

and settled becomes so by repeated decisions of the judges, the cautious persons who manage the settlement of property are very slow to go to the limits of that which is safe. Even when a rule is first apparently established by a decision, it is not rashly trusted to. Some one tries it, like a boy first venturing on unsound ice, with trembling knees, dreading to be let through some crack or cranny, of which the apparent soundness of the surface has not given sufficient notice. If the first adventurer is not swamped, another and another experiment is made; and when the firmness is fully established, crowds rush on with the hardihood with which loungers and dealers in whisky and gingerbread ultimately trust their lives and possessions to the assurance of the frost.

The interference of the legislature will be required to make the rule of law reasonable and certain; and there is no conceivable reason why the rule, when the best one is ascertained, should not be extended to Scotland as well as England.

We must here conclude our notice of this able and useful publication. As our observations have been limited to one or two important topics, they afford a very inadequate view of its contents. It is, therefore, proper to add, that we consider it as by much the best manual of Political Economy, as the science now stands, that has yet been presented to the world, either in our own, or any other language with which we are acquainted.

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ART. IV.—*Statement of the Civil Disabilities and Privations affecting Jews in England.* 8vo. London: 1829.

THE distinguished member of the House of Commons, who, towards the close of the late Parliament, brought forward a proposition for the relief of the Jews, has given notice of his intention to renew it. The force of reason, last session, carried it through one stage, in spite of the opposition of power. Reason and power are now on the same side; and we have little doubt that they will conjointly achieve a decisive victory. In order to contribute our share to the success of just principles, we propose to pass in review, as rapidly as possible, some of the arguments, or phrases claiming to be arguments, which have been employed to vindicate a system full of absurdity and injustice.

The constitution—it is said—is essentially Christian; and therefore to admit Jews to office, is to destroy the constitution. Nor is the Jew injured by being excluded from political power. For no man has any right to power. A man has a right to his property;—a man has a right to be protected from personal in-

jury. These rights the law allows to the Jew, and with these rights it would be atrocious to interfere. But it is a mere matter of favour to admit any man to political power ; and no man can justly complain that he is shut out from it.

We cannot but admire the ingenuity of this contrivance for shifting the burden of the proof from off those to whom it properly belongs, and who would, we suspect, find it rather cumbersome. Surely no Christian can deny that every human being has a right to be allowed every gratification which produces no harm to others, and to be spared every mortification which produces no good to others. Is it not a source of mortification to any class of men that they are excluded from political power ? If it be, they have, on Christian principles, a right to be freed from that mortification, unless it can be shown that their exclusion is necessary for the averting of some greater evil. The presumption is evidently in favour of toleration. It is for the persecutor to make out his case.

The strange argument which we are considering would prove too much even for those who advance it. If no man has a right to political power, then neither Jew nor Christian has such a right. The whole foundation of government is taken away. But if government be taken away, the property and the persons of men are insecure, and it is acknowledged that men have a right to their property and to personal security. If it be right that the property of men should be protected, and if this can only be done by means of government, then it must be right that government should exist. Now, there cannot be government unless some person or persons possess political power. Therefore it is right that some person or persons should possess political power. That is to say, some person or persons must have a right to political power. It will hardly be denied that government is a means for the attainment of an end. If men have a right to the end, they have a right to this—that the means shall be such as will accomplish the end.

It is because men are not in the habit of considering what the end of government is, that Catholic disabilities and Jewish disabilities have been suffered to exist so long. We hear of essentially Protestant governments and essentially Christian governments—words which mean just as much as essentially Protestant cookery, or essentially Christian horsemanship. Government exists for the purpose of keeping the peace,—for the purpose of compelling us to settle our disputes by arbitration, instead of settling them by blows,—for the purpose of compelling us to supply our wants by industry, instead of supplying them by rapine. This is the only operation for which the machinery

of government is fit, the only operation which wise governments ever attempt to perform. If there is any class of people who are not interested, or who do not think themselves interested, in the security of property and the maintenance of order, that class ought to have no share of the powers which exist for the purpose of securing property and maintaining order. But why a man should be less fit to exercise that power because he wears a beard, because he does not eat ham, because he goes to the synagogue on Saturdays instead of going to the church on Sundays, we cannot conceive.

