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SECOND LETTER

FROM

A DOG IN THE COUNTRY, TO HIS FRIEND IN TOWN.

CONTAINING

HIS CRITICISMS

ON

THE ARTICLE "PORTUGAL"

OF

THE EDINBURGH REVIEW.

NOTICE IN FAVOR OF THIS WORK.

"Sixteen pages as a letter, signed by 'A DOG;' and a miserable dog he seems to be; for he contends that Don Miguel should be King of Portugal *de jure*, and that Jesuitism, the Inquisition, and Despotism, are infinitely better than a free Constitution."
LIT. GAZ., JAN. 20, 1827.

LONDON :

EFFINGHAM WILSON, 88, ROYAL EXCHANGE ;

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Price, One Shilling.

D. CARTWRIGHT, PRINTER, 91, BARTHOLOMEW CLOSE.

ADVERTISEMENT.

The notice in the title page is given as a fair specimen of the candour and justice, with which it has been attempted to stigmatize the partizans of Don Miguel generally, as the advocates of despotism and intolerance.

With what truth it has been distinguished in the present instance, may easily be determined. But the extent of the mischief which may accrue to society, by similar insidious procedures against the real promoters of freedom, cannot be too early noticed. The mass of mankind are so little apt to examine the strict grounds of their opinions, that a skilful abuse of terms is no ordinary weapon, and may not perhaps be disdained for more important purposes than those of the *Literary Gazette*.

SECOND LETTER,

ETC.

—◆—
 "Methinks it were an easy leap
 "To pluck down honor from THE MOON."

HENRY IV.

SIR AND MY BROTHER!

IF on the glorious termination of the Portuguese war, our Laureate should be called upon to celebrate the virtues with which it has been conducted, it is not altogether improbable, that he will make choice of the columns of the *Edinburgh Review*, as a means of preserving those graceful illusions which constitute the principal charm of the *Epic Muse*. Men are accustomed to regard that work with such confidence and respect, that whenever it may be inclined to desert the dull prosing way of which its enemies accuse it, and soar into the regions of fiction, the greater part of its readers may surely be pardoned if they should not be immediately aware of the transition. It will, however, be permitted to "A Dog" to mark the new and unusual strain (for dogs are in the habit of marking things new and unusual) which this periodical is suddenly assuming.

In the last number, article "Portugal," after a long farrago of sophistry, &c. respecting the disputed succession, the writer adds a postscript, in which he asserts,

“ that the whole of the article had been printed before “ the King’s Message, and the discussion of it in both “ Houses of Parliament, on Tuesday, the 12th of December, 1826.” Now assuming this to have been the case, the Edinburgh Reviewers may congratulate themselves on an accession to their number, of a very extraordinary character. How very clear, for instance, is the following *prediction*, of the necessity that there would be, for giving to the world a “ corrected edition ” of Mr. Canning’s speech.

“ It is a very unjust, (says this writer) though a very prevalent, practice, to draw conclusions from Parliamentary Reports, as if a speech “ were previously written by the speaker, and printed carefully from “ his manuscript. The substance of speeches on common subjects of “ discussion, is in general reported with astonishing accuracy; especially where the speaker lessens the difficulty of the undertaking, “ by shunning subtlety, by spreading out his topics, so that each is “ long enough before the hearer; and by an utterance so slow, as to “ give time for carefully following him. But on subjects rarely “ occurring, in the case of technical language, and where the speaker “ is liable to the vices of overrefined argument, or of declamation “ too vehement not to be sometimes indistinct, the success of the “ reporter cannot be so great. For a case which occurs so rarely as “ that of unusual precision,” [it is impossible to divine what this is meant for] “ he is least of all prepared. Questions of international law, however, of the construction of a treaty, and “ the extent of an alliance, require the use of very precise terms. “ Mr. Canning has, indeed, a great power of being precise, which, “ like other orators, he exercises, when it is fit and politic: *but* “ *whether he actually expressed himself on this subject with that* “ *elegant precision of which he is a master, we are, unfortunately* “ *disabled to determine.*” (p. 242.)

There is no occasion to remark on the inconsistency of all this, and the latter part of it in particular, with the assertion, that the whole of this article was printed before the 12th of December.

The next remarkable feature in the character of this writer, is the very determined complacency with

which he affects to view men and things in general; and first and principally his own prowess and Mr. Canning’s.

