French Comment on the Pennsylvania Constitution of 1776

When, on May 15, 1776, the Continental Congress recommended that the colonial assemblies and conventions "adopt such governments as shall, in the opinion of the representatives of the people, best conduce to the happiness and safety of their constituents in particular, and America in general," it gave impetus to a movement already under way which produced more constitutions within the next few months than the world had ever witnessed before. These constitutions were to have an important influence on European thought, particularly French. As one Frenchman remarked, "It is a wonderful spectacle to see thirteen states form constitutions . . . and to profit in this work from the wisdom of philosophy and especially from the wise laws of England." 1

The story of French material and military aid to the American colonists is well known, and the effect of French thinkers and writers on American colonial thought has been told; but the story of the influence of these new American constitutions on French revolutionary ideas has been only partially covered. 2 And the influence of the Pennsylvania Constitution of 1776 and the French comments on it were more important and far-reaching than those of any other of the American state constitutions. There were two reasons for its importance: one was the personality and renown of Benjamin Franklin; the other was its democratic nature.

Benjamin Franklin was largely responsible for making known to the French the constitutions of the new American states, and par-

particularly that of Pennsylvania. He was president of the Pennsylvania constitutional convention which met in Philadelphia on July 15, 1776. When its labors ended on September 29, Franklin sailed from Philadelphia for France as the representative of the American Congress. He arrived there with a copy of the new Pennsylvania Constitution.

Franklin’s arrival in Europe promptly aroused interest in the new American state constitutions. On March 26, 1777, the Duc de La Rochefoucauld requested Franklin to examine his translation of the Constitution of Delaware and return it with his corrections so that it could be published. In the same letter he also asked Franklin to send him a copy of the Constitution of Maryland, if available, so that he might translate it along with that of Virginia.

So many were the requests for copies of American state constitutions that Franklin found himself greatly relieved when a French edition of some of the documents appeared in the spring of 1778. This first edition was followed by many others, and there soon appeared commentaries on them, particularly on that of Pennsylvania, which Franklin informed Joseph Reed on March 19, 1780, was “much admired here, and all over Europe, and will draw over many families of fortune to settle under it, as soon as there is peace.”

But in spite of the appearance of the documents in print, Franklin’s labors did not end; he was kept busy answering questions for men contemplating new editions of these constitutions or special studies on them. Brissot de Warville’s request was typical: He asked Franklin to examine a treatise on laws, stating he would “borrow much, especially from the constitutions of your republic, which owe so much to your wisdom. Though they are the offspring of a stormy period, they are the most reasonable of any yet known, and they are a monument which puts to shame our Gothic and barbarous laws.”

5 Jared Sparks, ed., Works of Benjamin Franklin (Boston, 1856), VIII, 445.
6 Ibid., IX, 114-115. Brissot was undoubtedly preparing at this time his Bibliothèque Philosophique Du Législateur, Du Politique, Du Jurisconsulte, etc. (Berlin and Paris, 1782-1785). His essay Reflections on the Constitution of Pennsylvania appeared in volume three.
By the spring of 1783 Franklin was giving serious consideration to a more complete edition of the American constitutions in French translation. To the Comte de Vergennes he wrote on March 24, 1783, that he was "desirous of printing a translation of the Constitutions of the United States of America, published at Philadelphia, in 1781, by order of Congress. . . ." Approval was granted, although the work had to go through censorship. In a letter to Robert R. Livingston from Passy dated July 22 Franklin said, "I prevailed with a Friend, the Duc de Rochefoucauld, to translate our Book of Constitutions into French, and I presented Copies to all the foreign Ministers. I send you one herewith. They are much admired by the Politicians here, . . . ."