The points of difference between Christianity and Judaism have very much to do with a man's fitness to be a bishop or a rabbi. But they have no more to do with his fitness to be a magistrate, a legislator, or a minister of finance, than with his fitness to be a cobbler. Nobody has ever thought of compelling cobblers to make any declaration on the true faith of a Christian. Any man would rather have his shoes mended by a heretical cobbler, than by a person who had subscribed all the thirty-nine articles, but had never handled an awl. Men act thus, not because they are indifferent to religion, but because they do not see what religion has to do with the mending of their shoes. Yet religion has as much to do with the mending of shoes, as with the budget and the army estimates. We have surely had two signal proofs within the last twenty years, that a very good Christian may be a very bad Chancellor of the Exchequer.

But it would be monstrous, say the persecutors, that a Jew should legislate for a Christian community. This is a palpable misrepresentation. What is proposed is not that Jews should legislate for a Christian community, but that a legislature composed of Christians and Jews, should legislate for a community composed of Christians and Jews. On nine hundred and ninety-nine questions out of a thousand,—on all questions of police, of finance, of civil and criminal law, of foreign policy, the Jew, as a Jew, has no interest hostile to that of the Christian, or even of the Churchman. On questions relating to the ecclesiastical establishment, the Jew and the Churchman may differ. But they cannot differ more widely than the Catholic and the Churchman, or the Independent and the Churchman. The principle, that Churchmen ought to monopolize the whole power of the state, would at least have an intelligible meaning. The principle, that Christians ought to monopolize it, has no meaning at all. For no question connected with the ecclesiastical institutions of the country can possibly come before Parliament, with respect to which there will not be as wide a difference between Christians, as there can be between any Christian and any Jew.

In fact, the Jews are not now excluded from political power. They possess it; and as long as they are allowed to accumulate property, they must possess it. The distinction which is sometimes made between civil privileges and political power, is a distinction without a difference. Privileges are power. Civil and political are synonymous words,—the one derived from the Latin, the other from the Greek. Nor is this mere verbal quibbling. If we look for a moment at the facts of the case, we shall see that the things are inseparable, or rather identical.

That a Jew should be a judge in a Christian country, would be most shocking. But he may be a jurymen. He may try issues of fact; and no harm is done. But if he should be suffered to try issues of law, there is an end of the constitution. He may sit in a box plainly dressed, and return verdicts. But that he should sit on the bench in a black gown and white wig, and grant new trials, would be an abomination not to be thought of among baptized people. The distinction is certainly most philosophical.

What power in civilized society is so great as that of the creditor over the debtor? If we take this away from the Jew, we take away from him the security of his property. If we leave it to him, we leave to him a power more despotic by far, than that of the king and all his cabinet.

It would be impious to let a Jew sit in Parliament. But a Jew may make money, and money may make members of Parliament. Gatton and Old Sarum may be the property of a Hebrew. An elector of Penrhyn will take ten pounds from Shylock rather than nine pounds nineteen shillings and eleven pence three farthings from Antonio. To this no objection is made. That a Jew should possess the substance of legislative power, that he should command eight votes on every division, as if he were the great Duke of Newcastle himself, is exactly as it should be. But that he should pass the bar, and sit down on those mysterious cushions of green leather; that he should cry 'hear' and 'order,' and talk about being on his legs, and being, for one, free to say this, and to say that, would be a profanation sufficient to bring ruin on the country.

That a Jew should be privy-councillor to a Christian king, would be an eternal disgrace to the nation. But the Jew may govern the money-market, and the money-market may govern the world. The minister may be in doubt as to his scheme of finance till he has been closeted with the Jew. A congress of sovereigns may be forced to summon the Jew to their assistance. The scrawl of the Jew on the back of a piece of paper may be worth more than the royal word of three kings, or the national



faith of three new American republics. But that he should put Right Honourable before his name, would be the most frightful of national calamities.