“ It is very satisfactory to find, that nothing passed on that occasion which does not corroborate this long statement of complicated “ and little-known transactions, in which some inaccuracies might have “ been excusable. It is still more agreeable to find, that we concur so “ entirely, in reason and feeling, with those whose judgment we “ most value. In the House of Commons, those who were present, “ especially those who again tasted their wonted pleasures after a “ period of privation, will never forget the precise, succinct, luminous, graceful, and (where it was fit) magnificent exposition “ of Mr. Canning—whose warnings are not to be thought at all unfriendly, or, in the end, unprofitable; because, like most wholesome “ and needful counsels, they have proved unwelcome—powerfully “ seconded as it was by the grave, nervous, masculine, and commanding eloquence of Mr. Brougham.” (p. 246.)

How such stuff as this could possibly have found its way into the Edinburgh Review, unless indeed it dropped down from “ *the moon*,” it is beyond mere animal instinct to determine. It would be adding strength to the arms of sophistry, to attempt to follow this writer through all the arguments by which he pretends to prove, that Don Pedro has always been regarded as the heir of Portugal; that he has been acknowledged as such, &c. &c. These are points which must be considered by every one, as utterly irrelevant to the question of RIGHT, and therefore merely calculated to perplex it.

I pass on then, to the 225th page of the Review, where the arguments, though stated in so slippery a form that they would appear to cede nothing from defeat, are yet specious enough to be mischievous, if suffered to remain wholly unnoticed. It is necessary to make rather a long quotation, in order to render it complete.

“ On the 28th of January, A.D. 1641, the Three Estates, namely, “ the commons or people, the nobility and the clergy, presented Charters or Heads to the King, praying that effectual means might be

“taken to enforce the exclusion of foreigners from the Throne, according to the laws passed at Lamego. But as the Estates, according to the old constitution of Portugal, presented their chapters severally, and not jointly, to the King, it was possible that they might differ; and they did so, in some respects, on this important occasion, not indeed as to the end, for which they were equally zealous, but as to the choice of the best means of securing its constant attainment.

“The answer of the King to the Ecclesiastical Estate is as follows.

“On this Chapter, for which I thank you, I have already answered to the Chapters of the States of the People and of the Nobles, in ordaining a law to be made in conformity to that ordained by Don John IV., with the declarations and modifications which shall be most conducive to the conservation and common good of the kingdom.”

“Lawyers were accordingly appointed to draw up the law; and it is clear that the reserve of the King left him ample scope for the exercise of his own discretion, even if it had not been rendered necessary by the variation between the proposals of the three orders, respecting the means of execution. But, in order to give our opponents every advantage, as we literally adopt their version, so we shall suppose (for the sake of argument) the Royal assent to have been given to the Chapter of the Nobles without alteration, and in all its specific provisions; it being that on which the Absolutists have chosen to place their chief reliance. It stands thus in their editions:—

“The State of the Nobility prays your Majesty to enact a law, ordaining that the succession to the kingdom may never fall to a foreign Prince, nor to his children, though they may be the next to the last in possession; and that, in case the King of Portugal should be called to the succession of another crown, or of a greater empire, he be compelled to live always there; and if he has two or more male children, the eldest son shall assume the reins in the foreign country, and the second in Portugal, and the latter shall be the only recognised heir, and legitimate successor; and, in case there should be only one child to inherit these two kingdoms, these said kingdoms shall be divided between the children of the latter, in the order and form above-mentioned. In case there shall be daughters only, the eldest shall succeed in this kingdom, with the declaration that she marry here with a native of the country, chosen and named by the Three Estates assembled in Cortes. Should she marry without the concurrence of the States, she and her descendants shall be declared incapable, and be ousted of the succession; and the Three Estates

“shall be at liberty to choose a king from among the natives, if there be no male relation of the Royal Family to whom the succession should devolve.”

“Now this question,” he says, “is not to be decided by verbal chicane.” “The mischief provided against in these laws was twofold—the supposed probability of mal-administration, by the succession of a foreigner ignorant of the country, and unattached to it; and the loss of domestic government, if it fell by inheritance to the sovereign of another, especially a greater country.” And then the writer proceeds, with no ordinary display of ingenuity, to shew, that in the case of Don Pedro, “there is not the slightest tendency to expose the country to either of these occurrences; since he asserts his claim to the succession of Portugal, for the express purpose of effectually and perpetually disannexing his other territories from it”!!!