Having the complete state constitutions printed in French was an admirable move on Franklin's part and undoubtedly increased the prestige of the Americans. As Franklin pointed out, the documents "afforded surprise to many, who had conceived mean ideas of the state of civilization in America, and could not have expected so much political knowledge and sagacity had existed in our wilderness." The *Courrier d'Avignon* devoted several numbers to a consideration of the constitutions, and it was not long before many thinkers, writers, and publicists in France were commenting most favorably on the Pennsylvania Constitution.

Perhaps the very first of these writers was Michel-René Hilliard D'Auberteuil, whose essay appeared in 1781 and 1782. He remarked about the heritage which the settlers of Pennsylvania received from William Penn, who, in spite of "a fertile soil and mild and serene climate," knew that "nowhere could men be happy without good legislation; . . . ." Writing a new constitution, he explained, was not easy, particularly because it would have "to surpass the ingeni-

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9 *Sparks*, X, 39.
10 See Rosenthal, 107. The paper eulogized the religious toleration and liberty which were encouraged.
ous wisdom of William Penn, and to substitute for a successful government a government still more successful.”¹² His analysis of the new instrument was critical: “This constitution is established on the principles of a sound philosophy. Nevertheless there is lacking an essential condition: the positive suppression of all nobility and hereditary prerogatives.”¹³ He was frankly worried about “the preservation of the religious societies with immunities,” feeling they might “become dangerous,” and was not certain about the efficacy of the Council of Censors.¹⁴ “Does it not have,” he asked, “altogether too much power, and does not the reciprocal balance of the executive body and the legislative body, the respective censure of the members of those two bodies, the publicity of its acts, and the liberty of the press suffice? The laws for the encouragement of virtue, for protecting the morals are laudable, but they might degenerate into a strong inquisition.”¹⁵ He was likewise skeptical of the value of the provision for removal of judges, feeling that the “safety of the people demanded that the judges be permanent.”¹⁶

One of the most ardent supporters of Pennsylvania in France was J. P. Brissot de Warville. Long before his visit to the state, he published, in 1782, his essay, Réflexions Sur le code de Pennsylvania.¹⁷ Brissot was most enthusiastic about the Constitution, which he described “as the model of an excellent government, under which, when peace has restored public tranquillity, there will be very little crime.”¹⁸

Brissot was greatly impressed with what he considered the basic principle of the Pennsylvania Constitution—“a principle which has neither been respected nor even known in any other constitution,

¹² Ibid., Tome Second, Premier Partie, 180.
¹³ Ibid., 188.
¹⁴ The Council of Censors was to be elected every seven years to judge “whether the constitution has been preserved inviolate in every part; and whether the legislative and executive branches of government have performed their duty as guardians of the people. . . .” It also had the power to call a convention “if there appear to them an absolute necessity of amending any article of the constitution which may be defective. . . .”
¹⁵ D’Auberteuil, Tome Second, Premier Partie, 189.
¹⁶ Ibid., 195–196. The judges of the supreme court were to serve seven years, but were “capable of re-appointment at the end of that term.”
¹⁷ This essay appeared in volume three of his Bibliotheque Philosophique. A translation by J. Paul Selsam may be found in The Pennsylvania Magazine of History and Biography, LXXII (1948), 25–43.
¹⁸ Ibid., 28.
... the welfare of the individual. The ancients thought only of national glory; the moderns have thought only of the glory and happiness of their leaders. Here for the first time people are concerned in a constitution with the happiness of the individual. There is no doubt that this trait which characterizes our century is the fruit of the propagation of philosophical wisdom: this Constitution bears everywhere its imprint." He was likewise favorably impressed with the way the authors of the fundamental law of Pennsylvania had handled the problem of criminal law:

Firmly persuaded that ... happiness is founded on good criminal laws, they state in a single article the principles upon which they must be based; they draw them always from the right inherent in man, the evidence in his favor. They desire that the preparation of the case be prompt and public, that it be made by an impartial jury of the country, without the unanimous consent of which he cannot be found guilty. ... You innocent ones, who today languish in irons, broken under the yoke of the barbarous European procedures, would not have to grieve over the loss of your liberty if these wise principles were in use in your tribunals; if, as in Pennsylvania, a European could be deprived of his liberty only by virtue of just laws, or by a judgment of his peers; ... Let us cherish then the asylum where this liberty still repose, where political liberty, granted to each citizen, serves only to confirm it.  

