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An Essay On The History Of Civil Society

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Sect. V. Of Corruption, as it tends to Political Slavery.

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IN these reflections, it has been the object, not to ascertain a precise measure to which corruption has risen in any of the nations that have attained to eminence, or that have gone to decay; but to describe that remissness of spirit, that weakness of soul, that state of national debility, which is likely to end in political slavery; an evil which remains to be considered as the last object of caution, and beyond which there is no subject of disquisition in the perishing fortunes of nations.

S E C T. V.

Of Corruption, as it tends to Political Slavery.

LIBERTY, in one sense, appears to be the portion of polished nations alone. The savage is personally free, because he lives unrestrained, and acts with the members of his tribe on terms of equality. The barbarian is frequently independent from a continuance of the same circumstances, or because he has courage and a sword. But good policy alone can provide for the regular administration of justice, or constitute a force in the state, which is ready on every occasion to defend the rights of its members.

IT has been found, that, except in a few singular cases, the commercial and political arts have advanced together.



gether. These arts have been in modern Europe so interwoven, that we cannot determine which were prior in the order of time, or derived most advantage from the mutual influences with which they act and re-act upon one another. It has been observed, that in some nations the spirit of commerce, intent on securing its profits, has led the way to political wisdom. A people, possessed of wealth, and become jealous of their properties, have formed the project of emancipation, and have proceeded, under favour of an importance recently gained, still farther to enlarge their pretensions, and to dispute the prerogatives which their sovereign had been in use to employ. But it is in vain that we expect in one age, from the possession of wealth, the fruit which it is said to have borne in a former. Great accessions of fortune, when recent, when accompanied with frugality, and a sense of independence, may render the owner confident in his strength, and ready to spurn at oppression. The purse which is open, not to personal expence, or to the indulgence of vanity, but to support the interests of a faction, to gratify the higher passions of party, render the wealthy citizen formidable to those who pretend to dominion; but it does not follow, that in a time of corruption, equal, or greater, measures of wealth should operate to the same effect.

ON the contrary, when wealth is accumulated only in the hands of the miser, and runs to waste from those of the prodigal; when heirs of family find themselves straitened and poor, in the midst of affluence; when the cravings of luxury silence even the voice of party and
faction;



faction; when the hopes of meriting the rewards of compliance, or the fear of losing what is held at discretion, keep men in a state of suspense and anxiety; when fortune, in short, instead of being considered as the instrument of a vigorous spirit, becomes the idol of a covetous or a profuse, of a rapacious or a timorous mind; the foundation on which freedom was built, may serve to support a tyranny; and what, in one age, raised the pretensions, and fostered the confidence of the subject, may, in another, incline him to servility, and furnish the price to be paid for his prostitutions. Even those, who, in a vigorous age, gave the example of wealth, in the hands of the people, becoming an occasion of freedom, may, in times of degeneracy, verify likewise the maxim of Tacitus, That the admiration of riches leads to despotical government*.

MEN who have tasted of freedom, and who have felt their personal rights, are not easily taught to bear with incroachments on either, and cannot, without some preparation, come to submit to oppression. They may receive this unhappy preparation, under different forms of government, from different hands, and arrive at the same end by different ways. They follow one direction in republics, another in monarchies, and in mixed governments. But where-ever the state has, by means that do not preserve the virtue of the subject, effectually guarded his safety; remissness, and neglect of the public, are likely to follow; and polished nations of every

* Est apud illos et opibus honos; coque unus imperitat, &c. Tacitus de mor. Ger. c. 44.



description, appear to encounter a danger, on this quarter, proportioned to the degree in which they have, during any continuance, enjoyed the uninterrupted possession of peace and prosperity.

LIBERTY results, we say, from the government of laws; and we are apt to consider statutes, not merely as the resolutions and maxims of a people determined to be free, not as the writings by which their rights are kept on record; but as a power erected to guard them, and as a barrier which the caprice of man cannot transgress.