It is unnecessary to proceed farther. The view of the question here proposed, is evasive and unjust in the highest degree. If in a parallel case, the order of the succession to the throne of Great Britain were brought into dispute, the principles of our Constitution would undoubtedly throw the right of determining it upon the people. But where a Government is happy in the possession of fundamental laws, expressly providing against a contingency, which would set the people on the exercise of so dangerous a prerogative, it is the duty of the actual sovereign, upon the mere prospect of such a case, so to direct his conduct as may render the operation of those laws most efficient to the purposes for which they were instituted. And if by accident or design he neglect to do this, every means should be taken after his decease to prevent the order of the succession from being any way affected through his misconduct.

The question then, is, what ought to have been the

conduct of John the Sixth when, on Brazil becoming an independent state, he was called upon to renounce the crown of that country or of Portugal? and it is clear, that whichever throne he might choose to abdicate, he could not, in the act of abdication, reserve any right in favor of his immediate heir, to which he was himself incompetent.

And if he could have deliberated on the most proper means of preserving his people from the calamities of a disputed succession after his death, his immediate heir should have been *expressly* implicated in his choice; and had he then chosen the crown of Brazil, that part of the law would have been rendered clearly applicable to the case which ordains, "that if the King of Portugal be called to the succession of another crown, or greater empire, he be compelled to live always there; and, if he have two or more male children, the eldest shall assume the reins in the foreign country, and the second in Portugal." Thus Don Miguel would have reigned immediately in that country, while his brother Pedro would only have succeeded to the crown of Brazil after his father's death.

It must however be remembered, that the abdication of John the Sixth was not a voluntary act, but a necessary consequence of the declaration of the independence of Brazil; or, in other words, *the declaration of the incapacity of one monarch to reign both in Portugal and Brazil.* And if John the Sixth were thus expressly declared incapable of holding both these crowns, is it not a manifest contradiction to assert that Don Pedro, as *the representative* of John the Sixth, may yet succeed to both? Is it not a most flagrant absurdity to maintain, that the same circumstance which constituted the incapacity of John to reign over both, should not equally affect the claim of his heir to succeed to both?

But this is not the light in which the Edinburgh Reviewer is pleased to see the question.

Now, taking this writer at his word, and waving all verbal chicane, it appears that Don Pedro asserts his claim to the succession, not for the purpose of succeeding to the crown of Portugal himself, but for the purpose of diverting the order of the succession, from the course which it would naturally have taken had he omitted to do so. And still, with a view of avoiding "all verbal chicane," I would ask whether Portugal would be more effectually disannexed from Brazil, were the crown of that country to descend to Don Miguel, who would hardly be suspected of submitting his counsels to the influence of his imperial brother, or to the daughter of the Emperor of Brazil, whose extreme youth, she being scarcely eight years of age, would necessarily give to her father for a considerable period, the appointment of a regency; and whose sex is calculated to preserve such influence yet longer.

But I will even go farther, and wave altogether the discussion of rights founded on a mere casualty, for be the eventual decision what it may, it is to be observed, that no *original right* is invaded on either side; since had the division of Portugal and Brazil never taken place, both Don Miguel and Donna Maria might have lived and died without ever being heard of. *Natural justice*, therefore, would appear to determine the question, without any reservation in favor of either party, as might seem most expedient for the interests of Portugal. Now this is precisely the course which the Edinburgh Review would leave us to infer *has been adopted* by Don Pedro and Mr. Canning; those legislators, it would seem, are all this while attempting to impose Donna Maria upon the Portuguese, in order to protect their "new-born liberties." And, in fact, this new charter was not vamped up for the sake of inducing the Portuguese to acquiesce in the claim of Donna Maria; but the claim of Donna Maria is asserted, and that of Don Miguel is excluded, for the humane purpose of establishing freedom in Portugal! "and may

"God prosper," is the ejaculation of Mr. Canning, "this attempt at the establishment of constitutional liberty in Portugal!"

But what proof have we beyond the bare assertion of his enemies, that Don Miguel is really the despotic and bigoted character that he is represented? And after the commotions which have agitated Portugal, is it natural that Don Miguel should be insensible to the *extreme danger* of provoking by any unpopular conduct an invidious comparison with that of his brother? On the contrary, is it not infinitely more probable that he would endeavour to efface any favorable impression which Don Pedro's Constitution may possibly have made on the minds of the Portuguese, by a still greater display of generosity, on his own part? He would not acknowledge that Constitution, because to do so would be to acknowledge the authority from which it emanated; but he would most certainly substitute such another as might rise in the comparison.