He likewise commented favorably upon the Council of Censors: "Another institution which aims to prevent corruption in the governing bodies."  

During 1784 two more important analyses of American state constitutions appeared. One by Démeunier, the other by the Abbé de Mably. Démeunier's commentaries were published in his monumental *Encyclopédie Méthodique, ou par ordre de matières; etc.*, and in a separate piece titled *Essai Sur Les États-Unis*, published in 1786. Démeunier did not believe that any of the American constitutions could be applied to Europe. "Europe will admire them but will not imitate them." His belief was probably based on his recognition
that the American constitutions were too democratic. "Of all forms of government," he declared, "democracy is the least stable. It is a complicated machine, the movement of which is subject to a multitude of considerations; . . . all governments which have begun as a democracy have become more or less absolute, and one has seen few absolute governments ending in democracy." 23

He showed great interest in Pennsylvania's unicameral legislature, set up, as he explained, because the Commonwealth wanted "a very democratic constitution." He hoped it would work, but he was doubtful. 24 "If the morals of the Quakers," he said, "and the other inhabitants of this republic have the simplicity and the honesty which are proper to an almost absolute democracy, they do not have the energy and vigor necessary for a form of government so stormy. Indeed, there is evidence of factious movements in the assembly of Pennsylvania: these movements continue, and there is reason to believe that they will last forever if the constitution is not changed." 25 "It appears today," he continued, "to be recognized, even in the republics of the new world, that the constitution of Pennsylvania is too democratic." 26

From his discussion on the legislature of Virginia, it was obvious that Démeunier desired an upper house based on property qualifications. While he did not say so directly, he favored an upper house composed of men of wealth and position, an aristocracy, as it were, of brains and social position. "If the legislative body is divided into two chambers," he remarked, "it is to introduce the influence of different interests and principles. As in Great Britain, the constitution hoped that the House of Commons would be commendable for its honesty and the House of Peers for its wisdom." 27

Nor was Démeunier too favorably disposed toward the Council of Censors: "Pennsylvania has reserved the power to establish at certain periods the censors who desire to maintain the constitution and to execute the laws. The most enlightened citizens of America make light of this institution which the ancient republics regarded so highly. They are persuaded that the censors will disturb the state and

23 Démeunier, Economie Politique et Diplomatique (Paris and Liège, 1784), II, 68.
24 Ibid., II, 361.
25 Ibid., III, 578.
26 Ibid., III, 581.
27 Ibid., IV, 637.
the administration, and that if they were useful for the peoples of antiquity the circumstances are no longer the same, and that the liberty of the press is the only censure which it is proper to establish today in republics; . . . .”

On the other hand, Démeunier declared that Section 8 was “very wise.” This section limited service in the House of Representatives to not more than four years in seven. He likewise praised Section 17 which apportioned representation in the legislature according to the number of taxable inhabitants, stating that this “is the only principle which can at all times secure liberty.” John Adams said this clause was “not intelligible” and was “inconsistent.” Démeunier remarked that it was such a noble view that it was perhaps above human weakness.

The Abbé de Mably’s analysis of American state constitutions was published in his *Observations sur le Gouvernement et les Loix des États-Unis*. Like Démeunier, the Abbé expressed doubts about the success of democracy: “The American constitutions place one in the same position in which the Romans found themselves after having expelled the Tarquins. In order to interest the people in the cause of liberty the Patricians made them magnificent promises.”