WHEN a basha, in Asia, pretends to decide every controverfy by the rules of natural equity, we allow that he is possessed of discretionary powers. When a judge in Europe is left to decide, according to his own interpretation of written laws, is he in any sense more restrained than the former? Have the multiplied words of a statute an influence over the conscience, and the heart, more powerful than that of reason and nature? Does the party, in any judicial proceeding, enjoy a less degree of safety, when his rights are discussed, on the foundation of a rule that is open to the understandings of mankind, than when they are referred to an intricate system, which it has become the object of a separate profession to study and to explain?

IF forms of proceeding, written statutes, or other constituents of law, cease to be enforced by the very spirit

rit from which they arose; they serve only to cover, not to restrain, the iniquities of power: they are possibly respected even by the corrupt magistrate, when they favour his purpose; but they are contemned or evaded, when they stand in his way: And the influence of laws, where they have any real effect in the preservation of liberty, is not any magic power descending from shelves that are loaded with books, but is, in reality, the influence of men resolved to be free; of men, who, having adjusted in writing the terms on which they are to live with the state, and with their fellow-subjects, are determined, by their vigilance and spirit, to make these terms be observed.

WE are taught, under every form of government, to apprehend usurpations, from the abuse, or from the extension of the executive power. In pure monarchies, this power is commonly hereditary, and made to descend in a determinate line. In elective monarchies, it is held for life. In republics, it is exercised during a limited time. Where men, or families, are called by election to the possession of temporary dignities, it is more the object of ambition to perpetuate, than to extend their powers. In hereditary monarchies, the sovereignty is already perpetual; and the aim of every ambitious prince, is to enlarge his prerogative. Republics, and, in times of commotion, communities of every form, are exposed to hazard, not from those only who are formally raised to places of trust, but from every person what-
ever,



ever, who is incited by ambition, and who is supported by faction.

IT is no advantage to a prince, or other magistrate, to enjoy more power than is consistent with the good of mankind; nor is it of any benefit to a man to be unjust: but these maxims are a feeble security against the passions and follies of men. Those who are intrusted with any measures of influence, are disposed, from a mere aversion to constraint, to remove opposition. Not only the monarch who wears a hereditary crown, but the magistrate who holds his office for a limited time, grows fond of his dignity. The very minister, who depends for his place on the momentary will of his prince, and whose personal interests are, in every respect, those of a subject, still has the weakness to take an interest in the growth of prerogative, and to reckon as gain to himself the incroachments he has made on the rights of a people, with whom he himself and his family are soon to be numbered.

EVEN with the best intentions towards mankind, we are inclined to think, that their welfare depends, not on the felicity of their own inclinations, or the happy employment of their own talents, but on their ready compliance with what we have devised for their good. Accordingly, the greatest virtue of which any sovereign has hitherto shown an example, is not a desire of cherishing in his people the spirit of freedom and independence; but what is in itself sufficiently rare, and
highly

highly meritorious, a steady regard to the distribution of justice in matters of property, a disposition to protect and to oblige, to redress the grievances, and to promote the interest of his subjects. It was from a reference to these objects, that Titus computed the value of his time, and judged of its application. But the sword, which in this beneficent hand was drawn to protect the subject, and to procure a speedy and effectual distribution of justice, was likewise sufficient in the hands of a tyrant, to shed the blood of the innocent, and to cancel the rights of men. The temporary proceedings of humanity, though they suspended the exercise of oppression, did not break the national chains: the prince was even the better enabled to procure that species of good which he studied; because there was no freedom remaining, and because there was no where a force to dispute his decrees, or to interrupt their execution.

WAS it in vain, that Antoninus became acquainted with the characters of Thrasea, Helvidius, Cato, Dion, and Brutus? Was it in vain, that he learned to understand the form of a free community, raised on the basis of equality and justice; or of a monarchy, under which the liberties of the subject were held the most sacred object of administration*? Did he mistake the means of procuring to mankind what he points out as a blessing? Or did the absolute power with which he was

* M. Antoninus, lib. 1.

furnished,



furnished, in a mighty empire, only disable him from executing what his mind had perceived as a national good? In such a case, it were vain to flatter the monarch or his people. The first cannot bestow liberty, without raising a spirit, which may, on occasion, stand in opposition to his own designs; nor the latter receive this blessing, while they own that it is in the right of a master to give or to withhold it. The claim of justice is firm and peremptory. We receive favours with a sense of obligation and kindness; but we would enforce our rights, and the spirit of freedom in this exertion cannot take the tone of supplication, or of thankfulness, without betraying itself. "You have intreated Octavius," says Brutus to Cicero, "that he would spare those who stand foremost among the citizens of Rome. What if he will not? Must we perish? Yes; rather than owe our safety to him."