The establishment of Don Miguel on the throne of Portugal, would immediately, as well as effectually, separate that country from Brazil. He would have no apprehensions to entertain from any rival, and his immediate marriage might put an end to any fears of the succession being again brought into dispute. How widely different is the prospect, in the event of Don Pedro's child being placed upon the throne! Until her actual union with her uncle, the country must ever be liable to be disturbed by the assertion of his claim, which may be espoused by the King of Spain, the Emperor of Russia, or perhaps even Mr. Canning's immediate successor; who may happen to differ with that gentleman in his principles of moral obligation, or views of policy, or possibly both. It will be some years before this child will be of an age to consummate her nuptials with her uncle. In case

of her death before that time, then Don Pedro *will again have to settle the order of the succession*; and who shall say that he may not make use of that unconstitutional prerogative, to reunite effectually Brazil and Portugal! Again; Donna Maria, as she grows up, may possibly object to an union with her uncle, *as incestuous*: it is not impossible, that she should even be taught by the emissaries of her father to consider it as such: and as she could not, by the fundamental laws, marry any but a Prince of Portugal, she would probably persist in the determination of continuing a virgin Queen. During her life, the counsels of Portugal would be continually liable to be directed by the wretched intrigues of some licentious favorite—a natural consequence in such a case; and at her death, Don Sebastian, her brother, might find the means of establishing himself as her successor; perhaps would reduce Portugal to the subjection of Brazil, and to the name as well as the condition of a colony. Perhaps it would not be too much to assert, that such a course of events may at this instant be contemplated by Don Pedro.

But be the conduct of the Emperor of Brazil sincere or specious, conformable or not, to the spirit of the Portuguese Constitution, the question as it regards us, and the conduct we ought to pursue, is plain enough. We, in England, admit one general principle of government, not as applicable to ourselves merely, but to all the world besides; viz., that *the people only* have the right of changing the order of the succession. Supposing then, that Don Pedro had actually been seated on the throne of Portugal, and had abdicated it, his eldest son Don Sebastian would have been his successor; but since Don Sebastian is excluded as the heir of the Brazilian dominions, the right of appointing a successor to the crown of Portugal *must revert* to the people; and, in the absence of all information on which we can safely rely as authentic, with regard to

their choice, we are bound to suppose that it has fallen on Don Miguel, rather than on Don Pedro's daughter; because the latter would evidently be productive of so many circumstances derogatory to the honor and interests of the Portuguese.

If to this we add the undoubted fact, that Don Miguel is in the present case recognised as successor to the crown by the fundamental laws of Portugal, we are bound in common sense and common justice to regard Don Pedro's attempt to place it on the head of his second child, as the act of a mere despot, whom it is the duty of Spain, England, and all the world, to oppose. But no, we say; no nation is to meddle with the internal affairs of another. We Englishmen are philosophers; all Government is instituted but for the benefit of the governed, and we recognise therefore as the only legitimate supreme authority in every state, the sense of the majority. And then we go on to conclude, that if the sense of the majority were in favor of Don Miguel, it stands to common sense, that it must be sufficient to place him on the throne, without the assistance of Spain. We have sent over our thirteen regiments, not for the purpose of assisting Don Pedro's party then, nor of opposing Don Miguel's, but merely for the purpose of preventing the interference of others! But while Mr. Canning is so extremely anxious to prevent Don Miguel's party from receiving any assistance from Spain, how is it, that it has never occurred to the right honorable gentleman, that it would be but equal justice to prevent the supporters of the Regency (that is to say, Don Pedro's party) from receiving any from Brazil? While Mr. Canning is so violent against Spain, for having furnished the partizans of Don Miguel with *Spanish arms*; does he make no observation on the way in which *Brazilian gold* may be employed by the emissaries of the Emperor? The two parties do not appear on such equal terms as to render it very evident

that the sense of the majority stood in no need of the assistance of Spain! Don Miguel is detained at Vienne; and his party, though it may consist of every thing honest or patriotic in Portugal, will hardly be able to maintain any very long contest, against the united power and influence of England and Brazil. --But when it does fall, our Minister will not surely be allowed, without some farther explanation, to turn round upon us, and tell us, that in preventing the interference of Spain, we have asserted the rights of a nation, and enabled the sense of the majority to determine the right of the succession in Portugal! Neither will he be allowed to rid us of the expences of the war, in any way that may add to the dishonor which (judging from present appearances) we have already incurred by engaging in it. Embarrassed as is the state of our finances, we must not suffer ourselves to receive a single rial from Don Pedro, or it would indeed be justly said, that we were hired to support his faction.