His criticism of the Pennsylvania Constitution conformed to this attitude. One of his main targets was the unicameral legislature:

If the legislative power, which is the soul of the state, or the pivot on which all the political machinery turns, is not established on proper proportions, what disorders . . . might not result. Pennsylvania has granted the right to make laws to a single chamber composed of the free men of the Republic, . . . to be chosen for their wisdom and virtue. Fine! But I avow, Sir, that I will count on this law only in so far as the legislator will have taken the measures necessary that it is faithfully obeyed.

If by their customs the Pennsylvanians are disposed to conform to this regulation; if integrity is dear to them; if they are disposed to reward virtue, I ask why the legislator orders that the election of the representatives shall

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be by ballot. This form of election which is believed necessary makes me surmise that Pennsylvania is far from having the spirit which ought to animate a democracy.\(^{33}\)

He likewise objected to the two years' residence requirement for the election of a representative—"A test of two years does not suffice to gain my confidence"\(^{34}\)—and opposed the lack of financial qualifications for voting: "All the United States of America have demanded a certain fortune either for the representatives or the electors: Pennsylvania alone admits indiscriminately to these privileges all the inhabitants who during one year will have paid the taxes of the state." This, he declared, seemed reasonable at first sight, but, he added, "If chance has already brought differences among the citizens which leads only to confusion, instead of aspiring to a pure democracy will it not then only grant them the privileges and the rights necessary to render the aristocracy more circumspect and prevent it from delivering itself to the ambition which is natural to get?"\(^{35}\)

Acquisition of a franchise at the age of twenty-one also drew Mably's fire. It was entirely too dangerous, he declared, "to give this privilege to every adventurer who would pay the state taxes during the year. The inevitable result of this condition would be that a crowd of young men who did not enjoy the rights of citizenship in the other states would flock to Pennsylvania. They would not have the simple morals which democracy demands. These adventurers would sell themselves to the different parties which divide the towns and counties, and nothing good would come from these intruders."\(^{36}\)

He was critical of the Executive Council because he feared it would lead to jealousy between the two branches of the government. To overcome this he suggested that the Assembly choose the members of the Council from their own numbers, feeling those selected would be flattered by this honor, that strong competition would develop among the counties, and the counties would, therefore, be more attentive to sending to the Assembly only citizens worthy of a place on the Council.\(^{37}\)

\(^{34}\) *Ibid.*, 34.
He also attacked the Council of Censors. "If Pennsylvania doesn't begin by taking morals under its protection," he said, "to encourage them and to avert that which might harm them, I fear that a Council which assembles only every seven years to repair the wrongs done to the constitution and to reinforce it on its principles, would be of all councils the most useless; it will be carried away itself by the torrent of public morals."  

Section 16 of the Declaration of Rights of Pennsylvania which declared that the people had "a right to assemble together to consult for their common good, to instruct their representatives, and to apply to the legislature for redress of grievances, by address, petition or remonstrance," caused Mably considerable concern:

I tell you that I can hardly understand the thought of this law. That the people have the right to consult about its interests, and to give instructions to its representatives when it is assembled to elect them, nothing is more just or reasonable, and is certainly not seditious. But I ask if the people have the right to assemble any time that the fancy seizes them, bound by no rule, subject to no police, and without being under the eyes of a magistrate? If that is the spirit of the law, one must agree, Sir, that by dint of being popular it is truly anarchical.

Such addresses and petitions were useful in England, he remarked, where the Parliament was septennial and sometimes betrayed the interests of the nation, and the king and his ministers had too much authority. "But in Pennsylvania they are unnecessary because the legislative assembly is renewed every year, as are the magistrates charged with the executive power." He also commented unfavorably upon Article II of the Pennsylvania Declaration of Rights which stated, "All men have a natural and unalienable right to worship Almighty God according to the dictates of their own consciences and understanding: And that no man ought or of right can be compelled to attend any religious worship, . . . : Nor can any man, who acknowledges the being of God, be justly deprived or abridged of any civil right as a citizen, on account of his religious sentiments or

38 Ibid., 93–94. Mably seems to have overlooked Section 45 of the Pennsylvania Constitution which stated: "Laws for the encouragement of virtue and prevention of vice and immorality, shall be made and constantly kept in force, and provision shall be made for their due execution."