It was in this way that some of our politicians reasoned about the Irish Catholics. The Catholics ought to have no political power. The sun of England is set for ever, if they exercise political power. Give them every thing else; but keep political power from them. These wise men did not see, that when every thing else had been given, political power had been given. They continued to repeat their cuckoo-song, when it was no longer a question whether Catholics should have political power or not; when a Catholic Association bearded the Parliament, when a Catholic agitator exercised infinitely more authority than the Lord Lieutenant.

If it is our duty as Christians to exclude the Jews from political power, it must be our duty to treat them as our ancestors treated them—to murder them, and banish them, and rob them. For in that way, and in that way alone, can we really deprive them of political power. If we do not adopt this course, we may take away the shadow, but we must leave them the substance. We may do enough to pain and irritate them; but we shall not do enough to secure ourselves from danger, if danger really exists. Where wealth is, there power must inevitably be.

The English Jews, we are told, are not Englishmen. They are a separate people, living locally in this island, but living morally and politically in communion with their brethren, who are scattered over all the world. An English Jew looks on a Dutch or a Portuguese Jew as his countryman, and on an English Christian as a stranger. This want of patriotic feeling, it is said, renders a Jew unfit to exercise political functions.

The argument has in it something plausible: but a close examination shows it to be quite unsound. Even if the alleged facts are admitted, still the Jews are not the only people who have preferred their sect to their country. The feeling of patriotism, when society is in a healthful state, springs up, by a natural and inevitable association, in the minds of citizens who know that they owe all their comforts and pleasures to the bond which unites them in one community. But under partial and oppressive governments, these associations cannot acquire that strength which they have in a better state of things. Men are compelled to seek from their party that protection which they ought to receive from their country, and they, by a natural consequence, transfer to their party that affection which they would otherwise have felt for their country. The Huguenots of France called in the help of England against their Catholic

kings. The Catholics of France called in the help of Spain against a Huguenot king. Would it be fair to infer, that at present the French Protestants would wish to see their religion rendered dominant by the help of a Prussian or English army? Surely not. And why is it, that they are not willing, as they formerly were willing, to sacrifice the interests of their country to the interests of their religious persuasion? The reason is obvious;—because they were persecuted then, and are not persecuted now. The English Puritans, under Charles I., prevailed on the Scotch to invade England. Do the Protestant Dissenters of our time wish to see the Church put down by an invasion of foreign Calvinists? If not, to what cause are we to attribute the change? Surely to this,—that the Protestant Dissenters are far better treated now than in the seventeenth century. Some of the most illustrious public men that England ever produced, were inclined to take refuge from the tyranny of Laud in North America. Was this because Presbyterians are incapable of loving their country?—But it is idle to multiply instances. Nothing is so offensive to a man who knows any thing of history, or of human nature, as to hear those who exercise the powers of government accuse any sect of foreign attachments. If there be any proposition universally true in politics, it is this, that foreign attachments are the fruit of domestic misrule. It has always been the trick of bigots to make their subjects miserable at home, and then complain that they look for relief abroad;—to divide society, and to wonder that it is not united;—to govern as if a section of the state were the whole, and to censure the other sections of the state for their want of patriotic spirit. If the Jews have not felt towards England like children, it is because she has treated them like a step-mother. There is no feeling which more certainly developes itself in the minds of men living under tolerably good government, than the feeling of patriotism. Since the beginning of the world, there never was any nation, or any large portion of any nation, not cruelly oppressed, which was wholly destitute of that feeling. To make it therefore ground of accusation against a class of men, that they are not patriotic, is the most vulgar legerdmain of sophistry. It is the logic which the wolf employs against the lamb. It is to accuse the mouth of the stream of poisoning the source. It is to put the effect before the cause. It is to vindicate oppression, by pointing at the depravation which oppression has produced.