LIBERTY is a right which every individual must be ready to vindicate for himself, and which he who pretends to bestow as a favour, has by that very act in reality denied. Even political establishments, though they appear to be independent of the will and arbitration of men, cannot be relied on for the preservation of freedom; they may nourish, but should not supersede that firm and resolute spirit, with which the liberal mind is always prepared to resist indignities, and to refer its safety to itself.

WERE a nation, therefore, given to be moulded by a sovereign, as the clay is put into the hands of the potter,

ter, this project of bestowing liberty on a people who are actually servile, is, perhaps, of all others, the most difficult, and requires most to be executed in silence, and with the deepest reserve. Men are qualified to receive this blessing, only in proportion as they are made to apprehend their own rights; and are made to respect the just pretensions of mankind; in proportion as they are willing to sustain, in their own persons, the burden of government, and of national defence; and are willing to prefer the engagements of a liberal mind, to the enjoyments of sloth, or the delusive hopes of a safety purchased by submission and fear.

I speak with respect, and, if I may be allowed the expression, even with indulgence, to those who are intrusted with high prerogatives in the political system of nations. It is, indeed, seldom their fault that states are enslaved. What should be expected from them, but that being actuated by human desires, they should be averse to disappointment, or even to delay; and in the ardour with which they pursue their object, that they should break through the barriers that would stop their career? If millions recede before single men, and senates are passive, as if composed of members who had no opinion or sense of their own; on whose side have the defences of freedom given way, or to whom shall we impute their fall? to the subject, who has deserted his station; or to the sovereign, who has only remained in his own; and who, if the collateral or subordinate members of government shall



cease to question his power, must continue to govern without any restraint?

IT is well known, that constitutions framed for the preservation of liberty, must consist of many parts; and that senates, popular assemblies, courts of justice, magistrates of different orders, must combine to balance each other, while they exercise, sustain, or check the executive power. If any part is struck out, the fabric must totter, or fall; if any member is remiss, the others must inroach. In assemblies constituted by men of different talents, habits, and apprehensions, it were something more than human that could make them agree in every point of importance; having different opinions and views, it were want of integrity to abstain from disputes: our very praise of unanimity, therefore, is to be considered as a danger to liberty. We wish for it, at the hazard of taking in its place, the remissness of men grown indifferent to the public; the venality of those who have sold the rights of their country; or the servility of others, who give implicit obedience to a leader by whom their minds are subdued. The love of the public, and respect to its laws, are the points in which mankind are bound to agree; but if, in matters of controversy, the sense of any individual or party is invariably pursued, the cause of freedom is already betrayed.

HE whose office it is to govern a supine or an abject people, cannot, for a moment, cease to extend his powers. Every execution of law, every movement of
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the state, every civil and military operation, in which his power is exerted, must serve to confirm his authority, and present him to the view of the public, as the sole object of consideration, fear, and respect. Those very establishments which were devised, in one age, to limit, or to direct the exercise of an executive power, will serve, in another, to settle its foundations, and to give it stability; they will point out the channels in which it may run, without giving offence, or without exciting alarms, and the very councils which were instituted to check its incroachments, will, in a time of corruption, furnish an aid to its usurpations.

THE passion for independence; and the love of dominion, frequently arise from a common source: There is, in both, an aversion to controul; and he, who, in one situation, cannot brook a superior, must, in another, dislike to be joined with an equal.