39 Ibid., 42.

40 Ibid., 43.
peculiar mode of religious worship.” “Do you desire,” Mably asked, “under pretext of populating your lands more speedily, to invite there the most strange religions?” They would only cause friction, disputes and trouble.41

Finally, Mably declared, “In spite of the friendly severity with which I have examined the laws of Pennsylvania,” he said, “I am imbued with the most profound respect for the legislators who have made them. One sees in a thousand places a profound knowledge of the rights of nature and of the human heart.” But in their haste to form a constitution “they did not take the time to arrange in the most perfect manner all the parts of the government. The legislators may change their minds: the love of country invites them to do this, and I do not doubt that they will give Pennsylvania the most favorable government to its present situation, meanwhile concerning themselves with the future.”42

M. Turgot, the famous finance minister of Louis XVI, was much interested in the American Revolution and in the constitutional development of the American states. Like so many other Frenchmen he realized the tremendous possibilities in the New World for putting into effect some of the ideas of the great thinkers of his own country. Speculating on the possibility of American independence, he said in a Mémoire of April 6, 1776, that it was “impossible to foresee in detail the immediate effect of such a great change. Much will depend on the stability of the new constitutions which the colonies will have to draw up. . . .”43 There would be danger, he thought, that if the war lasted long enough the generals might gain the ascendancy. But he was hopeful, stating that “one might surmise . . . from the prudence which appeared to have guided the conduct of the Americans, of the courage and the sagacity found everywhere among them, of their confidence in the wise counsels of the celebrated Franklin, that they will have foreseen the trap and will know how to avoid it, that they will think above all to give a solid basis to their govern-

41 Ibid., 103.

42 Ibid., 60. The same thought was expressed in a letter which John Adams sent Franklin from The Hague: “The philosophers are speculating upon our constitutions, and, I hope, will throw out hints which will be of use to our countrymen. The science of government, as it is founded upon the genuine principles of society, is many centuries behind that of most other sciences.” Adams, VIII, 207–208.

ment, and in consequence they will love peace and seek to preserve it.” Turgot’s commentaries upon American constitutions were written in a letter to Dr. Richard Price on March 22, 1778. In that letter he asked whether the Americans “so well situated to give the world an example of a constitution where man may enjoy all his rights, exercise freely all his faculties and be governed only by nature, reason and justice, will know how to form such a constitution? Will they know how to establish it upon eternal principles, and to prevent all the causes of division and corruption which may insensibly undermine and destroy it?” Turgot was not so sure that this would be the case so far as the constitutions already drawn up were concerned.

As far as the Constitution of Pennsylvania was concerned, he found some faults. He announced that the religious test imposed upon the legislators had better have been omitted, but, he declared, some of the other states were worse. He felt, also, that the large number of citizens opposed to bearing arms might cause trouble:

In Pennsylvania a great number of citizens hold religious principles against bearing arms, and resist, therefore, the necessary regulations for establishing the military force of the state upon a union of the character of the citizen and of the warrior and the militiaman; this necessarily converts the profession of the soldier into the trade of a mercenary.

But unlike most critics, he commended the unicameral legislature. “In most American institutions,” he wrote, “I find an unmeaning limitation of English customs. Instead of centering all authority in one body, that of the nation, they have established distinct bodies, a house of representatives, a council and a governor, because England has a house of commons, a house of lords and a king. They endeavor