If the English Jews really felt a deadly hatred to England—if the weekly prayer of their synagogues were, that all the curses denounced by Ezekiel on Tyre and Egypt, might fall on Lon-

don ;—if, in their solemn feasts, they called down blessings on those who should dash our children to pieces on the stones, still, we say, their hatred to their countrymen would not be more intense than that which sects of Christians have often borne to each other. But, in fact, the feeling of the Jews is not such. It is precisely what, in the situation in which they are placed, we should expect it to be. They are treated far better than the French Protestants were treated in the sixteenth and seventeenth centuries, or than our Puritans were treated in the time of Laud. They, therefore, have no rancour against the government or against their countrymen. It will not be denied that they are far better affected to the state than the followers of Coligni or Vane. But they are not so well treated as the dissenting sects of Christians are now treated in England ; and on this account, and, we firmly believe, on this account alone, they have a more exclusive spirit. Till we have carried the experiment farther, we are not entitled to conclude that they cannot be made Englishmen altogether. The tyrant who punished their fathers for not making bricks without straw, was not more unreasonable than the statesmen who treat them as aliens, and abuse them for not entertaining all the feelings of natives.

Rulers must not be suffered thus to absolve themselves of their solemn responsibility. It does not lie in their mouths to say that a sect is not patriotic :—it is their business to make it patriotic. History and reason clearly indicate the means. The English Jews are, as far as we can see, precisely what our government has made them. They are precisely what any sect,—what any class of men selected on any principle from the community, and treated as they have been treated,—would have been. If all the red-haired people in Europe had, for centuries, been outraged and oppressed, banished from this place, imprisoned in that, deprived of their money, deprived of their teeth, convicted of the most improbable crimes on the feeblest evidence, dragged at horses' tails, hanged, tortured, burned alive,—if, when manners became milder, they had still remained subject to debasing restrictions, and exposed to vulgar insults, locked up in particular streets in some countries, pelted and ducked by the rabble in others, excluded everywhere from magistracies and honours—what would be the patriotism of gentlemen with red hair ? And if, under such circumstances, a proposition were made for admitting red-haired men to office, how striking a speech might an eloquent admirer of our old institutions deliver against so revolutionary a measure ! ‘ These men,’ he might say, ‘ scarcely consider themselves as Englishmen. They think a ‘ red-haired Frenchman or a red-haired German more closely

‘connected with them than a man with brown hair born in their own parish. If a foreign sovereign patronises red hair, they love him better than their own native king. They are not Englishmen—they cannot be Englishmen—nature has forbidden it—experience proves it to be impossible. Right to political power they have none; for no man has a right to political power. Let them enjoy personal security; let their property be under the protection of the law. But if they ask for leave to exercise power over a community of which they are only half members,—a community, the constitution of which is essentially dark-haired,—let us answer them in the words of our wise ancestors, *Nolumus leges Angliæ mutari.*’

But, it is said, the Scriptures declare that the Jews are to be restored to their own country; and the whole nation looks forward to that restoration. They are, therefore, not so deeply interested as others in the prosperity of England. It is not their home, but merely the place of their sojourn,—the house of their bondage. This argument first appeared, we think, in the *Times* newspaper, and has attracted a degree of attention proportioned rather to the general talent with which that journal is conducted, than to its own intrinsic force. It belongs to a class of sophisms, by which the most hateful persecutions may easily be justified. To charge men with practical consequences which they themselves deny, is disingenuous in controversy,—it is atrocious in government. The doctrine of predestination, in the opinion of many people, tends to make those who hold it utterly immoral. And certainly it would seem that a man who believes his eternal destiny to be already irrevocably fixed, is likely to indulge his passions without restraint, and to neglect his religious duties. If he is an heir of wrath, his exertions must be unavailing. If he is pre-ordained to life, they must be superfluous. But would it be wise to punish every man who holds the higher doctrines of Calvinism, as if he had actually committed all those crimes which we know some of the German anabaptists to have committed? Assuredly not. The fact notoriously is, that there are many Calvinists as moral in their conduct as any Arminian, and many Arminians as loose as any Calvinist.

It is altogether impossible to reason from the opinions which a man professes, to his feelings and his actions; and, in fact, no person is ever such a fool as to reason thus, except when he wants a pretext for persecuting his neighbours. A Christian is commanded, under the strongest sanctions, to do as he would be done by. Yet to how many of the twenty millions of professing Christians in these islands would any man in his senses lend a thousand pounds without security? A man who should



act, for one day, on the supposition that all the people about him were influenced by the religion which they professed, would find himself ruined before night: and no man ever does act on that supposition, in any of the ordinary concerns of life, in borrowing, in lending, in buying, or in selling. But when any of our fellow-creatures are to be oppressed, the case is different. Then we represent those motives which we know to be so feeble for good, as omnipotent for evil. Then we lay to the charge of our victims all the vices and follies to which their doctrines, however remotely, seem to tend. We forget that the same weakness, the same laxity, the same disposition to prefer the present to the future, which make men worse than a good religion, make them better than a bad one.