WHAT the prince, under a pure or limited monarchy, is, by the constitution of his country, the leader of a faction would willingly become in republican governments. If he attains to this envied condition, his own inclination, or the tendency of human affairs, seem to open before him the career of a royal ambition: but the circumstances in which he is destined to act, are very different from those of a king. He encounters with men who are unused to disparity; he is obliged, for his own security, to hold the dagger continually unsheathed. When he hopes to be safe, he possibly means



to be just ; but is hurried, from the first moment of his usurpation, into every exercise of despotical power. The heir of a crown has no such quarrel to maintain with his subjects : his situation is flattering ; and the heart must be uncommonly bad, that does not glow with affection to a people, who are, at once, his admirers, his support, and the ornaments of his reign. In him, perhaps, there is no explicit design of trespassing on the rights of his subjects ; but the forms intended to preserve their freedom, are not, on this account, always safe in his hands.

SLAVERY has been imposed upon mankind in the wantonness of a depraved ambition, and tyrannical cruelties have been committed in the gloomy hours of jealousy and terror : yet these demons are not necessary to the creation, or to the support of an arbitrary power. Although no policy was ever more successful than that of the Roman republic in maintaining a national fortune ; yet subjects, as well as their princes, frequently imagine that freedom is a clog on the proceedings of government : they imagine, that despotical power is best fitted to procure dispatch and secrecy in the execution of public councils ; to maintain what they are pleased to call *political order* *, and

* Our notion of order in civil society is frequently false : it is taken from the analogy of subjects inanimate and dead ; we consider commotion and action as contrary to its nature ; we think it consistent only with obedience, secrecy, and the silent passing of affairs through the hands of a few. The good order of stones in a wall, is their being properly fixed in the places for which they are hewn ; were they to stir the building must fall : but the good order of
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and to give a speedy redress of complaints. They even sometimes acknowledge, that if a succession of good princes could be found, despotical government is best calculated for the happiness of mankind. While they reason thus, they cannot blame a sovereign who, in the confidence that he is to employ his power for good purposes, endeavours to extend its limits; and, in his own apprehension, strives only to shake off the restraints which stand in the way of reason, and which prevent the effect of his friendly intentions.

THUS prepared for usurpation, let him, at the head of a free state, employ the force with which he is armed, to crush the seeds of apparent disorder in every corner of his dominions; let him effectually curb the spirit of dissension and variance among his people; let him remove the interruptions to government, arising from the refractory humours and the private interests of his subjects; let him collect the force of the state against its enemies, by availing himself of all it can furnish in the way of taxation and personal service: it is extremely probable, that, even under the direction of wishes for the good of mankind, he may break through every barrier of liberty, and establish a despotism, while he flat-

men in society, is their being placed where they are properly qualified to act. The first is a fabric made of dead and inanimate parts, the second is made of living and active members. When we seek in society for the order of mere inaction and tranquillity, we forget the nature of our subject, and find the order of slaves, not that of free men.

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ters himself, that he only follows the dictates of sense and propriety.

WHEN we suppose government to have bestowed a degree of tranquillity which we sometimes hope to reap from it, as the best of its fruits, and public affairs to proceed, in the several departments of legislation and execution, with the least possible interruption to commerce and lucrative arts; such a state, like that of China, by throwing affairs into separate offices, where conduct consists in detail, and in the observance of forms, by superseding all the exertions of a great or a liberal mind, is more akin to despotism than we are apt to imagine.

WHETHER oppression, injustice, and cruelty, are the only evils which attend on despotical government, may be considered apart. In the mean time it is sufficient to observe, that liberty is never in greater danger than it is when we measure national felicity by the blessings which a prince may bestow, or by the mere tranquillity which may attend on equitable administration. The sovereign may dazzle with his heroic qualities; he may protect his subjects in the enjoyment of every animal advantage or pleasure: but the benefits arising from liberty are of a different sort; they are not the fruits of a virtue, and of a goodness, which operate in the breast of one man, but the communication of virtue itself to many; and such a distribution of functions in civil society, as gives to numbers the exercises and occupations which pertain to their nature.