44 Ibid., 448.
45 Dr. Richard Price had published an essay in London in 1784 entitled Observations on the Importance of the American Revolution and the Means of Making it a Benefit to the World. Turgot’s letter to Price was confidential: “I write this with a firm reliance on your secrecy. I must even entreat you not to answer me at all in detail by the post, for your letter will inevitably be opened in our post-office, and I should be thought much too good a friend of liberty for a minister, and even for a minister in disgrace.” Dr. Price published the letter in his Observations three years after Turgot’s death. The Comte de Mirabeau then published the letter in French in his Considerations on the Order of Cincinnatus, first published in 1784, translated and published in London in 1785.
47 Ibid., 380.
48 Ibid., 386–387.
to balance exactly these different powers, as if that equipoise, which may have been deemed necessary to prevent the enormous preponderance of royalty, could be of any use in republics, founded upon the equality of all the citizens, and as if every thing which tended to establish different bodies in the state, were not a source of divisions. In seeking to prevent imaginary dangers they gave birth to real ones.”

Pennsylvania alone had solved the problem properly.

Mirabeau, who wrote and thought about many things, was greatly interested in the new American state constitutions. In 1784 he published his *Considerations on the Order of Cincinnatus*, in which he commented upon American constitutions. In the Pennsylvania instrument he, too, found fault with the Council of Censors, for he said that a “council which is to be assembled only once in seven years, is ill calculated to oppose sudden abuses as they spring up in the state, or to repair any detriment done to the constitution: and most probably is altogether useless.” Nevertheless, he thought it “ought undoubtedly take into consideration so important an institution as that of the Cincinnati.” On the other hand, he revealed favor for the unicameral legislature. He advised Americans: “In framing your constitutions, the form of the English government has too frequently occurred to your remembrance. What is well adapted to England, is ill calculated for America. Let there be no balance of powers—no complicated constitutions . . . . think not of counteracting the interests of one body of men by those of another.”

Another European, French by adoption, who wrote extensively on American constitutions, was Felippo Mazzei. An Italian by birth, he had lived in Virginia for some time and was sent abroad in June, 1779, to act as the state’s financial agent. Because Franklin opposed this separate diplomatic endeavor, Mazzei was recalled. In June, 1785, he sailed again to Europe, never to return to America. His commentaries on American institutions appeared in 1788 in the *Recherches Historiques Et Politiques Sur Les États-Unis De L'Amérique Septentrionale*.

Mazzei’s analysis of American constitutions was somewhat more favorable than that of most critics. In fact, he was rather severe with

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49 Ibid., 381.
51 Ibid., 220.
the critics themselves. "The American revolution having attracted the attention of Europe," he declared, "several writers hastened to treat such an interesting subject; and in the fear of being preceded each hastened to publish his work before it had been possible to acquire sufficient knowledge, and without even taking the time and the care to obtain that which they could have gathered." The Abbé de Mably's writings, he pointed out, were particularly poor because they were "generally based on wrong foundations." Singling out his statement that the Pennsylvania Constitution alone granted the right to assemble and to petition as an example of Mably's insuffi-
cient knowledge, Mazzei declared: "The spirit of the law which regulated the Constitution of Pennsylvania, and which the author cannot understand, has been widely taken up in all the other states."

As far as the Pennsylvania Constitution was concerned, Mazzei found several points to commend. The unicameral legislature he thought logical: "The more complicated a machine is the more it is subject to disturbances. This is probably the strongest reason why many people have regarded the government of one man as the best. . . . Following this principle Pennsylvania has committed the legislative power to a single body of men." The electoral system he preferred to that of all other colonies. But he did not think too highly of the Council of Censors. Although, he declared, "Pennsylvania has thought wisely" in not permitting constitutional revision by a simple law, the manner of executing the principles was bad. "Experience proves that it is dangerous to fix a time for such an operation. Discontent and the desire for novelties gathering strength by certainty of revision, may magnify objects, often create them, and the intrigues and cabals begin to pull all the strings two or three years in advance. Vigilance ought to be continuous, not periodic." Mazzei felt that revising a constitution should be "neither too easy nor too