It was in this way that our ancestors reasoned, and that some people in our own time still reason, about the Catholics. A Papist believes himself bound in duty to obey the pope. The pope has issued a bull deposing Queen Elizabeth; therefore every Papist will treat her grace as an usurper; therefore every Papist is a traitor; therefore every Papist ought to be hanged, drawn, and quartered. To this logic we owe some of the most hateful laws that ever disgraced our history. Surely the answer lies on the surface. The Church of Rome may have commanded these men to treat the queen as an usurper. But she has commanded them to do many things which they have never done. She enjoins the priests to observe strict purity. You are always taunting them with their licentiousness. She commands all her followers to fast often, to be charitable to the poor, to take no interest for money, to fight no duels, to see no plays. Do they obey these injunctions? If it be the fact, that very few of them strictly observe her precepts when her precepts are opposed to their passions and interests, may not loyalty, may not humanity, may not the love of ease, may not the fear of death, be sufficient to prevent them from executing those wicked orders which she has issued against the sovereign of England? When we know that many of these people do not care enough for their religion to go without beef on a Friday for it, why should we think that they will run the risk of being racked and hanged for it?

People are now reasoning about the Jews, as our fathers reasoned about the Papists. The law which is inscribed on the walls of the synagogues prohibits covetousness. But if we were to say that a Jew mortgagee would not foreclose, because God had commanded him not to covet his neighbour's house, every body would think us out of our wits. Yet it passes for an argument, to say, that a Jew will take no interest in the prosperity of the country in which he lives, that he will not care how bad its laws

and police may be—how heavily it may be taxed—how often it may be conquered and given up to spoil,—because God has pronounced that by some unknown means, and at some undetermined time, perhaps a thousand years hence, the Jews shall migrate to Palestine. Is not this the most profound ignorance of human nature? Do we not know, that what is remote and indefinite, affects men far less than what is near and certain? Besides, the argument applies to Christians as strongly as to Jews. The Christian believes, as well as the Jew, that at some future period the present order of things will come to an end. Nay, many Christians believe that the Messiah will shortly establish a kingdom on the earth, and reign visibly over all its inhabitants. Whether this doctrine be orthodox or not, we shall not here enquire. The number of people who hold it, is very much greater than the number of Jews residing in England. Many of those who hold it, are distinguished by rank, wealth, and talent. It is preached from pulpits, both of the Scottish and of the English Church. Noblemen, and members of parliament, have written in defence of it. Now, wherein does this doctrine differ, as far as its political tendency is concerned, from the doctrine of the Jews? If a Jew is unfit to legislate for us, because he believes that he or his remote descendants will be removed to Palestine, can we safely open the House of Commons to a fifth-monarchy-man, who expects that, before this generation shall pass away, all the kingdoms of the earth will be swallowed up in one divine empire?

Does a Jew engage less eagerly than a Christian in any competition which the law leaves open to him? Is he less active and regular in business than his neighbours? Does he furnish his house meanly, because he is a pilgrim and sojourner in the land? Does the expectation of being restored to the country of his fathers render him insensible to the fluctuations of the stock-exchange? Does he, in arranging his private affairs, ever take into the account the chance of his returning to Palestine? If not, why are we to suppose that feelings which never influence his dealings as a merchant, or his dispositions as a testator, will acquire a boundless influence over him as soon as he becomes a magistrate or a legislator?

There is another argument which we would not willingly treat with levity, and which yet we scarcely know how to treat seriously. The Scriptures, it is said, are full of terrible denunciations against the Jews. It is foretold that they are to be wanderers. Is it then right to give them a home? It is foretold that they are to be oppressed. Can we with propriety suffer them to

be rulers ? To admit them to the rights of citizens, is manifestly to insult the Divine oracles.