Notwithstanding, however, all that an honest Dog may say or think upon this peculiar subject, he must entirely disavow any misconstruction of his expressions, which might seem to imply the desire of any kind of change in the ministry. On the contrary, it is his firm belief, that the present ministers of Great Britain are sincerely anxious for the good of their country. But all men are liable to entertain distorted views of policy; and the greatest patriots, who can only perceive one set of interests in the universe, are, of course, from that very circumstance, most likely to fall into such an error, and make a blind sacrifice of the best principles of humanity and justice to their ruling passion. It is in such a way that every ingenuous mind must, for the present, be content to account for the part taken by Ministers in the affairs of Portugal; but unless they should

succeed in putting a much better face on their proceedings than they have hitherto done, we may at least be allowed to hope, that they will quickly perceive the necessity of changing them.

Mr. Canning was once pleased to compare the moral force of the public press, to the physical powers of a steam engine*. The allusion would have been more apposite, perhaps, had it been confined merely to the safety-valve, which lets out just so much of the heated vapor of popular sentiment, as may prevent its doing any mischief, leaving the engine itself to the direction of the *skilful pilot*! But if, in the general improvement of mechanics, contemplated by Mr. Brougham, an engine should one day be produced with power to direct itself, and able to instruct the pilot in his own mystery, that, indeed, were a fatal day to some state secrets, hitherto judged essential to a complete knowledge of navigation. For instance, what would become of that grand principle of modern legislation which gave rise to the royal apothegm, "dat de Koning Charles was ver goot Koning, whose only fault was, the not being *Koning* enough to manage a Parliament." Already the useful lottery tickets are no more, and the cheap numbers that now swell the authority of the Ministerial Red Book, may be not improperly termed *purely* rhetorical numbers.

One step farther, and the whole system of society rights itself. The old chaos of contending prejudices, is gradually, yet certainly, resolving itself into one united mass of opinion, whose polar star is the undeviating policy of justice. And though we have abandoned our north-west passage, as utterly impracticable†, yet have we, in the

* It is but right to remark, that this poetical figure was produced at the farewell dinner given to the right honorable gentleman by his Liverpool constituents.

† Sir James Mackintosh, in his defence of the French Revolution,

natural course, passed far beyond all the land-marks of experience, and it is no longer to be concealed that our safety mainly depends on the success with which we may explore the still uncertain chart of *science*.

Let us not, then, at this period of our course, withdraw our reliance from the only fixed principle which heaven yet permits us to discover; and we may surely trust to providence and our own exertions for the rest.

One word more to the Edinburgh Review. It argues something like ignorance of the human character, as well as of the most evident principles of moral obligation, to insist, as this writer does, on the probability that Don Miguel will pay any very scrupulous regard to his oath of fidelity, &c. Whatever may be our general view of the obligation of an extorted oath, there can never be any question between natural and voluntary obligations in any case where they may be opposed to each other. If a man lay under an engagement to resign the direction of his family to another, who might betray their interests, no one would be inclined to dispute the paramount nature of his obligation to defend them. And if this is a case perfectly applicable to that of Don Miguel; we may go on to conclude, that if any weakness of mind should still raise doubts and scruples on his part, the very same weakness of mind would suggest a ready means of dispersing them, by a simple dispensation from the Pope.

Feb. 1, 1827.

says, "It was time that legislators, instead of that narrow and dastardly coasting, which never ventures to lose sight of usage and precedent, should, guided by the polarity of reason, hazard a bolder navigation, and discover, in unexplored regions, the treasure of public felicity." (p. 117.) The subsequent history of that expedition has, however, amply proved, that it is by the universal progress of intellect alone, that any permanent changes in society are to be effected.

*Avis important de la part des écrivains sur le droit des
Gens, cités par l'Edinburgh Review.*

Un ancien Chinois, qui, sous le nom du SPECTATEUR, s'amusait à écrire aux Dames de son Pays, nous a laissé cette observation profonde; viz. "que ce que ses jolies correspondantes trouvaient de mieux dans ses lettres, ce fut surtout, quelques petites phrases Grecques, qu' il eut soin d'épargner ça et là, comme pour embellir ses conseils."

Peut-être est-ce par une pareille raison d'Etat, que l'Edinburgh Review trouve bien de faire parler ses autorités dans leurs propres langues. D'abord ils s'entendent tous très bien en Anglais, mais pour comprendre ces gens là, il en faut encore une, c'est celle de la justice, de la vérité, de la nature. Voilà la langue commune de Puffendorf de Grotius, de Vattel. Si l'Edinburgh Review s'avise de les faire parler autrement, c'est sa langue et point la leur.