53 Ibid., viii.
54 Ibid., II, 60.
55 Ibid., I, 193.
56 Ibid., I, 201. In Pennsylvania there were annual elections. Legislators could serve four out of seven years.
57 Ibid., I, 378–379.
difficult," and that the duty of calling a convention should be imposed upon permanent bodies, such as the executive, legislative, or judicial branches. He felt, however, that every individual should be able to urge his fellow citizens to summon a convention, but the right to call this convention ought not to be given to a too small number of persons.58

Perhaps the most friendly of all French analysts of the Pennsylvania Constitution was M. Condorcet whose commentaries appeared in three different publications: Lettres D'Un Bourgeois de New-Haven à un Citoyen de Virginie, sur l'inutilité de partager le pouvoir législatif entre plusieurs corps Des Assemblées; the Essai sur la Constitution et les Fonctions Des Assemblées Provinciales; and the Examen De Cette Question: Est-il utile de diviser Une Assemblée Nationale en plusieurs Chambres?59 Most of Condorcet's references to the Pennsylvania instrument were indirect and revolved around his arguments in favor of the unicameral legislature. He regarded the division of legislative power as dangerous and useless.

I know how much the contrary opinion is propagated, and there are several reasons for it. First, there is the abuse of words for people have spoken of opposing forces, of counterweights, of equilibrium, and these words have had on some people an influence all the stronger because they are less understood. Then the professional politicians are interested in defending all that is complicated: each profession has its own quackery, and that of the politicians is to give theirs a kind of occult doctrine to which the initiated alone have the key; a more direct interest dictates further this language for the more complicated a constitution is the more it offers the means of intrigue and sophism.60

But, he declared, since "the representatives of a single nation naturally form a single body," it was foolish to divide them.61 He recognized that a single chamber had "inconveniences." But he did not accept the oft-repeated charge that a single chamber led to corruption. It was absurd to think that a man submitted to the will of another for a price only in unicameral legislatures. "The wisdom of the decisions of an assembly depends largely on the manner in which

58 Ibid., I, 379.
59 The first of these was included in ibid., I, 367-371.
60 Ibid., 350.
the question is discussed.” A unicameral legislature, like that of Pennsylvania, could act as wisely as any other.\textsuperscript{62}

During the period under discussion many other articles on constitutions and government appeared in France. Not all of them mentioned the United States or Pennsylvania. Some Frenchmen became slightly annoyed at all this emphasis on America, a new wilderness country. A M. Gallot in his \textit{Vues sur Les Bases De La Constitution, et La Déclaration De L'Homme Et Du Citoyen} declared that it was not difficult to establish “the essential principles of the constitution which we ought to form, or rather regenerate . . . for we are not a new people without society, laws, administration, police.”\textsuperscript{63} Besides, France and America had different philosophies. The author of a \textit{Discours Composé en 1788, Qui a remporté le prix à l'Académie Françoise} pointed out that the Americans had developed a “love of money, the divinity to which America has raised altars for which they have deserted all the others.”\textsuperscript{64} France could not follow the examples of such a people.

But there can be little doubt that knowledge of the liberal Pennsylvania Constitution of 1776 had some influence on the deliberations of Frenchmen who were developing new governmental institutions in the last fifteen years of the eighteenth century. The Duc de La Rochefoucauld, writing from France on July 12, 1788, to Franklin, now president of the Pennsylvania Executive Council, said:

While you are busy in these great matters, France, whom you left talking zealously of liberty for other nations, begins to think that a small portion of this same liberty would be a very good thing for herself. Good works for the last thirty years, and your good example for the last fourteen, have enlightened us much; . . . \textsuperscript{65}

\textit{The Pennsylvania State College} \hspace{1cm} J. PAUL SELSAM

\hspace{1cm} JOSEPH G. RAYBACK

\textsuperscript{62} \textit{Ibid.}, 5, 16, 21.


\textsuperscript{64} \textit{Discours Composé en 1788, Qui a remporté le prix à l'Académie Françoise} (n.p., 1788), 54.

\textsuperscript{65} Sparks, X, 355.