We allow, that to falsify a prophecy inspired by Divine Wisdom, would be a most atrocious crime. It is, therefore, a happy circumstance for our frail species, that it is a crime which no man can possibly commit. If we admit the Jews to seats in Parliament, we shall, by so doing, prove that the prophecies in question, whatever they may mean, do not mean that the Jews shall be excluded from Parliament.

In fact, it is already clear, that the prophecies do not bear the meaning put upon them by the respectable persons whom we are now answering. In France, and in the United States, the Jews are already admitted to all the rights of citizens. A prophecy, therefore, which should mean that the Jews would never, during the course of their wanderings, be admitted to all the rights of citizens in the places of their sojourn, would be a false prophecy. This, therefore, is not the meaning of the prophecies of Scripture.

But we protest altogether against the practice of confounding prophecy with precept,—of setting up predictions which are often obscure against a morality which is always clear. If actions are to be considered as just and good, merely because they have been predicted, what action was ever more laudable than that crime which our bigots are now, at the end of eighteen centuries, urging us to avenge on the Jews,—that crime which made the earth shake, and blotted out the sun from heaven ? The same reasoning which is now employed to vindicate the disabilities imposed on our Hebrew countrymen, will equally vindicate the kiss of Judas and the judgment of Pilate. ‘The Son of man goeth, as it is written of him; but woe to that man by whom the Son of man is betrayed.’ And woe to those who, in any age or in any country, disobey his benevolent commands under pretence of accomplishing his predictions. If this argument justifies the laws now existing against the Jews, it justifies equally all the cruelties which have ever been committed against them,—the sweeping edicts of banishment and confiscation, the dungeon, the rack, and the slow fire. How can we excuse ourselves for leaving property to people who are to ‘serve their enemies in hunger, and in thirst, and in nakedness, and in want of all things,’—for giving protection to the persons of those who are to ‘fear day and night, and to have none assurance of their life,’—for not seizing on the children of men whose ‘sons and daughters are to be given unto another people ?’

We have not so learned the doctrines of Him who commanded us to love our neighbour as ourselves, and who, when He was called upon to explain what He meant by a neighbour, selected

as an example a heretic and an alien. Last year, we remember, it was represented by a pious writer in the *John Bull* newspaper, and by some other equally fervid Christians, as a monstrous indecency, that the measure for the relief of the Jews should be brought forward in Passion week. One of these humourists ironically recommended that it should be read a second time on Good Friday. We should have had no objection; nor do we believe that the day could be commemorated in a more worthy manner. We know of no day fitter for terminating long hostilities, and repairing cruel wrongs, than the day on which the religion of mercy was founded. We know of no day fitter for blotting out from the statute-book the last traces of intolerance, than the day on which the spirit of intolerance produced the foulest of all judicial murders; the day on which the list of the victims of intolerance, that noble list in which Socrates and More are enrolled, was glorified by a yet more awful and sacred name.

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ART. V.—*A Comparative View of the Social Life of England and France, from the Restoration of Charles the Second to the French Revolution.* By the Editor of Madame du Deffand's Letters. 8vo. London: 1828.

THE French and the English can no longer be accused of that mutual contempt which furnishes the preliminary ground of remark to the writer of the agreeable work before us. After a jealousy of eight hundred years, we have begun to conquer our prejudices and recant our opinions; and we are now contented to glean from the customs and manners of our neighbours, benefits somewhat more important than the innovations in caps, or the improvements in cookery, which formed pretty nearly the limit of that portion of our forefathers' ambition, which was devoted to the imitation of 'our hereditary foes.' Late events have put the finishing stroke to popular prejudice; and we have now, of two extremes, rather to guard against the desire blindly to copy, than the resolution zealously to condemn. Those national sentiments, 'grave, with a bright disdain,' of *Monsieur* and *soupe maigre*, which give so patriotic a character to the British Theatre, never more will awaken a sympathizing gallery to

'The loud collision of applauding hands.'

But the character of the people, and the spirit of society, in the two countries are still, in many respects, remarkably differ-