sent before the revolutionary tribunal.—The law of the maximum repealed.—Necessity to permit every citizen, to adore the author of nature in the manner he pleases.

December 25.

Capture of the Dutch fortrefs of Grave on the 24th of November.

December 26.

Interesting details concerning the sister of Charette, the chief of the rebels who remained at Nantes disguised as a seamstress during the whole time of the war of La Vendee lasted; eminent services rendered by that woman in persuading the rebels to return to the republican family of Frenchmen. Another victory of the army of the Eastern Pyrennes over the Spaniards.

December 27.

Decree enjoining the committees of government to present this day their report on the conduct of Collet, Barrere and Billaud Varennes. The powder magazine of Landau blown up.

December 28.

Decree ordering that the conduct of Barrere, Collet d'Herbois, Billaud and Vadier, shall be examined by a commission consisting of 21 members appointed for that purpose by the Convention.—Speech of Barrere and Collet d'Herbois against their accusers, speech of Boissy d'Anglas on the necessity to make an end to the revolutionary government, and substitute a government more adapted to the genius of a free nation. Decree on that subject. Arrival at Angers of one of the principal chiefs of the rebels with a considerable number of his followers.