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THE best constitutions of government are attended with inconvenience; and the exercise of liberty may, on many occasions, give rise to complaints. When we are intent on reforming abuses, the abuses of freedom may lead us to inroach on the subject from which they are supposed to arise. Despotism itself has certain advantages, or at least, in times of civility and moderation, may proceed with so little offence, as to give no public alarm. These circumstances may lead mankind, in the very spirit of reformation, or by mere inattention, to apply or to admit of dangerous innovations in the state of their policy.

SLAVERY, however, is not always introduced by mere mistake; it is sometimes imposed in the spirit of violence and rapine. Princes become corrupt as well as their people; and whatever may have been the origin of despotical government, its pretensions, when fully explained, give rise to a contest between the sovereign and his subjects, which force alone can decide. These pretensions have a dangerous aspect to the person, the property, or the life of every subject; they alarm every passion in the human breast; they disturb the supine; they deprive the venal of his hire; they declare war on the corrupt as well as the virtuous; they are tamely admitted only by the coward; but even to him must be supported by a force that can work on his fears. This force the conqueror brings from abroad; and the domestic usurper endeavours to find in his faction at home.

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WHEN a people is accustomed to arms, it is difficult for a part to subdue the whole; or before the establishment of disciplined armies, it is difficult for any usurper to govern the many by the help of a few. These difficulties, however, the policy of civilized and commercial nations has sometimes removed; and by forming a distinction between civil and military professions, by committing the keeping and the enjoyment of liberty to different hands, has prepared the way for the dangerous alliance of faction with military power, in opposition to mere political forms, and the rights of mankind.

A people who are disarmed in compliance with this fatal refinement, have rested their safety on the pleadings of reason and justice at the tribunal of ambition and of force. In such an extremity, laws are quoted, and senates are assembled, in vain. They who compose a legislature, or who occupy the civil departments of state, may deliberate on the messages they receive from the camp or the court; but if the bearer, like the centurion who brought the petition of Octavius to the Roman senate, shew the hilt of his sword *, they find that petitions are become commands, and that they themselves are become the pageants, not the repositories of sovereign power.

THE reflections of this section may be unequally ap-

* Sueton.

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plied to nations of unequal extent. Small communities, however corrupted, are not prepared for despotical government: their members, crowded together, and contiguous to the seats of power, never forget their relation to the public; they pry, with habits of familiarity and freedom, into the pretensions of those who would rule; and where the love of equality, and the sense of justice, have failed, they act on motives of faction, emulation, and envy. The exiled Tarquin had his adherents at Rome; but if by their means he had recovered his station, it is probable, that in the exercise of his royalty, he must have entered on a new scene of contention with the very party that restored him to power.

IN proportion as territory is extended, its parts lose their relative importance to the whole. Its inhabitants cease to perceive their connection with the state, and are seldom united in the execution of any national, or even of any factious, designs. Distance from the seats of administration, and indifference to the persons who contend for preferment, teach the majority to consider themselves as the subjects of a sovereignty, not as the members of a political body. It is even remarkable, that enlargement of territory, by rendering the individual of less consequence to the public, and less able to intrude with his counsel, actually tends to reduce national affairs within a narrower compass, as well as to diminish the numbers who are consulted in legislation, or in other matters of government.



THE disorders to which a great empire is exposed, require speedy prevention, vigilance, and quick execution. Distant provinces must be kept in subjection by military force; and the dictatorial powers, which, in free states, are sometimes raised to quell insurrections, or to oppose other occasional evils, appear, under a certain extent of dominion, at all times equally necessary to suspend the dissolution of a body, whose parts were assembled, and must be cemented, by measures forcible, decisive, and secret. Among the circumstances, therefore, which in the event of national prosperity, and in the result of commercial arts, lead to the establishment of despotism, there is none, perhaps, that arrives at this termination, with so sure an aim, as the perpetual enlargement of territory. In every state, the freedom of its members depends on the balance and adjustment of its interior parts; and the existence of any such freedom among mankind, depends on the balance of nations. In the progress of conquest, those who are subdued are said to have lost their liberties; but from the history of mankind, to conquer, or to be conquered, has appeared, in effect, the same.

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